

*These notes refer to the Control of Horses Act 2015
(c.23) which received Royal Assent on 26 March 2015*

CONTROL OF HORSES ACT 2015

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 1: Powers of local authorities in England to detain horses

7. *Section 1(1)* inserts section 7A into the 1971 Act and gives local authorities in England a power to detain horses in public places in their area.
 - a. Section 7A(2) provides that the local authority should have reasonable grounds for believing that the horse is there without lawful authority and, if someone is lawfully occupying the public place, that the occupier consents to the local authority detaining the horse or would consent if asked.
 - b. Section 7A(3) applies the procedure in section 7C to detention of horses under section 7A.
 - c. Section 7A(4) defines “local authority” for this section. The definition covers unitary authorities (as a unitary authority will in law be a county, district or London borough council).
8. *Section 1(3)(a)* defines “horse” to include an ass, mule or hinny. (A donkey is an ass.) *Section 1(3)(c)* states that “public place” includes any common land, town or village green and any highway or its verges.