

# LIMERICK CITY & COUNTY COUNCIL



## APPLICATION FOR A HORSE LICENCE

### GUIDELINES

Control of Horses Act, 1996

Limerick City & County Council (Control of Horses) Bye-Laws, 2015

ALL APPLICATION FORMS MUST BE RETURNED TO

CONTROL OF HORSES

LIMERICK CITY & COUNTY COUNCIL

DOORADOYLE OFFICES

LIMERICK

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# HORSE LICENSING IN LIMERICK

The entire administrative area of Limerick City & County Council is a “Control Area” under the *Control of Horses Act, 1996* and the *Limerick City & County Council (Control of Horses) Bye-Laws, 2015*.

This means that a person who owns or keeps a horse in Limerick is required by law to hold a valid horse licence for each horse that he/she owns. Please refer to page

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## FREQUENTLY ASKED QUESTIONS

### **Definition of a Horse**

Under section 2 of the *Control of Horses Act, 1996* a “Horse” includes a donkey, mule or hinny. Therefore a horse licence must be obtained in relation to these animals.

### **What are the Penalties for not holding a current Horse Licence?**

Under the *Limerick City & County Council (Control of Horses) Bye-Laws, 2015* any person who keeps or owns a horse in Limerick without a horse licence is guilty of an offence under section 18 of the *Control of Horses Act, 1996*. A person guilty of an offence shall be liable on summary conviction to a fine not exceeding €4,000 and imprisonment for up to 6 months, and liable on conviction on indictment to a fine not exceeding €22,225 and imprisonment for up to 2 years.

### **How much does a licence cost?**

All applications must be accompanied by a fee of €31.74. This fee is refundable if the application is refused by *Limerick City & County Council* or where an application is incomplete and returned to the applicant.

### **Who can apply for a horse licence?**

A person who owns a horse must hold a Horse Licence in Limerick. This must be renewed annually to avoid the owner and keeper of the horse committing an offence under section 18 of the *Control of Horses Act, 1996*.

Limerick City & County Council will not grant a horse licence where the applicant is;

- Any person who is under the age of 16 years
- Any person who is disqualified pursuant to section 7 from keeping a horse
- Any person in the opinion of Limerick City & County Council unfit to keep a horse
- Any person who fails to satisfy Limerick City & County Council that the horse will be properly maintained.

### **How many Horse Licences will I need?**

You need one licence for **each** horse that you own or keep in Limerick.

### **How long does a Horse Licence last?**

The time period that a horse licence will cover is usually 12 months from the date of issue. However Limerick City & County Council reserve the right to issue a Horse Licence for a shorter period where the applicant does not meet all the requirements listed below for a full 12 month period. (ie. where an applicant only has insurance for the horse for 11 months a Horse Licence will only be issued for that period.)

# EXEMPTIONS FROM THE REQUIREMENT TO HOLD A HORSE LICENCE

The following exemptions to the requirement to hold a Horse Licence will apply;

- a) A horse in the control area which has been brought into the control area for the purposes of a gymkhana, sale or showing of horses, or any event of an equine nature for which Limerick City & County Council has given its prior written permission, on the day of the event and from noon the previous day and until noon following the event, provided such adequate facilities similar to those set out in these Bye-Laws are in place;
- b) A horse that is a thoroughbred registered in Weatherbys Studbook and kept in the Local Government Area of the County of Limerick as existed immediately before the 1st of June 2014.
- c) A horse owned and kept in the Local Government Area of the County of Limerick as existed before the 1st of June 2014 by ;
  - (i) A farmer or;
  - (ii) A person who is a member of a Hunt Club affiliated to the Hunting Association of Ireland or;
  - (iii) A person who is a bona fide operator of a horse riding school or equestrian centre on a commercial basis or;
  - (iv) A person who can prove to the Council that they are bona fide in occupation of lands sufficient for the horse or horses in their possession, in line with animal welfare guidelines published by the Farm Animal Welfare Advisory Council and who has documentary evidence that they are the owner of the land or if renting evidence of rental agreement for a period of not less than eleven (11) months signed by the land owner and giving permission for the horse to be kept on his/her property.

# APPLICATION REQUIREMENTS

PART 1 : Applicant Details

PART 2 : Horse Passport

PART 3 : Land Ownership

PART 4 : Rental Agreement (if applicable)

PART 5 : Equine Premises

PART 6 : Equine Premises Registration

PART 7: Insurance Policy

PART 8 : Payment of Licence Fee

## PART 1 – APPLICANT DETAILS

You must provide pictorial proof of identity. The following documentation is acceptable;

- Passport
- Drivers Licence
- A Form of Identity with a Photograph of the Applicant Issued by An Garda Siochana or a Minister of the Government

You must also provide details including your address, date of birth, P.P.S. number and phone number.

