



GUIDANCE NOTES for RIDING ESTABLISHMENT LICENCES

RIDING ESTABLISHMENTS ACTS 1964 & 1970

Disclaimer

These notes have been prepared as an outline of the licensing provisions in connection with riding establishments introduced by the Riding Establishments Acts 1964 & 1970. Whilst every effort has been made to ensure accuracy, these notes are for general guidance only and do not constitute legal advice. It is the responsibility of applicants and licence holders to ensure that they comply with the provisions of the Act, any statutory instruments made thereunder, the conditions outlined in the schedule attached to your licence and any policy/guidance notes issued by the Council.

INTRODUCTION

To run a riding establishment (where horses or ponies are hired out for riding or used for riding instruction) in the Moray area, you need a licence from us.

ELIGIBILITY

Applicants must be over 18 years of age and must not have been disqualified

- From keeping a dog under the Protection of Animals (Cruelty to Dogs) Act 1933 or the Protection of Animals (Cruelty to Dogs) (Scotland) Act 1934.
- From keeping a Pet Shop under the Pet Animals Act 1951.
- From having custody of animals under the Protection of Animals (Amendment) Act 1954.
- From keeping an Animal Boarding Establishment under the Animal Boarding Establishments Act 1963.
- From a disqualification under the Animal Health Act 1981 following a conviction for deliberately infecting an animal with a disease.
- From owning, keeping, dealing in or transporting animals, working with, using, riding or driving animals, providing animal services, taking possession of animals.
- For any of these purposes or taking charge of animals for any other purposes under the Animal Health and Welfare (Scotland) Act 2006.

PROCEDURE

Before deciding an application we must consider a report from a veterinary surgeon or practitioner detailing whether the premises are suitable for a riding establishment and detailing the conditions of the premises and any horses.

We will also take into account whether the applicant is suitable and qualified to hold a licence. We must also be satisfied of the following:

- That consideration will be given to the condition of the horses and that they will be maintained in good health, kept physically fit and where the horse is to be ridden or used during riding instruction, be suitable for that purpose.
- That the animals feet will be trimmed properly and that shoes are fitted properly and are in good condition.
- That there will be suitable accommodation for the horses.
- That for horses maintained on grass there is suitable pasture, shelter and water and that supplementary feed will be provided as and when needed.
- That horses will be provided with suitable food, drink and bedding materials and will be exercised, groomed, rested and visited at suitable intervals.
- That precautions will be taken to reduce the spread of contagious or infectious diseases and that veterinary first aid equipment and medicines will be provided and maintained.
- That appropriate procedures are in place to protect and remove the horses in the case of a fire and that as part of this the name, address and telephone number of the licence holder is displayed outside the premises and fire instructions are displayed.
- That storage facilities for forage, bedding, stable equipment and saddlery are provided.
- A horse is defined as any mare, gelding, pony, colt, filly or stallion and any ass, mule or jennet.

In addition to any other conditions a riding establishment licence must be subject to the following conditions:

- That any horse inspected by an authorised officer and found to need veterinary attention will not be returned to work until the licence holder has obtained a veterinary certificate confirming the horse is fit to work.
- That a horse will not be let out for hire or for use in instruction without the supervision of a responsible person aged 16 years or older, unless the licence holder is satisfied the rider doesn't require supervision.
- That the business will not be left in the charge of someone under 16 years of age.
- That the licence holder holds indemnity insurance.
- That the licence holder keeps a register of all horses in their possession that are 3 years old or younger and that the register is available for inspection at all reasonable times.

THE APPLICATION FORM

The application is split into 8 sections

- A. Personal Details
- B. Business Details
- C. Licence Details
- D. Establishment Details
- E. Disqualifications

- F. Insurance
- G. Welfare
- H. Residence Outside the UK

You must answer all of the questions as fully as you can as failure to do so may result in your application being returned to you. Your application will not be processed until you have provided all the necessary information.

