



## **Applying for a Hiring Out Horses Licence (Animal Activity Licence) Animal Welfare Act 2006**

**Introduction and the Business Test:** The keeping of a riding establishment (hiring out horses business) is strictly controlled by the above legislation. To run such a business you need a Hiring Out Horses Licence (Animal Activity Licence) from the Local Authority.

You must have a Hiring Out Horses Licence if in the course of a business you hire out horses for either or both of the following purposes:

- riding;
- instruction in riding.

Businesses which hire out horses for riding or for riding lessons - This includes riding schools and those that hire out horses, trekking, loan horses, pony parties (but only where the ponies are ridden), hunter hirelings, polo/polocrosse instruction and pony hire, pony and donkey rides.

Businesses that run pony parties where none of the ponies are ever ridden – these should be licensed with the Council as animal exhibits.

A licence is not required if you are simply providing livery (i.e. stabling) facilities for horses.

Under the 2006 Act the term 'horse' includes horses, ponies and donkeys.

The circumstances which will be taken into consideration in determining whether or not you run a business include:

- whether you are carrying on the activity with a view to making a profit, or
- earn any commission or fee from the activity

Further detailed information regarding the business test can be found in the Guidance Notes for Conditions for Hiring Out Horses issued by the Department for Environment Food & Rural Affairs (DEFRA). This document can be found on our website at:

<https://www.e-lindsey.gov.uk/article/9523/Animal-Welfare>

The DEFRA guidance indicates that the following may assist in the consideration of whether or not you are running a business:

*The Government announced in Budget 2016 a new allowance of £1,000 for trading income from April 2017. Anyone falling under this threshold would not need to be considered in the context of determining whether they are a business.*

**Applying for a Licence:** The fee for a hiring out horses licence with this Council is currently £120.00.

Please note that hiring out horses licences are valid for a period of one, two or three years from the date of issue. However, it is this Authority's policy that successful applicants applying for their first licence under the Animal Welfare Act 2006 will initially be granted a one year licence.

Any licence applicant must be suitable as to their experience in the management and care of horses and have the ability to supervise the riding establishment. With this in mind you may wish to note that the British Horse Society (BHS) and the Association of British Riding Schools (ABRS) offer a selection of recognised qualifications.

Once the licence application is received by the Council it will be forwarded to an appropriate Council officer, as well as a veterinary surgeon, to inspect the premises. The premises, facilities and management will be inspected to ensure they comply with the current hiring out horses licence conditions and the DEFRA guidance to Licensing Authorities. The determination of the licence application will include whether you are considered to be a fit and proper person to be the operator of a riding establishment.

The cost of the veterinary inspection will be recharged to you as the licence applicant.

Before you make your licence application you must make sure that you are aware of the following licence conditions:

- General Licence Conditions for All Animal Welfare Licensed Premises
- Specific Licence Conditions for the Hiring Out of Horses

The above conditions can be found in Schedules 2 and 5 of the following document:

- The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018

You must also make sure that you are aware of the following documents issued by the Department for Environment Food & Rural Affairs (DEFRA):

- Procedural Guidance Notes for Local Authorities
- Guidance Notes for Conditions for Hiring Out Horses

Your licensing and veterinary inspection will look to ensure that your business is able to comply with the requirements laid down in the above documents. Please ensure that you are ready for the veterinary inspection – as you may still be recharged for the veterinary inspection if you are found to be unable to comply with the above requirements.

The above documents can be found on the Council's website at:

<https://www.e-lindsey.gov.uk/article/9523/Animal-Welfare>

The licence application form can be found at:

<https://www.e-lindsey.gov.uk/article/5424/Riding-Establishment->

Licence applications are approved with licence conditions or refused. The number of horses (available for hire) that may be accommodated at the premises will be specified on the licence.

Based on the information gathered from the application and inspection, we will assess the risk rating for the premises and award a 1 to 5 star rating. Low-risk premises can attain up to 5 stars, and premises that have been assessed as higher risk can be awarded 1 to 4 stars.

When considering an application for a hiring out of horses licence the Council will have regard to the following and other relevant matters:

- The need for animals to be to be protected from pain, suffering, injury and disease;
- Whether the horses have access to suitable accommodation at all times, with regard to the construction and size of the quarters, number of occupants, ventilation, cleanliness, exercise facilities, temperature and lighting;
- Whether the horses will be suitably fed, watered, visited and supplied with adequate bedding material;
- That all reasonable steps are in place to prevent and control the spread of infectious/contagious diseases.
- Whether appropriate steps will be taken to protect the animals in the event of a fire or other emergency;
- that storage facilities for forage, bedding, stable equipment and saddlery are provided.

In addition, a riding establishment licence is 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 for 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 18 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 kept for the licensable activity.

**Health and Safety Legislation:** In addition to the above in order to satisfy health and safety legislation you will require:

- A health and safety policy statement.

- Risk assessments which cover equine activities carried out by staff and clients.
- A fire risk assessment including an evacuation plan.
- Horse suitability / temperament assessments.
- Rider assessments (to include new riders).
- Records of lessons.
- Road riding procedures (safety).
- Emergency procedures.

**Veterinary Inspection:** All licensed premises will be subject to an annual veterinary inspection. You will be recharged the cost of the annual inspection.

Licence renewals will also be subject to a veterinary inspection. Again, you will be recharged the cost of the annual inspection.

All veterinary inspections of riding establishments will be undertaken by a veterinary surgeon registered on the current RCVS and BVA 'List of Approved Riding Establishment Inspectors'.

**Failed Application Redress:** A licence applicant whose application is refused can appeal within 28 days to the First-Tier Tribunal. A licence holder who wishes to appeal against the star rating for their business can appeal to the Council.

**Planning Permission:** Any premises from which a riding establishment operates may require planning permission. Applicants are advised therefore to contact this Authority's Development Control Department, for further information regarding planning matters. Building works may also require approval from the Council's Building Control Section.

**Further Information:** If you have any general licensing questions then please do not hesitate to contact the Licensing Team by email at:

[licensing@e-lindsey.gov.uk](mailto:licensing@e-lindsey.gov.uk)

Licensing Team  
East Lindsey District Council  
Tedder Hall  
Manby Park  
Louth LN11 8UP

Tel: 01507 601111

Guidance Note Last Revised 18 October 2018