

Our Ref: RR070-10
If calling please ask for: Becki Reay

Tel: 01484 226440

Date: 23rd July 2010

Name
Address
Address
Address
Address

Riding Establishments Act 1964 & 1970

Consultation regarding the "Conditions of Licence" under the above Acts

Dear Name

We are considering amending the "Conditions of Licence" under the above Acts and would like to consult all interested parties on this matter. The current "Conditions of Licence" are enclosed with this letter for your reference.

In addition to the standard "Conditions of Licence" we think it appropriate to add an additional condition, as proposed below:

"There should be a riding instructor present at the establishment for the majority of operating hours, who is qualified to British Horse Society Assistant Instructors Certificate level or who holds an equivalent teaching and horse management qualification".

It is our intention to introduce the additional Condition to the licence on 1st January 2011, with a phased implementation for existing Riding Establishments to come into force at the next Riding Establishment Licensing inspection.

Written responses to this consultation are invited and should be received at the above address **before Monday 20th September 2010.**

Yours sincerely

Becki Reay
Animal Health and Welfare Officer

Enc
Conditions of Licence under the Riding Establishments Acts 1964 & 1970

CONDITIONS OF LICENCE

- CONDITION 1 The number of horses accommodated at the establishment at any one time must not exceed that stated on the licence.
- CONDITION 2 Horses must be maintained in good health and in all respects physically fit and, in the case of a horse kept for the purpose of its being let out on hire for riding or a horse kept for the purpose of its being used in providing instruction in riding, the horse must be suitable for the purpose for which it is kept.
- CONDITION 3 No horse aged three years or under nor any mare heavy with foal nor any mare within three months after foaling may be let out on hire for riding or used, in return for payment, for instruction in or demonstrating riding.
- CONDITION 4 Any riding equipment supplied for a horse let out on hire must be free from visible defect which is likely to cause suffering to the horse or accident to the rider.
- CONDITION 5 The feet of all animals must be properly trimmed and, if shod, their shoes must be properly fitted and in good condition.
- CONDITION 6 A horse found, on inspection of the premises by an authorised officer, to be in need of veterinary attention must not be returned to work until the holder of the licence has obtained at his own expense and has lodged with the local authority a veterinary certificate that the horse is fit for work.
- CONDITION 7 No horse may be let out on hire for riding or used for providing instruction in riding without supervision by a responsible person of the age of 16 years or over unless (in the case of a horse let out for hire for riding) the holder of the licence is satisfied that the hirer of the horse is competent to ride without supervision.
- CONDITION 8 In the case of horses maintained at grass there must be available for them at all times during which they are so maintained adequate pasture and shelter and water and supplementary feeds must be provided as and when required.
- CONDITION 9 Horses must be adequately supplied with suitable food, drink and (except in the case of horses maintained at grass, so long as they are so maintained) bedding material, and must be adequately exercised, groomed and rested and visited at suitable intervals.
- CONDITION 10 All reasonable precautions must be taken to prevent and control the spread among horses of infectious or contagious diseases and veterinary first aid equipment and medicines must be provided and maintained in the premises.
- CONDITION 11 The construction of the riding establishment must be substantial, adequate to contain the animals, and provided with warmth and shelter in clean and hygienic conditions. There must be convenient and safe access to stalls and boxes. Stalls must be large enough to allow the animal to lie down and get up without risk of injury. Boxes must be large enough to allow the animal to turn round.
- CONDITION 12 Yards must provide enough space for every animal kept there.
- CONDITION 13 Lighting must be adequate to render the use of artificial light unnecessary in daylight.
- CONDITION 14 Ventilation must provide fresh air without draughts.
- CONDITION 15 Drainage must be adequate to carry away liquid voided by the horses and keep the standings dry.

