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**COMHAIRLE CONTAE ÁTHA CLIATH THEAS
SOUTH DUBLIN COUNTY COUNCIL**



**MEETING OF SOUTH DUBLIN COUNTY COUNCIL**

**Tuesday 2nd May, 2017**

**MOTION NO. 24**

**MOTION: Councillor B. Leech**

In view of the number of horses that are being left neglected and fly grazing on SDCC parks and green spaces within Council Estates that this Council under the Control of Horses Act, 1996 initiate more effectively its regulations, penalties and bye laws.

**REPORT:**

All reports of loose/stray horses which are received from elected representatives, members of the public and Council staff are referred in a timely manner to the contractor engaged by the Council for the provision and operation of the horse seizure service and horse pound facility.  All seized horses are taken to the horse pound facility where they are microchipped on arrival, (if not already microchipped) and examined by a veterinary practitioner. Horses which are unsuitable for re-homing or not reclaimed by their owners within a period of five days from the date of seizure and detention the Council (or Garda Superintendent) may dispose of by way of sale, animal euthanasia or re-homing.

Stray horses are not generally a problem within the Council's main parks where there is constant passive surveillance.

The Council's [**(Control of Horses) Bye-Laws 2014**](http://www.sdcc.ie/2014-control-of-horses-bye-laws) were adopted on 10th February 2014 and implemented with effect from 12th March 2014 and our Enforcement and Licensing Section actively enforces the provisions of these Bye-Laws and the **Control of Horses Act 1996** as well as guidelines issued by the Department of Agriculture, Food and the Marine.   The Bye-Laws have provided the Council with stronger tools to deal with issues which impact negatively on communities and animals alike.

The provisions of the Act and the Bye-Laws are fully utilised to reduce the number of horses that are being kept unlawfully (without licence / passport),  in unsuitable conditions, or in areas where their presence has an adverse effect on the community.

Applications for reclaim are considered carefully and equines may be released to the owner or keeper of the horse only upon provision of a suite of relevant documentation to the Council, including proof of ownership, horse licence, passport, detail on suitability of location where the horse is to be kept etc.

Correspondence also issues to private landowners where it has come to our attention  that horse/ horses are present on such lands and for which concern is raised about the animal welfare.  These items of correspondence advise of the provisions of Section 18(5) of the Control of Horses Act 1996 (the Act) which states – ‘the occupier of any premises within a control area where a horse is found who is not the owner of that horse shall be deemed to be the person who keeps or has charge or control of the horse’.  (The administrative area of South Dublin County Council has been designated a control area for the purposes of the Act).   Landowners are therefore required to arrange for the removal of all/any horses kept on private lands where horses are not licenced to the landowner.   Similarly, landowners are also advised that all efforts should be made to ensure that the lands are secured to prevent any further illegal trespass.

All reports of sightings of loose horses outside of office hours should be made directly to the An Garda Siochana and it should also be noted that in certain cases our contractor requires the assistance of AGS in the removal of stray / wild horses.

The issue of general penalties and non-compliance are covered under the [**Control of Horses Act, 1996**](http://www.irishstatutebook.ie/eli/1996/act/37/enacted/en/html) and any change would require political intervention.

The existing Bye-Laws may be reviewed to establish if enforcement aspects require amendment.

It should be acknowledged that this Council is particularly proactive in the management of, and promotion of responsible urban horse ownership.  The Council has developed a state of the art equine facility for the stabling of up to 20 horses, with significant assistance from Department of Agriculture, Food and the Marine, which is being managed by the Clondalkin Equine Club under a management licence subject to strict conditions relative to oversight / governance, application of equality legislation, membership / use of the facility, and application of strict animal welfare protection.  Animal welfare remains a priority and ongoing education and awareness will form part of the urban horse project programme.

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