

## The Highland Licensing Committee

Meeting - 6 December 2016

Agenda Item	7.1
Report No	HLC/089/16

### Application for renewal of a licence under The Riding Establishments Acts 1964 and 1970 Northwolds riding Centre, Fendom, Tain (Ward 8 – Tain and Easter Ross)

#### Report by Environmental Health Manager

##### Summary

This Report relates to an application for the renewal of a licence under The Riding Establishments Acts 1964 And 1970

#### 1.0 Background to legislation

- 1.1 In terms of the Riding Establishments Acts 1964, no person shall keep a riding establishment except under the authority of a licence granted under the Act. A person keeping a riding establishment shall be regarded as keeping it at the premises where the horses employed for the purposes of the business concerned are kept. For the purposes of the Act, premises includes land.
- 1.2 A riding establishment is regarded as the carrying on of a business of keeping horses for either or both of the following: 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.
- 1.3 The Council, as licensing authority must ensure that the applicant appears to them to be suitable and qualified, either by experience in the management of horses or by being the holder of an approved certificate or by employing in the management of the riding establishment a person so qualified.
- 1.4 Furthermore, the Council must ensure that the health, safety and wellbeing of the horses is protected in various respects as set out in the legislation. The Council must obtain a report from a veterinary surgeon authorised to carry out inspections advising whether in the view of the veterinary surgeon the premises are suitable for use as a riding establishment and describing the condition of the premises and the horses found there.

#### 2.0 Current renewal application

- 2.1 Mrs Jan O'Neill has applied for the renewal of a licence to operate a riding establishment at North Wilds Trekking Centre, Fendom, Tain, IV19 1PE. The premises has operated as a riding establishment since 17 December 2008. Planning permission (13/02237/FUL) for change of use to base for horse trekking was granted on 27 August 2013 for a static caravan as reception and toilet/wash room; large metal container used as tack and feed room; a block of three stables and a small sand schooling area and tie up area. There are also several fields. The

site is enclosed by a post and wire fence and wooden fences with some partitions made by the use of electric fencing. The proposed number of horses for licensing purposes is 32. In addition to pony trekking, the business plan to continue with long-distance trail riding. This would result in treks starting and finishing from other locations. The application form dated 20 October 2016 is provided in **Appendix 1**.

- 2.2 The applicant has operated a licensed riding establishment from Keepers Cottage, Doll, Brora from 2008 until 15 December 2014. At its meeting on 16 June 2015, the Highland Licensing Committee granted a 3 month provisional licence to operate from Fendom. Powers to grant or refuse a full licence were delegated to Environmental Health on 11th August 2015, following which, a full licence was granted and subsequently renewed for the current calendar year. A copy of the current licence and conditions is provided in **Appendix 2**.
- 2.3 In August 2016, a case of the horse disease “strangles” was diagnosed at the premises. Having received a large number of public complaints, Environmental Health carried out various inspections including visits by a specialised vet. These inspections took place on 7 and 14 September 2016 and the vet reports are provided in **Appendix 3**.
- 2.4 There have been allegations relating to the operation of the business and these are being investigated by Environmental Health and Trading Standards. Any relevant issues will be reported to the Committee but Members should note that some details cannot be disclosed as they form part of an active investigation. Planning services are also investigating concerns regarding the business.

### **3.0 Consultees and objections**

3.1 Following receipt of the application, the following agencies were consulted:-

- Police Scotland
- Scottish Fire and Rescue Service
- Scottish Society for the Prevention of Cruelty to Animals
- Ward 8 Members

Police Scotland have responded intimating no objection to the grant of a licence. Scottish SPCA have responded with specific observations as provided in **Appendix 4**. No responses have been received from the other consultees.

3.2 At the time of preparing this report, there have been 16 objections submitted to the Council regarding the licence renewal application. These are provided in **Appendix 5**. Please note that 6 of the objections have had information redacted to remove possible defamatory comments. The original objections can be provided to Councillors should they wish to view the redacted information.

### **4.0 Determining issues**

4.1 Section 1(4) of the 1964 Act allows a local authority the discretion to withhold a licence on any grounds. Planning legislation is not a material issue in the consideration of a licence application. The Act, unsurprisingly for its age, does not

state what the general objective of the legislation is but from its terms it would appear to relate to the welfare of horses and perhaps the welfare of customers. Any reasons for refusal should relate to this and the matters detailed in section 1(4) of the Act which can be summarised as the suitability and qualification of the applicant and the welfare of horses.

- 4.2 It also states that in determining whether to grant a licence, the authority have regard to certain issues relating to the welfare of the horses and that the licence holder possess a valid certificate of insurance. Licence conditions specify these requirements.
- 4.3 A licence, if granted, would relate to the year in which it is granted or to the next following year. In the former case, the licence would come into force at the beginning of the day on which it is granted, and in the latter case it would come into force at the beginning of the next following year.
- 4.4 In any case where the local authority are not satisfied that having regard to all the circumstances they would be justified in granting such licence they may grant a provisional licence which shall come into force at the beginning of the day on which it is granted and shall remain in force for three months.
- 4.5 Section 1(5) of the 1964 Act states that 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 the Sheriff who 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 he thinks proper.
- 4.6 A veterinary inspection for relicensing purposes was carried out on 11 November 2016 and is provided in **Appendix 3**. This should be read together with the reports from September. The latest report raises a number of significant concerns over the operation of the business. The vet's conclusion was that she cannot be assured of the applicant's standards of management. **The vet has therefore recommended that a licence to carry out long distance trail riding be refused.**
- 4.7 The vet has commented that a provisional licence to carry out local trekking, hacking and lessons, operating from North Wilds only, could be issued with the following conditions:-
  1. Ongoing training programme for staff and adequate staff numbers to provide cover when staff are absent for any reason.
  2. Adequate ratio of suitably qualified ride leaders on hacks or treks.
  3. Risk assessments of business operations.
  4. All treks to start and finish from North Wilds.
  5. Limitation on the number of horses to 32-to be adhered to at all times.
  6. Engagement of a professional saddler with at least once yearly saddle inspections for all animals, and a written audit of the tack.
  7. Repair of Louie and Saffy's saddles, to be checked by the saddler, before they can be used.
  8. Repair of the fence in stable yard to ensure posts are properly secured in the ground.

9. Proprietor's postcode on the sign at the main road entrance.
10. Fencing off the telegraph pole in the field newly rented at the entrance and ensuring the responsible utility are aware of the damaged wire.
11. Any new arrivals must be isolated for 3 weeks and checked for their suitability by the yard's own vet-this put in writing (email would suffice) to the Council. This includes any animal not inspected on 11/11/16 owing to it's being away at a winter grazing/with its owner.

## **5.0 Timescale**

- 5.1 The Acts do not specify a timescale within which to determine an application.

## **6.0 Powers**

- 6.1 The Committee may grant a full licence subject to the standard conditions, in which case it would last for one year; grant a provisional licence lasting for three months; or refuse the application.
- 6.2 If minded to grant the licence, the Committee may attach such reasonable conditions, in addition to the standard conditions, as they think fit.

### **Recommendations**

1. Members are recommended to refuse a licence to carry out long distance trail riding.
2. Members are invited to consider granting a provisional licence to carry out local trekking, hacking and lessons, operating from North Wilds only, subject to specific conditions.

**Designation:** Environmental Health Manager

**Authors:** Alan Yates, Environmental Health Manager, Chris Ratter, Environmental Health Officer

**Date:** 23/11/16

**Appendices:**

1. Renewal application form
2. Current licence
3. Vets' reports
4. SSPCA submission
5. Letters of objection

# Animal licence

Reference number: **FS8915596**

Date: **20/10/2016**

Type of licence: **Riding establishment licence**

Type of application: **Renewal**

Reference number: **RE/03**

Type of applicant: **Partnership**

## Your details

Are you an agent? **I am the applicant**

Name: **Mrs Jan O'Neill**

Date and place of birth: **[REDACTED]**

Email address: **[REDACTED]**

Phone: **[REDACTED]**

Address: **The Junipers Fendom Farm Fendom Tain IV19 1PE**

## Details of your organisation (if applicable)

Name of the organisation: **Highlands Unbridled**

Your position within the organisation: **Partner**

Address: **Northwolds Riding Centre Fendom Tain IV19 1PE**

## Details of partners/directors

<b>Name</b>	<b>Address</b>
<b>Mrs Jan O'Neill</b>	<b>The Junipers Fendom Farm Fendom Tain IV19 1PE</b>
<b>Mr Graham O'Neill</b>	<b>The Junipers Fendom Farm Fendom Tain IV19 1PE</b>

## Day-to-day management

Are you day-to-day manager? **Yes**

What are qualifications and/or experience of the applicant and/or day-to-day manager in handling animals?

**NC & HNC Equestrian Studies**

**BETRAL and BETRL certificates. Riding and Road Safety. HSE First Aid at Work. Child Protection Cert. Have worked in the industry for 10+ years**

## **Premises details**

Name and address: **Highlands Unbridled Northwolds Riding Centre Fendom Tain IV19 1PE**

Are you the owner of the premises?

## **Description of premises**

Period when the establishment is normally operative: **All year**

Premises construction: **Static caravan for office/reception with toilet facilities. Outdoor sand school (manege) with post and rail fencing. 2 stables. Field shelter. Wooden windbreaks in X shape. Tie up area adjacent to stables for mounting of riders. Tack room, three metal storage units used for feed room, rug storage area, and general miscellaneous storage. Two sheds - one for trail riding equipment and the other as workshop. Perimeter fencing of Rylock as on sheep farm with top single strand of wire electrified. Interior fencing of 3 strand wire with top wire electrified. Some areas fenced with electric post and rope fencing.**

**Security lighting in stables, yard and office area. CCTV covering office and closest fields. Mobile CCTV in some fields furthest away from office area (battery operated trail cameras).**

Size of quarters: **stables 12 x 10 and 10 x 10**

Temperature control:

Lighting: **Security lighting in stable area.**

Ventilation: **roof vents**

Cleanliness: **Sand floor topped with rubber matting. This is skipped out to muck heap in field, farmer (landlord) takes to spread on his other fields.**

Drainage: **Stables are sand based with rubber matting on top. Any liquid drains through into the sand. Field shelters are sand floored. The whole area is on sandy soil being situated on a huge sea plain. It is all well drained with hardly any muddy areas or areas where water lies.**

Storage and preparation of food and drink: **Metal storage container used as feed room for storage and preparation of feeds. IBC tank in yard for general water (filled from kitchen in caravan/office) Water supplied to fields in self filling troughs. Haylage stored outside (wrapped)**

Bedding material: **rubber matting with straw on top.**

Exercise facilities: **Adequate fields, good areas to ride in area and manege.**

Method of transporting animals to and from the premises:

Precautions taken for preventing and controlling the spread of infectious and contagious diseases among

animals: **Isolation paddock at furthest point - new horses to be kept there for 2 weeks before joining the herd. Area around field shelter can be fenced off with electric fencing to provide a separate isolation stable if necessary.**

Steps taken for the protection of the animals in case of fire or other emergency: **Fire extinguishers at several points around the yard. Also hoses. We only have 2 stables. most horses would be out in the fields and so out of danger anyway, but in the case of fire, we would move all horses from the stables area out into the fields, away from the fire. There are fire alarms in the stables. Donald McAngus, our landlord lives immediately next to the stable yard and any alarm would be easily heard by him at night.**

The name and address of your usual veterinary surgeon / practitioner: **Kessock Vets  
Drumsmittal  
Inverness  
IV1 3 ZF**

Is a responsible person living in establishment? **Yes**

### **Animal details**

<b>Type of animals to be kept</b>	<b>Number of animals</b>
<b>Horses including mare, gelding, pony, foal, colt, filly, stallion, ass, mule and jannet</b>	<b>32</b>
<b>Dogs or cats including puppies and kittens</b>	<b>1</b>

### **Convictions**

Have you or anyone responsible for the day-to-day management of the animals ever been convicted and/or disqualified under any animal health and welfare legislation? **No**

### **References**

Reference numbers of all necessary planning permissions obtained:

### **Declaration**

The information you have supplied will be used for the purpose for which you have provided it and any relevant procedures following from this. This data will be maintained in accordance with the Data Protection Act 1998 and will not be passed on or sold to any other organisation without your prior approval unless this is a legal requirement.

I declare that the particulars given by me/us on this form are correct to the best of my/our knowledge and belief.

I understand that a licence fee is non-refundable and that there may be some additional charges, if applicable (e.g. vet fees).

### **Payment**

Total cost: **£119.00**

Payment method: **Debit or Credit Card**

Transaction reference (this should always be present if the customer selected Debit / Credit Card payment):  
**290300**

**If this is blank for Debit / Credit Card payment, then the payment was unsuccessful and the customer must be contacted to arrange a payment.**

**RIDING ESTABLISHMENTS ACT 1964**

**Licence to Keep a Riding Establishment**

**The Highland Council, by virtue of the powers conferred upon them by the Riding Establishments Act 1964 hereby grant a Licence to:**

**Mrs Jan O'Neill**



**To keep a riding establishment at:**

**HIGHLANDS UNBRIDLED  
North Wilds, Fendom, Tain, Highland, IV19 1PE**

**Licence Number: /008828/2015**

**For the period from 01/01/2016 until 31/12/2016.**

**The maximum number of horses which are authorised by this licence to be used at the riding establishment specified above is 32.**

**This licence is granted subject to compliance with the Riding Establishments Act 1964 and to conditions 1 to 20 attached hereto. Failure to comply with the conditions of this licence is an offence.**

**Signed ..... Date .....**

**Archie Lang, Environmental Health Manager  
on behalf of the Highland Council.**

**Tel: 01349 868613 Fax: 01349 868594**

**Email: env.health@highland.gov.uk**

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### **Licence Conditions**

1. Any horse found on the premises by an authorised Officer to be in need of veterinary attention shall not be returned to work until the holder of the licence has obtained at his/her own expense and has lodged with the Local Authority a veterinary certificate that the horse is fit for work.
2. No horse will be let out on hire for riding or used for providing instruction in riding without supervision by a responsible person of the age of 16 years or over unless (in the case of a horse let out for hire for riding) the holder of the licence is satisfied that the hirer of the horse is competent to ride without supervision.
3. The carrying on of the business of a riding establishment shall at no time be left in the charge of any person under 16 years of age.
4. The licence holder shall hold a current insurance policy which insures him/her against liability for any injury sustained by those who hire a horse from him/her for riding and those who use a horse in the course of receiving from him/her, in return for payment, instruction in riding and arising out of the hire or use of a horse as aforesaid and which also insures such persons in respect of any liability which may be incurred by them in respect of injury to any person caused by, or arising out of, the hire or use of a horse as aforementioned.
5. A register shall be kept by the licence holder of all horses in his/her possession aged three years and under which are normally kept on the premises. This register shall be available for inspection by an authorised Officer at all times.
6. The total number of horses permitted by this licence to be kept at the Establishment is 32.
7. There will be available at all times for the horses accommodation suitable as respects construction, size, number of occupants, lighting, ventilation, drainage and cleanliness.
8. Where the horses are maintained at grass, adequate pasture, shelter, water and supplementary feeds shall be provided.
9. All stabled horses shall be adequately supplied with suitable food drink and bedding material.
10. All horses shall be adequately exercised, groomed and rested and so far as is necessary, visited at suitable intervals.
11. All reasonable precautions shall be taken to prevent and control the spread of infectious or contagious diseases and veterinary first-aid equipment and medicines shall be provided and maintained in the premises.
12. Appropriate steps shall be taken for the protection and extrication of horses in case of fire or other emergency. In particular, the name, address and

telephone number of the licence holder or some other responsible person shall be kept displayed in a prominent position on the outside of the premises and instructions as to the action to be taken in the event of fire with particular regard to the removal of horses shall be kept displayed in a prominent position on the outside of the premises.

