

The law and management of public access rights vary widely between the four countries of the United Kingdom. Practical elements of the following advice apply in all of them but the legal requirements in Scotland and Northern Ireland may differ from those in England and Wales.

More advice is available on www.bhs.org.uk/accessadvice.

IMPORTANT This guidance is general and does not aim to cover every variation in circumstances. Where it is being relied upon, The Society strongly recommends seeking its advice specific to the site.

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Summary

A highway includes a public road, byway open to all traffic, restricted byway, bridleway or footpath. A carriageway includes a road, byway open to all traffic or restricted byway.

Closed gates at a level crossing warn highway users that they are entering a different environment (the operational railway) where they need to take greater care.

It is a legal requirement for horse riders and drivers (equestrians) to comply with any relevant signs and notices at a level crossing.¹ They must obey any warning lights or instructions by phone from the railway controller.

Be alert all the time on the railway and do not spend unnecessary time on the railway.

If you have used the lineside phone to ask for permission to cross, **always phone again** after crossing so that the railway controller knows you are clear of the crossing.

Where the level crossing gates are not self-closing, ensure all gates are closed after use and confirm that this is the case where there is a phone.

Crossing while mounted or leading

Network Rail advises riders to dismount when using any level crossing. This is because some rails can carry a small electric current which operates the signalling, and a horse with metal shoes could receive a mild shock if it should stand on both rails of a set at once, which could cause it to react, as to a battery-powered electric fence. The risk is low in most instances, but equestrians should be aware of the possibility, make their own assessment of risk, and aim to keep moving briskly while on the crossing.

When crossing electrified railways with overhead lines, riders **must dismount where Horse Riders Dismount signs are present** (see [Overhead electrified railways](#)).

On crossings of non-electrified railways, and railways electrified by a third rail, where gates are closed, riders may consider dismounting and leading to be the safest way to use the crossing; however, other riders will feel they have more control when mounted and are more vulnerable leading, as a led horse might snatch the reins free and put people in danger by being loose on the railway. The Society therefore considers that, on railways without overhead electric lines, dismounting depends on the rider's knowledge of their horse, their ease of opening gates, and their assessment of the risk to those on trains as well as to themselves.

Drivers of horse-drawn vehicles will put down their groom to operate the gates before driving across. Where the railway is electrified with overhead lines drivers of tall vehicles may also need to dismount (see [Overhead electrified railways](#)).

¹ 13 March 2024, DfT authorised inclusion of 'Horseriders must dismount' in ss64 and 65 Road Traffic Regulation Act 1984 for signs as prescribed in the Private Crossings (Signs and Barriers) Regulations 2023

Crossings should be provided with mounting blocks to facilitate dismounting and remounting safely and quickly. The local highway authority and Network Rail should be requested to provide them if there are none and there is known equestrian use; however, they are likely to have to be sited on land outside Network Rail's ownership, so their installation will be at the adjacent landowner's discretion.

Crossings with open gates except when trains pass

At most public road level crossings, the gates or barriers are closed only when trains are passing or approaching. Equestrians are expected to cross without delay, the same as in a motor vehicle, while obeying any traffic signals or instructions.

Where lineside phones are provided at these crossings, they are intended for drivers of long or slow vehicles and are usually sited on the right-hand side of the road so they can easily be seen by HGV drivers. Equestrians do not need to phone for permission to cross where the gates are normally open.

N.B. There are rare remote crossings without gates or barriers where users must obey any signs or traffic signals and/or any audible warning (which may only be the train's horn being sounded as it approaches) and must assure themselves that there is no train approaching before crossing. Where a train is approaching, the user must ensure they wait in a safe position away from the white stop line until the train has passed.

Level crossings where gates are normally closed

Caution

If there is neither signalling nor phones, equestrians should look along the line in both directions for a train approaching **before** venturing onto the railway, and keep looking for approaching trains all the time whilst crossing.

Assess the sightlines and potential speed of trains before attempting the crossing.