A. PERSONAL DETAILS

You require to complete this section if you are an individual person applying for a Riding Establishment Licence. It is essential that your full details are supplied on the application form so that necessary Police checks can be undertaken swiftly and so your application can be progressed as quickly as possible.

B. BUSINESS DETAILS

You require to complete this section if the premises is run by a company or partnership rather than an individual person. Please include the details of any Partners, Directors responsible for the management of the business.

C. LICENCE DETAILS

A Riding Establishment Licence generally lasts for a maximum of 1 year although the Licensing Authority have the discretion to grant it for a shorter period. Once it expires you can apply to renew it for a further 1 year.

Grant of a Licence - If you have never held a Riding Establishment Licence before, or you do not currently have such a licence, or you are moving to different premises then you need to apply for the grant of a licence.

Renewal of Licence – If you currently hold a Riding Establishment Licence which has not expired, but is due to expire then you need to apply for a renewal of the licence. The old licence remains in force until the renewal is granted, but only if the renewal application is made before the expiry date.

If you are applying for the grant of a licence you are asked questions on the form as to whether you have previously held a licence in the United Kingdom or whether you have been refused such a licence previously. Please note that it is very important that you complete these questions fully.

D. ESTABLISHMENT DETAILS

You are required to supply the full postal address and telephone number of the establishment to which the licence is to relate, including emergency procedures and supervision. Please also include the details of the person who will have direct control of the management of the establishment including any certificates held and/or experience in the management of horses.

E. DISQUALIFICATIONS

Please give details of any disqualifications under any of the acts detailed include dates and length of disqualification.

F. INSURANCE

Please indicate any insurance held or the steps being taken to obtain insurance.

G. WELFARE

Please give details of the welfare provisions for the horses

H. RESIDENCE OUTSIDE THE UK

If you are making an application you, or anyone named in the application must provide evidence of your criminal history:

- **If you were born in the UK** but have lived in any other country within the ten years prior to your application for a continuous period of twelve months or more you must provide a Criminal Record Check for all those countries for the relevant period(s)
- **If you were born out with the UK** you must provide a Criminal Record Check from your country of origin for the time of residence there IF it was in the last ten years, unless you left that country without reaching the criminal age of responsibility. You must also provide a Criminal Record Check from any other country in which you have resided for a continuous period of twelve months or more in the ten years prior to application.

In all cases, the Criminal Record Checks provided must

- have been obtained within the six months immediately prior to submitting your application; and
- be translated into English; and
- be verified by the relevant UK-based Embassy or High Commission

Process for obtaining Criminal Record Checks -

<https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants>

Note: The certificate must be produced before the licence can be granted. Whilst it is desirable for the applicant to produce the certificate with the application, it is not a strict requirement. This is so any applicant having difficulties will not be disadvantaged by delays to processing the application. At the applicant's choosing, the application can be accepted as valid without the convictions evidence but the evidence should be provided as soon as possible. In this way the convictions evidence will be a check rather than a validation. Applicant should still note, however, that the licence cannot be granted without the evidence having been produced. Therefore if the application is approaching the 9 month time limit without the evidence being produced, the application may be refused for failure to comply with administrative provisions.

If you are experiencing difficulties in obtaining a certificate then please contact the licensing team to discuss your options. It may be possible to accept alternative evidence, for example: evidence of checks having been carried out by another government body; affidavits; or character references.

In cases where it is not possible to provide any satisfactory evidence, the application will be referred to the Licensing Committee for a decision. Therefore the application may be delayed pending the outcome of a hearing.

GENERAL INFORMATION

You require to sign and date the declaration at the bottom of the application form. This is a very important part of the form and you should note that it is a criminal offence to make a false declaration for which you can be prosecuted and fined up to £2,500.

Once you have completed the application form please submit it to:

Head of Legal and Democratic Services
Moray Council
High Street
Elgin
IV30 1BX

If you have any queries please e-mail licensing@moray.gov.uk or contact us on 01343 563027.