

BS 5709:2018



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Gaps, gates and stiles – Specification

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Foreword

Publishing information

This British Standard is published by BSI Standards Limited, under licence from The British Standards Institution, and came into effect on 28 February 2018. It was prepared by Technical Committee B/201, *Fences and gates*. A list of organizations represented on this committee can be obtained on request to its secretary.

Supersession

This British Standard supersedes [BS 5709:2006](#), which is withdrawn.

Information about this document

Walking, cycling and riding have continued to increase since the first edition of this British Standard was published in 1979. Recent thinking and legislation have focused on the need for less able-bodied and disabled people to be able to access the countryside.

This revision notes the requirements of the Equality Act 2010 [1] and the safety of path users, taking account of the needs of land management. The experience gathered from the many years of use of this British Standard has been applied to clarify meaning and wording throughout.

More recently, the trial of bridle gates in York (see *A trial of self-closing bridle gates* [2]) has informed the incorporation of functional attributes into this standard, which improve the safety and the ease of use of these structures.

Use of this document

It has been assumed in the preparation of this British Standard that the execution of its provisions will be entrusted to appropriately qualified and experienced people, for whose use it has been produced.

Presentational conventions

The provisions of this standard are presented in roman (i.e. upright) type. Its requirements are expressed in sentences in which the principal auxiliary verb is “shall”.

Commentary, explanation and general informative material is presented in smaller italic type, and does not constitute a normative element.

Where words have alternative spellings, the preferred spelling of The Shorter Oxford English Dictionary is used (e.g. “organization” rather than “organisation”).

Contractual and legal considerations

This publication does not purport to include all the necessary provisions of a contract. Users are responsible for its correct application.

Compliance with a British Standard cannot confer immunity from legal obligations.

Introduction

The United Kingdom is noted for the variety of structures on routes with public access, and historic structures should be respected. New structures need to be effective for the purpose for which they are installed, and traditional forms of structure may be used if they provide good access for all legitimate users.

Accordingly, this British Standard specifies structures by their functional performance, thus allowing many designs of structure to conform to the requirements and encouraging innovation. However, it also tries to meet the need for buildable designs by means of examples that meet the functional performance criteria.

This British Standard provides specifications for gaps, gates and stiles to ensure that they cause the minimum of inconvenience to users whilst fulfilling the requirement for preventing the passage of animals that need to be controlled and, for all structures, where lawful, preventing access to those not entitled to use the path.

NOTE Attention is drawn to the Equality Act 2010 [1], which requires local authorities authorizing the installation of gates, stiles and other works on public rights of way to have regard to the needs of people with disabilities.

This British Standard is an ongoing standard in that, in order to continue to conform to it, the structure might need to be modified, replaced or removed if the land usage changes.

Authorizing bodies are expected to specify the edition of the standard which applies and the initial structure to be installed.

When authorizing structures, "to BS 5709" means to the latest edition of this standard and "to BS 5709:20xx" refers to a particular edition of this standard. See [Annex A](#) for clarification.

1 Scope

This British Standard specifies field-measurable performance requirements for new gaps, gates and stiles for footpaths, bridleways, restricted byways and other routes used by the public. It can also be used for structures to be installed on permissive paths, wholly private ways and on commons. It includes a hierarchy of accessibility performance requirements to raise awareness of the characteristics of different structures. It does not attempt to provide performance requirements in relation to land management need, to be individually assessed according to the circumstances. It can be used to establish and maintain a quality in all new structures that represents good practice.

This British Standard does not automatically apply retrospectively to most existing structures. It can be used as guidance for those who wish to repair or improve existing structures.

This British Standard does not allocate decision making, installation, maintenance or record keeping to any particular organization or person.

This British Standard is intended to be used by:

- a) those planning, specifying or authorizing new structures on paths (e.g. highway authorities, highways agencies, district councils, landowners, tenants, user groups and others handling diversions, creations or dedications of paths subject to gaps, gates and stiles);
- b) those making and buying path structures or kits;
- c) those installing path structures; and
- d) those replacing, maintaining and inspecting path structures.

Most of the functional performance criteria are field measurable but this British Standard also gives guidance on design where field measurement is physically difficult or subjective.

2 Normative references

There are no normative references in this document.

3 Terms and definitions

For the purposes of this British Standard, the following terms and definitions apply.