If there is automatic signalling, rider/groom and driver should check the lights are not on 'red' each time before going onto the crossing.

Gates

At crossings on roads, byways open to all traffic and restricted byways where gates are normally closed across the highway, there may be a single gate for all users, or a wide vehicular gate and a side gate for pedestrians. The vehicular gate will have catches which may be difficult to open from horseback so a rider could spend more time on the railway shutting one gate and opening the far one. They may have to dismount while on the crossing if a catch is difficult. Time on the railway increases the risk from trains, especially

where there is no phone provided to contact the railway controller, and should be avoided. Where gates are difficult, Network Rail should be asked to ensure they can be easily operated from horseback.

It may be preferable for Network Rail to replace narrow pedestrian gates with bridleway standard gates (see [BHS Advice](#) on Gates).

Gates on bridleways should be no less than 1.525m wide unless there is also private vehicular access, in which case the previous point applies.

Using a crossing with a driven horse

Carriage-drivers using any gated route must be accompanied by a competent and active groom who will follow the instructional signs, use the phone where one is provided, and open and close gates for the outfit. Any carriage-driver who attempts to use a level crossing without a groom is liable to have invalidated their insurance and laid themselves open to criminal charges if there is an incident.

When the line is clear, or clearance given by the controller by phone, the groom should open the far gate first, then return to open the near one. This reduces the risk of the horse(s) trying to move on to the crossing too soon.

The horse and vehicle are taken across and the groom returns to close both gates.

It may be necessary to unhitch a horse from a high vehicle where there is overhead electrified equipment (see [Overhead electrified railways](#)).

Phones at crossings

There may be a phone on gated crossings to contact the railway controller. Where there are no miniature stop lights, automatic signals or some other control system,² the phone should be used to:

- Check that there is enough time for you and your horse, group or vehicle to cross in safety;
- Warn the line controller of a potential obstruction — you/your horse/vehicle — on the line so that trains entering that section can be halted. That is why **it is essential to phone again** when you are clear of the line and the gates are closed.

You must obey any instructions from the controller, even if this means waiting for several trains to pass, and **you must phone again when you are safely across**. This is emphasised because users failing to comply with instructions for use of phones at

² Most crossings with miniature stop lights or other automatic signals will also have a phone for use if the lights or signals should fail. If they are not working, riders must use the phone.

crossings presents a high risk to the railway. Irresponsible use of crossings simply supports more crossing closures, with loss of important links for equestrian access.

If the crossing is protected by miniature stop lights, automatic signals or some other control system, but the equipment has failed, you should use the phone as above, and first inform the controller that the equipment at the crossing is not working.

If there is no phone at a crossing, bring it to Network Rail's attention that there are equestrian users and request a phone or signals to be installed. However, an installation may not be possible as there are many factors to be considered, such as the number of equestrians using the crossing, the frequency and speed of trains, the available sighting distance of approaching trains, or whether the crossing is programmed for Closure **of level crossings** under Network Rail's Risk Reduction programme.

Crossing in groups

Groups of three or more riders and horses, especially if they are unable to phone the railway controller, should have one rider dismount, leave their horse with another rider and open the far gate first, then cross back to open the near one, let the horses cross and close the gate now closest to the horses, then finally close the first gate. This reduces the risk of a horse going onto the crossing too soon or back onto the crossing.

Groups of driven horses should follow the same process, with grooms set down to open and close gates.

Each person is responsible for their own safety each time they cross the railway. The dismounted rider or groom and each member of the group should check for any train approaching before stepping on to the crossing and to continue watching for trains whilst crossing.

If the group is too large to cross together, cross in twos or threes, ensuring that a lone horse is not separated from the others by the railway. Keep checking for trains all the time.

If you are under the instruction of a railway controller, having used the crossing's phone, you may need to contact them again if there is a delay. You **must phone again to say that the line is now clear** when everyone has crossed and that the gates are shut.

