

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](http://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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Gates are a barrier which can be a major hazard to riders, and drivers of horsedrawn vehicles, and may obstruct a public right of way because they are too difficult for users to negotiate.

Even the best gate which is easily operated in ideal conditions is still a potential hazard and an inconvenience for equestrians, particularly on horseback. Non-riders tend not to realise that while pedestrians may barely interrupt their stride to negotiate a gate, a rider will take at least five times as long, even at the best gate and with a high skill level of horse and rider. The ideal for safety and convenience is that there should be no gates

across a route. This is reflected in the British Standard 5709 2018 for Gaps, Gates and Stiles.

Although nothing in law specifically says a gate on a bridleway, byway or road must be openable from horseback, it is arguable that there was no need to state it, because any highway other than a footpath is a right of way *on horseback*, so a rider should not have to dismount in order to exercise their right.<sup>1</sup>

The Equality Act 2010 and the Countryside and Rights of Way Act 2000 advocate the 'least restrictive option' to inconvenience or obstruct the fewest users. The least restrictive option is a gap, with a gate used only where a gap is impractical and where it is necessary for the control of animals. Equestrian users may have impaired mobility and a horse provides them with many health benefits of exercise and access to countryside as well as some freedom of travel. Gates can be limiting factors on the distance and routes that people can use independently.

There are many situations where a gap would be practical instead of a gate, such as between arable fields or where there is no livestock. Any gate not currently required for the control of livestock could be removed or secured in its open position. This reduces wear on gates and the ground as well as improving the passage and safety of users. Tying back a gate in winter when stock is off the land is also beneficial in reducing footfall around the gateway when the ground is most vulnerable to poaching, which can improve ease of access and retention of vegetation. A horse having to manoeuvre to negotiate a closed gate will have many more footfalls, commonly turning tightly, so causing much more poaching than going straight through a gateway with the gate removed or tied back. If removed, a gate can be replaced in future if it is again required for the control of livestock.

Where a gate is deemed necessary, it should be easy and convenient to use by equestrians as well as other users. A newly authorised gate should comply with the British Standard for Gaps Gates and Stiles,<sup>2</sup> which includes consideration of its site because although a gate itself may be sound or comply with the Standard, hazards in its site may make it an obstruction to riders.

It is vital for safety that the site has adequate manoeuvring space—commonly underestimated by non-riders—and be clear of hazards such as uneven or sloping ground, holes, deep mud, overgrowth and barbed or electric wire.

Gates on a bridleway meeting a road should be set back by 4m because of obvious dangers to users (and motorists) while riders negotiate the gate in either direction. A gate

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<sup>1</sup> This might not apply if it is demonstrable that the limitation is historical and that the right of way would have come into being subject to dismount.

<sup>2</sup> BS5709:2018

on a byway meeting a road should be set back by 6m so a horsedrawn vehicle is well clear of the road while waiting for the gate to be opened or closed.

## BHS priorities in order of preference

For all of 1 to 3 below, the gap with or without a gate should be **no less than 1.525m on a bridleway, 3.048m on a byway.**<sup>3</sup> The options, in order of desirability are:

1. A gap
2. A gate which is easily operable from horseback without self-closing mechanism
3. A self-closing gate only where required for essential livestock security with *at least eight seconds* closing speed from 90 degrees<sup>4</sup>

'Essential livestock security' is considered to be alongside a road or onto a track which is open to a road.

## Basic requirements

Several factors reduce the risk, difficulty and inconvenience of gates for equestrians and the BHS considers that all gates used by riders<sup>5</sup> should comply with the following basic requirements:

- Be openable with One and the same hand, so the same hand that operates the latch moves the gate, either with the latch or by the latch remaining lifted or retracted while the hand moves to the gate
- Be operable while mounted with no need to lift or exert strength to operate the latch or move the gate
- Have manoeuvring space of 4m by 4m at each side, including 1.2m beyond the latch in line with the gate and 6m length before and after the gate on a byway
- Have firm, level (i.e. not sloping in any direction), even ground with no vegetation overgrowth (from the surface, sides or overhanging) within the manoeuvring space
- Provide an opening of at least 1.525m on a bridleway, 3m on a byway

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<sup>3</sup> Unless subject to a traffic regulation order suspending the right for mechanically propelled four-wheeled vehicles, or on a restricted byway, when a 1.8m gap may be accepted if necessary to restrict motor vehicles and if locally used horsedrawn vehicles can fit, unless agreed by the council with horse drivers that a 1.525m gap for ridden horses and a key or code lock for horse drivers is acceptable.

