

Application for a Riding Establishment Licence (Beach Donkeys)

- Application for Grant of Licence
- Application for Renewal of Licence
- Application for Variation of a Licence (No fee currently payable)*

The operation of riding establishments is strictly controlled by the Animal Welfare Act 2006. To run a riding establishment (where horses, ponies or donkeys are hired out for riding or used for riding instruction), you need a licence from the Local Authority.

In addition to horses and ponies in traditional riding schools, trail riding, orienteering and trekking establishments require a licence. The running of beach ponies and donkeys, instruction in playing polo (other than on the pupil's own horse) and the hiring of horses for hacking and hunting also require a licence.

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

Licences are valid for a period of one, two or three years from the date of issue.

The fee for this licence in the East Lindsey District is currently £350.00. In addition, you will be recharged the cost of the vets inspection, which will be undertaken by a veterinary surgeon registered on the current RCVS and BVA 'List of Approved Riding Establishment Inspectors'.

The licence application form should be completed and returned with the fee of £350.00 to the Licensing Team, East Lindsey District Council, The Hub, Mareham Road, Horncastle, Lincolnshire, LN9 6PH. Cheques and postal orders should be made payable to 'East Lindsey District Council'.

Please note that we no longer accept cash for the payment of licence application fees.

Alternatively, payment can be made by BACS to the following account:

EAST LINDSEY DISTRICT COUNCIL - BARCLAYS BANK PLC
SORT CODE: 20-52-86
BANK ACCOUNT NUMBER: 50348481

You should include a reference of 'AWL_Licence' with the BACs payment.

The Licensing Team is able to provide facilities for licence payments by credit and debit cards. Further information on payment by credit or debit card is available by contacting the Licensing Team direct.

*There is currently no charge for 'Variation' applications.

Eligibility Criteria

Schedule 8 of The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 stipulates persons who may not apply for an Animal Welfare Licence.

In addition to the above, this Council has adopted an Animal Welfare Licensing Policy. In line with this policy, all applications for grant or renewal of an Animal Welfare Licence must be accompanied by a Basic Disclosure Certificate from the Disclosure and Barring Service (DBS).

The Basic Disclosure Certificate must have been issued in the full name of the licence applicant(s), and must have been issued no earlier than 2 months before the date on which the licence application is made. The Basic Disclosure Certificate must be submitted with the licence application.

DBS checks must show that the licence applicant (or applicants) are not disqualified from holding a licence, and/or hold no current relevant convictions which may affect whether they are a 'fit and proper' person to hold a licence.

Guidance on how to request a Basic DBS Certificate can be found on the gov.uk website:

<https://www.gov.uk/request-copy-criminal-record>

The certificate provides details of unspent criminal convictions (if any). The cost of the certificate is £21.50. It usually takes up to 14 days for you to receive your certificate.

It will be the licence applicant's responsibility to obtain the DBS certificate in good time, and to pay any fees or charges associated with them.

The Council will not normally grant a licence to a person with one (or more) conviction(s) for any offence related to animal cruelty or suffering. The primary purpose of the Regulations enforced by this Council is to ensure the welfare of animals and, as such, these types of offences are highly relevant. In all cases, the Council will consider the conviction or behaviour in question and what weight should be attached to it. Each and every case will be determined on its own merits.

Application Evaluation Process

Before deciding a licence application, the Council are required to arrange for and consider a report from a suitably qualified veterinary surgeon (or practitioner) detailing whether the premises are suitable for a riding establishment and detailing the conditions of the premises and any donkeys.

Once the application is received by the Council it will be forwarded to the qualified veterinary surgeon (or practitioner) to inspect the premises. An appropriate Council Officer will probably also be present during the veterinary inspection. The premises, facilities and management will be inspected to ensure they comply with the current riding establishment licence conditions.

Any licence applicant must be suitable as to their experience in the management and care of donkeys 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.

Licence applications will be either approved with licence conditions or refused. The number of donkeys that may be accommodated at the premises will be specified on the licence.

When considering an application for a riding establishment licence the Council will have regard to the following:

- whether the applicant is suitable and qualified to hold a licence.
- that consideration will be given to the condition of the donkeys and that they will be maintained in good health, kept physically fit and where the donkey is to be ridden or used during riding instruction, be suitable for that purpose.
- that the animals feet will be trimmed properly and that shoes are fitted properly and are in good condition.
- that there will be suitable accommodation for the donkeys.
- that for donkeys maintained on grass there is suitable pasture, shelter and water and that supplementary feed will be provided as and when needed.
- that donkeys will be provided with suitable food, drink and bedding materials and will be exercised, groomed, rested and visited at suitable intervals.
- that precautions will be taken to reduce the spread of contagious or infectious diseases and that veterinary first aid equipment and medicines will be provided and maintained.
- that appropriate procedures are in place to protect and remove the donkeys in the case of a fire and that as part of this the name, address and telephone number of the licence holder is displayed outside the premises and fire instructions are displayed.

