

HORSE SENSE: Equestrian access in Scotland

Under the Land Reform (Scotland) Act 2003, horse riders and carriage drivers enjoy equal rights of access as walkers, cyclists and other non-motorised users to most land and inland water, day or night, provided that they exercise their rights responsibly. Land managers in turn are obliged to respect equestrian access rights and take proper account of the right of responsible access in managing their land. Detailed guidance can be found in the **Scottish Outdoor Access Code** and on the **British Horse Society Scotland (BHSS)** website.

Who do access rights apply to?

Individual horse riders and carriage drivers, as well as groups of individuals riding together can access most land without the need to seek permission. Access rights include commercial equestrian access such as pony trekking, provided the person exercising the right could carry on the activity other than commercially or for profit. BHSS recommends that as a matter of courtesy, all commercial operators and anyone organising an event should contact land owners and managers. Some activities require permission from the land owner/manager such as for repetitive schooling, or to use facilities such as custom-made gallops or cross country jumps.

Where do rights of responsible equestrian access apply?

While paths and tracks provide the basic framework for off road access; access rights also apply to other land.

LAND USE	ACCESS RIGHTS WITH A HORSE INCLUDE	ACCESS RIGHTS DON'T INCLUDE
CEREAL FRUIT OR VEGETABLE CROPS	Margins, headlands and endrags of fields in which crops are growing or have been sown (but only in single file and if ground conditions allow). Stubble. Grass strips.	Fields in which crops have been sown or are growing.
GRASS BEING GROWN OR MANAGED FOR HAY OR SILAGE	Grass at an early stage of growth.	Grass at a large stage of growth (ankle deep).
HILLS, MOUNTAINS, MOORLAND	Rough grazing, moorland, unfenced land.	-
GRASSLAND GRAZED BY LIVESTOCK OR BEING USED FOR OTHER PURPOSES	Enclosed fields, rough grazing and other ground on which cattle, sheep, deer or other livestock are grazing (see advice overleaf).	-
WOODLAND AND FORESTS	Woodland and forests.	Areas where felling or extraction is actively happening.
BEACHES, LOCH SHORES, RIVERBANKS, CANAL TOWPATHS	Beaches, loch shores, riverbanks, water margins, canal towpaths.	-
BUILDINGS, STEADINGS, HOUSES	Established rights of way or specifically signed paths and tracks through steadings.	Land on which there is a house or other buildings, including tracks through steadings where there is no right of way or specially signed path, and land immediately surrounding buildings sufficient to ensure reasonable privacy.
GARDENS, SPORTS PITCHES, GOLF COURSES	Grass sports or playing fields while not in use (but horses need to go around the edge and only without causing damage).	All private gardens. Land in use for a recreational purpose.
GOLF COURSES	Paths through or around golf courses, to cross over the land.	Greens, tees, fairways.

HORSE SENSE: See it from each other's point of view

WHAT ARE THE RESPONSIBILITIES OF LAND MANAGERS?

Take equestrian access rights into account when managing land.

Do not purposefully or unreasonably prevent, hinder, deter or interfere with responsible equestrian access, on or off paths and tracks. This means you shouldn't obstruct access, discourage or intimidate riders or carriage drivers.

Avoid locking gates on routes which riders use or might want to use. Where it is necessary to lock a gate temporarily to prevent illegal vehicular access, or where there is risk of livestock straying, provide a suitable alternative alongside.

Use the least restrictive option possible when replacing gates or erecting or replacing field boundary fencing or walls, particularly at intersections with paths and tracks. Self-closing bridlegates are ideal, but BHSS are happy to advise on other options.

Avoid obstructing paths and tracks by leaving machinery or dumping material without sufficient space for horses to pass alongside.

If you do have to temporarily restrict access, use signage and good communication to explain why and for how long, and clearly sign a suitable alternative route for horse riders as well as others enjoying outdoor access. Keep any restrictions to the minimum area and duration.

Warning signs about potential hazards (e.g. bulls, spraying) need to make clear when the risk applies and be removed when the risk is over.

Remember that fly-tipping, vandalism and anti-social behaviour are nothing to do with equestrian access. If you need to take action to address these issues, make sure you leave sufficient space alongside to allow legitimate access on foot, cycle or horse. Bear in mind that a regular throughflow of walkers and riders may help discourage the culprits of illegal activity who won't want to risk being seen.

WHAT ARE THE RESPONSIBILITIES OF HORSE RIDERS AND CARRIAGE DRIVERS?

You are responsible for yourself and your horse and for controlling your horse in any situation you may meet while out riding or carriage driving. It is up to you to decide whether a steep path or field of cows is safe to ride through, based on the abilities and experience of yourself and your horse.

Leave your dog at home unless it is under proper control in all circumstances.

Remember that farmers, foresters and others are making their living from the land **so don't interfere unreasonably with land management** or disturb those who live there.

Follow any reasonable advice or signage (provided it complies with the Land Reform Act) and leave all gates as you find them.

Take particular care through livestock, especially fields with cows and calves, or horses. Use an alternative route if possible or keep a safe distance and pass at a walk.

Enjoy your riding but restrict your pace to the ground conditions, a safe stopping distance, and how far you can see ahead.

Be prepared to alter your route if ground conditions are not suitable, or to avoid land management activities like: shooting, stalking, ploughing, crop spraying, gathering livestock. Check where stalking is taking place on: www.outdooraccess-scotland.com/Practical-guide/public/heading-for-the-scottish-hills.

Avoid areas created or managed for wildlife such as beetle banks, or sensitive bird nesting habitat, particularly in the breeding season.

Riding on wet, boggy or soft ground can churn up paths and tracks. Look behind you - if you are leaving deep hoofprints, you are not riding responsibly.

Think about the cumulative impact of riding in a group, or repeatedly using the same route and your impact on other people, wildlife, livestock and the trail surface.

Respect others enjoying outdoor access. Horses can be very intimidating, particularly to the young, old and physically less agile, and to dogs. Always pass other people and vehicles at a walk, allow plenty of space, and be prepared to dismount or wait for others to pass if required.

Whenever possible **move your horse off the path before it dungs.** On well used routes or near houses, dismount and kick dung off the path (provided it's safe to do so).

BE SAFE AND BE SEEN: KEEP YOUR WITS ABOUT YOU AND WEAR HIGH-VIZ.

BE COURTEOUS: A FRIENDLY WAVE IS ALWAYS WELCOME.

For further guidance on riding on field headlands and field margins, towpaths, beaches or through livestock, and on biosecurity or dung, or if you're organising an event or running a business which involves equestrian access, see: www.bhsscotland.org.uk/resources.html