

# Animal Licensing Legislation from 1st October 2018

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

Licence Conditions

## Hiring out horses

## **GENERAL CONDITIONS – SCHEDULE 2**

### **1. Licence display**

- (1.1) A copy of the licence must be clearly and prominently displayed on any premises on which the licensable activity is carried on.
- (1.2) The name of the licence holder followed by the number of licence holder's licence must be clearly and prominently displayed on any website used in respect of the licensable activity.

### **2. Records**

- (2.1) The licence holder must ensure that at any time all records that the licence holder is required to keep as a condition of the licence are available for inspection by an inspector in a visible and legible form or, where any such records are stored in electronic form, in a form from which they can readily be produced in a visible and legible form.
- (2.2) The licence holder must keep all such records for at least three years beginning with the date on which the record was created.

### **3. Use, Number and type of animal**

- (3.1) No animal or types of animal other than those animals and types of animal specified in the licence may be used in relation to the relevant licensable activity.
- (3.2) The number of animals kept for the activity at any time must not exceed the maximum that is reasonable taking into account the facilities and staffing on any premises on which the licensable activity is carried on.

### **4. Staffing**

- (4.1) Sufficient numbers of people who are competent for the purpose must be available to provide a level of care that ensures that the welfare needs of all animals are met.
- (4.2) The licence holder or a designated manager and any staff employed to care for the animals must have competence to identify the normal behaviour of the species for which they are caring and to recognise signs of, and take appropriate measures to mitigate or prevent, pain, suffering, injury, disease or abnormal behaviour.
- (4.3) The licence holder must provide and ensure the implementation of a written training policy for all staff.

### **5. Suitable environment**

- (5.1) All areas, equipment and appliances to which the animals have access must present minimal risks of injury, illness and escape and must be constructed in materials that are robust, safe and durable, in a good state of repair and well maintained.

- (5.2) Animals must be kept at all times in an environment suitable to their species and condition (including health status and age) with respect to -
- a. their behavioural needs;
  - b. its situation, space, air quality, cleanliness and temperature;
  - c. the water quality (where relevant);
  - d. noise levels;
  - e. light levels;
  - f. ventilation.
- (5.3) Staff must ensure that the animals are kept clean and comfortable.
- (5.4) Where appropriate for the species, a toileting area and opportunities for toileting must be provided.
- (5.5) Procedures must be in place to ensure accommodation and any equipment within it is cleaned as often as necessary and good hygiene standards are maintained and the accommodation must be capable of being thoroughly cleaned and disinfected.
- (5.6) The animals must be transported and handled in a manner (including for example in relation to housing, temperature, ventilation and frequency) that protects them from pain, suffering, injury and disease.
- (5.7) All the animals must be easily accessible to staff and for inspection and there must be sufficient light for the staff to work effectively and observe the animals.
- (5.8) All resources must be provided in a way (for example as regards frequency, location and access points) that minimises competitive behaviour or the dominance of individual animals.
- (5.9) The animals must not be left unattended in any situation or for any period likely to cause them distress.

## **6. Suitable diet**

- (6.1) The animals must be provided with a suitable diet in terms of quality, quantity and frequency and any new feeds must be introduced gradually to allow the animals to adjust to them.
- (6.2) Feed and (where appropriate) water intake must be monitored, and any problems recorded and addressed.
- (6.3) Feed and drinking water provided to the animals must be unspoilt and free from contamination.
- (6.4) Feed and drinking receptacles must be capable of being cleaned and disinfected, or disposable.
- (6.5) Constant access to fresh, clean drinking water must be provided in a suitable receptacle for the species that requires it.
- (6.6) Where feed is prepared on the premises on which the licensable activity is carried on, there must be hygienic facilities for its preparation, including a working surface, hot and cold running water and storage.