- 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 donkey 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 donkey is fit for work.
- that a donkey 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 donkeys 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.
- Donkey suitability / temperament assessments.
- Rider assessments (to include new riders).
- Records of lessons.
- Road riding procedures (safety).
- Emergency procedures.

Appeals

Any applicant refused a licence has a right of appeal to First-Tier Tribunal.

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.

Licence Renewal Reminders

Licence holders will be sent a renewal invitation letter approximately three months in advance of the expiry of a licence. Please note that the responsibility for renewal rests with the licence holder.

Beach Donkey Code of Practice

All beach donkey operators licensed with this Authority are expected to comply with the following Code of Practice:

Annual Veterinary Inspection

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

Licence

A copy of your licence must be on display or readily available at the place of operation.

Passport

All licensed donkeys must have a current passport and be micro chipped.

Use of sticks and whips to control donkeys

Neither the licence holder nor any person he/she has permitted to be in control of the licensed animals shall cause or allow to be caused ill-treatment to a licensed animal. A stick may be used but not to mete out punishment; it may only be used to tap or guide the licensed animals in order to keep the pack together and to maintain momentum. No whips or any other like thing shall be used or permitted to be used on any licensed animal and the kicking of licensed animals is strictly prohibited.

Working conditions of beach donkeys

The maximum hours that any licensed animals shall be on the beach must not exceed nine on any day. Within this period all such animals shall be rested from their duties during each day; this rest period or rest periods shall be in total not less than one hour in duration and shall commence at a time specified by the licence holder or any person he/she has permitted to be in control of the licensed animals. The rest period requirement can be relaxed for shortened working days of less than 6 hours. At the commencement of the rest period, all saddles must be loosened and the licence holder and any person he/she has permitted to be in control of the licensed animals shall supervise them to ensure that members of the public do not attempt to mount them. A register detailing hours worked by individual donkeys to be maintained and be available for inspection. All licensed animals must be given unhindered access to an adequate supply of fresh, drinking water at all times that they occupy the beach.

Hours worked

A register detailing hours worked by individual donkeys to be maintained and be available for inspection by officers authorised by the council.

Physical condition of beach donkeys

Licensed animals shall be kept in good physical condition; this includes an acceptable state of both cleanliness and the condition of their coats.

Weight of riders

No person over the age of 15 years or over 8 stones (50kg) in weight shall be permitted to ride any licensed animal.

Rest days for beach donkeys

Licensed animals must not be worked for more than 6 consecutive days before being afforded a work free day at rest at pasture.

Donkey derbies

The requirements of the RSPCA Code of Practice for Donkey Derbies shall apply to events that utilise licensed animals which are the property of the licence holder.

Shelter

Shelter must be provided for the donkeys at pasture to provide protection from predicted extremes of weather, sufficient to accommodate all of the donkeys.

Vet inspection

No donkey is to be used as part of the riding establishment unless passed as fit to do so by the vet carrying out the licensing Inspection.

Application for a Riding Establishment Licence (Beach Donkeys)

PART A - Applicant Profile

1 Reference number

1.1 System reference number
(if known):

1.2 Your reference (if known):

Please complete all the questions in the form.

If you have nothing to record, please state "Not applicable" or
"None"

2a Agent

YES

NO

If NO, go to 3.1

2.1 Are you an agent acting on
behalf of the applicant?

2b Further information about

2.2 Full name (including Mr / Mrs
/ Ms / Miss / Dr):

2.3 Address (include postcode):

2.4 Email:

2.5 Main telephone number:

2.6 Other telephone number:

3 Applicant details

3.1 Full name (including Mr / Mrs
/ Ms / Miss / Dr):

3.2 Address (include postcode):

3.3 Email:

3.4 Main telephone number:

3.5 Other telephone number:

3.6 Are you applying as a business or organisation, including a sole trader? YES NO

3.7 Are you applying as an individual? YES NO

4a Applicant Business

4.1 Is your company registered with companies house? YES NO If NO, go to 4.3

4.2 Registration number:

4.3 Is your business registered outside the UK?

4.4 VAT number:

4.5 Legal status of the business:

4.6 Your position in the business:

4.7 The country where your head office is located:

4b Business Address – This should be your official address – The address required of you by law to receive all communication

4.8 Building name or number:

4.9 Street:

4.10 District:

4.11 City or town:

4.12 County or administrative area:

4.13 Post Code:

4.14 Country:

PART B - Application for a licence to hire out donkeys

1a Type of Application

1.1 Type of application: New Renewal If New, go to 1.3

1.2 Existing licence number:

1b Further information about the applicant

1.3 Date of birth:

2 Establishment to be licensed

2.1 Name of premises / trading name:

2.2 Address of premises where the animals will be stabled (including postcode):

2.3 Telephone number:

2.4 Email address:

2.5 Is the establishment open throughout the year?

YES NO

2.6 When is it normally open?

3 Accommodation and facilities

Please describe the accommodation available for donkeys.

