

RIDING ESTABLISHMENTS ACTS 1964 AND 1970

RIDING ESTABLISHMENT INSPECTIONS

WARNING

All Local Authorities are advised that failure to use a member of the RCVS/BVA Inspectorate of Approved Riding Establishment Inspectors (enclosed) may expose them to legal difficulties in the event of an accident.

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MEMORANDUM to Local Authorities

It is over 30 years since the Riding Establishments Acts of 1964 and 1970 were enacted. In that time and more especially lately it has become apparent that there are areas, which might benefit from being incorporated under the legislation.

The Policy of the present Government to encourage diversification in Agriculture and the establishment of equine enterprises on redundant farms has increased the proliferation of Livery Stables of several types. Most of these fall outwith the present legislation and yet it is held by some organisations, notably the British Horse Society (BHS) and the Royal Society for the Prevention of Cruelty to Animals (RSPCA) that, for consumer protection (the safety of the public) and animal welfare (the well-being of the horses), such establishments should be subjected to similar controls as exist for Riding Schools. Recent legal opinion has held that an establishment that is **primarily** Livery Stable but, as a subsidiary activity, teaches some horse owners, on their own horses, is **not subject to the Acts**. This is contrary to the opinion obtained some time ago.

You will be aware that the Veterinary Inspectors for the Acts are subject to approval by a joint Committee of the Royal College of Veterinary Surgeons (RCVS) and the British Veterinary Association (BVA). The membership of this Committee includes representatives from the BHS, the RSPCA, the British Equine Veterinary Association (BEVA) [for the BVA], and the veterinary refresher course providers (RCVS and BVA) under a Chairman from the RCVS, which is also the Secretariat. For inclusion on the Approved List of Veterinary Inspectors a veterinary surgeon **must attend** a refresher course every five years. In addition new inspectors **must spend thirty per cent or more of their practice time in equine work**. Inspectors can attend a refresher course after the age of 65 years on the presentation of a certificate of medical fitness. These measures were introduced to ensure a good and consistent standard of inspection to enable Local Authorities to properly enforce the Law.

This Committee and the participating bodies are considering the possibility of seeking new legislation in this field. Comment from Local Authorities would be welcomed on the need and possible content of any new Bill. If there appears to be general consensus about any such need, approaches would be made to the next Parliament.

Please address any replies to:

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MEMORANDUM TO VETERINARY SURGEONS

REFRESHER COURSES

Veterinary surgeons who wish to remain as a member of the Inspectorate are reminded that they must attend a refresher course every five years.

In the past, inspectors have been required to retire from the Inspectorate on reaching the age of 65. Under current legislation such a restriction would be deemed to be illegal. Inspectors may now continue on the Inspectorate until they are 70 provided that attendance at courses is maintained.

After 70 years of age, inspectors are required to provide an annual Certificate of Fitness from their own medical practitioner.

January 2010

Riding Establishments Acts 1964 and 1970

A GUIDE FOR LOCAL AUTHORITIES AND THEIR INSPECTORS

Local Authorities are reminded that they are required under the Acts only to use qualified Inspectors who are on the current list maintained by the Royal College of Veterinary Surgeons (RCVS). A copy of this list is available from the website www.rcvs.org.uk/ridingestablishments

A CODE OF PRACTICE

The Inspector is appointed by the local authority from the list of RCVS Inspectors and is required by the relevant Acts of 1964 and 1970 to report on the premises. It is recommended that the inspector is accompanied by the relevant environmental health officer.

Under the two Acts, the Inspector is required to examine the premises and to be satisfied that the animals to be used are likely to be maintained in good health.

This is an inspection of the premises and also the operation of the riding establishment as a whole.

The appointed Inspector will inspect the horses and assess their apparent suitability.

The Inspector will advise the local authority on the type of activities carried out by the establishment. This can vary from a riding school, teaching people to ride to the hiring of horses to the public with or without supervision and includes beach donkeys and trekking centres.

The Inspector will advise the local authority on the suitability of the premises to carry out the functions that it claims to operate.

The Inspector will INSPECT each horse together with its saddlery and give an opinion on each animal's suitability and the condition of the saddlery in respect of the welfare of the horse and the safety of the rider.

The Inspector will also give a recommendation on the premises as a whole in respect of the issuing of a licence.

This document may be of value to riding establishments and could be sent by the local authority at the same time as notification of an impending inspection.

THE GUIDANCE TO VETERINARY SURGEONS

The Code of Practice is laid out above but further guidance for the Inspector is as follows.