13. All horses shall be maintained in a good state of health and shall be suitable for the purposes for which they are kept.
14. Adequate storage accommodation shall be provided for forage, bedding, stable equipment and saddlery.
15. The feet of all animals shall be properly trimmed and if shod, their shoes are properly fitted and in good condition.
16. Suitable storage facilities shall be provided for the storage of manure, these facilities to be to the satisfaction of the Director of TEC Services.
17. A copy of this licence shall be suitably displayed to the public in a prominent position within the Establishment.

#### **Additional Conditions**

18. A suitably qualified and experienced yard manager must be employed for the main operational period (i.e. Easter to October)
19. Any horses other than those on the attached list that are intended for use in the Riding Establishment must first be certified by a veterinary surgeon as suitable, both in health and temperament, and a copy of this certificate must be forwarded to the Highland Council before they are used by the riding establishment.
20. The area of hard standing with metal protrusions and any hazardous fencing mentioned in the veterinary report must be fenced off (e.g. with electric fencing) when used.

#### **NOTES**

- (a) Any person aggrieved by the conditions (except conditions 1, 2, 3, 4 and 5) subject to which this licence is granted may appeal to the appropriate Sheriff Court; and the Court may on such an appeal give such directions with respect to the conditions as it thinks proper.
- (b) Any person who wilfully obstructs or delays any person in the exercise of his powers of entry and inspection under the Acts, shall be guilty of an offence.
- (c) If any conditions subject to which a licence is granted in accordance with the provisions of the Acts is contravened or not complied with, the person to whom the licence was granted shall be guilty of an offence.

Fraser & Fraser (Vets) Ltd

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Chris Ratter, EHO  
The Highland Council  
Ross House  
High Street  
Dingwall  
IV15 9RY

Dear Mr Ratter

17.11.2016

**Riding Establishments Acts 1964 & 1970**

Jan and Graham O'Neill; Highlands Unbridled, North Wilds, Fendom, Tain. Application for renewal of Riding Establishment (RE) Licence.

I refer to our joint visit on 11.11.2016 to Highlands Unbridled (HU). Those present were Chris Ratter Highland Council EHO, John Reid, Technical Officer with the Highland Council to advise on Health & Safety, Charlotte Fraser BVM&S MRCVS, local authority Veterinary Surgeon and Jan O'Neill. The list of horses inspected comprised 30 horse and ponies. At North Wilds there are 35 horses with an additional 2 at Bonar Bridge. 2 have already gone away. The current licence is for a maximum of 32.

This report should be read together with my reports from visits to Highlands Unbridled on 07.09.2016 and 14.09.2016.

**Update on Strangles and movements of horses**

No further clinical cases of Strangles have occurred since early September.

"Max" (located at Birichen in September, never been at North Wilds since bought in August) and Paige (has been tested clear of Strangles) are currently at the Bonar Bridge grazing (Tulloch Farm) in order that they can be sold.

It is planned that Carlen and Sonny are tested to demonstrate that they are "clear" so that they can be moved away to [redacted] and [redacted] respectively. It was not stated as to whether they would be reintroduced to the RE next spring. "Fern" (Bonar Bridge in September) has been sent to her owner for the winter and may return in the spring.

Orion (20 years old) had been in poor condition although bright and alert when seen in September when he was recovering from Strangles, and I had advised Mrs O'Neill that unless his body condition score significantly improved euthanasia was almost certainly going to be necessary before the winter. She told me today that despite supplementary feeding he had not gained much condition. It is important that he

is not allowed to suffer and prompt action to prevent suffering will be required as soon as the either the weather or his condition deteriorates .

"Freddy", who had developed an unpredictable temperament was euthanased since our last visit on 14.09.16.

"Brooke" and "Woody", who had been clinically affected with Strangles, both have yet to recover their full body condition; Woody is lean with body condition score 1.5-2 (ribs easily visible)and being an older horse aged 20, will require to be carefully monitored.

Fern has already gone back to her owner for the winter; Carien and Sonny may also be sent back to their owners once tested clear of Strangles.

#### **Saddlery, shoeing and body condition**

Those affected with saddle sores when last seen have in the main part healed. Annie, Angus, Connie, Saffy, Ginny, Goose, Maverick and Mhaia all have some residual white hairs or in some cases minor lesions.

Some items of tack were in need of repair-the most serious being Louie's saddle with a detachment of the front part of the saddle flap. Saffy's Podium saddle had a large hole in the synthetic padded fabric saddle flap on the left side. It is an offence under the Riding Establishments Act to supply riding equipment which is visibly defective or likely to cause suffering to the horse or an accident to the rider. Mrs O'Neill had told us in September that she did not use a saddler, relying instead on her experience and trial and error. She said that she would order a replacement saddle flap for Saffy's saddle; I would have expected this to have been done prior to the inspection.

Saffy still has a narrow sandcrack in his front right hoof which has apparently not been treated by a farrier-it is still progressing and starts at c1cm below the coronary band. Mrs O'Neill's comment was that it never seemed to bother him.

Several horse and ponies were in need of treatment from the farrier; relations with the usual farrier have broken down, although Mrs O'Neill said that [REDACTED] had not declined to attend.

Apart from Woody and Brooke, the horses and ponies seen were in good body condition, though it should be noted that many had not worked for some weeks owing to the Strangles outbreak.

Several of the unshod horses and ponies were mildly lame when trotted on a partly gravelly surface. Dolly was more significantly lame. No animal should be used for hire when lame.

#### **Premises and Grazing**

North Wilds is on a very exposed site with minimal natural shelter. There is very limited stabling-just two loose boxes and a field shelter, which could be gated off, offering overnight housing for the likes of Saffy (an Arab) or Brooke or Woody, both of whom will require additional care following their Strangles infections.

There are two new and one pre-existing X-shaped wooden wind breaks in three of the fields. There is a line of trees offering shelter adjacent to another field, and the farmer has constructed a large bale windbreak.

Within the past few weeks the farmer from whom the grazing is rented has rented further ground to Mrs O'Neill following the departure of other horse owners. This arrangement offers some extra grazing

(although there is currently very little grass in any of the fields) and reduces the biosecurity risk of other horses sharing the same site. The ground is very sandy; this affords good drainage. The newly acquired field nearest the premises entrance is the wettest, with lying water in some areas. There is a telegraph pole within the field with the protective plastic cover damaged, presumably from a horse rubbing against it, leaving the wire uncovered. This should be reported to the appropriate body for repair, and the pole fenced off.

The wooden fence at the back of the stable yard is not particularly robust with some of the posts being loose-these must be properly secured to avoid tied up horses either breaking loose, perhaps with some bit of fence attached to their lead rope (this happened at another RE during an inspection that I was carrying out and resulted in a superficial head injury to a member of staff) or damaging the fence.

### Riding Establishment (RE) activities

Highlands Unbridled operates essentially two main activities. Lessons, hacking, and short treks are based from North Wilds with the other activity being long distance Trail Riding on a number of routes, for example from coast to coast. In 2016 the Trail Riding was operating simultaneously via the North Route (Brora to Lochinver and return) and further south. The RE's website describes a large number of different rides, even in the Cairngorms and to Montrose. The animals used for the trail rides are often away from North Wilds for significant periods of time, being grazed at numerous sites both en route and at the trail termini. Aside from the grazing at Tulloch Farm in Bonar Bridge which we saw in September, I have not visited any other grazings, so could not comment on their suitability. It is not entirely clear how well rested the trail riding horses are between expeditions. It should be noted that some of the trail riding involves road work.

In 2016 [redacted] (now an ex-employee) operated the North Route with back up from various people such as [redacted] (see staff list) and [redacted] (a friend of the O'Neills).

Mrs O'Neill operated the more southerly routes with back up from Mr O'Neill.

The backup person drives with a horsebox and transports the clients' luggage, spare tack, rubber horse boots, horse feed, main first aid (additional to that carried by the ride leader), horse passports and other equipment from stop to stop, and sometimes meets up with the group at lunchtime.

The ratio of clients to staff on the trail rides is generally 6-8 to 1. Trail riding clients are expected to be competent, but may include less competent riders (the "hang-on husbands"- a term used by Mrs O'Neill).

In some cases the less competent riders and their horses are transported by the backup vehicle for part of the trail eg to avoid galloping on the beach at Brora.

We saw a sample of the Trail Riding client questionnaire which is completed prior to the holiday. John Reid expressed concern that the questions were not detailed enough or appropriately phrased to really determine the competence of the client. Furthermore he recommended that the clients are made aware of what type of terrain would be covered and that some road work would be involved.

Until looking at the HU website I was unaware of the diversity of routes; I had not been told by Mrs O'Neill that a route covering Montrose and the Cairngorms existed, despite asking on more than one occasion for details of the routes.

Year round activities at North Wilds include lessons , local hacking or trekking and a Saturday saddle club. Some teaching used to be done by [REDACTED] (self employed;) some is done by [REDACTED] under HU's own insurance cover.

**Staffing and qualifications as displayed in the office-photographs of the Certificates included with this report.**

Jan O'Neill-British Equestrian Tourism Ride Leader (2009), AoFA Qualifications First Aid at Work Level 3 Award (2014-valid for 3 years)

[REDACTED] TRSS (Trekking and Riding Society of Scotland) Ride Leader (May 2016), HND Equine Studies at NHC Thurso.

[REDACTED] -TRSS pass in Trek Management and Theory (May 2016)-certificate states first aid required for Ride Leader qualification. Mrs O'Neill reported that [REDACTED] First Aid had been done through work with the Coastguard. [REDACTED] was yard manager over the summer but has left over the winter season.

[REDACTED] -TRSS pass in Trek Management and Theory needing first aid to achieve Ride leader (June 2016). [REDACTED] and will be leaving in January as her visa expires.

[REDACTED] -SQA HNC Administration and Information Technology. [REDACTED] does the books.

It should be noted that TRSS Ride Leader would be regarded as a minimum qualification. I cannot comment on the employment status of any individual.

Various "Workaway" visitors come for short periods of time to work in return for accommodation and riding. NB some may not speak English as their first language.

[REDACTED], no longer employed-in previous inspections there were reports of no qualifications, but extensive experience.)

## Conclusions

The HU operations that are run locally **from North Wilds** satisfy, for the main part, the requirements of the RE legislation, although I would be concerned that for much of the "season" the owner is away, leaving behind barely adequate numbers of suitably trained staff. Additionally "Workaway" visitors are often on site, requiring mentoring and supervision to a greater or lesser extent depending on their capabilities. It should be noted that none of the staff there this year were on the list last year. Some other issues were noted at the inspection and are listed at the end of this report.

**Long distance trail riding** takes place simultaneously to operations at North Wild with a significant number of different routes advertised on the HU (Highlands Unbridled) website; the logistics for successful operation of this must be very complex (eg matching horse and rider with a limited pool of horses) and indeed the risks and challenges on these trail rides will be greatly magnified compared with "normal" trekking. Factor in the unpredictability of horses in general, the terrain, the weather and remoteness of some routes and this presents a real test of competency of management, resources and

forward planning. Recent tragic riding accidents in the Highlands have demonstrated that horse riding of any sort is a dangerous activity.

Communications that I have had with veterinary colleagues who are members of the Riding Establishment Committee of the Royal College of Veterinary Surgeons regarding the inspection of REs who carry out trail riding have focussed on the applicant's competence in management and whether the Veterinary Inspector can be confident that the applicant has taken and will take all reasonable steps to ensure the welfare of their horses and the safety of their clients and personnel.

Mrs O'Neill has considerable experience in operating trail riding. However, investigations carried out following the Strangles outbreak in August demonstrated her management decisions to be compromised by lack of resources. My report of 14.09.16 describes insufficient "spare" horses so that "Max" was acquired and then hired out without quarantine, veterinary inspection or proper risk assessment of his suitability (a condition of the applicant's 2016 licence). I observed saddle sores and girth galls that might have avoided or minimised had a saddler been consulted and the horses withdrawn from use when lesions appeared. Photographs to illustrate this are attached to this report. Animal welfare and human health and safety should not be compromised on economic grounds.

Any equine establishment is at risk from an endemic contagious disease such as Strangles; the response of the affected establishment shows whether best practice is adopted or whether standards fall short of this.

The actions of the Yard Manager as soon as Strangles was confirmed were commendable. (See my report from 07.09.2016). Mr Ratter from the Council made several attempts both by telephone and e-mail to urgently contact Mrs O'Neill at the time of the Strangles outbreak. Despite the fact that she carries with her a satellite phone for emergency use, she did not use it to communicate with the Council, nor did she reply to his e-mails. At our visit on 07.09.16 only anecdotal information from the yard staff regarding the health status of the horses being used for trail riding was available.

The ratio of 6 or 8 to one ride leader on the trail rides is insufficient. At our inspection Mrs O'Neill appeared unconvinced when advised of this, citing the extra cost of training up another member of staff and referring to them as "a liability". I understand that since the inspection she has reflected on this and has now said that she would arrange for an additional ride leader to accompany trail rides in the future.

The Highlands Unbridled business model requires a highly unusual level of activity and presents exceptional challenges to the operator. In making my recommendation to the Council I have to be sure that the applicant's management standards are of sufficiently high quality and also to be able to trust their decisions and actions. My conclusion, taking into consideration all the evidence and background to this renewal inspection, is that I cannot be assured the standard of management. This opinion is reinforced when licence conditions such as the quarantine and risk assessment of a new horse, or the limit on the number of horses kept in the RE are disregarded by the applicant.

My recommendation to the Council therefore is that a licence to carry out all trail riding be refused.

A **provisional licence** to carry out lessons, hacking and local trekking, operating from North Wilds only could be issued, with the following conditions:-

Ongoing training programme for staff and adequate staff numbers to provide cover when staff are absent for any reason.

Adequate ratio of suitably qualified ride leaders on hacks or treks.

Risk assessments of business operations.