3.1 Stalls (please give the number):

3.2 Boxes (please give the number):

3.3 Covered yard (please give dimensions):

3.4 Open yard (please give dimensions):

Please describe the land available for:

3.5 Grazing:

3.6 Instructing or demonstrating:

3.7 Exercise:

3.8 Do you have planning permission for this business use?

YES NO

Please describe the accommodation available for:

3.8 Forage and bedding:

3.9 Equipment and saddlery:

Please describe the arrangements in place for:

3.10 Water supply and watering donkeys:

3.11 Disposal of animal waste:

3.12 Protection of donkeys in event of a fire, and fire precautions:

4a Donkeys

4.1 How many donkeys are kept under the terms of the Act at the present time?

4.2 How many donkeys is it intended to keep under the terms of the Act during the year?

Please provide details of all the donkeys currently kept.

4.3 Name of donkey:

4.4 Description including size:

4.5 Sex:

4.6 Age:

4.7 Donkey passport number:

4.8 Purpose for which donkey is kept:

4.9 Age range of people who ride this donkey:

4.10 Add another donkey?

YES

NO

If NO, go to 5.1

4b Donkeys 2

4.11 Name of donkey:

4.12 Description including size:

4.13 Sex:

4.14 Age:

4.15 Donkey passport number:

4.16 Purpose for which donkey is kept:

4.17 Age range of people who ride this donkey:

4.18 Add another donkey?

YES

NO

If NO, go to 5.1

4c Donkeys 3

4.19 Name of donkey:

4.20 Description including size:

4.21 Sex:

4.22 Age:

4.23 Donkey passport number:

4.24 Purpose for which donkey is kept:

4.25 Age range of people who ride this donkey:

4.26 If you intend to hire out further donkeys please attach a separate list of these with the information requested in questions 4.3 to 4.10 for each.

5 Management of the establishment

5.1 Name and address of the manager/person with direct control of the establishment (including postcode):

5.2 Does the manager have any of the following certificates? (Tick all that apply.)

Assistant Instructor's Certificate of the British Horse Society.....

Intermediate Instructor's Certificate of the British Horse Society

Instructor's Certificate of the British Horse Society

Fellowship of the British Horse Society.....

Fellowship of the Institute of the Horse.....

None of the above

5.3 Please give details of the manager's experience in the management of donkeys:

5.4 Does a responsible person live at the establishment?

YES NO

5.5 What are the arrangements in the event of an emergency?

5.6 Will a person who is under 16 years of age be left in charge of the establishment at any time? YES NO

5.7 Will a responsible person (of 16 years or over) provide supervision at all times while donkeys from the establishment are used for riding instruction or are hired out for riding (except in the case of the hirer being competent to ride without supervision)? YES NO

6 Veterinary surgeon

6.1 Name of usual veterinary surgeon:

6.2 Company name:

6.3 Address (including postcode):

6.4 Telephone number:

6.5 Email address:

7 Public liability insurance

7.1 Do you have public liability insurance? YES NO If NO, go to 7.10

7.2 Please provide details of the policy:

7.3 Insurance company:

7.4 Policy number:

7.5 Period of cover:

7.6 Amount of cover (£):

Does this policy:

7.7 Insure against liability for any injury sustained by those who hire a donkey from you for riding and those who use a donkey in the course of receiving instruction in riding, provided by you in return for payment? YES NO

7.8 Insure against liability arising out of such hire or use of a donkey? YES NO

7.9 Insure such hirers or users in respect of any liability which may be incurred by them in respect of injury to any person caused by, or arising from, such hire or use? YES NO
If YES to 7.7, 7.8 and 7.9, go to 8.1

7.10 Please state what steps you are taking to obtain such insurance:

8 Disqualifications and convictions

Has the applicant, or any person who will have control or management of the establishment, ever been disqualified from:

8.1 Keeping a pet shop? YES NO

8.2 Keeping a dog? YES NO

8.3 Keeping an animal boarding establishment? YES NO

8.4 Keeping a riding establishment? YES NO

8.5 Having custody of animals? YES NO

8.6 Has the applicant, or any person who will have control or management of the establishment, been convicted of any offences under the Animal Welfare Act 2006? YES NO

8.7 Has the applicant, or any person who will have control or management of the establishment, ever had an animal welfare licence (including a riding establishment licence) refused, revoked or cancelled? YES NO

