



Anti - Social Behaviour, Crime and Policing Bill.

Memorandum from The British Horse Society to the House of Commons Public Bill Committee, July 2013.

Summary

The British Horse Society is concerned about chapter 2, clauses 55 - 68 of the Bill, which introduce public space protection orders (PSPOs). We fear that these will lead to the loss of safe off road riding and carriage riding opportunities, when public space protection orders are made which prohibit access to registered commons and equestrian public rights of way.

The British Horse Society

The British Horse Society (BHS) represents the interests of the 3.4 million people in the UK who ride or who drive horse-drawn vehicles. With the membership of its Affiliated Riding Clubs and Bridleway Groups, the BHS is the largest and most influential equestrian charity in the UK.

In England horse riders have access to only 22% of public rights of way and horse-drawn vehicle drivers to only 5%. In Wales horse riders have access to only 21% of public rights of way and horse-drawn vehicle drivers to only 6%.

Many rights of way are now disconnected from each other because the roads that should connect them are no longer safe for equestrians to use because of the speed and volume of motorised traffic on them. This leaves many equestrians without a safe local route to use.

The Society has the following concerns on the Anti – Social behaviour, crime and policing bill:

1. Public space protection orders (PSPOs) could prohibit public access on registered common land. Such land often provides safe off road riding opportunities for horse riders and this access should not be denied by the making of a PSPO. Registered common land should be excluded from PSPOs. This could easily be achieved by amending the definition of 'public space'.
2. PSPOs should not be made, without considering whether any other measures could be taken for alleviating the activities which have had, or are likely to have, a detrimental effect on the quality of life of those in the locality. PSPOs should not be made as an alternative to the Police

investigating crimes that would, if investigated and prosecutions brought where applicable, obviate the need for making a PSPO.

3. The notification procedures for the making of a PSPO are inadequate. As with other access legislation there should be a prescribed list of organisations to include The British Horse Society that should be notified.
4. The authority having consulted, is not required to consider the comments of consultees when determining whether a PSPO should be made. There should be a requirement for a public hearing or public inquiry if there are objections to the Order.
5. The three year duration of orders is too long. Orders should initially last for 6 months with a review being held thereafter to consider the effectiveness of the order and whether it needs to be extended if an application for extension is made.
6. Clause 60 aims to restrict public rights of way over highway. When determining whether a PSPO that restricts public rights of way over a highway should be made, the authority is only required 'to consider the availability of a reasonably convenient alternative route' among other things. There needs to be a requirement on the local authority to ensure that there is a reasonably convenient alternative route that is safe for all categories of user entitled to use it. Again there needs to be a prescribed list of consultees, with provision for a public hearing or inquiry in the case of objection.
7. The procedures for challenging the validity of orders needs to be extended so that locus is given to user representative organisations such as The British Horse Society. Recourse to the High Court is out of reach for the majority of people and our members would look to the Society to assist them. There should be no restriction on who can challenge the validity of an order.
8. The definition of local authority in clause 67 needs amending so that only highway and access authorities can make PSPOs.

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