3.1 barbed wire

any kind of wire with sharp protrusions

3.2 bridle gate

device hinged at one side installed in a boundary such as a fence, hedge or wall which acts as a barrier to animals and motor vehicles, but which allows the passage of horse riders, riders of cycles, pedestrians and their dogs, and mobility vehicles

3.3 bridleway

any route where horses are allowed

NOTE This includes routes on access land.

3.4 cycle

two-wheeled, non-motorized, pedal- or hand-powered vehicle

NOTE A cycle could also be electrically powered if this is permitted on the route in question.

3.5 dog gate

device allowing the passage of a dog, whilst preventing the passage of other animals

3.6 enclosure

area within which the gate of a kissing gate swings or the area between a pair of gates comprising one structure

NOTE Also known as a refuge.

3.7 footpath

any route where walkers are allowed

NOTE This includes routes on access land.

3.8 gap

unimpeded way through a boundary together with any side structure

3.9 horse stile

non-moving structure designed to allow horses to pass whilst forming a deterrent to motorcycles

3.10 kissing gate

device consisting of a hinged gate that is constrained to swing between two posts at the opening of an enclosure forming part of the structure, and which allows the passage of legitimate users, whilst preventing the passage of animals, etc.

3.11 land manager

owner, user or occupier managing land on which there is, or might be, a structure

3.12 manoeuvring space

space surrounding the structure needed by persons, horses, cycles and mobility vehicles to traverse a gap or structure conveniently and safely

3.13 mobility vehicle

wheeled vehicle such as a wheelchair, invalid carriage or children's pushchair or pram

NOTE Invalid carriages of Classes 1, 2 and 3 are defined in Road Traffic – the Use of Invalid Carriages on Highways Regulations 1988 [3].

3.14 path

public or private routes or ways through fences onto and from land such as commons and access land where no specific paths exist

3.15 pedestrian gate

device hinged at one side, installed in a boundary such as a fence, hedge or wall which acts as a barrier to animals, etc., but which allows the passage of pedestrians and their dogs, and mobility vehicles

3.16 RADAR lock

lock operated by a key (RADAR key), normally only available to disabled people

3.17 self-closing gate

gate which returns without intervention to a position touching, or in line with, the closing post

3.18 stepover

rail in a horse stile, on the ground surface, which horses need to step over

3.19 step-through gate

openable barrier allowing horses to step through when closed

NOTE This is also known as a horse-friendly barrier.

3.20 stile

fixed device allowing the passage of pedestrians over or through a fence, wall or hedge, while forming a barrier to farmed animals and many dogs, as well as cycles and mobility vehicles

NOTE The term stile does not include horse stile.

3.21 stockproof

structure intended to prevent the passage of farmed animals

NOTE Keeping some farmed animals in, as well as some wild animals out, might require special structures, e.g. tall kissing gates for deer or buried mesh for rabbits.

3.22 structure

object including a gap, within a path, designed to physically restrict access

4 Initial selection of path structure

4.1 General

The selection of a structure, which permits people to use a path crossing a boundary such as a hedge, fence or stone wall, shall meet the needs of the land manager and shall cause as little restriction as possible for all lawful users (this is the principle of the least restrictive option, see [4.4](#)).

NOTE 1 Attention is drawn to the legislation which allows the authorization of structures on public rights of way. See [Annex B](#) for a non-exhaustive list of such legislation.

NOTE 2 Attention is drawn to Section 4 of the Animals Act 1971 [\[4\]](#), which makes an owner or person in possession of livestock “strictly liable” for any damages caused or expenses incurred as a result of livestock trespassing on land owned or occupied by another.

Structures may be authorized to BS 5709 subject to exceptions to meet, for example, topographical or other constraints; reasons for exceptions shall be recorded and made available on request.

4.2 Public rights of way users

Structures shall be assessed for suitability, as a minimum, for the following legitimate path users with respect to categories of rights of way (see the Highways Act 1980 [\[5\]](#) and the Countryside Act 1968 [\[6\]](#)). On all routes listed below, care shall be taken when planning and installing gaps, gates and stiles where restrictions to mobility vehicle users might be created:

- a) footpaths:
 - 1) walkers (pedestrians);
 - 2) walkers with dogs under control; and
 - 3) mobility vehicles;
- b) bridleways:
 - 1) all footpath users;
 - 2) horse riders;
 - 3) riders of cycles; and
 - 4) persons leading horses; and
 - 5) sometimes persons driving animals;
- c) restricted byways:
 - 1) all bridleway users; and
 - 2) vehicles other than mechanically propelled vehicles;
- d) byways open to all traffic:
 - 1) all restricted byway users; and
 - 2) motor vehicles.