8.8 If YES to any of these questions please provide details:

9 Additional details

- 9.1. Is the establishment where the donkeys are stabled connected to mains drainage? YES NO If NO, is the establishment connected to a localised sewage system?
YES NO
Please provide any further relevant information:
- 9.2. Do you hold (or have you held) a riding establishment licence with another Council? YES NO If Yes, give full details:
- 9.3. On which beach do you intend to operate?
- 9.4. Is the Establishment operative throughout the year? YES NO If No, state period when normally operative:
- 9.5. (a) How many beach donkey supervisors do you intend to employ during the year?
- (b) What will be the ratio of beach donkey supervisors to number of donkeys on any one day that the donkeys are working?
- (c) What training provision is made by you for the beach donkey supervisors?
- 9.6. What arrangements are in place for the daily safe transportation of the donkeys to and from the foreshore?
- 9.7. What arrangements are in place to ensure adequate water provision of the donkeys whilst on the beach?
- 9.8. Additional information which may be relevant to the application:

DECLARATION SECTION

10 Model licence conditions and guidance

All applicants to tick that they have read the applicable model licence conditions and guidance. A copy of the model licence conditions and guidance can be found at www.e-lindsey.gov.uk/article/9523/Animal-Welfare.

10.1 Licence to Hire out Horses.....

11 Additional information

Please attach the following information.

11.1 DBS Basic Disclosure Certificate (for each applicant)

Please enclose the original DBS certificate(s) with your application.

Once seen by the Licensing Team, the certificate(s) will be returned to you.

11.2 A scaled plan of the premises.....

11.3 Insurance policy.....

11.4 Risk assessments (including fire)

11.5 Infection control procedure

11.6 Qualifications

11.7 Training records

12 Declaration

This section must be completed by the applicant. If you are an agent please ensure this section is completed by the applicant.

12.1 I am aware of the provision of the relevant Act and model licence conditions and I undertake to comply with the Council's Code of Practice for Beach Donkey Operators. The details contained in the application form and any attached documentation are correct to the best of my knowledge and belief.

12.2 Signing this box indicates you have read and understood the above declaration:

12.3 Full name (including Mr / Miss / Mrs / Ms / Dr):

12.4 Capacity:

12.5 Date:

This application MUST be accompanied by the appropriate fee.

APPLICANTS MUST COMPLETE THE FORM OF AGREEMENT WHICH IS ATTACHED TO THIS APPLICATION FORM.

This authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes.

Your information will be processed in accordance with the law, in particular the Data Protection Act 1998. The information you provide will only be used for Council purposes unless we are required by law to do otherwise.

FOR OFFICE USE ONLY

Recommendation:

Date of Inspection:

Receipt No:

No. of Licence issued:

Payment by: Cheque

Postal Order

Card

Data Protection Notice - Animal Welfare Licensing

East Lindsey District Council is a Data Controller and can be contacted at:

The Hub, Mareham Road, Horncastle, Lincolnshire, LN9 6PH.

Tel: 01507 601111

The Data Protection Officer for this Authority can be contacted at the same address.

We are collecting your personal data in order to process your application under Licensing Legislation as we are the Licensing Authority.

Your data will not be shared with third parties but may be used for Council purposes, in order to prevent or detect crime, to protect public funds or where we are required or permitted to share data under other legislation.

In line with our retention policy your data will be kept for the period of time that you hold a licence with this Authority and then for a further 6 years after your last licence expires. The data will then be deleted / destroyed at the end of the aforementioned 6 year period.

You have the right to access your data and to rectify mistakes, erase, restrict, object or move your data in certain circumstances. Please contact the Data Protection Officer for further information or go to our website where your rights are explained in more detail. If you would like to receive an explanation of your rights in paper format please contact the Data Protection Officer.

Any complaints regarding your data should be addressed to the Data Protection Officer in the first instance. If the matter is not resolved you can contact the Information Commissioner's Office at:

Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Tel: 0303 123 1113

If you do not provide the information required on the form then we will not be able to process your application for a licence.

For further information on our Data Protection Policies please go to our website: www.e-lindsey.gov.uk

Form of Agreement to pay Veterinary Surgeon / Practitioner Fee

Application for a Licence to keep a Riding Establishment (Beach Donkeys)

To: The Licensing Section
East Lindsey District Council
The Hub,
Mareham Road,
Horncastle,
Lincolnshire,
LN9 6PH.

Further to my application for licence to keep a Riding Establishment at:

I / We understand that the Council will appoint a veterinary surgeon / practitioner, who they consider competent, to inspect the premises where the donkeys are proposed to be held.

I / We agree to pay the fees rightfully incurred in connection with my application (and the fees rightfully incurred in connection with any annual inspection fees).

I understand that the licence may not be determined until these fees have been paid.

Signature(s):

Date:

Full name(s):