

Name of meeting and date: Licensing and Safety Committee - Tuesday 26th March 2013

Title of report: Amendments to Riding Establishment Conditions to incorporate pony parties and donkey rides

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| Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards? | Not Applicable |
| Is it in the Council's Forward Plan? | Not Applicable |
| Is it eligible for "call in" by Scrutiny? | Not Applicable |
| Cabinet member portfolio | Not Applicable |

Electoral wards affected and ward councillors consulted: ALL

Public or Private: PUBLIC

1. Purpose of report

To seek committee approval to amend the Riding Establishment conditions to incorporate conditions regarding pony parties and donkey rides

2. Key points

- The council is responsible for licensing Riding establishments under the Riding Establishments Act 1964. On 18th March 2011 committee approved the current conditions (Appendix 1).
- A Riding Establishment is defined as keeping horses for the purpose of being let out on hire for riding or providing instruction in riding
- There has been a recent increase in the trend of hiring out ponies and donkeys for events, such as birthday parties and summer shows and the businesses need to be licensed under the above legislation.
- In recognition of the fact they are not a operating a full "Riding School" the proposed conditions allow some leniency, without compromising animal welfare or the safety of riders.

3. Implications for the Council

Pony parties are becoming increasingly popular and the users have a right to expect that all basic standards relating to the health, safety and welfare of the

animals used. The conditions inform the establishment owners of what the minimum standards are and allow the Licensing Authority flexibility for establishments to achieve these standards without being too incumbent on the business.

4. Consultees and their opinions

Consulted other Local Authorities through West and South Yorkshire liaison group and agreed that such activities should be licensed

Verbally consulted a donkey riding business who approached the Authority for licensing, who appreciates the need and requirement for licensing.

Appendices.

Appendix1 – Copy of the existing licensing conditions for Riding Schools

Appendix 2 – Copy of the proposed conditions for Riding Establishments (amendments in italics)

5. Officer recommendations and reasons

Members of the Committee are requested to consider and approve conditions set out in Appendix 2.

6. Cabinet portfolio holder recommendation

N/A

7. Next steps

Work closely with businesses and to assist them in being compliant in meeting the requirements of the conditions.

8. Contact officer and relevant papers

Rachel Wetherill – Animal Health Team Manager – 01484 416701

Kim Walker – Senior Environmental Health Officer – 01484 226454

APPENDIX 1

RIDING ESTABLISHMENTS 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.

APPENDIX 2

PROPOSED RIDING ESTABLISHMENTS (incorporating Donkey riding and pony parties) 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.

CONDITION 25 *Where the operator is taking the equine out of their normal accommodation for single events such as local fetes, children's parties, donkey rides and similar events, the following shall apply:*

- *Equines which are not exercised regularly are prohibited from use under this licence.*
- *The equine must be led at hand at all times.*
- *Equines must not move faster than a walking pace.*
- *Donkeys must be hired out in groups of no less than 2.*
- *No sticks or whips shall be used on any equine.*
- *Riding shall only take place in a controlled environment and are not permitted on a public highway.*
- *An equine first aid kit and medicines must be provided and maintained.*
- *Equines must have 1 day off per week and 1 hours break per day where their tack is loosened off and food and water offered.*
- *If an equine is taken outside Kirklees the licence holder must obtain written permission from the destination local authority to operate in their district under this licence and provide a copy of their liability insurance to that local authority. The licence holder's insurer must be notified and the insurance policy must state that the licence holder is covered to operate outside Kirklees.*
- *Each event shall be risk assessed in order to ensure safety. The risk assessment should include, among other things, the venue, terrain and age and size of riders. This should be documented in writing.*

CONDITION 26 *Where the main purpose of the business is single events (such as those listed above) condition 24 need not apply, however, the operator shall have training or experience which is commensurate with the service provided, the minimum requirements for the licensee and assistants are listed below.*

The Licensee and assistants must be able to

- *Groom the equine*
- *Feed and water the equine*
- *Tack up and un-tack the equine correctly*
- *Correctly lead a mounted rider on an equine safely*

- *Assist riders to mount, alter stirrups and hold their reins and dis-mount*
- *Understand the accident procedures for both equine and rider*
- *Understand equine first aide and apply*
- *Recognise disease / illness / pain / suffering in an equine*
- *Risk assess a situation and apply the necessary precautions*
- *Correctly fit a riding hat on a rider*
- *Safely pick up and dispose of all droppings left by the equine*