**Appleby Fair 2016**

**Grazing Horses, Tethered Horses and the Law**

**This advice is designed to provide basic guidance.**

**It is not a complete or authoritative statement of the law.**

**Horses tied to railings:**

Police officers will patrol Kirkby Stephen town as last year, preventing horses being tethered to railings and blocking pavements. They will redirect the owners to the Kings Arms, who have again generously agreed to take horses in their rear garden.

**Illegal Grazing (‘Fly’ Grazing)** is recognised as a serious and expensive nuisance to those affected.

1. **The first line of defence is self-defence.** Where possible, install chains and padlocks on field gates (at both ends to prevent them being lifted off.) Damage to locks and chains counts as criminal damage, and will deter most casual fly-grazing.
2. The Control of Horses Act 2015 allows landowners to remove horses that are left on their land **immediately,** and take them to a place of safety.
3. They must notify the local police within 24 hours of doing so, and if the owners of the animals can be identified they must also notify them. Use the **NOTICE TEMPLATE** attached.
4. If no owner can be identified and the horses are not claimed within four working days, **the landowners become the legal owners of the horses**, and may then decide what to do with them.
5. If the owner comes forward within 4 days (96 hours) the horses must be released, **SUBJECT TO PAYMENT OF LANDOWNERS EXPENSES AND DAMAGES.**
6. **If not paid, the landowner becomes the owner of the horses.**
7. If the horses are not claimed or the damages are not paid within 4 days, landowners will be able to rehome the horses by **giving them away** or **selling them privately**. As a last resort, they will also be able to have the animals humanely euthanised.
8. The Code of Practice for the Welfare of Horses, Ponies, Donkeys and their Hybrids required that horses should be checked at least once every day. A horse which is clearly identifiable – through a microchip and perhaps also a visible mark such as a freeze mark – can be traced back to the owner and returned quickly.
9. If you detain a horse, you are responsible for its welfare.
10. Stray horses may be found wandering on roads; any horse found on a road should be reported to the Police and/or your Local Authority. If you feel there is an immediate danger to road users call 999**. In non-emergency instances call 101.**
11. Cumbria Police will respond to complaints of fly grazing. There may be a delay in answering 101 calls, which can be frustrating. This an exceptionally busy time for Police, **but** **all calls will be answered.**