All treks to start and finish from North Wilds

Limitation on the number of horses to 32-to be adhered to at all times.

Engagement of a professional saddler with at least once yearly saddle inspections for all animals, and a written audit of the tack.

Repair of Louie and Saffy's saddles, to be checked by the saddler, before they can be used.

Repair of the fence in stable yard to ensure posts are properly secured in the ground.

Proprietor's postcode on the sign at the main road entrance

Fencing off the telegraph pole in the field newly rented at the entrance and ensuring the responsible utility are aware of the damaged wire.

Any new arrivals must be isolated for 3 weeks and checked for their suitability by the yard's own vet-this put in writing (email would suffice) to the Council. This includes any animal not inspected today, owing to it's being away at a winter grazing/with its owner.

Please do not hesitate to contact me should you require any further information,



Charlotte Fraser BVM&S MRCVS

**RIDING ESTABLISHMENTS ACTS 1964 AND 1970**

**Veterinary Inspector's Report**

This inspection must only be carried out by approved Veterinary Inspectors on the current RCVS/BVA Inspectorate (see Riding Establishments Act 1964, s.2(3)).

This inspection is made at the request of:

Name of Local Authority: **THE HIGHLAND COUNCIL**

Date: **11/11/2016**

Address of Riding Establishment: **HIGHLANDS UNBRIDLED  
NORTH WILDS, FENDOM, TAIN IV19 1PE.**

Name of owner and address: **JAN & GRAHAM O'NEILL**

Name of manager and address:

*as above.*

Are the name, address, postcode and telephone number of the licence holder/manager displayed prominently on the outside of the premises?

*Road Entrance sign only has  
tel. no.  
sign @ carpark more detail  
YES NO*

**A. THE HORSES**

1. Total number of horses on the premises

**35** (+ 2 at Bonar Bridge)  
(+ "Fern" back with owner)

2. Number of horses on the premises used wholly or partly (part livery) for hire, teaching, escort or demonstration purposes

**30** as at 11/11/16.

3. Number of horses not used for hire etc (i.e. full livery or for sale)

**5**

4. Number of horses 3 years old or younger (a register of these animals should be seen and signed)

**0**

I hereby confirm that I have presented for inspection all horses as referred to under The Horses item 2.

Signed \_\_\_\_\_  
(Manager/Owner)

Date **11/11/16**

I hereby confirm that I am a current member of the Riding Establishments Inspectorate as maintained by the Royal College of Veterinary Surgeons and British Veterinary Association and that this inspection has been carried out in accordance with the Acts of 1964 and 1970.

Signed \_\_\_\_\_  
(Veterinary Surgeon)

Date **11/11/16**

**B. HORSE INSPECTION**

ALL horses on the premises may, at the decision of the veterinary inspector, be inspected under the Acts. All horses in section 2 above must be inspected.

- |   |                             |    |   |
|---|-----------------------------|----|---|
| 1. Are they visited at suitable intervals? (see guidelines) | YES                         | NO | See attached report                                     |
| 2. Are they adequately:                                     |                             |    |   |
| rested? (see guidelines)                                    | YES                         | NO | See attached report                                     |
| exercised? (see guidelines)                                 | YES                         | NO | " " "   |
| groomed?  | YES                         | NO | " " "   |
| supplied with bedding?                                      | YES                         | NO | N/A; outside  |
| supplied with food and water                                | <u>YES</u>                  | NO | At inspection   |
| 3. Are they routinely vaccinated against:                   |                             |    |   |
| Tetanus?  | YES                         | NO | Not asked - in pen                                      |
| Influenza?  | YES                         | NO | years Tetanus only<br>no evidence of<br>Influenza seen! |
| Vaccination should be discussed and encouraged.             |                             |    |   |
| 4. Is there a satisfactory parasite control programme?      | Appears to be YES           | NO |   |
| 5. Is adequate First Aid equipment available?               | Record of daily Worming YES | NO |   |
| 6. Is the farriery and foot care satisfactory?              | YES                         | NO |   |

Mainly yes - but see attached letter.

**Condition and type of horses**

- |   |            |    |                          |
|---|------------|----|--------------------------|
| 1. Are the horses in good condition?                    | <u>YES</u> | NO | but see attached letter. |
| 2. Do they appear capable of the work required of them? | YES        | NO | ? Oran (retired)         |

Identify those that may not be and state any recommendations in the comments space at the end of this form

**Injured or sick horses**

1. Have any been found during the inspection? YES

NO See attached letter.  
 If yes, give details:

**C. THE PREMISES**

Give a brief description of the premises and the operation of the establishment as a whole.

- |   |   |            |    |                                |
|---|---|------------|----|--------------------------------|
| 1. For horses at grass:                                 | is the pasture adequate?                | YES        | NO | See attached letter.           |
|   | is there adequate windbreak or shelter? | YES        | NO |                                |
|   | is there an adequate water supply?      | <u>YES</u> | NO |                                |
| 2. Are the fences properly maintained?                  |   | <u>YES</u> | NO |                                |
| 3. Description of the accommodation for housing horses: |   |            |    | supplemented with electric tag |

Loose boxes (specify) <u>2 loose boxes</u>	Stalls	Barn	Other
Are they:	<u>Purpose built?</u>	Converted buildings?	
Construction: (specify) _____	Masonry	<u>Wood</u>	Other

Do they conform to the provisions of the Act in respect of:

- |               |            |    |               |            |    |
|---------------|------------|----|---------------|------------|----|
| Construction? | <u>YES</u> | NO | Lighting?     | YES        | NO |
| Drainage?     | <u>YES</u> | NO | Water supply? | <u>YES</u> | NO |

Rubber matting on floor.

Ventilation?  YES  NO

4. Is there sufficient accommodation for all the horses?  YES  NO  
 (This need not be individual provided that there is plenty of space for one or more occupants) *Barely adequate - today yes.*

5. Are the premises maintained in a clean and tidy state?  YES  NO

6. Is there provision for an isolation box?  YES  NO

7. Is there adequate accommodation for:  
 Feedstuffs?  YES  NO *Dustbins in metal container - to be moved to current tack room - in wooden stable*  
 Bedding? *N/A*  YES  NO  
 Stable equipment?  YES  NO

**Teaching facilities:**

1. Is there:  
 an Indoor School?  YES  NO *black ⇒ less vermin proof -*  
 an Outdoor School?  YES  NO  
 a paddock for teaching?  YES  NO

2. Are the boundary walls/fences constructed and maintained to avoid injury to the horse and rider?  YES  NO

3. Is the riding surface properly maintained?  YES  NO  
*Sand school.*

**D. SADDLERY AND TACK**

1. Is there adequate accommodation for the saddlery and other tack?  YES  NO *to be moved - see Feedsby above.*

2. Is it free from signs of defect or damage likely to cause suffering to the horse or accident to the rider?  YES  NO *See attached letter*

3. Is it suitable for use on the horses on these premises?  YES  NO *See attached letter*

**E. FIRE PROTECTION**

1. Are NO SMOKING notices prominently on display?  YES  NO

2. Are fire-fighting appliances available?  
 Water buckets  YES  NO  
 Hoses  YES  NO  
 Fire extinguishers  YES  NO

3. Is a notice prominently displayed advising what action should be taken in the event of a fire?  YES  NO

4. Have any fire hazards been detected?  YES  NO

5. Is a visit from the Fire Prevention Officer recommended?  YES  NO

**F. MANAGEMENT**

1. To the best of your knowledge, is the manager suitable and/or qualified to hold a licence?  YES  NO *See attached letter.*

2. Qualifications held (if any): \_\_\_\_\_  YES  NO

3. Is the general standard good?  YES  NO  
 or in need of improvement?  YES  NO

4. If improvements are needed, state recommendations. \_\_\_\_\_

**G. LICENCE**

1. Are the premises suitable within the terms of the Act?  YES  NO

2. Should a full licence be issued?  YES  NO

3. Should a provisional licence be issued?  YES  NO



Horse Name	Passport Number	Breed	Colour	Height	Age	Sex	Body condition	Feet
Annie	826069 0000127838	Irish Cob	Skewbald	14.3hh	19	F	Good	Good
Angus "footy"	826004 500191763	Highland	Mouse Dun	14.1hh	20	M	Good	Good
Blue	826047 000977096	Irish Cob	Skewbald	14.2hh	18	F	Good	Good
Bonnie	11/292 AQHA UK	QH x	Palomino	14.2hh	13	F	Good	Good
Connie	826067 PHS018449	Fell x	Black	13hh	18	F	Good	Good
Lexi	12202 HPS	Highland	Grey	14.3hh	13	F	Good	Needs far
Joey	826073 001030520	Irish sports	Bay	16hh	12	M	Good	Good
Magic	APB M350	Appaloosa	Fewspot	14.2hh	15	F	Good	Good
Molly	826013 NF0050864	Welsh x Ex	Bay	11.2hh	15	F	Good	Good
Poppy	826083 0000104	Irish	Bay Roan	13.2hh	12	F	Good	
Rae	33195 HPS	Highland	Grey	14.2hh	20	F	Good	needs far
Saffy	AHSB V19 2327	Arab	Grey	14.1hh	17	M	Good	Good
Ginny	826011HFS000863	Cob x WB	Skewbald	16.3hh	16	F	Good	Good
Woody	826073 003075432	High x CB	Dun	15.1hh	20	M	Good	Good
Goose	826031 2007321MR	Highland	Chesnut	14.3hh	9	M	Good	Good
Maverick	826031 2007322MR	Highland	Grey	14.2hh	9	M	Good-fat	Good
Mhaia "footy"	826031 2007207FR	Highland	Mouse Dun	14hh	9	F	Good-fat	Good
Brodie	826031 2009226FR	Highland	Dun	13.2hh	7	F	Good	Good
Brooke	826069 000191595	App x	Black	15.1hh	6	F	Good	Good
Salty	826005 GCM003494	Appaloosa	Varnish pt	15hh	7	F	Good	Needs far
Dolly	826073 005172623	Welsh x	Skewbald	12.2hh	15	F	Good	Good
Darcy	826046 010069186	Welsh sec A	Bay	12.2hh	11	M	Good	Good
Corrie	826069 000204872	Connemara X	Dun	14hh	10	F	Good	Good
Luie	826069 000201152	Irish cob	Skewbald	14.2hh	5	M	Good	Good
Fern	826069 00077239	Highland	Grey	14hh	16	F	Home to owner for winter, back spring?	

**Possible keepers/may sell - undecided**

Juno (Amber)	826073 07356052	Appaloosa	Grey roan	14hh	10	F	Good-fat	Good
Rain (Red)	826058 000000402	Appaloosa	Near Leopard	15.1hh	12	F	Good	Good
Connor (Amber)	FC02259	Connemara	Grey	13.3h	10	M	Good	Good
Eli (Amber)	826073 009392744	Irish Cob	Piebald	15hh	18	M	Good	Good

29 = 28

Horses to sell or loan horses returning to owners once tested

Orion Red	8260045 00069300	Clyde x	Black	16.2hh	20	M	Retired May PTS
Carren Amber	528219 000014116	Halfinger	Palomino	14.2hh	14	F	Going to [redacted]
<del>Stokm</del>	<del>826073 001108393</del>	<del>Rover Welsh B</del>	<del>Bay</del>	<del>12.2hh</del>	<del>5</del>	<del>M</del>	<del>Back to [redacted]</del>
Sonny Red	826069 000126099	Irish x	Grey	17.1hh	10	M	Back to [redacted]
Max (clear view)	826073 001051428	Friesien x welsh	Dark Bay	15.3h	8	M	Sell @ Bonar
Joe Red	826069 000131026	Highland x Arab	Mouse Dun	13.3hh	13	M	Good Good Sell lower priority with need test
Paige Green	826069 000120950	Cob X	Black	15hh	14	F	Sell @ Bonar
(Norman Amber)	@ North Wilds.						[redacted]

Katies horses

Sandy	826073 001073833	inspected TB X	Skewbald dun	16hh	7	M	} from Binchen
Kyra	8260GB45171813T	Not used TB	Bay	15hh	6	F	

in green paddock

Good Good front shoes High x Clydex

9-2 = 7 at North Wilds.

Paige + Max @ Bonar Bridge.

Total Numbers:-

28 P1

7 P2

35 total @ N/wilds

GP test = guttural pouch test for strangles.

Inspected 11/11/16

28 P1

2 P2 (Joe and Sandy)

30 Inspected.

2 Livery ([redacted] & [redacted])

0 For sale

1 Retired (Orion - health + age?)

2 Going away for winter-ance clear of Strangles (Carren, Sonny)

35.

Fraser & Fraser (Vets) Ltd  
Church Street  
Dingwall  
Ross-shire  
IV15 9SB  
Tel 01349 863117  
Fax 01349 865282

Chris Ratter  
EHO, The Highland Council  
Ross House  
Dingwall

09.09.16

Dear Mr Ratter

**Riding Establishments Acts 1964 & 1970**

Jan and Graham O'Neill; Highlands Unbridled, North Wilds, Fendom, Tain, Ross-shire.

Visit to North wilds on 07.09.2016 following public concerns around an outbreak of Strangles.

Those present at the visit were Chris Ratter (HC), Charlotte Fraser MRCVS (LA VET), [REDACTED] (highlands Unbridled staff, TRSS Trek Leader), [REDACTED] (Highlands Unbridled Yard Manager, TRSS Senior trek leader, some 45 years of experience, worked in offshore industry where high standards of health and safety), plus the farmer who rents the land and lives on site, [REDACTED]

The yard is following the STEPS protocol as advised by their veterinary surgeons. Kessock Equine. Attached is their Strangles Action Plan including a rough map of the fields and premises.

3 horses are in the Green zone opposite the caravan, 5 in the bare paddock beyond the sand school.

8 are in the Amber zone

11 are in the Red zone.

Electric fencing tape has been used to create a 3-4 metre barrier between HU Green zone and the area marked on the map as [REDACTED] where other owners' horses are grazed.

The outbreak started with one animal being noticed to have a nasal discharge at a Veterinary visit on 12.08.16 to the yard manager's own horse who had sustained a traumatic leg wound. The vet sampled the HU pony, getting a positive result on 15.08.16. The yard manager immediately closed the yard, informed all those horse owners locally who either were neighbours or who habitually rode through the premises. She also contact the farrier who had visited on 11.08.16.

Those HU horses which were away on trail rides were reported by the RE to have not been back at North Wilds for some considerable length of time before the start of the outbreak, and so were not taken back to North Wilds. Instead they were put to a farmer's field in Drumnadrochit where no horses are grazed. I understand from the North Wilds staff that no clinical signs have been noted in the trail riding group.

