

## Electric Fencing and Public Rights of Way Guidance for Landowners

### Temporary Electric Fences and Public Footpaths

On public footpaths where the user has a right on foot only the use of a single strand of electrified fence to control stock is generally acceptable under the following conditions:



1. There must be a means of breaking the electric current at the crossing point of the public footpath by providing some form of safe option such as an expandable type barrier gate with insulated handle which can easily and safely be released by all users.
2. Where the fence crosses the public footpath, the electrified fence must be insulated with tubing to a width of no less than one metre.
3. Hazard warning signs need be displayed. This will clearly identify the fence as being electrified to users.



### Permanent Electric Fences and Public Footpaths

If the electric fence is used to permanently control livestock, a gate or stile should be erected at the point where the right of way crosses. This will need to be authorised by the Council under Section 147 of the Highways Act 1980 (for the ingress and egress of animals for agricultural purposes). Please contact [rightsofway@iow.gov.uk](mailto:rightsofway@iow.gov.uk) for an application form.

The electric fence should be housed in insulated tubing prior to being properly fastened to one of the rails on a stile and the fence should also be insulated to a width of no less than one metre either side of the structure.



### **Electric Fences and Public Bridleways**

The Council strongly advises that no electric fencing should run alongside or across a bridleway. It is difficult to envisage how electric fences may be arranged to allow horse riders to pass through safely. It is difficult and potentially very dangerous for riders to disengage a spring held grip hook while keeping control of their mount. If it is absolutely necessary to run an electrified fence at right angles to a bridle gate, landowners must ensure that sufficient space is available for the rider to manoeuvre a led horse while opening and closing the gate. **It is absolutely essential that there is no risk of the horse touching the live fence.** The fence will also need to be insulated within the vicinity of the gate and for a sufficient length either side of the gate opening to prevent this from happening. The fence will also need the appropriate signing. **If it is not possible to provide sufficient space, then electric fencing must not be used under any circumstances.**

### **Electric Fences and Byways Open to All Traffic**

The Council will not allow electric fences to be placed across a byway.

### **Landowners' Responsibilities and Liability**

The Health and Safety Executive's website confirms landowners' responsibilities in respect of electric fencing and public rights of way. In the event of a user of a public right of way coming into contact with an electric fence and suffering harm as a result, it is possible that the injured person could sue for damages against the person responsible for erecting the fence.