Overhead electrified railways

Where there are signs instructing a rider to dismount at a level crossing with Electrified 'Overhead Line Equipment' (OLE), you are legally required to comply with the signs.

The OLE should be at least 5.6m high over crossings of public roads, byways open to all traffic, restricted byways and private 'occupation' roads.³

However, the height of the OLE above a **bridleway crossing that is not also an occupation road** is generally only 5.2m. There may also be instances where a level crossing with local constraints, such as close to bridges, may be lower than 5.2m.

At bridleway crossings, 5.2m may appear to be ample clearance for all equestrians, but there is a risk of electric current arcing ('jumping' through the air) from the live wires to a body in its vicinity. The risk of arcing increases in wet or humid weather conditions. Network Rail's operational handbook on overhead electrified lines (GERT8000-HB16) confirms a general safety distance of 2.75m between any part of a person and the overhead line equipment.

The arcing zone reduces the safe height clearance for crossing users. The lower the height of the overhead lines, the lower the safe height clearance. Riders should therefore always comply with warning signs advising riders to dismount.

The 5.2m normal line height minus 2.75m safety zone gives a **2.45m safe height** for horse and rider.

Riders and carriage-drivers are strongly recommended to know the height of the top of their helmet when mounted, or the highest point of their vehicle/driver before using a crossing.

Where the top of a rider's helmet is below 2.45m, they should be able to safely use a crossing while mounted if their personal risk assessment considers that as the safest option. However, the top of the helmet of a taller rider of a horse over 16hh may be more than 2.45m⁴ from the ground, so the rider's head could be within the 2.75m arcing zone where the overhead lines are at 5.2m.

Where the electrified line height is above 5.2m, dismounting is at the rider's discretion, knowing their height and whether their height puts them at risk.

Where the height of overhead lines at a crossing is less than 5.2m, there will be signs that Riders Must Dismount and the safe height clearance may be displayed. For the safety of you, your horse, and the railway users, such signs must be obeyed.

Mounting blocks should be provided where line height is below 5.2m or where mandatory dismount signs are displayed, and Network Rail should be asked to do so where there are

³ An occupation road has rights with motor vehicles for the land holder only, but may also carry a public right of way on foot, horse or non-motorised vehicle

⁴ This estimate is highly variable depending on variation between withers and back, depth of saddle, height of rider, height of helmet etc and it is not possible to give an absolute or a maximum. There are also many ridden horses higher than 16.2hh.

none (however, as they are likely to be sited on land outside Network Rail's ownership, their installation may be at the adjacent landowner's discretion).

Even where the OLE is at full height over a road, there is still the potential that if a horse was to rear, its head could be within the arcing zone, or if the rider of a large horse was to stand in the stirrups or raise an arm or whip overhead.⁵ The likelihood of a horse rearing, or a rider raising an arm, at this precise point may be exceptionally low; but riders should be aware and act with special care, because at 25,000 volts, electrocution would be fatal, especially for a shod horse which might have a foot in contact with the metal line. Such an incident might also endanger a train and the people on it.

Electricity from overhead line equipment should not be conducted through the ground. Any incident attributable to electric shocks from the ground of the crossing should be reported immediately to Network Rail.

Horse-drawn vehicles

The highest point of a horse-drawn vehicle outfit is often the driver's head. Drivers must know their highest point before planning to use a level crossing with OLE. 2.85m is the maximum height clearance for a horse-drawn vehicle, whether that is a part of the vehicle or the driver or groom's body. What a driver and groom must do changes for a vehicle over that height.

Vehicles under 2.85m at highest point

For roads and byways used with horse-drawn vehicles, unless otherwise stated by signs, the OLE wire height would be at least 5.6m. Therefore, if your vehicle or driver's highest point is below 2.85m and you consider it safe to drive over the crossing, ensure that whips are kept low.

For crossings with barriers across the right of way when not in use, follow the instructions as for riders (use phones or automated signals as required before and after crossing).