## **7. Monitoring and behaviour and training of animals**

- (7.1) Active and effective environmental enrichment must be provided to the animals in inside and any outside environments.
- (7.2) For species whose welfare depends partly on exercise, opportunities to exercise which benefit the animals' physical and mental health must be provided, unless advice from a veterinarian suggests otherwise.
- (7.3) The animals' behaviour and any changes of behaviour must be monitored, and advice must be sought, as appropriate and without delay, from a veterinarian or, in the case of fish, any person competent to give such advice if adverse or abnormal behaviour is detected.
- (7.4) Where used, training methods or equipment must not cause pain, suffering or injury.
- (7.5) All immature animals must be given suitable and adequate opportunities to-
  - a) learn how to interact with people, their own species and other animals where such interaction benefits their welfare; and
  - b) become habituated to noises, objects and activities in their environment.

## **8. Animal handling and interactions**

- (8.1) All people responsible for the care of the animals must be competent in the appropriate handling of each animal to protect it from pain, suffering, injury or disease.
- (8.2) The animals must be kept separately or in suitable compatible social groups appropriate to the species and individual animals and no animals from a social species may be isolated or separated from others of their species for any longer than is necessary.
- (8.3) The animals must have a least daily opportunity to interact with people where such interaction benefits their welfare.

## **9. Protection from pain, suffering, injury and disease**

- (9.1) Written procedures must -
  - a) be in a place and implemented covering:
    - i. feeding regimes,
    - ii. cleaning regimes,
    - iii. transportation,
    - iv. the prevention of, and control of the spread of disease,
    - v. monitoring and ensuring the health and welfare of all the animals,
    - vi. the death or escape of an animal (including the storage of carcasses);
  - b) be in place covering the care of the animals following the suspension or revocation of the licence or during and following an emergency.
- (9.2) All people responsible for the care of the animals must be made fully aware of these procedures.
- (9.3) Appropriate isolation, in separate self-contained facilities, must be available for the care of sick, injured or potentially infectious animals.

- (9.4) All reasonable precautions must be taken to prevent and control the spread among the animals and people of infectious diseases, pathogens and parasites.
- (9.5) All excreta and soiled bedding for disposal must be stored and disposed of in a hygienic manner and in accordance with any relevant legislation.
- (9.6) Sick or injured animals must receive prompt attention from a veterinarian or, in the case of fish, an appropriately competent person and the advice of that veterinarian or, in the case of fish, that competent person must be followed.
- (9.7) Where necessary, animals must receive preventative treatment by an appropriately competent person.
- (9.8) The licence holder must register with a veterinarian with an appropriate level of experience in the health and welfare requirements of any animals specified in the licence and the contact details of that veterinarian must be readily available to all staff on the premises on which the licensable activity is carried on.
- (9.9) Prescribed medicines must be stored safely and securely to safeguard against unauthorised access, at the correct temperature, and used in accordance with the instructions of the veterinarian.
- (9.10) Medicines other than prescribed medicines must be stored, used and disposed of in accordance with the instructions of the manufacturer or veterinarian.
- (9.11) Cleaning products must be suitable, safe and effectiveness against pathogens that pose a risk to the animals and must be used, stored and disposed of in accordance with the manufacturer's instructions and used in a way which prevents distress or suffering of the animals.
- (9.12) No person may euthanase an animal except a veterinarian or a person who has been authorised by a veterinarian as competent for such purpose or-
  - a) in the case of fish, a person who is competent for such purposes;
  - b) in the case of horses, a person who is competent, and who holds a licence or certificate for such purpose.
- (9.13) All animals must be checked at least once daily and more regularly as necessary to check for any signs of pain, suffering, injury, disease or abnormal behaviour and vulnerable animals must be checked more frequently.
- (9.14) Any signs of pain, suffering, injury, disease or abnormal behaviour must be recorded and the advice and further advice (if necessary) of a veterinarian (or in the case of fish, of an appropriately competent person) must be sought and followed.