You must also state whether you have ever been disqualified from owning a horse under section 7 of the Control of Horses Act, 1996.

## PART 2 – HORSE PASSPORT

You must produce a copy of your Horse Passport as evidence of ownership of the horse. You must also insert the details of the horse in the table provided in Part 2.

You must also include the Microchip Number, Passport Number and the name of the Passport Issuing Body (ie. Horse Sport Ireland, Leisure Horse Ireland etc.)

It is the law under the European Communities (Equine) Regulations 2011(S.I. 357 of 2011) as amended by (S.I. 371 of 2012), and the European Union (Identification of Equidae) Regulations 2014 (S.I. 207 of 2014) that all equine must be identifiable by means an equine passport and microchip.

Details of the requirements are available on the Department of Agriculture, Food and the Marine website via the following link;

<http://www.agriculture.gov.ie/farmingsectors/horses/equineregistrationandpaspasports/>

## PART 3 – OWNERSHIP OF THE EQUINE PREMISIES

The Applicant must provide proof of Land Ownership for the place where the horse is kept. If the land is rented then the Applicant must provide proof of the Landlords ownership of the land. (Please note that if the land is rented then a valid Rental Agreement must also be produced, See PART 4)

For registered land proof of land ownership is evidenced by producing the Land Registry File for the land. If the land is not registered then the Deeds of the Land must be produced.

To complete Part 3 you must insert the Folio Number/ Deeds Number, and the area of the land in hectares available for the keeping of the horse.

If the horse is kept by a person who is not the owner the details of the keeper of the horse must also be included.

## PART 4 – RENTAL AGREEMENT (IF APPLICABLE)

If you do not own the premise where the horse is kept you must produce a valid Rental Agreement that is not less than Eleven Months from Expiry on the date of the Application for a Horse Licence.

In Part 4 you must insert the name and address of the Landlord and the length of the rental agreement.

## PART 5 – EQUINE PREMISES

The premises where the Horse is to be kept must be suitable for this purpose. Limerick City & County Council will make arrangements to inspect the premises where the horse is kept. You must include Map & Site details of land available for keeping a horse in either of the following formats. (Ordinance Survey Ireland Rural Place map 1:2500, or Ordinance Survey Ireland Urban Place Map 1:1000).

You must include your planning approval reference for stables at the premises where the horse is kept unless such structures are Class 6 structures under Schedule 2 (Part 1- Article 6) of the Planning and Development Regulations, 2001 (SI No. 600 of 2001).

The suitability requirement for the premises are listed in section 8 of the *Limerick City & County Council (Control of Horses) Bye-Laws, 2015*, as follows;

“Where a horse is kept under a horse licence granted by the Council at a premises within the control area the following shall apply:

- (1) the premises shall at all times be suitable as regards construction, size, number of occupants, lighting, ventilation, drainage and cleanliness. Adequate fencing shall be provided to prevent a horse from straying.
- (2) an exercising area of adequate dimension shall be provided for the horse.
- (3) an adequate supply of potable water shall be constantly available.
- (4) an adequate amount of wholesome and suitable food shall be supplied regularly to the horse.
- (5) where the horse is not at grass, food shall be stored in a dry, secure and suitable place and suitable bedding material shall be provided.
- (6) where the horse is kept at grass, there shall be maintained at all times adequate pasture and shelter for the horse.



- (7) the horse shall be adequately exercised and rested and visited at regular intervals.
- (8) all reasonable precautions shall be taken to prevent and control the spread among horses of infectious or contagious disease.
- (9) sufficient care shall be taken of the horse, including veterinary care.
- (10) adequate precautions shall be taken for the protection of the horse in the event of fire.
- (11) only equipment and tackle suitable for the purposes shall be used in connection with the horse.
- (12) adequate accommodation shall be provided for storage of forage, bedding, stable equipment and saddlery.
- (13) manure or other noisome or offensive material shall be removed and disposed of in an appropriate manner as soon as possible to avoid causing a nuisance to adjoining owners or occupiers.”

#### Your Premises Must Comply with these Requirements.

In Part 5 you must also insert the number of animals that are kept at the premises, the planning approval reference for stables (unless the stables are a Class 6 structure), and the area of land in hectares that will be used for the keeping the horse.

#### PART 6 – EQUINE PREMISES REGISTRATION

The Applicant must provide a letter from the Department of Agriculture, Food & the Marine confirming that the premises where the horse will be kept is an Equine Registered Premises.

In Part6 you must insert the Equine Premises Registration number.