<sup>4</sup> Gates must open to more than 90 degrees. The recommended minimum time may vary depending on the type of mechanism but will be no less than eight seconds.

<sup>5</sup> Riders need to operate a gate from mounted, whereas drivers of horsedrawn vehicles would be on foot.

- Open to no less than 90 degrees
- Be set back from a road by 4m on a bridleway, 6m on a byway

## One and the same hand

At all times, a rider needs a hand for the horse, so has only one for the gate. Having to use both hands for the gate or one for the latch and one for the gate (e.g. gravity latch lifted by one hand while the other pushes or pulls the gate) means that the rider has jeopardised control of the horse and increased the risk of snagging reins or martingale on the structure.

Swapping hands may lose control of the horse during the transition as there are few mechanisms which will remain lifted or retracted while swapping hands, leading to frustration and inconvenience.

A rider has already jeopardised their control of the horse by having to lean away from the centre of balance to operate the latch; further loss of control by using both hands, and the physical twist and effort required increases the risk of a fall or injury if the horse does not remain still. While many horses can be trained to cooperate in safe gate operation, there are always sudden sounds or movements which might affect safety. Latch mechanisms which are part of one movement to open or close a gate increase the safety and convenience of a gate.

## Spring bolts

A spring bolt latch into a hole or gravity latch should be fitted with a rod as its lever extending above the top rail. Spring bolt latches without an extended lever are rarely possible to operate while mounted and can require considerable strength even on foot so may constitute an inconvenience, hazard or obstruction on a public right of way.

A spring bolt should ideally be protected where it sticks out from the gate to avoid injury from it. Some horrific injuries have been incurred by horses and riders from protruding spring bolts, when gates have closed against horse or rider. Retracting D-loop bolts are recommended to reduce the chance of injury, or a welded D-loop that shields a straight bolt.

## Double gates

Double gates must have one gate firmly anchored so that the rider or driver only has to move one gate. Both gates moving may produce an impossible situation for anyone alone especially in wind or where the gates will not stay in one position. While this situation may be possible to deal with on foot because you can keep hold of both gates, that is

impossible when you need sufficient space to take a horse through, even if the rider has been forced to dismount to deal with the obstruction.

## Self-closing gates

Self-closing mechanisms can be dangerous for riders. Having opened a gate, many riders will not be able to keep one hand on it to hold it open as they pass because they cannot reach or because to do so would compromise control of the horse. They will swing the gate wide enough to let it go and ride through the gap.

This is not safe with gates that close quickly as the narrowing gap may cause the horse to panic or the horse or rider may be hit by the gate or the post. Serious injuries from these gates are common and the BHS strongly recommends against their use unless the closing speed is at least eight seconds from 90 degrees.

The risk at self-closing gates is much increased by additional hazards such as lack of space to manoeuvre, uneven ground, overgrowth, slope, deep mud or standing water.

**Where a site cannot meet the [Basic requirements \(page 2\)](#), a self-closing gate should be avoided or removed.**

Self-closing gates are commonly impossible to use when riding one horse and leading another or when leading more than one horse. A horse may be led when ridden by a novice, child or disabled rider. Bridleways, byways and roads include the right to lead a horse and to ride one horse and lead others. 'Riding and leading' has been a normal activity on the highway for as long as horses have been used as transport.

## New gates on bridleways

A new gate may only be authorised on a bridleway by a highway authority under certain conditions, usually for the control of animals. Highway authorities are strongly recommended to apply the British Standard 5709 and the Basic requirements on page 2 if authorising a new gate, and to ensure the authorisation is subject to review and will be withdrawn if the gate is no longer needed.