The STEPS protocols described and demonstrated to us at the visit for isolation, feeding, disinfection and so on appeared to be followed satisfactorily, although I was concerned that they had run out of Virkon. However, I spoke with [REDACTED] MRCVS from Kessock Equine Vets this morning, and she had visited the yard yesterday and had dropped off more Virkon to them. I did advise [REDACTED] who is the member of staff responsible for the Amber and Red groups that she should not walk back to the house in the lane past the neighbours, but instead cut through the HU unoccupied fields for complete avoidance of any spread, and that she should change her footwear for walking to and from the house.

I also advised that notices should be erected at the Amber and Red zones to warn the public to keep out of the area, both for their own horses' biosecurity and to prevent HU biosecurity being compromised. It would seem from the photographs that Alan Yates forwarded to me that the photographer must have been very close to the quarantine area, if not inside it.

Public concern had been raised regarding the body condition of a large black horse; "Orion" is the most likely to fit the description, and is in Poor body condition (condition score 1) with his ribs easily visible. He is in the Red zone having had clinical signs of

Strangles. He was bright, alert and active. He is rugged and fed concentrate twice daily. His condition has reportedly dropped rapidly following his infection. He was stated as being 19 years old in December 2015, so is quite elderly for a big horse. The staff recognise that his condition is cause for concern and that if he doesn't improve, he may need to be euthanased or moved to a more cosseted home. When I spoke to [REDACTED] she said she had not been asked specifically to examine Orion.

Public concern was also expressed regarding bales of straw in the fields. In the Red and Amber zones these were wrapped with netting and I have asked that this be removed. [REDACTED] said he would remove the bales completely and was intending to start feeding haylage to supplement the grass (now worn bare) and to create a bale stack outside the fence to offer shelter.

The feeding regime in the Red zone involves one dominant horse "Sonny" being caught to allow the others to eat their feeds. The protocols are otherwise as per STEPS.

As regards the trail horses, it is imperative that Mrs O'Neill contact the Council without delay; in the first instance, to meet and discuss management, possibly with her own vet present ([REDACTED] confirmed today that this would be possible), but also to arrange an inspection of the trail horses where practicable. The biosecurity for this group is far more difficult and fluid, and relies heavily on trust in the management and forward planning with risk assessment.

Please do not hesitate to contact me for any further information;

Yours sincerely

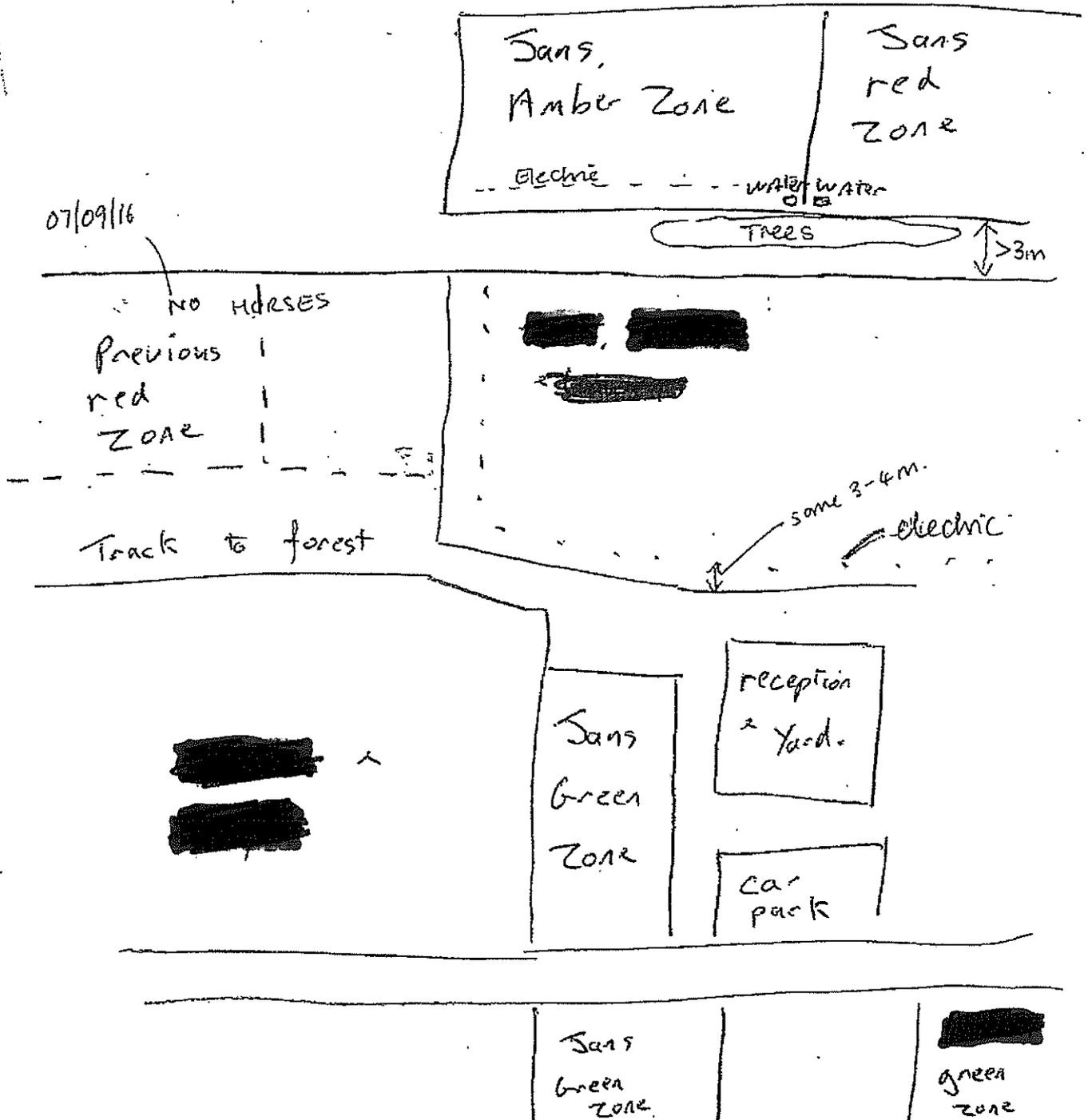
[REDACTED]  
Charlotte Fraser BVM&S MRCVS

# STRANGLES ACTION PLAN

1. ALL horses that have been exposed to, or have had strangles ~~the~~ are double fenced away from Northwolds, Area shown on map.
2. All these horses to be zoned & treated according to vets guidance leaflet & attended to by appointed persons only.
3. Both Green fields or so far unaffected horses to be monitored until at least 2 weeks after contact with affected horses, tack or water.
4. <sup>NO !!</sup> Any new arrivals to be from unaffected sources or tested otherwise they go into red or Amber area or an isolation field.
5. No horses to leave red or Amber zones unless to an isolation field for further testing.
6. No persons from Highlands Unbridled to go onto  ground or yard or  fields.
7. Any breach in double fencing to be reported & fixed immediately & if contact made reported to yard manager.
8. No hacks/rides out from Amber/red zones.  
hacks/rides from green zones only after 2 weeks symptom free
9. Make sure any persons entering/leaving premises use appropriate bio security measures

Fields that have been used as red zones previous to 23 August to be horse free until further notice.

Highlands Untidled  
7/9/16



Fraser & Fraser (Vets) Ltd  
Church Street  
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Tel 01349 863117  
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[c.fraser@dingwallvets.co.uk](mailto:c.fraser@dingwallvets.co.uk)

Chris Ratter, EHO  
The Highland Council  
Ross House  
High Street  
Dingwall  
IV15 9RY

Dear Mr Ratter

14.09.2016

**Riding Establishments Acts 1964 & 1970**

Jan and Graham O'Neill; Highlands Unbridled, North Wilds, Fendom, Tain.

I refer to our joint visit today to Highlands Unbridled (HU). Those present were Chris Ratter Highland Council EHO, Gordon Carmichael, Highland Council Animal Welfare Officer, Charlotte Fraser MRCVS LA Veterinary Surgeon and Jan O'Neill. Graham O'Neill was present for some of the visit.

The purpose of the visit was to follow up from the visit to North Wilds on 07.09.2016, in particular to inspect those horses which had been used on the long distance trail rides and until now kept away from North Wilds since the outbreak of Strangles there.

Mrs O'Neill stated that the last trail ride had run from 31.08.16 with 5 days' ride , one day off then 3 days' ride. It had terminated at Achederson Farm, Muir of Ord where the horses had remained for 2 days .

Juniper Cottage pair

Magic and Angus had then been moved back to Juniper Cottage (the O'Neills' house) on 08.09.16 and were today inspected in a very small paddock that had been created using electric fencing in the garden, where the grass had obviously become very overgrown. Dung from the 2 ponies was on the ground and of normal consistency demonstrating that despite this unconventional grazing, no apparent harm had come to the ponies. These two were in the garden to remove them from "Max" (see Birichen group), who had chewed the tails of the other horses, as their tails were still intact.

Significant findings:

Magic was shod but the shoes were worn.

Angus was shod but had lost a shoe. He had some discoloured hairs and minor scabs under the saddle area.

### North Wilds "pond field four"

#### Background:-

Grazing at Birichen, near Dornoch had been in effect sublet from [REDACTED] who works/volunteers at HU. The premises owner had asked the O'Neills to remove the horses, so these four arrived from there last night. They had been the subject of a complaint from the public with regard to saddle sores, short tails and water supply at Birichen.

"Max", a newly acquired horse (on 13.08.16) had apparently chewed the tails of this four, and also Annie who is still at Birichen with him. Apart from denying these animals from being able to properly use their tails to keep flies off, there was not a welfare issue relating to the tails.

Maia- on initial inspection had elevated heart and respiratory rates, normal rectal temperature and on re-examination heart and respiratory rates had reduced to normal. Should be monitored. Barefoot. Scabbed dry lesion in girth area left thorax.

Saffy- sand crack (a crack in the hoof) extending the full height of the dorsal hoof wall RF. Unshod. Two saddle sores; 3-4cm bare lesions on left caudal saddle area, under where the "Podium" saddle pad would be in contact. Sand crack needs remedial farriery.

Goose-barefoot. Small single sore on either side of saddle area. Swollen and hard submandibular lymph nodes especially LHS where the is node circa 4cmx1cmx1cm. No nasal discharge and apparently well otherwise.

Maverick-barefoot. Many white hairs over saddle area and small area of dry scab LHS and 0.75cm red dry area on RHS.

This four are now grazing in the field furthest away from the sand school towards the O'Neill's house, and are well separated from other horses. However it is vital that staff avoid infecting them, especially [REDACTED] who cares for the Amber and Red groups and who stays with the O'Neills.

#### Birichen pair

Max, a new horse introduced on 13.08.16 at short notice-was not isolated nor inspected by a vet before use. Bay Welsh Section D x Friesian. Max was ridden on the trail by an experienced client. He had his own saddle and was shod-apparently fairly recently- when acquired. He had reportedly lost first two shoes then the other two shoes on the trail. On the latter occasion 3 nails had remained in the hoof and could not be extracted, so were filed off. They were not impinging on the sole of the foot. I spoke with a farrier before today's inspection-his comments were that this would be a reasonable action to take in such circumstances but the manner in which the shoe was lost would perhaps suggest that it was worn, as this would tend to lead to the retention of the nails after the loss of the shoe.

Max also had a patch on either side of the caudal saddle area caused by rubbing of the saddle. Seeing this while on the trial ride, Mrs O'Neill had changed his saddle to one of her own ones, and felt that the lesions had not progressed after that happened. She reported that he had not suffered any apparent pain or discomfort during the trail riding. \patches some 4-5cm diameter, non-inflamed hairloss.

Annie-numerous white hairs on saddle area and a few dry scabbed or hairless areas of under 1cm diameter. Barefoot.

The 2 horses were separated from someothers [REDACTED] in the adjacent field by electric fencing which also held the horses off an old, half-buried rusty fence including barbed wire. Water was supplied by four large double-handed buckets which were largely full. There was a moderately significant amount of

ragwort in the field but also plenty of rough grazing at the moment. These two horses are to be moved as soon as possible-Max will not load into the horsebox so may be ridden over to Bonar Bridge. It should be noted that the only horses in the vicinity belong to [REDACTED] and are separated by electric fencing to a distance of around 3 meters.

#### Tulloch Farm, Bonar Bridge three

Ginny-mild swelling of submandibular lymph nodes. Dry, old crusts in a few areas under caudal saddle and under girth either side.

Fern-barefoot, in good health

Connie-shod, shoes in reasonable condition if a little worn, 2cm patch of hairloss left saddle area.

This three have been in a large field for some 4 weeks and not worked during this time.

All horses inspected up to this point in good body condition.

#### Freddy at North Wilds:-

As requested by Dougie Campbell of the SSPCA, I also looked at Freddy at North Wilds as he had not specifically been seen last week. Freddy was acquired earlier in the year but was not checked by a vet before introduction. Within 3 days it was apparent that he had a vice known as "wind sucking". This vice is a habitual desire of the horse to grip a fence or other wooden structure in its teeth and sharply inhale air; it is a very difficult vice to stop and can cause significant problems including poor condition. Freddy's vice was tolerated as he was a good horse to ride but his behaviour has changed and he has become dangerous; Mrs O'Neill has a nasty scar on her right forearm from a bite he had given her and he had previously bitten [REDACTED]. She told me that as he is so dangerous she will have him euthanased by the vet next week. His body condition could not be assessed as he was wearing a rug but while his hips were prominent under the rug indicating poor body condition, he did not appear emaciated.

When asked about the trail riding activities, Mrs O'Neill told me that the longest ride would involve 5 days riding, 1 day off, 3 days on, 1 day off and then 6 days back followed by 7 days off. The longest day was Glen Affric with the riding starting at around 10am through to 7.30 with two half hour stops for the horses and riders to eat. The preceding day would have been from Dornie to Shiel Bridge only. I did not ask for more details of routes, frequency of rides and so on. Until very recently some trail rides were led by [REDACTED] and followed the "North Route". [REDACTED] has now ceased to be an employee. In my opinion a rigorous examination of the risk assessments for each route needs to be made, especially any route involving road work. I am also concerned that the horses are being required to do too much work and not rested adequately.

The horses and ponies seen today show consistent evidence that the Riding Establishment (RE) operates at full stretch with no contingency plans or spare capacity. The Strangles outbreak had put extra pressure on those horses used for the trail riding, and this has been compounded by difficulties finding suitable grazing while away from North Wilds. Footcare, especially for those that are shod suffers as there is not an arrangement with a farrier when away from the premises. The presence of minor saddle sores on so many animals raises concerns that saddles may not be fitted properly in the first case and/or

skin lesions do not get a chance to heal properly in the second. No advice has been sought from a suitably qualified saddler. Mrs O'Neill has tried a number of different saddles, finding some better than others and has also found that wool-based saddle pads help to reduce sweating, and also takes appropriate steps to treat lesions as they arise. Nonetheless, this is clearly an ongoing problem, which has not been picked up at past visits as they often have taken place outwith the main trail riding season.