NOTE 1 Where a landowner grants access by concession, there is scope to define the range of users differently from those in rights of way legislation for public paths. For example, a permissive path could allow walkers and horse riders but preclude riders of cycles.

*NOTE 2 Attention is drawn to the Equality Act 2010 [\[1\]](#), which requires consideration of people with a wide range of disability on public paths. See also the Defra guidance *Authorising structures (gaps, gates and stiles) on rights of way* [\[7\]](#).*

4.3 Suitability for land management purposes

If a structure is to be authorized on a path, an assessment shall be made of its intended purpose. The assessment shall, as a minimum, include evaluation of the following:

- a) the land management need for the structure;

NOTE 1 For example, to prevent the ingress or egress of animals, or to prevent unauthorized access.

- b) the need for the control of animals;

- c) any alternative measures that might be taken to avoid the need for a structure or a particular type of structure;

NOTE 2 For example, a swathe of land including the path might be fenced-in so as to keep farmed animals completely off the path's surface thus negating the need for any structure.

- d) whether the structure can meet its intended land management purpose (e.g. installing stockproof handles, where necessary); and

- e) ongoing land management needs, for example structures might be required to prevent the ingress or egress of animals during an agricultural rotation.

4.4 Least restrictive option

Where there are no explicitly identified and cogent counter-reasons in choosing a structure which conforms to this standard, the type of structure chosen shall be the least restrictive option which also meets the land management needs.

NOTE 1 See the Defra guidance Authorising structures (gaps, gates and stiles) on rights of way [2].

NOTE 2 An example of a cogent counter-reason could be where a landholder wishes to dedicate a new path for public use but wishes to have a right to erect a kissing gate even though there is no requirement to control farm animals. Here the benefit to the public might outweigh the added inconvenience.

The principle of applying the least restrictive option means that a path crossing a boundary shall in the first instance be unrestricted or, failing that, be restricted to the least possible extent consistent with the need for a structure on the land. The assessment shall include an evaluation of the extent of any restriction which is to be created (e.g. a stile would create an absolute barrier to mobility vehicle users and many walkers with pushchairs as well as those with limited mobility). New structures shall not be stiles other than in exceptional circumstances; where this applies, the reason behind the decision shall be recorded and made available on request.

NOTE 3 For example, the use of more than one structure at a single crossing of hedge or ditch is unlikely to be the least restrictive. But sometimes double or tandem gates can enhance stock security, protect structures and benefit some path users.

The requirement to be the least restrictive option is an ongoing requirement and in order to conform to this standard when the purpose of the structure changes (for example, when the land use changes from pasture to arable) the appropriateness of the structure as the least restrictive shall be reviewed and changes to the structure (whether less or more restrictive) made accordingly.

The presence/siting of an existing more restrictive structure or ground condition further along the path shall not be taken as a reason for not choosing a less restrictive structure.

4.5 Accessibility of structures

4.5.1 General

As no single structure provides access across boundaries that is satisfactory in all situations, this standard prompts an evaluation of accessibility to enable choices to be made as to which structure is the least restrictive; this shall be balanced with the land management needs.

4.5.2 Accessibility of structures on footpaths

[Table 1](#) provides a list of structures which shall be taken into account; however, this is not an exhaustive list (see [4.1](#) for exceptions). Other structures not included in this table might conform to this standard.

Table 1 — *Accessibility of structures conforming to BS 5709 on footpaths in least restrictive order*