- CONDITION 16** There must be provision for storage and disposal of manure and spoiled straw.
- CONDITION 17** Adequate accommodation must be provided for forage bedding, stable equipment and saddlery.
- CONDITION 18** The licence holder must ensure that appropriate steps will be taken for the protection and extrication of horses in case of fire and in particular, that the name, address and telephone number of the licence holder or some other responsible person are kept displayed in a prominent position at the outside of the premises and that instructions as to action to be taken in the event of fire, with particular regard to the extrication of horses, are kept displayed in a prominent position on the outside of the premises.
- CONDITION 19** The carrying on of the business of the establishment must at no time be left in the charge of any person under 16 years of age.
- CONDITION 20** The licence holder must hold a current insurance policy which insures him against liability for any injury sustained by those who hire a horse from him for riding and those who use a horse in the course of receiving from him, in return for payment, instruction in riding and arising out of the hire or use of a horse as aforesaid and which also insures such persons in respect of any liability which may be incurred by them in respect of injury to any person caused by, or arising out of, the hire or use of a horse as aforesaid.
- CONDITION 21** A register must be kept by the licence holder of all horses in his possession aged three years and under and usually kept on the premises which shall be available for inspection by an authorised officer at all reasonable times.
- CONDITION 22** The licence holder must ensure that the 'yard' or any part of the premises that is used in connection with the riding establishment, is kept clear of any obstructions/obstacles that are liable to cause any injury to any rider or any horse.
- CONDITION 23** After the veterinarian's licensing inspection, any horse that is brought into the riding school for the purposes of it being let out on hire for riding or it being used in providing instruction in riding, shall be issued with a veterinary surgeon's report confirming its suitability. A copy of the report is to be sent to the licensing authority.

Appendix 3

Northern Riding Centre
Water Lane
Dewsbury
Yorkshire
WF12 9PY

18th September 2010

Becki Reay
Kirklees Council
Public Protection Services
Riverbank Court
Wakefield Road
Aspley
Huddersfield
HD5 9AA

Dear Ms Reay

Re: Consultation regarding the 'Conditions of License' under the 'Riding Establishments Act 1964 & 1970. Your Ref: RR067-10

Firstly I would like to understand the reason for the proposal to introduce the additional condition. Where are you trying to drive improvement;

- into safety during instruction

or

- into equine welfare

If it is either of the above then I am unclear how this proposed condition will add benefit.

If you can indeed explain how it does add benefit, I would like to understand who gets the benefit: the local authority, the public or the riding centre?

Why is the proposed condition ambiguous; 'the majority of operating hours' – what about 'the minority of operating hours' are they allowed to run with inconsistent conditions?

Secondly, is it clearly understood what the 'supply' of BHS AI qualified staff is in the Kirklees area, since if there is not adequate supply to service this proposed condition at the currently licensed establishments it would jeopardise businesses.

Thirdly, what level of consultation has been carried out with; the British Horse Society, ABRS, and other local authorities?

Fourthly, do you clearly understand the consequences of implementing this proposed condition? Potentially, since supply of BHSAs is low, and potentially due to this will not meet the demand, costs for employing such qualified staff will increase. These additional costs would need to be passed on to clients, which given Kirklees is not a particularly affluent area would undoubtedly lead to reductions in customer numbers and likely put currently viable businesses at risk. Additionally, what do I do with my existing workforce who do not currently hold the BHSAs; make them redundant, train them, is Kirklees Council going to subsidise currently licensed centres to facilitate these changes.

Fifth, how does this proposed condition take account of individuals experience. For instance I manage most likely the largest centre in Kirklees and have done for over the last fourteen years, throughout delivering excellent standards in welfare coupled with an excellent safety record, yet do not hold the BHSAs qualification.

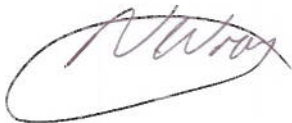
Sixth, do you fully understand the level of knowledge and experience that the BHSAs qualification gives? What are you presuming that a person who gains this qualification in a college, who has never worked in the industry, will 'bring' to a riding centre?

Seventh, it is a well known fact that riding centres are in decline, so why do you propose to add this condition which will just increase operating costs for the majority of establishments and introduce more difficulties. The local authority should be working collaboratively with the existing centres to drive improvement and maintain standards – not introducing conditions which make it more difficult.

Eighth, why are the timescales so aggressive, do you understand the amount of effort required by centre to introduce this proposed condition.

In summary, this proposed condition will create unnecessary challenges to an already difficult industry and will undoubtedly lead to centres such as 'Northern Riding' closing. We currently employ circa, 10 FTE plus some part time workers, deliver services to the general public, schools, universities, social services etc. Why would you choose to jeopardise such a business for no tangible benefit.