## **10. Emergencies**

- (10.1) A written emergency plan, acceptable to the local authority, must be in place, known and available to all the staff on the premises on which the licensable activity is carried on, and followed where necessary to ensure appropriate steps are taken to protect all the people and animals on the premises in case of fire or in case of breakdowns of essential heating, ventilation and aeration or filtration systems or other emergencies.

- (10.2) The plan must include details of the emergency measures to be taken for the extrication of the animals should the premises become uninhabitable and an emergency telephone list that includes the fire service and police.
- (10.3) External doors and gates must be lockable
- (10.4) A designated key holder with access to all animal areas must at all times be within reasonable travel distance of the premises and available to attend in an emergency.

## **SPECIFIC CONDITIONS FOR HIRING OUT HORSES – SCHEDULE 5**

### **1. Interpretation**

(1.1) In this Schedule, “client” means a person for whose use a horse is hired out.

### **2. Eligibility**

- (2.1) The licence holder must –
- a) hold an appropriate formal qualification, or have sufficient demonstrable experience, in the management of horses, and
  - b) hold a valid certificate of public liability insurance which –
    - i. insures the licence holder against liability for any injury sustained by, and the death of, any client, and
    - ii. insures any client against liability for any injury sustained by, and the death of, any other person, caused by or arising out of the hire of the horse.
- (2.2) The certificate mentioned in sub-paragraph (2.1)(b) must be clearly and prominently displayed on the premises.

### **3. Supervision**

- (3.1) The activity must not at any time be left in the charge of a person aged under 18 years.
- (3.2) No horse may be hired out except under the supervision of a person aged 16 years or more unless the licence holder is satisfied that the person hiring the horse is competent to ride without supervision,
- (3.3) The following must be clearly and prominently displayed on the premises –
- a) the full name, postal address (including postcode) and telephone number of the licence holder or other person with management responsibilities in respect of the activity;
  - b) instructions as to the action to be taken in the event of a fire or other emergency.

### **4. Suitable Environment**

- (4.1) It must be practicable to bring all the horses at the premises under cover.
- (4.2) Suitable storage must be provided and used for feed, bedding, stable equipment and saddlery.
- (4.3) All arena surfaces must be suitable for purpose, well drained, free of standing water and maintained regularly to keep them level.

## **5. Suitable Diet**

- (5.1) At all times when any horses are kept at grass, adequate pasture, shelter and clean water must be available for them.
- (5.2) Supplementary feed and nutrients must be provided to any horse when appropriate.
- (5.3) Each horse must be fed a balanced diet of a quantity and at a frequency suitable for its age, health and workload to enable it to maintain an appropriate physical condition.

## **6. Protection form pain, suffering and disease**

- (6.1) The horses must be maintained in good health and must be in all respects physically fit.
- (6.2) A preventative healthcare plan agreed with the veterinarian with whom the licence holder has registered under paragraph (9.8) of Schedule 2 must be implemented.
- (6.3) A daily record of the workload of each horse must be maintained and available for inspection at any reasonable time.
- (6.4) Each horse must be suitable for the purpose for which it is kept and must not be hired out if, due to its condition, its use would be likely to cause it to suffer.
- (6.5) Any horse found on inspection to be in need of veterinary attention must not be returned to work until the licence holder has, at the licence holders expense, obtained from and lodged with the local authority a veterinary certificate which confirms that the horse is fit for work.
- (6.6) Each horse's hooves should be trimmed as often as is necessary to maintain the health, good shape and soundness of its feet and any shoes should be properly fitted and in good condition.
- (6.7) An area suitable for the inspection of horses by a veterinarian must be provided.
- (6.8) The following must not be hired out –
  - a) a horse aged under 3 years;
  - b) a mare heavy with foal;
  - c) a mare whose foal has not yet been weaned.
- (6.9) The licence holder must keep a register of all horses kept for the licensable activity on the premises, each such horse's valid passport showing its unique equine life number and a record of its microchip number (if any).

## **7. Equipment**

- (7.1) All equipment provided to clients must be in good and safe condition and available for inspection at any reasonable time.