Section of BS 5709	Structure (in order of accessibility for users)	Performance, as related to accessibility
6.1	Gap	Allows all users
6.3	Gate unlatched, self-closing, two way	Allows most users
6.3	Gate latched, non-self-closing, two way	Allows most users, but can inhibit some, e.g. those with difficulty with dexterity and reach. This gate might, with certain latches, be less restrictive than one way unlatched non-self-closing gate.
6.3	Gate, latched, self-closing, two way	Allows most users, but can impede some, e.g. those with difficulty with dexterity and reach
6.3	Gate, latched, non-self-closing, one way	Allows most users, but can impede some users, e.g. those with difficulty with dexterity and reach
6.3	Gate unlatched, self-closing, one way	Allows most users, but can impede some users of mobility vehicles
6.4	Kissing gate, unlatched, dimensions that allow use by mobility vehicles	Allows most users, but requires more effort than most gates
6.4	Kissing gate, latched dimensions that allow use by mobility vehicles	Allows most users, but requires more effort than most gates and can impede some users, e.g. those with difficulty with dexterity and reach
6.4	Kissing gate with RADAR bypass	Allows most users, but requires more effort than most gates and can impede some users, e.g. those with difficulty with dexterity and reach and those with large pushchairs
6.3	Gate, latched, self-closing one way	Prevents some mobility vehicle users
6.4	Kissing gate, unlatched, dimensions insufficient for mobility vehicles	Prevents some users, e.g. mobility vehicle users and pushchairs
6.4	Kissing gate, latched, dimensions insufficient for mobility vehicles	Prevents some users, e.g. disabled users, and is generally more difficult to use than latchless ones
7	Stile (existing and, exceptionally, new) with RADAR gate and dog gate	Allows most wheelchairs, but not most pushchairs. Impedes or prevents the less able
7	Stile (existing and, exceptionally, new) with dog gate	Prevents most push-chairs and all wheelchairs. Impedes or prevents the less mobile
7	Stile (existing) without dog gate	Prevents most push-chairs and all wheelchairs. Impedes or prevents the less agile and many dogs

NOTE 1 See [6.3.5](#) for information about latches.

NOTE 2 This table does not reflect the order of performance for land management purposes which need to be assessed according to site conditions.

4.5.3 Choice of structure on bridleways

NOTE The least restrictive options for bridleways cannot be so clearly listed in sequence as for footpaths.

[Table 2](#) provides a list of structures which shall be taken into account; however, this is not an exhaustive list (see [4.1](#) for exceptions). Other structures not included in this table might conform to this standard.

Table 2 — Accessibility of structures conforming to BS 5709 on bridleways

Section of BS 5709	Structure (in order of accessibility)	Performance, as related to accessibility
6.1	Gap	Allows all users
6.2	Kent carriage gap	Allows all users
6.5	Horse stile with bypass	Allows all users, but is well set back from a vehicular highway
6.6	Step-through gate with bypass	Allows all users, but is well set back from a vehicular highway
6.3	Bridle gate, two way, self-closing, unlatched	Allows most users, but can impede some riders. Manoeuvring space is important.
6.3	Bridle gate, two way, non-self-closing, latched	Allows most users, but can impede some, e.g. those with difficulty with dexterity and reach
6.3	Bridle gate, one way, non-self-closing, latched	Allows most users, but can impede some, e.g. those with difficulty with dexterity and reach. Manoeuvring space is important.
6.3	Bridle gate, two way, self-closing, latched	Allows most users, but can impede some riders and those with difficulty with dexterity and reach. Manoeuvring space is important.
6.3	Bridle gate, one way, self-closing, unlatched	Allows most users, but can impede some riders and some users of mobility vehicles. Manoeuvring space is important.
6.3	Bridle gate, two way, self-closing, latched with stock proof handle	Allows most users, but impedes some riders and those with difficulty with dexterity and reach. Manoeuvring space is important. Design of the stockproof handle is important, so some might be less restrictive than one way, unlatched, self-closing gates
6.3	Bridle gate, one way, self-closing, latched	Allows most users, but impedes riders, many users of mobility vehicles and those with difficulty with dexterity and reach. Manoeuvring space is important.
6.3	Bridle gate, one way, self-closing, latched with stockproof handle	Allows most users, but impedes riders, many users of mobility vehicles and can prevent access for those with difficulty with dexterity and reach. Manoeuvring space is important.

NOTE 1 See [6.3.5](#) for information about latches.

NOTE 2 This table does not reflect the order of performance for land management purposes which need to be assessed according to site conditions.

4.5.4 Accessibility of structures on restricted byways and byways open to all traffic

The order of accessibility set out in [Table 2](#) shall be taken into account, substituting “gate” for “bridle gate”.

NOTE Attention is drawn to section 24 of the Deregulation Act 2015 [\[8\]](#), which, when brought into effect, will allow gates to be authorized on restricted byways and on byways open to all traffic.