All gates should be useable from horseback. A gate for which a rider must dismount may comprise an obstruction for someone with limited strength or agility and at the least will be a gross inconvenience to riders. It must not be considered as an option for a new gate and is strongly recommended against for a historical gate.

## Dismounting

Dismounting is **not** the answer to a gate that cannot be operated from horseback. Even on the ground, the rider needs one hand for the horse. It may not be safe or possible to

tie the horse somewhere close, open the gate, untie the horse, move it through, tie it again, close the gate, untie the horse. Dismounting and mounting are potentially hazardous, especially with other factors such as boggy ground or livestock. They are manoeuvres when a rider is vulnerable because their control of the horse is most limited, and risk is elevated in the moments between leaving the ground and regaining full control in the saddle. Many serious falls and injuries occur while mounting or dismounting. Requiring a rider to dismount for a gate is not a reasonable solution.

Mounting without a mounting block is not possible for many riders and is not recommended because of the strain it puts on the horse's back, the rider and the saddle. Many riders have limited agility and have difficulty mounting or dismounting but can enjoy the exercise of riding for miles once in the saddle.

Provision of mounting blocks is not the solution to gates which are inoperable from horseback. Even with a mounting block, having to dismount carries a risk because of its environment and is an inconvenience which may not be considered reasonable.

The Highways Act 1980 Section 146 states that a gate must "prevent unreasonable interference with the rights of the persons [using the right of way]". Having to dismount and remount to open a gate is unreasonable interference with the passage of a rider, because the process takes many times longer and substantially interferes with the passage of a rider as well as increasing risk of injury. A mounted rider may take at least five times longer than a pedestrian to negotiate a gate, even if the gate is of high standard with adequate space around it; if they have to dismount, it could be ten times more time or longer, depending how far they have to walk for assistance to remount.<sup>6</sup>

## Manoeuvring space

Sufficient manoeuvring space around the gate on firm, level (not sloping) ground is particularly important and emphasised in the British Standard.

The recommended safest method of opening a gate is to approach the gate from the hinge end and align the horse parallel to the gate facing away from the hinges with the latch level with the horse's shoulder so that the rider can reach and operate it easily, without stretching or being off-balance. This position requires space of 1.2m for the horse's head and neck beyond the latch in line with the gate. Space for the horse to approach the gate and turn to this position is required (see [BHS Advice](#) on Opening Gates).

This method (commonly called 'heels to hinges') is recommended because it reduces the chance of the reins, bridle or martingale becoming caught on the gate or its latch, or of the horse's head being hit by the gate or latch (if the latter protrudes). It enables the

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<sup>6</sup> This is based on observation

rider to operate the gate one-handed, using the same hand throughout and controlling the horse with the other hand, thus avoiding a loss of control of the horse or gate while the rider changes hands.

Allowance needs to be made for the space taken up by the gate as the rider pulls it open and by the horse as it reverses while the rider operates the gate, if opening towards them. Two or more horses travelling together will need more space; normally a group of three horses should be allowed for, since a horse may become difficult to control if left alone while its companions move on. A rider may also be leading a second horse, which makes operating gates even more of a challenge.

Ideally, for safe and effortless operation of a 1.525m bridle gate, a minimum clear manoeuvring space of 4m square should be provided before and after the gate, including space beyond the latch for the horse's head and neck, with an additional 4m length of waiting space if use by groups of horses is likely. For a longer gate the area on the opening side may need to be greater, depending on the length of the gate.

Riders of larger horses may not be able to operate a 1.525m bridlegate using the heels to hinges method because the length of the horse means the rider cannot keep a hand on the gate. The rider may have to approach diagonally, which makes the space required at the latch end particularly important, so that riders can position the horse beyond the latch so that they may reach the latch with the hand closest to the hinges.