It is the law under the *Control on Places where Horses are Kept Regulations 2014 (S.I. No 113 of 2014)* that anyone who is the owner/person in charge of any premises in which horses or other equines (such as donkeys, ponies etc) are kept must register this premises with the Department of Agriculture Food & the Marine. Details on the registration process are available at <http://www.agriculture.gov.ie/animalhealthwelfare/animalwelfare/registrationofpremisessanimals/registrationofhorsepremises/>

## PART 7 – INSURANCE POLICY

The Applicant must have a public liability insurance policy covering his/her ownership and all uses for which the horse is to be put.

You must include the Insurance Policy Document in your application for a Horse Licence. You must also provide a letter from your insurance company expressly indemnifying Limerick City & County Council against all claims arising from the ownership and all uses for which the horse is to be put.

In Part 7 you must insert the name of your insurance company, the insurance policy number, and the date the insurance policy expires.

Please note that if the Insurance Policy has less than 12 months to run then a Horse Licence will only be issued until the date of expiry of the Insurance Policy.

## PART 8 – PAYMENT OF THE LICENCE FEE

This Application must include the prescribed fee of €31.74. Where the application is refused Limerick City & County Council may retain such portion of the fee as necessary to cover administration costs.

# Checklist

The Following Documents **Must** be included in your Application.

***Failure to submit all the documentation will result in the application been returned to you as incomplete***

1. Pictorial Proof of Identity [As stated in Part 1]
2. Transponder Number [As stated in Part 2]
3. Horse Passport [As stated in Part 2]
4. Land Registry File or Deeds of the Land [As stated in Part 3]
5. Rental Agreement if applicable [As stated in Part 4]
6. Land Registry File or Deeds of the Land [As stated in Part 3]
7. Rental Agreement if applicable [As stated in Part 4]
8. Planning Approval for Stables [As stated in Part 5]
9. Map and site details of land available (OSI Maps) [As stated in Part 5]
10. Equine Premises Registration Letter [As stated in Part 6]
11. Insurance for the Horse [As stated in Part 7]
12. Letter of Indemnity to Limerick City & County Council from your Insurance Company  
[As stated in Part 7]
13. Licence fee of €31.74 [As stated in Part 8]


## **What happens after I apply for a licence?**

When processing an application for a horse licence, Limerick City & County Council may make arrangements to have the horse and the premises at which the horse is ordinarily kept inspected.

When a determination has been made on your application you will be informed in writing. Please allow 14 days to process your application.

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## **When a Horse Licence is Granted**

When a horse licence has been granted you will be issued with a non transferable horse licence. The particulars of the horse licence will be included on the Limerick City & County Council Horse Licence Register. This is a public register that can be viewed on request.

The Council may revoke or suspend a horse licence in the following circumstances

1. Where the holder of the licence is convicted of an offence in relation to a horse, or
2. Where a horse to which the licence relates is detained on two or more occasions under section 37 (a) of the Control of Horses Act, 1996
3. Where the holder of the licence is not complying with the terms or conditions of the licence.
4. Where the holder of the licence is abusing or not properly keeping, controlling or maintaining or causing injury or harm to any horse.
5. The holder of the horse licence has had a horse licence in respect of another horse revoked, suspended or amended.

## **When a Horse Licence Application is Refused**

If an application is refused by Limerick City & County Council the applicant will be notified in writing. He/She may then make representations in writing to the Limerick City & County Council within 14 days of the notification of the refusal. Representations made after this time will not be considered.

If Limerick City & County Council having considered any representations made by an applicant refuses to grant a licence, the applicant will be notified in writing of the decision and the grounds for such a decision.

The applicant is not satisfied he/she may then within 14 days of receipt of this notification, appeal the decision to the District Court within the district to which the horse licence relates. The refusal to grant a licence will be suspended until such time as the appeal is heard or withdrawn. If no appeal is made then the refusal will take effect after the period allowed for the appeal.

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## **Disposal of a Horse by the Licence Holder**

By law when a holder of a horse licence disposes of a horse for which a licence has been issued then he/she is required to inform Limerick City & County Council in writing, within 14 days of such disposal and its nature. He/She is also required to surrender the horse licence to Limerick City & County Council.

Where ownership of the horse has changed, the holder of the horse licence is required to notify Limerick City & County Council of the name and address of the new owner of the horse. A horse licence is not transferable so any new owner of the horse must apply for another horse licence.

If the horse which is the subject of a horse licence dies, the holder of the horse licence must inform Limerick City & County Council in writing within 14 days of the death of the horse.

## **Renewal of a Horse Licence**

**A horse licence must be renewed annually prior to the expiry.** Therefore an application for a renewal should be submitted **at least 14 days** prior to the expiry date to allow for the renewal to be processed on time.