Yours Sincerely



NEIL WRAY

WESTWYNS RIDING SCHOOL

Public Protection Services
Riverbank Court
Wakefield Road
Aspley
Huddersfield

Your Ref RR066-10

Dear Becki

In response to your letter 23July 2010 this amendment could affect our riding school substantially come the next licensing inspection, as you know Samantha Falck our person responsible for the establishment is also responsible for Lee Hill Riding School and splits her time equally between the two. We now have a continuous training schedule in place for our staff at both riding schools Some taking their MVQ Level-2 others who have passed their MVQ level-2 working towards PPT & BHS-3 their training also involves being sent on courses for health & safety, first aid, and child protection and also having appropriate CRB check. We feel that the minimum requirements for a person present at the establishment during operating hours should have.

BHS-2 or MVQ-L2 or better

Have had Health & Safety training appropriate to that yard and have up to date record of that training.

Have been on first aid training and attained up to date certificate.

Have been on child protection course and have appropriate certificate

Have had CRB check

We would hope by the next licensing inspection we would have one of our staff with AI qualification but all it takes is that person to leave for whatever reason, becoming pregnant moving away etc and we would fall foul of that condition. We would prefer to see all the persons at a establishment who are involved with teaching being named and their qualifications & training as above recorded each year, and the yard be seen to have a continuous training regime, this we feel would ensure that untrained and unqualified persons will not be teaching or being responsible for the horses & the yard. But the person with overall responsibility should have an AI qualification or better be in attendance at the establishment every operating day except allowing for holidays etc.

Yours sincerely

Steve Falck

David Green
Clough House Farm
Mill Lane
Oakworth
Keighley
West Yorkshire
BD22 7QL

Your Ref: RR076-10

Becki Reay
Animal Health and Welfare Officer
Public Protection Services
Riverbank Court
Wakefield Road
Aspley
Huddersfield
HD5 9AA

4 August 2010

Dear Becki

Riding Establishments Act 1964 & 1970 "Conditions of Licence"

You will probably not be surprised to learn that I consider the additional condition you are suggesting to be a good idea. I would however, make the point that this condition is only appropriate for those establishments that offer riding lessons. It would not be necessary for an establishment that hired out horses for unaccompanied riding such as hunting to be required to employ a qualified teacher. Similarly, establishments that operate a driving horse/carriage business would not require a qualified riding instructor.

Having said that, the vast majority of establishments licensed by the Authority do offer riding instruction, but perhaps it may be worth asking that specific question on the application form. If the establishment declares that they carry out instruction then, in my opinion, they should certainly have a qualified instructor.

Yours sincerely,



David Green BVSc Cert EP MRCVS



Wednesday, 18 August 2010

Dear Becki,

Regarding "conditions of licence" under the Riding Establishment Act 1964 & 1970, I support the addition of the proposed condition and fully agree that a licensed establishment should provide instruction by a suitably qualified instructor holding BHS AI or equivalent.

The list of "conditions for licence" does not include a requirement for horses to have a valid passport, however it is a legal requirement for animals to have a passport. If passport inspections are carried out by Animal Health Officers, they should be checked against the horses' markings for this to be of any value.

Your Sincerely

L H Millar BVMS., MRCVS



Our Ref: HS/JRD005/KF

Your Ref:

If calling please ask for: Jenny Dineen

Tel: 01484 226896 Date: 11 August 2010

Miss Rebecca Reay
Animal Health and Welfare Officer
Public Protection Services
Kirklees Council
Riverbank Court
Wakefield Road
Aspley
Huddersfield
HD5 9AA

Dear Becki

**Riding Establishments Acts 1964 and 1970
Consultation regarding the "Conditions of Licence" under the above Acts**

Further to your letter dated 23 July 2010 I write to confirm our agreement with the proposed additional condition as stated in that letter.

In addition, we feel the inclusion of general conditions regarding electrical safety and maintenance of the facilities would be useful as these issues can affect the welfare of employees, riders and the animals.

Suggested wording is as follows:

"Electrical systems must be of a suitable construction for its environment and maintained in a safe condition. Records of such maintenance should be kept."

"The premises, including equipment, must be maintained (including cleaned as appropriate) and in good repair."

Please contact me if you would like to discuss this matter further.