Using methods other than heels to hinges to open a gate commonly have the horse approaching the gate at right angles and the rider operating the latch with the hand closest, which is then reliant on the gate remaining unlatched while manoeuvring the horse and pushing or pulling that gate wide with the other hand. Self-closing gates frequently defeat this method.

The need for manoeuvring space means that gates must not be placed where the available width is less than 3m such as on bridges, fenced bridleways or narrow lanes, especially if there is a vertical barrier at the latch end which prevents a rider positioning their horse with its head and neck beyond the latch.

Gates beside roads should be set back to allow manoeuvring space off the carriageway and, ideally, the waiting space beside a road should be large enough for at least three horses to wait before or after passing through a gate, because a horse may become difficult to control if asked to wait on its own on one side of the road when its companions have crossed.

On a byway, the length from a road or other obstacle should be 6m to give space for a horse and carriage.

## One or two way opening

Models of gate hinges and latching mechanisms are commonly available which allow two-way opening, which improves ease of access for many users, especially with a cycle, pushchair, or mobility aid, but also for pedestrians with impaired balance. Some riders will push a gate away from them given the option, but some will prefer to draw it towards them, usually because it gives them more control over a horse that may rush through a gap which is too small. A two-way gate gives the option to everyone, so are ideal, however, they can be less stockproof, and are often made to close with too much force, which can be difficult for any user, including riders.

## Gate width

Some of the bridleway gates which cause problems or accidents for riders prove to be less than the statutory minimum width of 1.525m between the gateposts on a bridleway (Section 145 of the Highways Act 1980). The highway authority may exercise its statutory powers to require the width of a gate to be increased or for it to be removed.

A gate 1.525m to 1.8m is easier to manage than a longer field gate and its lighter weight will cause less load on the gate post so that it may remain functional for longer and requires less maintenance through its life.

On byways, which are carriageways, gates should be 10 feet or 3.048m. On restricted byways or byways open to all traffic with suspended rights with a motor vehicle, if there is evidence that it is necessary to prevent use with four wheeled motor vehicles (other than quad bikes), the Society may accept a gate of 6 feet or 1.828m between the posts. This width will permit passage of most modern horsedrawn vehicles.

## Gate latches

Many latch designs are adequate and safe, although not all will be appropriate in every situation. The most universal is a spring latch, at mid-height on the gate so giving greatest stock security, operated by an extended lever to the top of the gate, so most convenient for a rider. However, it needs an additional mechanism at the latch itself to be operable by someone on the ground and unable to use the extended lever.

Some riders do not like extended levers because of the risk of reins or martingale being caught on them, but that is usually due to not adopting the recommended 'heels to hinges' method of opening a gate, which may be because there is inadequate manoeuvring space. Increasing the space available to accommodate safe operation of the gate should be considered before removing the rod because very few riders can safely operate a gravity latch or spring bolt at mid-height on the gate without an extended lever.

Levers as a hazard to riders may also be because of their height above the top of the gate. They should not protrude more than 200mm above the top rail to reduce risk of bridles being caught. 'Trombone' style levers, which arch over the top of the gate to end below the second rail, are preferable to mitigate this hazard. Again they should protrude no more than 200mm above the gate so that the open end of the rod is low enough to be very unlikely to catch any horse's reins or martingale.

Riders and their horses vary, as do their opinions on the optimum latch and their experience. However, the Society's recommendations aim to be accessible by all, even if not the first choice for some, they should not exclude anyone.

Primary requirements are:

1. A latch release that can be operated with one hand, the same hand that will move the gate.
2. A latch that can be operated from horseback with the lever or latch on the top of the gate, so the rider does not have to bend so low as to risk being unbalanced.
3. A latch and gate opening that does not need much physical strength to operate.<sup>7</sup> Consider a gate that could be opened by a child.