Vehicles over 2.85m at highest point

If a driver of a vehicle more than 2.85m high wishes to use a crossing with OLE, they will need to dismount and work with the groom to take horses out of the vehicle, lead them across, then take the vehicle by hand. Shafts may need to remain down when moving the vehicle to avoid the arc zone, depending on their height when upright. It is anticipated that this type of vehicle is very unlikely to be in use, but is included for completeness.

⁵ The United States Department of Agriculture (USDA) records the maximum height of an uncontrolled rear, from ground to head, as up to 3.6m for larger horses.

For crossings with barriers across the right of way when not in use, follow the instructions as for riders (use phones or automated signals as required before and after crossing). When phoning a controller, you must be able to provide a reasonable estimate of the time it will take for the manoeuvre so that they can ensure you will have a long enough period to complete it in safety. When you have all crossed the line, the final step is to phone the signaller to notify that the crossing is clear. This is important. Failing to notify could cause delays to trains.

At a crossing without phones, great care will be required, with constant checking for trains between stages of the manoeuvre. Such an operation is recommended to be undertaken with no fewer than one person per horse and an additional person as lookout.

Third-rail electrified railways

There are electrified railways powered by a third rail on the ground that runs parallel with the rails which carry the trains' wheels. However, the third rail does not continue through any level crossing; it ends several metres from the crossing on either side and is separated by trespass boards/cattle grids at the crossing that prevents straying off the crossing and onto the adjoining railway. There is no risk of electrocution from the third rail system at a crossing.

Reporting difficulties

If you encounter any difficulty using a level crossing you should contact Network Rail immediately on their 24 hour helpline: 03457 114 141 or via the online contact form at <https://communications-crm.custhelp.com/?overlay=FormSelect> (and to the BHS using its General Incident Report Form on www.bhs.org.uk).

A phone number may also be provided at crossings that have lineside phones to contact the controller. Issues such as slippery boards, gaps between board and rail that could be a trip hazard or catch a horse's hoof, damaged gates or faulty phones are usually very promptly resolved. Relocating or installing phones takes longer.

Sightlines in each direction need to be as long as possible. Network Rail should be requested to cut back intrusive vegetation if it would improve sightlines.

Gate specifications

User operated bridle gates at level crossings and side gates on vehicular routes must:

- Open one way — away from the track — so users do not walk unaware into a potentially dangerous environment and so that users spend as little time as possible on the railway.

- Not all gates have a catch as this delays users getting off the crossing while they operate it. Catch-less gates can be opened in a straight line without the turning manoeuvre at the line-side which would be needed to operate a catch.
- Have a clear width of at least 1.525m between the gate posts to comply with the law on bridleway gates.
- Gates on byways open to all traffic, restricted byways and roads should be a minimum of 3m but 1.8m may be acceptable where there is a Traffic Regulation Order in place to limit use. A 1.8m gap is intended to permit use with horse-drawn vehicles but not four-wheeled motor vehicles (see [BHS advice](#) on Vehicle Barriers).

Bridle gates will also need to:

- Be gently self-closing against the clapper post in no less than eight seconds.
- Stay shut in all conditions when not being used so the next user realises they are entering a potentially unsafe environment. This should be achieved mainly via the hinge mechanism but catches, such as magnets, that do not need operating can help, provided they are not too strong for a rider to counteract easily from horseback.⁶ Weights are not acceptable as a closing mechanism as the horse can balk at or get caught in these as they move, bang or rattle and delay crossing or leaving the track.
- Have 1.2m space for the horse's head and neck beyond the clapper post between 1.2 and 3m from the ground (i.e. above normal fence height).
- Have 4m by 4m manoeuvring space alongside the gate to allow the horse to move as its rider pulls the gate open and turns to go through it. This should include enough room beyond the hinge for the horse to approach the hinge end of the gate and turn to stand parallel to it with the rider next to the clapper post, ready to pull the gate open.

If the recommendations regarding manoeuvring space and obstructions cannot be achieved due to site limitations, a representative from The British Horse Society should be asked to visit the site. A catch-less gate may need less manoeuvring space beyond the clapper post than is required for a gate with a catch.