Many of these welfare issues were at the time of today's visit relatively minor, but could easily escalate. Discomfort from saddle sores could potentially lead to a horse to buck and throw its rider. In certain circumstances, for example if on the road, there is clearly the risk of serious injury to both horse and rider. Aside from the health and safety concerns, the welfare of the horse is also compromised by the chronic skin lesions. Long distance riding brings many additional risks to the welfare of both horse and rider; extra attention to the fitting of tack and footcare plus nutrition is vital and forward planning must be meticulous.

I am very concerned that new animals such as Freddy and Max have been introduced into the RE without a veterinary inspection and proper isolation. Max was drafted immediately into a trial ride, and provided as a mount to an experienced customer on the basis of where he had come from, rather than being assessed thoroughly by the management first which is highly inadvisable. The reason given for this was that an additional animal was needed at short notice as none of the North Wilds ones could be moved off site because of the Strangles outbreak. On one trail ride Mrs O'Neill walked or cycled the entire distance as there was not a horse that she could ride.

Of further concern is the increase in numbers of animals within the RE which exceeds that on the licence. Mrs O'Neill stated that numbers would be reduced significantly as soon as was possible given the Strangles situation. She will review the fate of "Orion", whose body condition was poor when seen on 07.09.16 with [REDACTED] (whose horse he is) on her return the UK at the start of October.

Biosecurity was discussed and advice given to Mrs O'Neill. Notices had not yet been erected as advised at North Wilds to deter public ingress into the quarantine areas.

The consistent issue with HU is that poor management decisions have been made, resulting in every aspect of the business being overstretched. Horse welfare is compromised and so too health and safety. Furthermore, the demands of distance trail riding are proving an extraordinary challenge. Major changes need to be made; in my opinion going forward one or other arm of the business (ie trail riding or local trekking) needs to be sacrificed to allow proper management of the other. Mrs O'Neil says this will not be viable financially, but human safety and horse welfare must take priority.

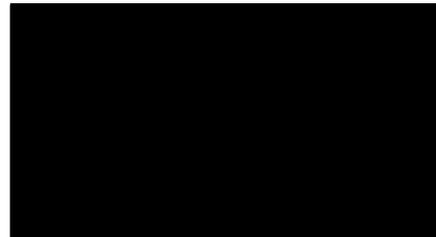
Please do not hesitate to contact me should you require any further information,

[REDACTED]  
Charlotte Fraser BVM&S MRCVS

Supplementary notes to the above report:-

I advised Mrs O'Neill at the visit on 14.09.16 that Saffy, who had the worst saddles sores, should not be worked until he had been certified fit to work by the yard's own veterinary surgeon. Furthermore, it would be advisable for a saddler to examine the tack and its fitting, in particular with regard to those horses used for the long distance trail riding.

CEF 26/09/16



Mr A Yates  
Environmental Health Manager  
The Highland Council  
38 Harbour Road  
INVERNESS.  
IV1 1UF.

Dear Mr Yates

**Highlands Unbridled, Northwolds Riding Centre, Fendom, Tain IV19 1PE**

As an Inspector with the Scottish SPCA I have had a heavy involvement with Highlands Unbridled over the summer of 2016.

I have dealt directly and often with the owner Mrs Jan O'Neill, Yard Manager \_\_\_\_\_ and local farmer and owner of the land at Fendom, Tain, \_\_\_\_\_s. I have also had regular correspondence with several Council officers, including yourself and Chris Ratter. I have also kept in close contact with Vet Charlotte Fraser (Dingwall Vets) for her guidance and expertise.

I am of the opinion that when the outbreak of strangles was confirmed at the yard by Kessock Equine Vets that Yard Manager \_\_\_\_\_ put in place necessary measures to contain this and she continued to seek veterinary advice and attendance from her Vets as required. Along with land owner \_\_\_\_\_ they worked to contain the spread and speak with other horse owners within the horse yard area.

Jan O'Neill at this time was heavily involved with pre-booked long distance Coast to Coast Riding Holidays as part of her business. This practice obviously created fears for a spread of the disease amongst the horse owning general public. Mrs O'Neill stated that the ponies used for this were always separate from her ponies kept at Northwolds.



(2)

I have always been of the opinion that good practice would have been to randomly test one or two of these ponies used on the Coast to Coast rides.

I have been called to several different locations throughout the summer period to view ponies belonging to Highlands Unbridled. I have found minor issues here and there, although I do have concerns that a few ponies viewed at Birichen, Dornoch were showing saddle sores.

I fully understand what a great adventure and experience the long distance rides give to tourists and locals alike, however I feel that maybe the back-up support and planning need to be drastically improved.

I feel also if it was not for the hard work and perseverance by the Yard Manager and the land owner that Highlands Unbridled would be in serious trouble.

It is my opinion that the business will have taken a severe setback due to adverse publicity this year and combining this with forage and feeding costs for an area of ground that is quite barren and exposed over the winter then I feel it will be difficult for the owners to run a viable business.

I feel that other horse trekking businesses and individuals will continue to highlight Highlands Unbridled difficulties this year onwards.

Mrs O'Neill has been cooperative with the SSPCA throughout all investigations and enquiries and has not attempted to obstruct or mislead us.

I can see difficulties arising if feed and Vet/Farrier costs are not met at times, particularly as \_\_\_\_\_, supplies forage to Mrs O'Neill. I also have concerns that good quality hay may not be supplied in this instance, possibly straw being used as a cheap alternative and this would be a mistake on an exposed area for this large number of ponies.

These are my observations as the SSPCA Inspector for this region, having dealt with horse concerns at this location over the past decade.

Yours sincerely

**Inspector D Campbell.**

Raw case data from Firmstep online forms for case FS8853637 - Complaint  
CXM reference: HC0822-1268

**Are you making the complaint for someone else?:** No

**Details of the complaint:** Complaint about business located in Tain operating under licence issued by local council. Business is the horse riding stables Highlands Unbridled. I have attached e-mail correspondence which provides evidence and background to this complaint. In early July 2016 I made enquiries to participate in working holiday in October. In the enquiry stages I received very prompt responses and I subsequently paid a deposit of £50. I then received no further correspondence. Subsequently I became aware that the stables was suffering from an outbreak of strangles and asked whether my holiday could go ahead - I yet again received no communication. I eventually received an e-mail from the business owner offering a refund of my deposit but this has not been honored. I find it unacceptable that a business operates in this manner and shows a level of dishonesty. I am happy to be contacted if further information is required.

**What would you like us to do about the complaint?:** I would like it formally noted that a complaint against the business Highlands Unbridled has been raised and for this to be taken into consideration for their licence renewal. I would also like to know if any other formal complaints have been made.

**Has this particular complaint been reported to us before?:** No

**Upload files or photos:** Re- Working holiday.eml

**Data protection:** No Summary Data

**AnonymousCustomer:**

**Personal details:**

<b>Title</b>	<b>First name</b>	<b>Last name</b>
Dr	Louise	Stanley

**ContactControll:** Customer email,Alternative phone

**Contact details:**

**Alternative phone number**

## OBJECTION 1 – SUPPORTING MATERIAL

**From:** Louise Stanley (Staff) [mailto:  
**Sent:** 10 October 2016 19:26  
**To:** [REDACTED]  
**Subject:** Re: Working holiday

Dear Jan,  
Could you please respond to the email below and action the request.  
With best wishes,  
Louise

On 29 Sep 2016, at 10:51, Louise Stanley (Staff) <[REDACTED]> wrote:

Dear Jan,  
I have not received return of the deposit as per below. Could you please action this as soon as possible.  
Best Wishes,  
Louise.  
Dr. Louise Stanley

**From:** Microsoft Office User  
**Date:** Saturday, 24 September 2016 14:51  
**To:** Graham & Jan O'Neill [REDACTED]  
**Subject:** Re: Working holiday

Dear Jan,  
Thank you for your email and I am pleased to hear that the horses are on the mend and your outbreak of strangles is on its way out.  
I would be grateful if you could please return the deposit of £50. My bank account details are below.  
Account number:  
Sort code:  
If you could please confirm when you have completed the transfer that would be very much appreciated.  
Best Wishes,  
Louise

On 23 Sep 2016, at 17:51, Graham & Jan O'Neill [REDACTED] wrote:

Dear Louise  
My sincere apologies it has indeed been a very difficult time for us. I have been away on the trail a lot, then moving the trail horses between different grazings to avoid bringing them home. Unfortunately I still ended up having to bring them home anyway, but we have been given extra fields by the farmer, so have plenty of space to keep them well away from the Estrangles field. The horses that were infected are all recovering really well now. And we are waiting for the blood test results to come back from the horses that were away on the trail and the other horses who were unaffected at the yard. We should be up and running properly again with these horses by next weekend, so can still offer the working holidays from 1<sup>st</sup> October. (one staff member will be looking after the recovering ones so you wouldn't need to help with them)

If you still want to come on a working holiday for the week starting 8<sup>th</sup> October we would love to see you, but if you would rather I sent you your deposit back, please let me know and I will get it back to you. Hope to hear from you soon.

Kindest regards  
Jan  
Highlands Unbridled

**From:** Louise Stanley (Staff) [REDACTED]  
**Sent:** 20 September 2016 09:48  
**To:** [REDACTED]

**Subject:** FW: Working holiday  
**Importance:** High

Dear Jan,

I have still not received a response to any of my e-mails nor can make contact via telephone. I understand that this may be a difficult time for you and your team but I would appreciate a response as soon as possible and find the lack of communication unprofessional.

Best Wishes,  
Louise.

Dr. Louise Stanley

**From:** Microsoft Office User <  
**Date:** Sunday, 11 September 2016 14:14  
**To:** [REDACTED]  
**Subject:** FW: Working holiday

Dear Jan,

I have heard that you are unfortunately suffering from strangles at your yard at present. I am assuming that you are therefore currently unable to guarantee that the working holiday for which I have paid a deposit for (£50) will definitely go ahead. I have no response to date following payment of deposit see below emails.

Under these circumstances could I therefore please request that you refund my deposit. If you could reply by return and I will provide the required bank details for you to arrange an electronic transfer.

I trust that I will hear from you shortly.

Best Wishes,  
Louise.

Dr. Louise Stanley

**From:** Microsoft Office User  
**Date:** Thursday, 28 July 2016 14:06  
**To:** [REDACTED]  
**Subject:** FW: Working holiday

Hello,

Could someone please confirm receipt of payment and provide holiday confirmation please?

With best wishes,  
Louise.

Dr. Louise Stanley

**From:** Microsoft Office User  
**Date:** Friday, 15 July 2016 20:06  
**To:** [REDACTED]  
**Subject:** Fwd: working holiday

Dear Jan,

Are you please able to confirm receipt of my booking form and deposit?

Many thanks,  
Louise

Begin forwarded message:

**From:** Louise Stanley  
**Date:** 11 July 2016 at 15:53:49 BST  
**To:** Graham and Jan O'Neill [REDACTED]  
**Subject:** Re: Working holiday

Hi Jan,

Attached is my completed booking form. I have also arranged bank transfer of the £50 deposit today so it should appear in your account shortly (reference provided Stanley\_Oct16).

Any further information required please let me know.

Best Wishes,  
Louise.

Dr. Louise Stanley

**From:** Graham and Jan O'Neill [REDACTED]  
**Date:** Sunday, 10 July 2016 10:07  
**To:** Microsoft Office User  
**Subject:** RE: Working holiday

Hi again Louise

That's fine I have booked you in for those dates. Just be warm and comfortable we have spares of everything here ☺

The bank transfer details are on the attached booking form, or you can make payments via PayPal the link is on the bottom of the working hols webpage.

Hope this helps and looking forward to meeting you in October!

Bye for now

Jan

Highlands Unbridled

**From:** Louise Stanley (Staff)  
**Sent:** 09 July 2016 12:53  
**To:** Graham and Jan O'Neill [REDACTED]  
**Subject:** Re: Working holiday

Hi Jan,

Could I please book in for the week of the 8th of October and I can stay for a week until the following Saturday (15th) - I think my holidays from work will be fine but will send my request in on Monday!

Is there anything specific that I need to bring? I have plenty of outdoor and wet weather gear!

Please let me know payment details and I will arrange that too.

Thanks,

Louise

Dr. Louise Stanley

**From:** Graham and Jan O'Neill [REDACTED]  
**Date:** Friday, 8 July 2016 21:58  
**To:** Microsoft Office User <\_\_\_\_>  
**Subject:** RE: Working holiday

Hello Louise

Starting on the 8<sup>th</sup> would be better for us or 11<sup>th</sup> to 15<sup>th</sup> it's just that most folk come from Saturday to Saturday, so if you stay on a Sunday, it sort of throws the weeks out of kilter a bit.

No problem at all with the dietary requirements we have a vegan in the house so we're used to doing veggie with no dairy ☺

Hope this helps!

Bye for now

Jan

Highlands Unbridled

**From:** Louise Stanley (Staff)  
**Sent:** 08 July 2016 14:47  
**To:** Graham and Jan O'Neill [REDACTED]  
**Subject:** Re: Working holiday

Hi Jan,

Thanks for your quick reply and sorry for being slow at getting back to you its been a busy week at work!

Would the dates from Wednesday the 12th October until Sunday 16th be suitable? I would probably travel up the night of the 11th. Or is start of the week better (e.g. 8th-12th?).

I am not sure on the accommodation/food arrangements I have quite complex dietary requirements (vegetarian, can't eat dairy in terms of milk, cheese.) - but I am happy to fend/cater for myself if easier as don't want to be cause any hassle.

Look forward to hearing from you.

Best Wishes,

Louise.

Dr. Louise Stanley

**From:** Graham and Jan O'Neill [REDACTED]  
**Date:** Wednesday, 6 July 2016 07:46  
**To:** Microsoft Office User <[REDACTED]>  
**Subject:** RE: Working holiday

Hello Louise

Thank you for your enquiry. We have space anytime in October from the 8th onwards. Just let me know when will suit you best and we will get you booked in. :)

Hope to hear from you soon

Kindest regards

Jan

Highlands Unbridled

-----Original Message-----

**From:** Louise Stanley (Staff)  
**Sent:** 05 July 2016 19:55

**To:** [REDACTED]  
**Subject:** Working holiday

Dear Jan and Graham,

I am interested in coming to your stables for one of your working holidays in the month of October. I wondered if this would fit with your diaries/calendar/availability?

I used to live in [REDACTED] and helped a friend with her horses. Since moving to [REDACTED] a few years ago I have missed working with horses and have recently started taking riding lessons again. I did have a riding accident back in Newcastle where I fractured my back but having lessons again is building my confidence back and feel comfortable in all paces.

I am not sure I can secure enough holiday from work for a full 7 days but would be able to come for 5/6 days if this was also ok?

I look forward to hearing from you soon and am happy to ring at a convenient time if that is easier?

Best wishes,

Louise,

OBJECTION 2  
(REDACTED)

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Dear All,

I am writing to formally object to the license renewal of Highlands Unbridled.

