

ELIZABETH II



1964 CHAPTER 70

An Act to regulate the keeping of riding establishments;
and for purposes connected therewith. [31st July 1964]

BE 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) No person shall keep a riding establishment except under the authority of a licence granted in accordance with the provisions of this Act. Licensing of riding establishments.

(2) Every local authority may, on application being made to them for that purpose by a person who is an individual over the age of eighteen years or a body corporate, being a person who is not for the time being disqualified,—

- (a) under this Act from keeping a riding establishment ; or
- (b) under the Protection of Animals (Cruelty to Dogs) Act 1933, from keeping a dog ; or
- (c) under the protection of Animals (Cruelty to Dogs) (Scotland) Act 1934, from keeping a dog ; or
- (d) under the Pet Animals Act 1951, from keeping a pet shop ; or
- (e) under the Protection of Animals (Amendment) Act 1954, from having the custody of animals ; or
- (f) under the Animal Boarding Establishments Act 1963, from keeping a boarding establishment for animals ;

and on payment of a fee of ten shillings, grant a licence to that person to keep a riding establishment at such premises in their area as may be specified in the application and subject to compliance with such conditions as may be specified in the licence.

(3) Where an application for the grant of a licence for the keeping of a riding establishment at any premises is made to a

local authority, they shall not proceed to a decision in the matter unless they have received and considered a report by a veterinary surgeon or veterinary practitioner authorised by them to carry out inspections under the next following section of an inspection of the premises carried out by him within the period of twelve months immediately preceding the date on which the application is received by the local authority or on or after that date, being a report containing such particulars as in their view enable them to determine whether the premises are suitable for the keeping thereat of a riding establishment, and describing the condition of the premises and of any horses found thereon or anything thereat.

(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 whether that person appears to them to be suitable and qualified, either by experience in the management of horses or otherwise, to be the holder of such a licence and to the need for securing—

- (a) that there will be available at all times, for horses, accommodation suitable as respects construction, size, number of occupants, lighting, ventilation, drainage, and cleanliness ;
- (b) that in the case of horses maintained at grass, there will be maintained for them at all times during which they are so maintained adequate pasture and shelter ;
- (c) 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 and rested and (so far as necessary) visited at suitable intervals ;
- (d) that all reasonable precautions will be taken to prevent and control the spread among horses of infectious or contagious diseases ;
- (e) that appropriate steps will be taken for the protection of horses in case of fire ;
- (f) that horses will be maintained in a good state of health 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 in that case it is kept ;
- (g) 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 paragraphs (a) to (g) of this subsection.

(5) Any person aggrieved by the refusal of a local authority to grant such a licence, or by any condition subject to which such a licence is proposed to be granted, may appeal to a magistrates' court; and the court may on such an appeal give such directions with respect to the issue of a licence or, as the case may be, with respect to the conditions subject to which a licence is to be granted as it thinks proper.

(6) Any such licence shall (according to the applicant's requirements) relate to the year in which it is granted or to the next following year. In the former case, the licence shall come into force at the beginning of the day on which it is granted, and in the latter case it shall come into force at the beginning of the next following year.

(7) Subject to the provisions hereinafter contained with respect to cancellation, any such licence shall remain in force for one year beginning with the day on which it comes into force and shall then expire.

(8) In the event of the death of a person who is keeping a riding establishment at any premises under the authority of a licence granted under this Act, that licence shall be deemed to have been granted to his personal representatives in respect of those premises and shall, notwithstanding subsection (7) of this section (but subject to the provision hereinafter contained with respect to cancellation), remain in force until the end of the period of one year beginning with the death and shall then expire:

Provided that the local authority by whom the licence was granted may from time to time on the application of those representatives, extend or further extend the said period of one year if the authority are satisfied that the extension is necessary for the purpose of winding up the deceased's estate and that no other circumstances make it undesirable.

(9) Any person who contravenes the provisions of subsection (1) of this section shall be guilty of an offence; and if any condition subject to which a licence is granted in accordance with the provisions of this Act is contravened or not complied with, the person to whom the licence was granted shall be guilty of an offence.

