

**ELIZABETH II**



**1970 CHAPTER 32**

An Act to confer further powers on local authorities with respect to the licensing of riding establishments and to amend the Riding Establishments Act 1964.

[29th May 1970]

**B**E IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1.—(1) In any case in which application is made under the principal Act to a local authority for a licence to keep a riding establishment and the local authority are not satisfied that having regard to all the circumstances they would be justified in granting such licence they may grant a provisional licence which shall come into force at the beginning of the day on which it is granted and shall remain in force for three months. Provisional licences for riding establishments.

(2) A local authority may on application being made to them in that behalf before the expiration of a provisional licence extend the said period of three months for a further period not exceeding three months:

Provided that they shall not under this subsection authorise a person to keep a riding establishment by virtue of a provisional licence for more than six months in any period of one year.

(3) The following provisions of the principal Act as amended by this Act shall apply and have effect in all respects as if references therein to a licence included references to a provisional licence and as if references therein to licences granted under that Act included references to provisional licences granted under this

Act, that is to say, section 1(1), (2), (3), (4), (4A), (8) and (9) and sections ~~2, 3, 4~~ and 5:

Provided that in the application as aforesaid of subsection (8) of section 1 of the principal Act to the personal representatives of the holder of a provisional licence the said subsection shall be read and have effect as if for the words "one year" in each place where they occur there were substituted the words "three months".

(4) For the purposes of this section the expression "local authority" has the same meaning as in the principal Act.

Amendment  
of section 1  
of principal  
Act.

2.—(1) Section 1 (Licensing of riding establishments) of the principal Act shall be read and have effect as if—

- (i) in place of the words "on payment of a fee of" in subsection (2) thereof there were substituted the words "on payment of a fee not exceeding", and
- (ii) in place of subsection (4) thereof there were substituted the following subsections (namely):—

"(4) In determining whether to grant a licence for the keeping of a riding establishment by any person at any premises a local authority shall in particular (but without prejudice to their discretion to withhold a licence on any grounds) have regard to—

- (a) whether that person appears to them to be suitable and qualified, either by experience in the management of horses or by being the holder of an approved certificate or by employing in the management of the riding establishment a person so qualified, to be the holder of such a licence; and
- (b) the need for securing—

- (i) that paramount consideration will be given to the condition of horses and that they will be maintained in good health, and in all respects physically fit and that, 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 will be suitable for the purpose for which it is kept;

- (ii) that the feet of all animals are properly trimmed and that, if shod, their shoes are properly fitted and in good condition;

- (iii) that there will be available at all times, accommodation for horses suitable as respects construction, size, number of occupants, lighting, ventilation, drainage and cleanliness and that

these requirements be complied with not only in the case of new buildings but also in the case of buildings converted for use as stabling;

(iv) that in the case of horses maintained at grass there will be available for them at all times during which they are so maintained adequate pasture and shelter and water and that supplementary feeds will be provided as and when required;

(v) that horses will 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 will be adequately exercised, groomed and rested and visited at suitable intervals;

(vi) that all reasonable precautions will be taken to prevent and control the spread among horses of infectious or contagious diseases and that veterinary first aid equipment and medicines shall be provided and maintained in the premises;

(vii) 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 will be kept displayed in a prominent position on 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, will be kept displayed in a prominent position on the outside of the premises;

(viii) that adequate accommodation will be provided for forage, bedding, stable equipment and saddlery;

and shall specify such conditions in the licence, if granted by them, as appear to the local authority necessary or expedient in the particular case for securing all the objects specified in sub-paragraphs (i) to (viii) of paragraph (b) of this subsection.

(4A) Without prejudice to the provisions of subsection (2) or (4) of this section, every licence granted under this Act after 31st December 1970 shall be subject to the following conditions (whether they are specified in the licence or not), namely—

(a) a horse found on inspection of the premises by an authorised officer to be in need of veterinary attention shall 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;

- (b) no horse will 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;
- (c) the carrying on of the business of a riding establishment shall at no time be left in the charge of any person under 16 years of age;
- (d) the licence holder shall 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;
- (e) a register shall 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."

(2) Subsection (5) of the said section 1 shall be read and have effect as if after the words "proposed to be granted" there were inserted the words "(not being one of the conditions set out in subsection (4A) of this section)"; and subsection (9) of that section shall be read and have effect as if for the words from "subject" to "Act" there were substituted the words "to which a licence under this Act is subject (whether by virtue of subsection (4A) of this section or otherwise)".

Amendment  
of section 3  
of principal  
Act.

3. Section 3 (Offences) of the principal Act shall be read and have effect as if after subsection (1)(a) thereof there were inserted the following paragraph—

"(aa) lets out on hire for riding or uses for the purpose of providing, in return for payment, instruction in riding or for the purpose of demonstrating riding any horse aged three years or under or any mare heavy with foal or any mare within three months after foaling;"

Amendment  
of section 4  
of principal  
Act.

4. Subsection (1) of section 4 (Penalties and disqualifications) of the principal Act shall be read and have effect as if the maximum fine which may be imposed on summary conviction of

an offence under that Act as amended by this Act were a fine not exceeding £50:

Provided that nothing in this section shall affect the amount of the fine which may be imposed on conviction of an offence committed before the commencement of this Act.

5. Section 6 (Interpretation) of the principal Act shall be read and have effect as if in subsection (4) thereof after the words "that is to say" there were inserted the following definitions (namely)— Amendment of section 6 of principal Act.

“ ‘ approved certificate ’ means—

(a) any one of the following certificates issued by the British Horse Society, namely, Assistant Instructor’s Certificate, Instructor’s Certificate and Fellowship;

(b) Fellowship of the Institute of the Horse; or

(c) any other certificate for the time being prescribed by order by the Secretary of State;

‘ authorised officer ’ means a person authorised by a local authority in pursuance of section 2 of this Act;”.

6. The principal Act shall be read and have effect as if after section 6 thereof there were inserted the following section— Orders.

“ 6A. Any order made under this Act shall be made by statutory instrument and may be varied or revoked by a subsequent order made in the like manner.”.

7. In this Act the “ principal Act ” means the Riding Establishments Act 1964. Interpretation. 1964 c. 70.

8.—(1) This Act may be cited as the Riding Establishments Act 1970 and the principal Act and this Act may be cited together as the Riding Establishments Acts 1964 and 1970. Short title, citation and commencement.

(2) This Act shall not extend to Northern Ireland.

(3) This Act shall come into operation on 1st January 1971.

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