As you know I became aware of the desperate situation of the guests, staff and animals belonging to Highlands Unbridled earlier this year. I have reported my concerns as they arose to the relevant authorities so I am not going to list each individual one again. Rather I would like to surmise that this has given me two areas of grave concern and I feel that the relicensing of the establishment will only make the situation worse.

My first objection is the effect that businesses that are run in such an immoral, unscrupulous and disorganised way do real damage to the tourist industry in the Highlands. Living in a village that already has two hotels in disrepair, and one recently bulldozed, it is extremely important that the services offered locally are exemplary for visitors to leave with a good impression. The popularity of the NC500 route is going to bring more trade to the East Coast, which is decades behind the West in terms of popularity. We can only catch up if we can offer quality activities at reasonable rates.

Highlands Unbridled does neither.

Their pay up front, over priced, unresearched routes across Scotland have left 9 people that I am aware of without refunds. They do not adhere to good practice or law. The reviews that will be left globally by the many foreign and vulnerable unrefunded and injured guests is going to be something that the area, and the industry, have to work hard to erase and rewrite. The relicensing of this centre will not make that any better or easier.

I have known Ms O'Neill for 15 years. In the course of 15 years my knowledge, practices and skills with dogs and horses have evolved and changed. Ms O'Neills have not. She is still doing now the same unsafe practices that I had to give her verbal warnings for before I sacked her for Gross Misconduct when she was the yard manager of a Riding Establishment I used to own. She lasted three months before I had to let her go on welfare grounds.

This is evidence to me that she will not ever change, or evolve her practices. She clearly deems her current business practise sufficient otherwise she would have made changes willingly over the course of the years.

My greatest objection to the relicensing is that the laws are insufficient to protect the public. The Riding Establishments Act is an incomplete act and does not allow the council to revoke or suspend it, nor does it define the action the council should take when offences under the act are committed. Members of the public will assume that if the yard is open for business that it is safe to ride there. They will not realise that the owner is often \_\_\_\_\_, that the "workaway" staff are not police checked or trained in child protection as they are led away from their guardians. They will not know that they are likely to be put on a horse that is too young to be ridden, or has only just arrived and not been tried out by staff first. Nor will they be aware that they are themselves an infection risk because quarantine procedures are not adhered to.

It is my belief that the O'Neills are \_\_\_\_\_ and not able to make good decisions.

\_\_\_\_\_ this year displays that they are not suitable to be in charge of large animals, let alone mixed with members of the public including children and

vulnerable adults. I feel their behaviour over many years has proven this, and it is my view that if the Council can not revoke the License then it should not be granted in the first place if there is any cause for concern. The O'Neills have not only given cause, but reason, and repeatedly so. We are not dealing with someone who is just a bit lacksidical and needs some help and education to get it right. We are talking about people who willingly fall well below the mark of acceptable in the eyes of the industry and the public, and have done so for year upon year.

Sadly, as was proven earlier this year when someone died at another establishment, riding can be extremely dangerous. It's by sheer luck, not design, that Highlands Unbridled have not caused far more damage than they already have. I would hate to see my local Council, which is already in a multi million pound deficit, made to defend it's decision to relicense in the face of so much overwhelmingly opposing evidence, in court. I have no doubt that were anyone/child to be damaged or worse, at the hands of Highlands Unbridled, that their insurance would not cover them based on the fact that they are not following good practice industry guidelines with their staff and horses. At that point I am certain that the injured party's attention would turn to how the situation could have come about in the first place if inspections and licensing were being carried out correctly. I urge you to err on the side of caution and not leave the public or the Council open to that kind of unnecessary threat. I believe that the correct thing to do is to refuse them a license and put public safety first.

Yours sincerely,

Stacie MacDonald.

## Objection 3

**From:** Robin Nicol [mailto: ]  
**Sent:** 19 November 2016 15:16  
**To:** envhealth  
**Subject:** Highlands Unbridled, Fendom, Tain. Objection to RE license renewal

### **For the attention of Mr Alan Yates**

Having witnessed many breaches of the Riding establishments act by the proprietor of Highlands Unbridled Mrs O'niell over several years, the lack of action as requested by the Highland Council and Veterinary surgeons. we have no choice but to strongly object to the renewal of her license.

Here are several of the main reasons we object to renewal.(not a full and complete list)

#### **1 - TRADING WITHOUT A LICENSE**

1.1 - Previously trading without a license prior to the first one being issued in 2008, as openly admitted by Mrs O'niell at in interview on Highland Showcase episode 8. Never investigated even when highlighted to the HC by ourselves, this is a direct breach of the riding Establishment act and is an offence.

1.2 - Caught by two council officials trading without a license in 2014/2015 reported to Procurator Fiscal and subsequently charged with this offence. Reported to us by Mr Ratter that she pled guilty to the Sheriff Court by letter and he believed she was fined £100.

#### **2 - BREACH OF LICENSE/ ANIMAL WELFARE**

Concealing horse at time of vetting in 2015. It was stated these horses could not be vetted as they were not available at the time as they were out trekking. Our understanding of the Riding Establishment Act is that ALL horses must be vetted fit for purpose before being used and should have been made available for vetting. We believe these horses were never vetted but were continued to be used. **A MAJOR ANIMAL WELFARE CONCERN.**

#### **3 - FAILURE TO COMPLY WITH VETERINARY ADVICE**

Continued trading from condemned fields in and around Doll and Brora 2015/2016. Witnessed by several people horses being used on a daily basis from these fields in Doll/Brora that the veterinary surgeon had said in their veterinary report that they were not fit for purpose under the Riding Establishment Act.

#### **4 - BIO SECURITY**

**4.1 We are extremely concerned how Highlands Unbridled conducted their business during the recent , highly contagious 'strangles' outbreak. We witnessed a ride pass our property the day before Highlands Unbridled announced they had 'strangles' at their yard, unknowingly to us at the time. We believe they had been told there was a suspected case on the yard days before. The area past our property is a popular area for dog walkers and tourists, so marching on regardless leaving a trail of destruction behind them is beyond believe. Not only was there NO consideration given to the welfare of their own horses but NO consideration given to any other equine owner or equine business within the highlands. It was acceptable for equine events, businesses etc to cancel activities but NOT seen to be important by Highlands Unbridled themselves. Like many others we were personally affected by this but value and respect our own and other people's horses and livelihoods.**

**4.2 On many occasions we witnessed various horses (which we did not recognise on the last vet's report) riding past us, we question whether these horses have indeed been isolated, quarantined , or indeed even vetted prior to being used. This for us is of grave concern, a massive breach of bio-security. We protect our own horses but what protection do we or other's have against Highlands Unbridled horses.**

In conclusion.

We have over many years reported a number of major concerns to Highland Council ,regarding observations of very poor practice by Highlands Unbridled. The disregard it has shown to all other individuals including the council is beyond belief. We feel very strongly that renewing this license will allow Mrs O'Niell to carry on regardless, flaunting rules and no thought to any consequences occurred by her actions. We feel strongly that the Riding Establishment Lisence should be not be allowed to be abused in any form.

Regards Robin & Margaret Nicol



**ASSOCIATION  
OF BRITISH RIDING SCHOOLS**

Unit 8, Bramble Hill Farm, Five Oaks Road  
Slinfold, Horsham, West Sussex RH13 ORL

**OBJECTION 4  
(REDACTED)**

Tel: 01403 790294

Email: office@abrs-info.org

Website: www.abrs-info.org

Environmental Health Manager  
For the Attention of: Mr. Alan Yates  
Community Services - Environmental Health  
The Highland Council  
38 Harbour Road  
Inverness  
IV1 1UF

21<sup>st</sup> November 2016

- References;
1. Highland Licensing Committee Meeting on Tuesday 6<sup>th</sup> December 2016
  2. Objections raised to Highlands Unbridled Licence Renewal contained within Reference 1

Dear Sirs and esteemed Committee Councillor's

I write to you under Mr Alan Yates instructions to voice my objections and concerns to the subject matter line by Mr. Ruaridh Ormiston of Highland Horse Fun a current Proprietary Member of the Association of British Riding Schools. Having conducted an extensive investigatory review consisting of written evidence from both members of the public and holiday makers of Highlands Unbridled. There is no acceptance of liability on the part of those involved with the gathering or presenting of this information. I will be attending the hearing on 6th December 2016 and wish to have the opportunity to express my concerns.

There have been horrendous deficits in the current Riding School Establishments Act (1964 and 1970) licensing of Highlands Unbridled limited. Notwithstanding there are many areas of this investigation under the Scottish Parliament pursuant to section 37 (Animal welfare codes) of the Animal Health and Welfare (Scotland) Act 2006 and the code of practice for the Welfare of Equidae made on 19<sup>th</sup> February 2009 and approved by resolution of the Scottish Parliament on 25<sup>th</sup> March 2009 coming into effect on 29<sup>th</sup> April 2009. The inspection carried out by the approved Veterinary Inspectors on the current RCVS/BVA Inspectorate (see Riding Establishments Act 1964, s.2(3)). My objections are far reaching and grossly concern the lacking in compliance and due diligence under all the aforesaid Acts. However, in the circumstances to expedite proceedings I will maintain all to brief evidentiary and factual bullet statements.

The latter paragraph could and should contain many additional referrals to the current legislative laws of Scotland. I feel this is suffice for the interim this Licence Renewal Statement of Objection and Mr. Alan Yates the Environmental Health Officer of Highland Council has the same written statements *et al* to which I contain. This evidence can be made readily available upon request, though to reiterate Mr. Alan Yates the Environmental Health Officer of Highland Council has the same written statements *et al* to which I contain.

1. The Proprietor, Mrs O'Neill of Highlands Unbridled, to what certification does Mrs O' Neill hold to run the aforesaid establishment under the Riding Schools Acts. Additional current Scottish legislation, does Mrs O'Neill hold the required up to date Health and Safety First Aid Certification (1 day refresher course), completed a child protection course (level 2), an enhanced ABRS/BHS/PC/TRSS Riding and Road Safety Test and finally and most importantly an Enhanced PVG for Children (under the age of 18) and Vulnerable Adults with the latter being a mandatory statute requirement. In certain cases, this should be reviewed every 3 years.



## ASSOCIATION OF BRITISH RIDING SCHOOLS

Unit 8, Bramble Hill Farm, Five Oaks Road  
Slinfold, Horsham, West Sussex RH13 ORL

Tel: 01403 790294

Email: [office@abrs-info.org](mailto:office@abrs-info.org)

Website: [www.abrs-info.org](http://www.abrs-info.org)

**\*Note\***. Can this point be confirmed that Mrs. O'Neill holds the aforesaid certification and the required statute of an Enhanced PVG for Children (under the age of 18) and Vulnerable Adults. This point should have been covered by Environmental Health and Trading Standards with all certificates sighted. On the license application form by Highlands Unbridled was it completed fully with all the requested declarations by Highlands Council met?

2. The staff of Highlands Unbridled, that are Ride Leaders and Assistant Ride Leaders, to what certification do they hold. The required up to date Health and Safety First Aid Certification (1 day refresher course), completed a child protection course, a ABRs/BHS/PC/TRSS Riding and Road Safety Test and finally and most importantly an Enhanced PVG for Children (under the age of 18) and Vulnerable Adults with the latter being a mandatory statute requirement. In certain cases, this should be reviewed every 3 years.

**\*Note\***. Can this point be confirmed that the staff hold the aforesaid certification? This point should have been covered by Environmental Health and Trading Standards with all certificates sighted with copies supplied. Exception to the rule is that of the employees Enhanced Disclosure.

3. The Equidae of Highlands Unbridled, have all equidae been correctly vetted and confirmed by the Highland Councils Veterinary Surgeon that the equidae have been properly isolated and tested for the basic procedures covering up to date flu and tetanus inoculation's lastly on arrival at day one the equidae tested for strangles following the equidae transportation to Highlands Unbridled establishment. If so cleared are the equidae fit for purpose under confirmation by Highlands Unbridled own veterinary surgeon and considering previous case history inspection of the equidae by the Highland Councils own Veterinary Surgeon. During the inspection of Highlands Unbridled Equidae, where the equidae passports and microchips verified against each animal. A requirement to ensure that unsolicited equidae are not presented for the inspection. As a side bar note the Horse Passports Commission Regulation (EC) No 504/2008 of 6 June 2008 implemented July 2009 and Horse Passports (Scotland) Regulations 2005 require all equidae, regardless of age or status, to be accompanied by a passport. All owners must obtain individual passports for each animal owned. Passports can be held by the owner or keeper. Animals without passports cannot:

- be moved for the purpose of being entered in a competition or long distance trekking;
- be moved for the purpose of being used for breeding;
- be moved out of Scotland;
- be moved to the premises of a new keeper;
- be sold or have ownership transferred; nor
- be sent to slaughter for human consumption.

**\*Note\***. Can these points be confirmed that the actions have so been completed prior to the aforesaid certification?

4. Under Animal Health and Welfare (Scotland) Act 2006 section 24 (ensuring welfare of animals) of the Act, persons responsible for an animal must ensure that the needs of the animal are met to the extent required by good practice; failure to do so is an offence. The Animal Health and Welfare (Scotland) Act 2006 Section 18 (Responsibility for animals) of the Act defines where a person has a responsibility for an animal on a permanent or temporary basis and thus has the duty to ensure that its welfare needs are met. This duty can therefore apply to livery yard owners, transporters and anyone who has agreed



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temporarily to take care of an animal.

**\*Note\***. Can this point be confirmed that these actions have so been completed prior to the aforesaid certification? These points should cover but not limited to, Farrier Work, Worming, Annual Inoculation's, Annual Teeth inspection by a Veterinary Surgeon or a BEVA Approved Equine Dentist.