(10) In the application of this section to Scotland, in subsection (5) for any reference to a magistrates' court there shall be substituted a reference to the sheriff.

2.—(1) A local authority may, subject to the provisions of this section, authorise in writing any such person as the following, Inspection of Riding Establishments.

namely, an officer of theirs, an officer of any other local authority, a veterinary surgeon and a veterinary practitioner, to inspect any such premises in their area as the following, that is to say,—

- (a) any premises where they have reason to believe a person is keeping a riding establishment;
- (b) any premises as respects which a licence granted in accordance with the provisions of this Act is for the time being in force; and
- (c) any premises as respects which a licence has been applied for under this Act.

(2) Any person authorised under this section may, on producing his authority if so required, enter at all reasonable times any premises which he is authorised under this section to enter and inspect them and any horses found thereon or any thing therein for the purpose (except in the case of any such premises as are mentioned in paragraph (a) of the foregoing subsection) of making a report to the local authority for the purposes of section 1(3) of this Act or for the purpose of ascertaining whether an offence has been or is being committed against this Act.

(3) 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.

(4) Any person who wilfully obstructs or delays any person in the exercise of his powers of entry or inspection conferred by subsection (2) above shall be guilty of an offence.

Offences.

3.—(1) If any person—

- (a) at a time when a horse is in such a condition that its riding would be likely to cause suffering to the horse, lets out the horse on hire or uses it for the purpose of providing, in return for payment, instruction in riding or for the purpose of demonstrating riding;
- (b) supplies for a horse which is let out on hire by him for riding equipment which is used in the course of the hiring and suffers, at the time when it is supplied, from a defect of such a nature as to be apparent on inspection and as to be likely to cause suffering to the horse or an accident to the rider;
- (c) fails to provide such curative care as may be suitable, if any, for a sick or injured horse which is kept by him with a view to its being let out on hire or used for a purpose mentioned in paragraph (a) of this subsection;
- (d) in keeping a riding establishment knowingly permits any person, who is for the time being disqualified under

this Act from keeping a riding establishment, to have control or management of the keeping of the establishment; or

- (e) with intent to avoid inspection under section 2 of this Act, conceals, or causes to be concealed, any horse maintained by the riding establishment;

he shall be guilty of an offence under this Act.

(2) A person who for the purpose of obtaining the grant of a licence under this Act gives any information which he knows to be false in a material particular or makes a statement which he knows to be so false or recklessly gives any information which is so false or recklessly makes any statement which is so false shall be guilty of an offence under this Act.

4.—(1) Any person guilty of an offence under any provision of this Act other than section 2(4) thereof shall be liable on summary conviction to a fine not exceeding £25 or to imprisonment for a term not exceeding three months or to both such fine and such imprisonment. Penalties and disqualifications.

(2) Any person guilty of an offence under section 2(4) of this Act shall be liable on summary conviction to a fine not exceeding £25.

(3) Where a person is convicted of any offence under this Act or of any offence under the Protection of Animals Act 1911 or the Protection of Animals (Scotland) Act 1912 or the Pet Animals Act 1951 or the Animal Boarding Establishments Act 1963, the court by which he is convicted may cancel any licence held by him under this Act and may, whether or not he is the holder of such a licence, disqualify him from keeping a riding establishment for such period as the court thinks fit.

(4) A court which has ordered the cancellation of a person's licence, or his disqualification in pursuance of the last foregoing subsection may, if it thinks fit, suspend the operation of the order pending an appeal.

5.—(1) A local authority in England or Wales may subject to the provisions of this section prosecute proceedings for any offence under this Act committed in the area of the authority. Power of local authorities to prosecute.

(2) In England and Wales no proceedings for an offence under section 1(9) of this Act in respect of a contravention of or failure to comply with a condition subject to which a licence is granted in accordance with the provisions of this Act shall be instituted except by a local authority, and a local authority shall not institute any such proceedings except after receiving and considering a report by a veterinary surgeon or veterinary practitioner authorised by them to carry out inspections under section 2 of this Act being a report which in their opinion indicates that such an offence has been committed.