Latches should also:

- Be operable easily from either side of the gate.
- Have no protrusions or edges that can injure the horse or the rider's leg.
- Allow some leeway for the gatepost to move a little and for the rider to secure the latch quickly and easily without straining.
- If the mechanism is within the space between the posts, posts should be further apart to ensure safety is not compromised.
- Avoid requiring movement in more than one direction. A handle that requires lifting as well as pulling or sliding sideways will be particularly difficult for riders who lack strength. Such latches are often described as cattle-proof and seem to be very easily bent or distorted and hard to operate, even if fine when first installed.
- Have one securing mechanism. Multiple closures, such as a gravity latch and a chain, simply increase the inconvenience and likelihood of them being left undone, so have one mechanism which works.
- Mechanisms requiring fine motor movement, such as a spring hook on a chain, should be avoided, as requiring too much dexterity, especially when wet or cold and wearing gloves.

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<sup>7</sup> 75 per cent of riders are female, 34 per cent are children (BHS report Health Benefits of Riding 2010); some have arthritic hands or other disabilities (Equality Act 2010).

## Common gate latches

- A **chain or rope loop** is simple, cheap and easily maintained, and works well providing movement in the posts does not cause it to become too tight. It is easier to use if the loop is stapled to the gate rather than loose or stapled to the post because it can be used to pull the gate open or closed. It should not require untying or a link releasing as this will demand both hands (see One and the same hand).
- **Hook and eye** The hook should be on the top rail of the gate, and the eye on the gatepost. Easy for riders to use and has proved stockproof for both cattle and sheep when installed on one-way gates up to 10 feet wide. A hook with extended shank on a few links of chain provides flexibility which can reduce maintenance if posts shift.
- A **horizontal spring latch** is commonly found on metal field gates. It MUST HAVE a lever (a rod attached perpendicular to the spring) extending above the top rail of gate. Without the extended lever, it can be difficult for people with less strength even on foot, requiring both hands, and mostly impossible from horseback. A 'trombone' style rod bent over the top of the gate and extending below the second top rail is less likely to catch reins. Retrofit kits are available to improve existing spring latches. Protruding straight spring bolts should be replaced by D-loop bolts, which are available as a retrofit kit or shielded when they are protruding.
- A **triangular gravity latch** commonly requires one hand to lift it and the other to move the gate free of it so is undesirable for equestrians as this means dropping the reins. If used, it should have an extended handle, or a length of chain or cord stapled to the top of the post, so that it can be operated from the top of the gate.

## Gates associated with railway crossings

To enable horses and riders or drivers to spend as little time within the railway boundaries as possible, gates should always open away from the railway, should be slowly self-closing and should have no latches.

If a latch is necessary to prevent livestock from straying onto the railway, the gate should be set back into the field leaving a 'corridor' at least 4m wide and 6m long on the railway side so that horses are away from the railway line while operating the gate. On the principle of least restrictive option, fencing the livestock off the right of way should be considered first.

On railway crossings where there are latched vehicle gates with narrow pedestrian gates beside them, the Society strongly recommends that the pedestrian gates are replaced with bridle gates where riders are likely to wish to use the crossing. See [BHS Advice](#) on Level Crossings.

## Gates associated with cattle grids

See [BHS Advice](#) on Cattle grids for legal requirements and the Society's recommendations on design. Key safety points are:

- The gate should always be hung with hinges closest to the grid so that the horse is as far from the grid as possible while the rider is operating the catch.
- There should be a fence or barrier separating the grid from the gate and its immediate approach so that a horse cannot step into the grid if startled while in the bypass.

All other requirements for gates in this Advice Note also apply.

## Further information

[BHS Advice](#) on:

- Gate Installation
- Opening Gates
- Vehicle Barriers
- Level Crossings

British Standard 5709:2018

Equality Act 2010

Dept of Environment, Food and Rural Affairs:

- 'Good practice guidance for local authorities on compliance with the Equality Act 2010'
  - Annex B page 10 paragraph B.7
  - Annex C page 14 paragraphs C6-C10
  - Annex D page 16 paragraph D.1
  - Annex E page 22 paragraph E.22
  - Annex G page 26 of 35 paragraphs G3-G4
- Circular 1/09 6.7-11 (England)
- Circular 5/93 (Wales)

Highways Act 1980 Section 145 – highway authority may require gate to be widened

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