THE HORSES AND PONIES

- All horses and ponies on the premises may be inspected at the discretion of the Inspector. All horses that are used in the establishment for teaching, hire, demonstration purposes and escort work must be examined as must all horses 3 years old and younger.
- It is not necessary to give each horse a full examination as if one was doing an examination prior to purchase. Each horse and pony should be inspected briefly with particular care being given to the areas of the body which come into contact with the tack. The age should be assessed with reference to animals that are 3 years old and younger which must not be used and for which a register must be maintained by the owner and should be seen signed and dated by the Inspector.
- Each horse should be 'trotted up' on a firm hard surface to check for signs of lameness.
- It is strongly advised that a stethoscope and ophthalmoscope are used during all inspections, unless circumstances preclude their use.
- All animals that are found to be injured or ill should be recorded.
- If an Inspector believes that any horse is in an unsatisfactory condition he should note on his report that it must not be used until the local authority has received a signed certificate from the establishments own veterinary surgeon that it has completely recovered.

EXAMINATION OF THE PREMISES

- Although a veterinary surgeon is not an expert on drainage, electricity, fire and so on, he or she should properly report any obvious defects to the local authority who have experts to deal with these areas.
- The Inspector should be satisfied that the operations carried out by the riding establishment conform with current regulations.
- The examination should include not only the buildings that house the horses but also the fields and paddocks used by the establishment and any indoor and outdoor schools. In these cases particular attention should be paid to the surface of the school and its fences or boundary cladding.

ACCIDENTS

- Horse riding is considered to be the most dangerous sport. The Inspector should make sure that the proprietor and staff are aware of this fact. The Accident Record Book may be examined, signed and dated.
- Although the Inspector is not an expert on human safety he or she should feel able to advise the local authority on any weaknesses detected in this area.

SADDLERY AND RIDING HATS

- It is recommended that the Inspector examines each saddle and bridle on and off the horse. It is recommended that worn items should be identified and noted on the report with recommendations that they must be mended before any future use. As a rule of thumb well-kept leather saddles at a riding school should last for ten years, plastic ones for 3-5 years. Badly damaged saddlery should be condemned.
- The availability of riding hats should be ascertained and their overall appearance assessed. However, the Inspector is not equipped to detect fine cracks in the structure of hats that may render them unserviceable and therefore should not give the impression that hats have 'passed' his inspection.

SHOEING AND FOOT CARE

- The Inspector has to be satisfied that the footcare and shoeing is carried out on a regular and satisfactory basis.

GENERAL

- The intention of the original Acts was to look after the equine welfare and that must be the paramount objective of the Inspector. However, during the inspection the Inspector is a Local Authority official.
- The Inspector should recommend a course of action to the local authority. This may be to give a full licence or provisional licence or no licence.
- The Inspector may additionally recommend conditions to be applied to any licence. In such circumstances it is recommended that the Inspector should notify the authority in a covering letter as well as on the inspection form.
- If the Inspector has any doubts about what action to take in any particular situation, he/she should contact for advice the Chairman of the RCVS Riding Establishments Committee through the RCVS on 020 7222 2001 or via email to the Secretary of the Riding Establishments Committee, Mrs Diana Evans (dianaevans647@btinternet.com).

RIDING ESTABLISHMENTS INSPECTORATE

1) Method of choosing RE Inspectors

The Riding Establishments Act 1964 S.1(3) states:

“A local authority shall not authorise a veterinary surgeon or veterinary practitioner to inspect any premises under this section except one chosen by them from a list of such persons drawn up jointly by the Royal College of Veterinary Surgeons and the British Veterinary Association”.

There has been some confusion as to whether the local authority should decide which inspector to appoint or whether riding establishments should be allowed to make their own choice from the approved list.

We have also received reports that some authorities are appointing inspectors who are not on this approved list.

Will all Authorities please, therefore, note the following:

- a) They must appoint ONLY inspectors from the approved list.
- b) They, themselves, must choose the inspector for each establishment.

It should also be borne in mind that to allow inspectors to inspect their own clients automatically raises a presumption of conflict of interest.

Licence Application Forms and Veterinary Inspector Report Forms are now available from the RCVS website www.rcvs.org.uk/ridingestablishments

2) Method of paying RE Inspectors

It would appear that some local authorities are now expecting riding establishments to pay the inspector direct and then to attach the report to the application for a licence. To avoid any potential conflict of interest and bearing in mind that Local Authorities have the legal responsibility for ensuring that only suitable premises are licensed, the Royal College strongly advises that inspectors be paid by the Local Authorities.

3) Recommended fees for RE Inspectors

The Riding Establishments Committee has agreed to recommend that the normal hourly rate of the veterinary practice should be charged, including the time taken for preparing the Report. It was accepted that there would be variations nationally but it was felt that there would be reasonable consistency within any given area.

ROYAL COLLEGE OF VETERINARY SURGEONS

List of Approved Riding Establishment Inspectors 2010

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