Yours sincerely



JENNY DINEEN
Senior Environmental Health Officer
Health and Safety Team

CONDITIONS OF LICENCE

- CONDITION 1 Only horses which have been assessed by a Veterinarian and are listed on the licence schedule can be used in the Riding Establishment.
- CONDITION 2 Horses must be maintained in good health and in all respects physically fit and, in the case of a horse kept for the purpose of its being let out on hire for riding or a horse kept for the purpose of its being used in providing instruction in riding, the horse must be suitable for the purpose for which it is kept.
- CONDITION 3 No horse aged three years or under nor any mare heavy with foal nor any mare within three months after foaling may be let out on hire for riding or used, in return for payment, for instruction in or demonstrating riding.
- CONDITION 4 Any riding equipment supplied for a horse let out on hire must be free from visible defect which is likely to cause suffering to the horse or accident to the rider.
- CONDITION 5 The feet of all animals must be properly trimmed and, if shod, their shoes must be properly fitted and in good condition.
- CONDITION 6 A horse found, on inspection of the premises by an authorised officer, to be in need of veterinary attention must not be returned to work until the holder of the licence has obtained at his own expense and has lodged with the local authority a veterinary certificate that the horse is fit for work.
- CONDITION 7 No horse may be let out on hire for riding or used for providing instruction in riding without supervision by a responsible person of the age of 16 years or over unless (in the case of a horse let out for hire for riding) the holder of the licence is satisfied that the hirer of the horse is competent to ride without supervision.
- CONDITION 8 In the case of horses maintained at grass there must be available for them at all times during which they are so maintained adequate pasture and shelter and water and supplementary feeds must be provided as and when required.
- CONDITION 9 Horses must be adequately supplied with suitable food, drink and (except in the case of horses maintained at grass, so long as they are so maintained) bedding material, and must be adequately exercised, groomed and rested and visited at suitable intervals.
- CONDITION 10 All reasonable precautions must be taken to prevent and control the spread among horses of infectious or contagious diseases and veterinary first aid equipment and medicines must be provided and maintained in the premises.
- CONDITION 11 The construction of the riding establishment must be substantial, adequate to contain the animals, and provided with warmth and shelter in clean and hygienic conditions. There must be convenient and safe access to stalls and boxes. Stalls must be large enough to allow the animal to lie down and get up without risk of injury. Boxes must be large enough to allow the animal to turn round.
- CONDITION 12 Yards must provide enough space for every animal kept there.
- CONDITION 13 Lighting must be adequate to render the use of artificial light unnecessary in daylight.
- CONDITION 14 Ventilation must provide fresh air without draughts.
- CONDITION 15 Drainage must be adequate to carry away liquid voided by the horses and keep the standings dry.

- CONDITION 16 There must be provision for storage and disposal of manure and spoiled straw.
- CONDITION 17 Adequate accommodation must be provided for forage bedding, stable equipment and saddlery.
- CONDITION 18 The licence holder must ensure that appropriate steps will be taken for the protection and extrication of horses in case of fire and in particular, that the name, address and telephone number of the licence holder or some other responsible person are kept displayed in a prominent position at the outside of the premises and that instructions as to action to be taken in the event of fire, with particular regard to the extrication of horses, are kept displayed in a prominent position on the outside of the premises.
- CONDITION 19 The carrying on of the business of the establishment must at no time be left in the charge of any person under 16 years of age.
- CONDITION 20 The licence holder must hold a current insurance policy which insures him against liability for any injury sustained by those who hire a horse from him for riding and those who use a horse in the course of receiving from him, in return for payment, instruction in riding and arising out of the hire or use of a horse as aforesaid and which also insures such persons in respect of any liability which may be incurred by them in respect of injury to any person caused by, or arising out of, the hire or use of a horse as aforesaid. **Public Liability Insurance cover must be deemed adequate and agreed by Kirklees Council Insurance Team.**
- CONDITION 21 A register must be kept by the licence holder of all horses in his possession aged three years and under and usually kept on the premises which shall be available for inspection by an authorised officer at all reasonable times.
- CONDITION 22 The licence holder must ensure that the 'yard' or any part of the premises that is used in connection with the riding establishment, is kept clear of any obstructions/obstacles that are liable to cause any injury to any rider or any horse.
- CONDITION 23 After the veterinarian's licensing inspection, any horse that is brought into the riding school for the purposes of it being let out on hire for riding or it being used in providing instruction in riding, shall be issued with a veterinary surgeon's report confirming its suitability. A copy of the report is to be sent to the licensing authority.
- CONDITION 24 **There should be a riding instructor present at the establishment for teaching hours who is qualified to British Horse Society Assistant Instructors Certificate level or who holds an equivalent teaching and horse management qualification, or can demonstrate by experience and training to a comparable level of expertise to the above qualifications. Such experience and training should be documented in all staff training records.**