5. The question is additionally brought to the fore for the duty of care placed on an animal owner or keeper is based on the 'Five Freedoms' originally recommended by the Farm Animal Welfare Council, but now generally accepted to cover all animals for which a person is responsible:
- *Freedom from Hunger and Thirst* – for example, by providing ready access to fresh water and a diet to maintain full health and vigour.
  - *Freedom from Discomfort* – for example, by providing an appropriate environment, including shelter and a comfortable resting area.
  - *Freedom from Pain, Injury or Disease* – for example, by prevention or rapid diagnosis and treatment.
  - *Freedom to Express Normal Behaviour* – for example, by providing sufficient space for habitation and exercise, proper facilities and company, as appropriate.
  - *Freedom from Fear and Distress* – for example, by ensuring conditions and treatment, which avoid mental suffering.
- \*Note\***. Can these points be confirmed that these actions have so been completed prior to and after the aforesaid certification?
6. Stable accommodation/housing Animal Health and Welfare (Scotland) Act 2006 Section 21. Welfare aspects should be considered when constructing or altering buildings to provide housing. The main considerations are the safety and comfort of the animals, ease of access and adequate drainage and ventilation. If poorly designed or managed, stabling can contribute to the rapid spread of disease, cause injury and pose significant fire risks. The following comments apply equally to all forms of housing including individual stables, stalls and communal barns.
- *Construction*: the building should be constructed soundly, with no exposed surfaces or projections likely to cause injury. All surfaces should be capable of being cleaned and disinfected. If surfaces are treated, non-toxic paints or wood preservatives should be used.
  - *Fixtures and fittings* such as tie rings, hay racks and water bowls should be free of sharp edges and positioned so as to avoid injury, particularly to the eyes. If used, hay nets should be fixed at the animal's head height, allowing it to eat comfortably yet avoiding the risk of getting its feet or head collar caught in the net when empty.
  - *Floors* should be reasonably even, non-slip and designed to give good drainage, taking stable waste away from the animal.
  - *Doors* should be a minimum of 4ft wide and open outwards. They should be capable of being securely fastened with top and bottom bolts.
  - *Roofs* should be high enough to provide adequate ventilation including good air circulation. There should be a minimum clear space to the eaves of 60-90cm (2-3ft) above the ears of the animal in its normal standing position.
- \*Note\***. Can all the above points raised within paragraph 6 be confirmed that these actions have so been completed and in place prior to the aforesaid certification and licensing conditions.



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### 7. The Supervision of equidae.

- Animal Health and Welfare (Scotland) Act 2006 Section 41. Animals at grass should be inspected at least once a day, preferably more often. Stabled or group-housed animals should be inspected at least twice a day, again preferably more frequently. Attention should be paid to their gait, demeanour, feet, body condition and appetite so that early signs of disease, injury, illness or signs of parasites can be noticed and appropriate treatment promptly provided. Close examinations should also be conducted at regular intervals to identify any problems (e.g. skin conditions such as lice, rain scald, mud fever, ringworm and sweet itch) which may not be apparent from a distance.
- Animal Health and Welfare (Scotland) Act 2006 Section 42. Where practical the hooves of horses, ponies, donkeys and hybrids should be picked out daily and at the same time examined for signs of pain, wounds, injury, loose shoes, impacted foreign material or anything else unusual.
- Animal Health and Welfare (Scotland) Act 2006 Section 43. Apart from those on turnout with little work, animals should be groomed regularly to ensure the coat is clean, free from wounds or parasites and to detect rug, tack or harness rubbing. Attention must be taken to ensure mud and dirt is removed prior to them being tacked up but grooming of animals at grass, particularly in winter, must not be excessive as it could remove protective grease and dirt.

**\*Note\***. Can all the above points raised within paragraph 7 be confirmed that these actions have so been completed prior to the aforesaid certification and licensing conditions whilst out on long distance treks? This is not limited to but includes the day to day running of the Highlands Unbridled primary establishment. have so been completed prior to the aforesaid certification and as part of the licensing conditions?

8. **INSPECTION OF THE HORSES RE act 1970 S2 (1) (ii)(4)(b)(i):** *"That paramount consideration will be given to the condition of the horses and that they will be maintained in good health and in all respects physically fit, and that in the case of a horse kept for the purpose of its being let out on hire for riding or for 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 it is kept."* Note the "need to be protected from pain injury suffering or distress"

Section 12.8 If a horse is found to be in need of veterinary attention it must be removed from work by a verbal order that must be confirmed in writing as soon as possible at or after the inspection. Any such animal may only be returned to work when the owner has obtained, at his own expense, a veterinary certificate stating that the horse is fit for work. \*It is well documented that newly purchased equidae had been brought in onsite to cater for the needs of the customers without taking any due consideration for the equidae basic needs, of isolation, testing of the animal for strangles etc. After quarantine, had the equidae in question.

**\*Note\***. If so cleared are the equidae fit for purpose under confirmation by Highlands Unbridled own veterinary surgeon? Or as previously pointed out by Highland Councils own designated Veterinary Surgeon.



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Furthermore, I bring to your attention

Section 22.1 **OFFENCES** It is an offence under the Acts:

- To keep a riding establishment without a licence;
- To wilfully obstruct or delay any person in the exercise of his/her powers of entry or inspection;
- To permit a person for the time being disqualified under this Act from keeping a riding establishment or to have control or management of an establishment;
- To conceal a horse or horses with intent to avoid inspection under the Act;
- To use in a riding establishment a horse in contravention of the requirements of the Animal Welfare Act 2006 or the Animal Health and Welfare (Scotland) Act 2006
- To use in a riding establishment any horse three years old or under, or any mare heavy in foal or within three months after foaling;
- To fail to provide curative care for a sick or injured horse used in a riding establishment;
- To supply riding equipment which is visibly defective or likely to cause suffering to the horse or an accident to the rider.

**\*Note\*** Several offences have been repetitively committed and the sub sections which persistently arise to the surface is that of:

- "conceal a horse or horses with intent to avoid inspection under the Act"
- "To use in a riding establishment a horse in contravention of the requirements of the Animal Welfare Act 2006 or the Animal Health and Welfare (Scotland) Act 2006"
- "To fail to provide curative care for a sick or injured horse used in a riding establishment"

What compliance and due diligence is being observed here? What Welfare and Care to the equidae is being observed here? The Health and Safety of employees and the clients, although a short important list, it is far from complete and would take up many more points and pages.

### Section 22.3 **VARIATIONS OF PREMISES AND SPECIAL CONSIDERATIONS**

Apart from the standard riding school premises, other centres of horse activity which come within the scope of the Acts present the Inspector with special considerations. These include:

- Trail Riding - guided and unguided
- Riding Schools with attached trekking
- Riding Schools with Livery
- Centres requiring an Adventure Activity Licence

Section 22.4 It is important to give the Local Authority a concise idea of how the centre operates, and to consider whether the operators are competent to run what may be extensive riding, where control of the health and safety of the rider and horse may be from a distance.

**\*Note\***. Have pre-planned routes been drawn up, displayed within the operator's office and the centre advised daily to the whereabouts of the trail ride and any incidents of noteworthy recording. A basic risk assessment which should be in place by Highlands Unbridled.

Section 22.5 In these cases it is useful to see a risk assessment of the centre that will give the Inspector some idea of how things are run.

**\*Note\***. Had Highlands Unbridled risk assessments been noted by the inspecting Officers and are they reassessed annually?



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**Section 22.6 Trekking Centres.** Generally, horses and ponies in purely trekking centres are so used to the pattern and familiarity of rides that the inexperienced rider can rely on the horse to carry them safely.

**\*Note\***. New horse's/ponies must be properly assessed and fit for purpose within a Riding School/Trekking Centre. The rule is very clear here and failing to notify the Local Authority when new horses are brought into the business that require adding to the licence. All horses should be inspected by a vet before they are permitted for use. A letter from the veterinary surgeon conducting the inspection should be sent to the owner that the completed vetting should back up their statement of the horse/pony being fit for purpose and work. In turn the owner should send the letter to the local councils EHO.

**Section 22.9** The horses travel over greater distances than the previous two types of operation, often staying away overnight, and may cover 80-100 miles in a week.

**\*Note\***. Had and have the horse's/ponies belonging to Highlands Unbridled been given this grace period. If they have, to what record of documentation is this annotated within. It must be dually noted that all equidae belonging to Highlands Unbridled must be properly assessed and fit for purpose within the Trekking Centre requirements of this nature.

**Section 22.10** This requires a more skilled rider, and better supervision by the operator, especially regarding accidents and emergencies.

**\*Note\***. There are several points within witness statements that state Mrs O'Neill left the Trek in the hands of unskilled operators who had no knowledge or skillsets to react to in the case of an emergency. This is a classic example of lacking in due diligence and care to the clients, the equidae on the trek and the unsupervised untrained staff. This should have been a direct violation of Highlands Unbridled licence conditions.

**Section 22.11** Any horse that becomes lame or sick is normally replaced under the supervision of the operator during the trail ride, and provision for this must be made.

**\*Note\***. With the outbreak of strangles being confirmed what due diligence did Highlands Unbridled take to prevent the spreading of the virus out in the community. There are significant amounts of predetermining scenarios to which should have been followed by Highlands Unbridled.

**Section 22.12** The horses can find this type of work physically demanding and distances over 12-15 miles per day can be a problem, particularly for young horses. Most centres offering this type of riding will give the horse a week off for every week on.

**\*Note\***. Are there records to prove this fact has been supported by Highlands Unbridled. This is a valid recommendation for the welfare and care of the trekking equidae.

**Section 22.13** The most adventurous of this type is unguided, with the rider left to their own devices with maps and a rendezvous. It is essential that the Inspector is satisfied that adequate control and management is in place to cover any eventuality.

**\*Note\*** Sections listed above should be annotated within Highlands Unbridled Risk Assessments and Health and Safety Policy Statement. Have these advisory points of recommendation all been inspected by Highland Council prior to the supply and approval of a Riding School Licence.



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### 9. Centres requiring Adventure Activity Licence Association licences.

Section 22.19 This applies to centres offering activities to under 18 year olds. The licence is given after inspection by the AALA, and generally applies to trekking centres where the horses are taken well away from main roads, and at certain heights of mountain. It does not strictly apply to all centres, but many get this licence if dealing with children (under 18 years old and Vulnerable Adults).

Trekking does fall under The Adventure Activities Licensing Authority (AALA) and a licence should be sought from them under the current points listed in the paragraph below. This Statutory Instrument came into force 9<sup>th</sup> June 2004.

#### Trekking

Trekking is journeying on foot, horse or pedal cycle or skiing over terrain which is moorland or more than 600 metres above sea level; and from which it would take more than 30 minutes travelling time to reach any accessible road or refuge; but it does not include skiing on a prepared and marked-out ski-run. The most familiar trekking activities include hill walking, mountaineering, fell running, orienteering, pony trekking, off-road cycling and off-piste skiing. Regulation 6 gives advice on Consideration of applications for license's. Regulation 7. Gives advice on the Renewal of license's. Regulation 8. Delivers advice on Grant of license's.

**\*Note\***. Can these points be confirmed that actions have so been completed prior to the aforesaid certification and as part of the licensing conditions whilst out on long distance treks?

Having completed the legal technicalities of the statement, I continue with my own and Mr. Ormiston's points.

I am completely mystified at the atrocious shortfalls within the evidence presented from all sectors of the equine community. Letters of complaint and objection reference Highlands Unbridled going back as far as 2008. There would appear to be no moral action by Highlands Unbridled to halt the spread of strangles throughout the Highlands region by contaminated equidae on this occasion. It is noted that this was presented to Highland Council on many occasions to take actions but this was not done to date. The powers of the Environmental Health Officer are there to halt Highlands Unbridled in their tracks. The evidence alone that was freely available within the public domain presented was sufficient in my humble opinion to take a case to a Sherriff and place a prevent order on Highlands Unbridled. It can be easily achieved with any form of other business by Trading Standards and Environmental Health to cease a company from trading.

The Riding Establishments Act of 1964 and 1970 is no different. Bewildered that the primary focus is maintained on the Riding Establishments Act of 1964 and 1970, yet not once do I see referral too and action taken under Animal Health and Welfare (Scotland) Act 2006 and the code of practice for the Welfare of Equidae made on 19<sup>th</sup> February 2009 and approved by resolution of the Scottish Parliament on 25<sup>th</sup> March 2009 coming into effect on 29<sup>th</sup> April 2009. Utilising this Act would and could have halted an enormous amount of bad publicity to the Riding Schools and Trekking fraternity of Scotland and most importantly the tourist economy which many businesses thrive upon during this season. The failure to halt Highlands Unbridled has now put a severe blemish on the Equine Industry.



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The additional intervention of other Highland Council Agencies and SEPA at one point should have caused alarm bells to ring within Highland Councils Environmental and Trading Standard Offices. Guidance from the Animal Health and Welfare (Scotland) Act 2006 and the code of practice for the Welfare of Equidae is abundantly clear in picking up whereupon the shortfalls of the Riding Establishments Act of 1964 and 1970 exist.

Picking my way through the presented evidence it was noted that equidae were brought out to supplement equidae on the trail suffering from unsatisfactory saddle sores and suspected strangles. This was voiced by staff members to the clients currently on the trek. There are plentiful pictures of evidence to facilitate this claim. What does frighten the professional from a distance is the use of equidae that have been not isolated and checked for fundamental basic infections and viruses. No formal vetting of the animals and finally no checks in place to ensure that the equidae were suitable for use on long distance trekking rides. Reliable equine sources from Aberdeen confirm these claims as a batch of several equidae had been bought within the area and turned around into the potentially infectious herd within three days.

Video evidence shows how potentially dangerous one equidae was on a main highway whence it threw the rider not just once but twice. This did cause a traffic delay upon the road whilst the animal and rider were attended to. There are several other instances of this type of occurrence filmed on video, and, in these instances it demonstrates an equine not fit for purpose.

On long treks of this nature into areas of weak cellphone coverage, Satellite Phones should be used, they are readily available now to the public at very reasonable pricing. This can be achieved in two manners contract sale of the Satellite phone and sim card like a standard cellphone, or one can rent a Satellite phone and sim card for a specific amount of time. Several of Highlands Unbridled clients on varying occasions voiced this basic point to which should have been part of Highlands Unbridled Health and Safety Risk Assessments of the routes undertaken.

Mr. Ormiston points out additionally to 'The reckless way that they carry on their Trail Riding operation: No planned provision made for proper pre-organised overnight stops, total disregard for biosecurity measures, unqualified and inexperienced staff who are not aware of routes.' This statement has is supported by several other of the large estate managers to which Highland Council will have copies of these open statements.

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The economic impact on the tourism trade via TripAdvisor and other websites to which Highland Council and the Trekking facilities reply very heavily upon has taken unsurmountable damage. The reviews are



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very damning. Tourism trade brings millions into the local economy of the highlands and with the statements posted online has taken a probable damaging effect to other innocent establishments. Consequently, it will have damaged Riding Schools and Trekking centres reputations and notwithstanding the equine trade within Scotland.

Over the past 5 years there has been much work done in the background to raise exceptional standards of centres belonging to the main industry bodies. I refer to the Association of British Riding Schools, British Horse Society and the Trekking and Riding Society of Scotland. The steps taken by these main industry bodies has given substantial amounts of confidence to the tourist that they are achieving what has been put onto paper by pen and ink. This has been no easy task with further rogue elements of the equine fraternity operating illegally without a licence or those with licences having no proper protocols in situ and flying by the seat of their pants.

Some of the employed staff we have learned are made up via the workaway foundation in Germany. Some reviews are and have been positive but, a damning statement which is backed up by supporting evidence must raise various questions which also bring into account Highlands Unbridled Riding Establishments licencing limitations. It would be most unusual for members of staff from the workaway foundation to have a full set of required legal documentation to work in this type of environment. I have captured a lady voiced online view of the organisation dated 07.08.2016, it is entirely up to each individual member of the committee to arrive at their own conclusions.

