



Control of Horses Act 2015

2015 CHAPTER 23

An Act to make provision for the taking of action in relation to horses which are on land in England without lawful authority; and for connected purposes. [26th March 2015]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Powers of local authorities in England to detain horses

(1) After section 7 of the Animals Act 1971 insert—

“7A Power of local authorities in England to detain horses

- (1) A local authority in England may detain a horse which is in any public place in its area, if the conditions in subsection (2) are met.
- (2) The conditions are—
 - (a) the local authority has reasonable grounds for believing that the horse is there without lawful authority, and
 - (b) if the land is lawfully occupied by a person—
 - (i) that person consents to the detention of the horse, or
 - (ii) the local authority has reasonable grounds for believing that that person would consent to the detention of the horse (but this does not require the authority to seek consent).
- (3) Section 7C contains further provision about detention under this section.
- (4) In this section “local authority” means—
 - (a) a county council,
 - (b) a district council,
 - (c) a London borough council,
 - (d) the Common Council of the City of London, and

Changes to legislation: There are currently no known outstanding effects for the Control of Horses Act 2015. (See end of Document for details)

- (e) the Council of the Isles of Scilly.”
- (2) In section 7 of that Act (detention and sale of trespassing livestock), at the end insert—
- “(8) Subsections (2) to (7) do not apply to horses on land in England (as to which, see sections 7A to 7C).”
- (3) In section 11 of that Act (interpretation)—
- (a) after the definition of “fencing” insert—
- ““horse” includes an ass, mule or hinny;”;
- (b) in the definition of “livestock” omit “asses, mules, hinnies;”;
- (c) after the definition of “poultry” insert—
- ““public place” includes—
- (a) any common land or town or village green;
- (b) any highway (and the verges of any highway);”.

2 Powers of freeholders and occupiers in England to detain horses

After section 7A of the Animals Act 1971 (as inserted by section 1 of this Act), insert—

“7B Powers of freeholders and occupiers in England to detain horses

- (1) This section applies where a horse is on any land in England without lawful authority.
- (2) The horse may be detained—
- (a) in any case, by the occupier of the land, and
- (b) if the freeholder is not the occupier, by the freeholder with the occupier's consent.
- (3) Section 7C contains further provision about detention under this section.”

3 Exercise of powers of detention

After section 7B of the Animals Act 1971 (as inserted by section 2 of this Act), insert—

“7C Detention of horses under sections 7A and 7B

- (1) This section applies where a horse is detained under section 7A or 7B.
- (2) The right to detain the horse ceases at the end of the period of 24 hours beginning with the time when it is first detained unless, within that period, the person detaining the horse gives notice of the detention to—
- (a) the officer in charge of a police station, and
- (b) if the person detaining the horse knows to whom the horse belongs, that person.
- (3) Where notice is given under subsection (2), the right to detain the horse ceases if, within the period of 96 hours beginning with the time when it is first detained, the person entitled to possession of the horse—
- (a) claims it, and