Interpretation.

6.—(1) References in this Act to the keeping of a riding establishment shall, subject to the provisions of this section, be construed as references to the carrying on of a business of keeping horses for either or both of the following purposes, that is to say, the purpose of their being let out on hire for riding or the purpose of their being used in providing, in return for payment, instruction in riding, but as not including a reference to the carrying on of such a business—

- (a) in a case where the premises where the horses employed for the purposes of the business are kept are occupied by or under the management of the Secretary of State for Defence ; or
- (b) solely for police purposes ; or
- (c) by the Zoological Society of London ; or
- (d) by the Royal Zoological Society of Scotland.

(2) Where a university provides courses of study and examinations leading to a veterinary degree to which relates an order made under section 1 of the Veterinary Surgeons Act 1948 (which section enables the Privy Council, where a university provides such courses, and it appears to the Privy Council that the courses are of the standard therein mentioned, to direct that a holder of the degree to which the courses lead shall be qualified to be a member of the Royal College of Veterinary Surgeons), horses kept by the university for use in the instruction of students undergoing such courses shall, during the continuance in force of the order, be deemed for the purposes of the foregoing subsection not to be kept as mentioned in that subsection.

(3) For the purposes of this Act a person keeping a riding establishment shall be taken to keep it at the premises where the horses employed for the purposes of the business concerned are kept.

(4) In this Act the following expressions have the meanings respectively assigned to them, that is to say—

“ horse ” includes any mare, gelding, pony, foal, colt, filly or stallion and also any ass, mule or jennet ;

“ local authority ” means the council of a county borough, the council of a London borough or the Common Council of the City of London ; as respects any non-county borough or urban district which has according to the last published census for the time being a population of 20,000 or upwards, the council of the borough or urban district ; and as respects any other area the council of the county ; and in Scotland means the council of any county or any burgh ;

“premises” includes land ;

“veterinary practitioner” means a person who is for the time being registered in the Supplementary Veterinary Register in pursuance of the Veterinary Surgeons Act 1948 ;

“veterinary surgeon” means a person who is for the time being registered in the Register of Veterinary Surgeons in pursuance of the Veterinary Surgeons Act 1881.

7. Notwithstanding anything in this Act, a person who, immediately before the date of commencement of this Act, was keeping a riding establishment at any premises, and who is not disqualified as mentioned in section 1(2) of this Act, shall be entitled to keep such an establishment at those premises without a licence under this Act—

Transitional provision.

(a) for the period of one month beginning with that date ; and

(b) if before the expiration of that period he applies for a licence under this Act in respect of those premises, until the licence is granted or finally refused or the application is withdrawn.

8. The Riding Establishments Act 1939 is hereby repealed.

Repeal.

9.—(1) This Act may be cited as the Riding Establishments Act 1964.

Short title, commencement and extent.

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

(3) This Act shall come into operation on 1st April 1965.

Table of Statutes referred to in this Act

Short Title	Session and Chapter
Veterinary Surgeons Act 1881	44 & 45 Vict. c. 62.
Protection of Animals Act 1911	1 & 2 Geo. 5. c. 27.
Protection of Animals (Scotland) Act 1912	2 & 3 Geo. 5. c. 14.
Protection of Animals (Cruelty to Dogs) Act 1933	23 & 24 Geo. 5. c. 17.
Protection of Animals (Cruelty to Dogs) (Scotland) Act 1934	24 & 25 Geo. 5. c. 25.
Veterinary Surgeons Act 1948	11 & 12 Geo. 6. c. 52.
Pet Animals Act 1951	14 & 15 Geo. 6. c. 35.
Protection of Animals (Amendment) Act 1954 ...	2 & 3 Eliz. 2. c. 40.
Animal Boarding Establishments Act 1963 ...	1963. c. 43.

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