Phone specifications

Where a phone is provided at a crossing it should be located near the gate onto the track and, ideally, be:

- At a height of at least 1.4m where it can be reached from horseback above a post and rail fence (usually works for both riders and those on foot).

⁶ Riders may have limited strength available and are less able to apply strength while mounted.

- With at least 1.5m, preferably 2m clear space each side of the phone for a ridden horse to approach and stand side-on so a rider can use the phone and eventually turn away. This will normally be part of the 4m² manoeuvring space by the gate.

Unfortunately, phones inside a 'cupboard' with a door that needs holding open are standard and are currently unable to be replaced with weatherproof phones which would be easier for a rider to use.

If there is a phone, but it is inconveniently situated, then Network Rail should be asked to relocate it so that it is easy and safe to use. The convenience of other users may have to be considered in the siting of phones.

Livestock control

Keeping livestock off the railway whilst ensuring equestrians, cyclists and pedestrians have easy and safe exits from the crossing may be difficult to reconcile. Where there is livestock, the Society recommends that a corral is constructed with a stock-proof gate, easily operable from horseback, at the field end. This should open one-way, into the field. It is recommended that there should be at least 8m between the two gates and a width of 5m, more if space allows, and particularly if the route is used by groups as everyone needs to get off the line quickly. Mounting blocks will be needed for re-mounting at crossings where riders habitually dismount. They should be built to the left-hand side of the path leading away from the crossing and according to the specification in [BHS Advice on Mounting blocks](#).

Permitted routes that include level crossings

Network Rail's consent would be required for permitted use of a private crossing, whether for a single event or ongoing, because additional protection measures may be needed. Authorisation is under stringent conditions so careful consideration must be given to any proposal to use a crossing which is not a public bridleway, byway or road. Consultation with Network Rail and the Society is strongly advised at the earliest stage of any proposal. If consent was not given, Network Rail may hold the landowner responsible for any unauthorised use of the private crossing. Many incidents on the railway have occurred through careless use of private crossings and some have resulted in prosecution of the crossing user, landowner or occupier.

The Society would advise that where private access rights over a crossing are considered for use by permission or licence, it is strictly limited to a specific group of riders, such as the clients of a single livery yard, and not the general public, so that regular reminders may be issued about safe use of the crossing.

Closure of level crossings

To increase rail safety and minimise train delays due to incidents, and to increase train speeds and number of trains, Network Rail is working to eliminate level crossing risk that can include their closure and removal. However, seeking the stopping up of a public right without provision of a suitable alternative route is Network Rail's last option and a crossing carrying public status will not be closed without following the statutory process, including full consultation of the proposals and consideration of options.

New processes and procedures have been discussed between Network Rail, IPROW⁷ and ADEPT⁸ and have been implemented with Defra⁹ and DfT¹⁰ agreement. Discussions continue with highway authorities about this process where strategic lines and high-risk crossings are being targeted first. Local Access Forums (LAFs) should ask to be kept informed and give advice where necessary.

Equestrians who currently use level crossings and equestrian representatives on LAFs should ensure that bridleway, byway and minor road crossings are not closed without acceptable alternative provision. It is not acceptable to divert equestrian users onto a road bridge, for example, unless the road has limited motor traffic speed and low volume. A diversion incorporating an existing or replacement bridge or underpass should be suitable for combined pedestrian, cycle and equestrian use. The Society's access officers must be consulted on proposed closures.

Some crossings will be closed sooner than many others but, even if closure is imminent, Network Rail and the highway authority have a duty to ensure that crossings are as safe as practicable in the meantime.

If this is a saved or printed copy, please check www.bhs.org.uk/accessadvice for the latest version (date top of page 2).

⁷ Institute of Public Rights of Way and Access Management

⁸ Association of Directors of Environment, Economy, Planning & Transport

⁹ Department for Environment, Food and Rural Affairs (government)

¹⁰ Department for Transport (government)