" We were left to our own devices, basically picking poo all day. Which wouldn't be so bad if the other staff also lent a hand instead of sitting in the caravan eating and gossiping about other staff members. The yard manager was chaotic and seemingly unfit for the job. On numerous occasions the horses were left tied up to posts for hours without any reason besides laziness. Furthermore, there was a severe lack of organisation, we were told to run along on two hour hacks minutes before the hack was going out.

Meaning we didn't have time to prepare ourselves for it at all while it shouldn't be a surprise for the staff what kind of ride is going out and whether they'd need help or not. The staff also cursed in front of customers and was very rude from time to time. The atmosphere wasn't pleasant to work in because we had no clue what was going on throughout the day. Also the work took more time than expected, we had 8:30-19:00 days where most of the staff left on time while we still had some chores to do. When we had to leave due to seriously unforeseen circumstances, we had to walk to the bus stop which took us about two hours hadn't we been able to hitchhike after an hour of walking with our luggage.. We tried to get in touch with the actual boss, but we understand it's a really busy period of year. If the yard manager wouldn't be around, we're sure it'd be a great place to spend time at, sadly for us this wasn't the case. "

This is such a miserable statement that cannot be ignored which does reflect badly upon the equine industry within Scotland. There are more statements of this nature relating to Highlands Unbridled to be found up online. It does raise the point of lacking in training and experience to which once more brings into question the organisational skillset for Highlands Unbridled. Furthermore, the payment of staff with the issue of pay statements and the payment of Highland Unbridled Tax and National Insurance contributions. Staff pay was always direct into their bank accounts and as previously stated on pay statements to show a breakdown of what they have been paid per hour and necessary taxable deductions.



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We must seriously consider the economic impact this foolish Strangles outbreak has had within the region's trekking centres that have been affected. Sitting down with Mr. Ormiston we calculated a current seasons loss of earnings within the region of Thirty Thousand pounds (£30,000) which is a figure that cannot be ignored. A counter objection that could be noted from Highland council is to what would Mr Ormiston's insurance pay out.

From independent equine specialist brokers the equine industries standard maximum payout would be no more than Ten Thousand pounds (£10,000) over a 3 month period with of course certain tied conditions. This is a paltry sum of monies to pay out, plus it would bring a possible hefty increase in the following years insurance premium. Once more we see the damning effect of wilful neglect within Bio-Security.

Contained within a live interview on television by Mrs O'Neill she brazenly admitted to the interviewer at the time she was operating Highlands Unbridled without a Riding Establishments licence. This statement brought horror and shock to the equine industry that it was claimed to be quite alright to operate as such without a licence. The question must be raised to what else does Mrs. O'Neill conduct her operation without correct certification in place. Highland Council Trading Standards should have stamped out this statement via the same broadcasting media and so taken into due consideration this point during the annual renewal of the licence. It beggars belief with this type of licensed operator an ending on how catastrophic it would be for a council with a multi-million pound deficit would leave itself in such a precarious position open to private prosecution for not adhering to the correct protocols put into place from conception.

To conclude, the points raised fall within Highland Council and Highlands Unbridled compliance and due diligence. The health and welfare of the equidae has failed posing intractable spread of a viral infection along many trails to which many other pleasure riders would and will have taken, notwithstanding the care of the equidae. The due disregard to the Health, Safety and Welfare of Highlands unbridled clients which ultimately affect the present and future of the importance of the Highlands tourist trade with online damning correspondence. To reiterate; Mr. Alan Yates the Environmental Health Officer of Highland Council has the same written evidentiary statements *et al* to which I contain.

Without Prejudice.

Yours Sincerely.



Professor Brian Robinson D.Sc. D.MVSc. PhD. MIOSH. FMILM. AEMT. MABRS.  
Director and Trustee for the Association of British Riding Schools  
Head of UK Compliance, Scottish Portfolios, Establishments Inspector for Scotland and the North of England.



Chapelton Equestrian Centre, Muir of Ord, Ross-shire, IV6 7XN  
Tel: 01463 871061 Mobile: [REDACTED]

Our justifications for writing this letter of objection against Highlands Unbridled receiving a licence to operate are as follows:-

1. Having purchased Chapelton Farm with the intentions of running a Riding Centre at considerable financial buying costs and ongoing investment which is self funded. With this considerable investment in the Industry we are greatly disturbed by the actions of this irresponsible trader having a detrimental effect on the Industry as a whole.
2. The situation that arose regarding this business could happen to anyone of us and the appropriate action must be taken, instead this business stuck its head in the sand and made a mockery out of everybody, agencies and general public alike not accepting any responsibility or being responsible to shut down totally to contain what could have turned out to be a rather horrendous situation for all concerned. The only reason this did not happen is that all the other responsible yards in the area implemented a total lockdown to protect their horses. We are still being affected four months down the line where we still have a bio security risk prevailing with nobody giving us guidance to the situation or to continue operating as normal. The veterinary establishment in this situation can only contain the situation if we as proprietors have it contained in the first place.
3. Given that we are covered by legislation from a number of governing bodies:-

(i) British Horse Society	(ii) Riding for the Disabled. – Chapelton Farm R.D.A. SCO 34378
(iii) Duke of Edinburgh	(iv) Scottish Society Prevention Cruelty Animals
(v) Vets in area	(vi) Child Protection – Highland Council
(vii) Fire Department	(viii) Highland Council – Work Experience Scheme
(ix) Nansen Trust	(x) Vets Schools ---Work Experience Scheme

All the above have a paper system which we have to adhere to as part of our licence responsibilities.

How in the first instance did Highlands Unbridled ever obtain a licence without similar facilities and financial input into the system?

4. If this company was serious in establishing a long term business surely after the years of trading “from our knowledge” there should have been better facilities, but it would appear that this was not to be the case. Obviously they never had any intentions of re- investing in their own business. All businesses need inward investment to survive, but it appears they do not have the knowledge to run this type of business and I implore you “not” to re-issue a license to these proprietors.

We would like to extend an invitation to the Committee and Environmental Health Officers before they sit in judgment to visit our premises which may enlighten your perspective on how the whole business works.

[REDACTED]  
On behalf of Chapelton Equestrian Centre

Highland Horse Fun  
Unit 2a, Railway Station Industrial Estate  
Ruthven Road, Kingussie  
Cairngorms National Park  
Inverness-shire, Highland  
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Date: Monday 21<sup>st</sup> November 2016

To: Highland Council Environmental Department – FAO: Mr Alan Yates

Subject: Objection to "Highlands Unbridled" Riding Establishments License Application.

Dear Sir

As a riding and trekking centre proprietor, Council Member of the Trekking and Riding Society of Scotland (TRSS), Scottish Committee Member of the Association of British Riding Schools (ABRS) and a Cairngorms Business Partnership Member, I would like to object to the Riding Establishments License application for Highlands Unbridled, at Fendom near Tain, for the following reasons:

1: Because of the terrible damage that they are doing to the reputation of the Highlands region as an Equestrian Tourism destination through the way guests are treated and the experiences they are having – especially all the present un-refunded guests. This evidence can be seen first-hand in online reviews on Facebook and Tripadvisor etc. The Highland Council Trading Standards Department can also be consulted for a broader view of the issue as I know they have received many complaints. Many of us work hard to make this a Great Tourist area and a minority wreck it.

2: The reckless way that they carry on their Trail Riding operation: No planned provision made for proper pre-organised overnight stops, total disregard for biosecurity measures, obviously unqualified and inexperienced staff, who are not familiar with routes or navigation.

3: Very poor consideration to Horse Welfare - which is the whole original focus of the Riding Establishments Acts as evidenced by statements, photographs and video etc already presented to Highland Council. (Highland Council must have a huge dossier on this from their investigations)

I only really became aware of Highlands Unbridled operation when they turned up unannounced (except for a quick call the day before) at our riding centre in Newtonmore in June 2015 looking for overnight grazing for Trail Riding horses. Over the next 10 months or so they came past a few times and again did not appear to do any forward planning or request grazing in advance, and just seemed to be totally disorganised. Then when asked about routes and plans I was met with only very vague answers.

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By May 2016 my concerns about them increased to the point that I no longer wanted to offer them grazing and told them to make other arrangements. My fears about their dis-organisation were confirmed when on the 15<sup>th</sup> of June we were called for our taxi service (Kingussie Taxi and Tours) to collect riders from Glentruim Farm, to the west of Newtonmore, to take guests to Kingussie to a local hotel. Those guests were very disappointed with the ride and said they had not made much progress that day and had crossed the A9 about 4 times. proving they were lost. They also made use of a field belonging to a friend of ours, by making some

very dubious claims to “historic use arranged with a previous owner” ??? and then put their horses in the same field with the family’s Highland Pony with total disregard to basic bio-security for that horse. Long Distance Trail Riding can be dangerous when it goes wrong and must be taken seriously.

At this same time we believe cross contamination between our staff and Highlands Unbridled Staff and Clients, or contact between their clients and our horses in the village of Kingussie may have been the source of our Strangles Outbreak, which was confirmed just after the Highlands Unbridled outbreak. We cannot trace any other possible source of the disease in our area. And even if nobody can be blamed it does however highlight the very real dangers of spreading equine diseases around the Highlands by such an operation. We estimate to date we have lost £30K because of the Strangles Outbreak at our yard. Unlike Highlands Unbridled, as soon as our vets suspected an outbreak, and before confirmation was received, we went on to full lock down and stopped all operations.

**BECAUSE OF THE DAMAGE TO OUR BUSINESS AND SUFFERING TO OUR HORSES FROM THIS OUTBREAK HIGHLAND COUNCIL HAS A DUTY OF CARE TO OURSELVES AND OTHER RIDING CENTRES AND HORSE OWNERS IN THE HIGHLANDS TO REFUSE THEIR LICENCE UNTIL BETTER AND PLANNED BIOSECURITY PROVISION IS MADE FOR THIS KIND OF OPERATION. A FULL LIST OF ROUTES AND RISK ASSESSMENTS AND PRE-ARRANGED SAFE AND SECURE OVERNIGHT STOPS (REMOTE FROM ANY OTHER HORSES) SHOULD BE CHECKED BY THE HIGHLAND COUNCIL BEFORE ANY LONG DISTANCE TRAIL RIDING ROUTE IS ALLOWED TO GO AHEAD.**

**I also believe the Highland Council should check and enforce the following:**

1: ALL staff to be checked and documentation shown to confirm they are suitably qualified for the role that they are doing: The Proprietors should have a minimum of Centre Operator/Yard Manager qualification from TRSS/BHS/ABRS. All Ride Leaders should be qualified to at least Senior level and all assistant ride leaders and escorts to the lower Ride Leader Level – they should also have suitable First Aid and Disclosure Scotland / PVG certification too. And additional navigation training.

2: All horses are suitably checked by the vet before being introduced and used for RE activities and assessed and quarantined when first bought and properly looked after especially whilst on long rides and given proper time off too – any contravention of the RE Acts and Animal Welfare Legislation should be dealt with firmly every time. Far too many chances have been given to this operator.

3: All previous clients who have been let down through cancellation, no-shows by HUB, or serious concerns about their safety and welfare or any other reason should be fully refunded and apologized to. The Highland Council should already have a reasonably comprehensive list of those in question already. Also any “smoke screen” created by dissolved limited companies cleared up and confirmation if this operation is run on a sole trader basis, or by some other means, is properly communicated to clients and on website etc. Also confirmation from the insurance company that they are properly covered for the number of horses on the license and the activities they perform.

4: Before allowing Highlands Unbridled to operate again they should make it a condition of their license that they are inspected and quality assured by one of the Scottish Riding Centre Approval Bodies: Either the TRSS, BHS or ABRS. At least two other councils in Scotland already enforce this for peace of mind to have the additional assurance that industry experienced organisations have checked things are being run appropriately. I believe the councils that do this are Argyll and Lothian.

Yours sincerely



Mr E. Ruaridh Ormiston

Patron Her Majesty The Queen

The British Horse Society Scotland  
Woodburn  
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Fulfilling your passion for horses

Mr Alan Yates Community Services - Environmental Health  
The Highland Council  
38 Harbour Road, Inverness, IV1 1UF

21 November 2016

**Objection 7**

Dear Mr Yates,

### Highland Unbridled - FAO Highland Licensing Committee

Please accept this letter as a formal objection, by BHS Scotland, TRSS and ABRS, to the issuing of a Riding Establishments Licence to Highland Unbridled. As you will be aware there have been many concerns raised regarding the trail riding operation known as Highland Unbridled. These concerns include but are not limited to;

- Inadequate isolation procedures for newly acquired horses.
- Failing to isolate horses, and continuing to use horses, when an outbreak of strangles had been confirmed within the herd.
- Providing unsuitable, and untried, horses for clients to ride.
- Failing to provide water to grazing horses.
- Failing to notify the Local Authority when new horses are brought into the business and require adding to the licence. All horses should be inspected by a vet before they are permitted for use.

These failings in the management and care of the horses, used by Highland Unbridled, constitute serious welfare and safety concerns. The Riding Establishments Act clearly states that;

- Horses must be in good health, physically fit, and suitable for the purpose for which it is kept.
- For horses kept at grass, there will be available to them, at all times, adequate pasture, shelter and water and that supplementary feed will be provided as and when required.
- All reasonable precautions are taken to prevent and control the spread, amongst horses, of infectious or contagious diseases.

There is sufficient evidence to demonstrate that Highland Unbridled has failed to meet the requirements of the Act listed above.

- Freddie, bought from a yard in Roseisle unseen, transported straight to the start of the trail ride and mixed with the other horses without isolation of any kind.  
Connor, bought from Hannah Accorsini in Nairn and again mixed straight into the herd.  
This was reported by Eileen Mair, an experienced ride leader who had worked for the business for at least two years.
- Despite knowing the likelihood of horses being infected with strangles, the owners continued with rides from Tain and Brora despite concern being shown from the Ride Leader Eileen Mair, showing a complete disregard for the welfare of both their own and neighbouring horses. Witnesses Keana

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Fitzgerald, Sandra Millar and Debbie Fraser reported concerns when beach rides continued despite having to pass through neighbouring horses to reach the beach.

- New horses Connor and Freddie had not been ridden by staff and were put straight out onto the trail to be ridden by clients. This resulted in accidents and clients should not have been put in that position. The owner had to ride Connor after he bucked his rider off and he misbehaved, endangering the rest of the ride. She was also bitten by Freddie who displayed worrying behaviour throughout the time he was on the ride. Both horses should have been inspected by a vet for suitability prior to being used on the rides. Complaints have been sent in from clients on that ride from Montrose to Aviemore starting July 25th one of whom has video evidence of Connor.
- The centre has been reported several times by concerned neighbours and land owners due to a lack of care and attention to basic needs of the horses. Earlier in the year, ponies escaped in the Ballater area when put in a field with fencing down. The ponies had been turned out despite no checks having been made. The ponies spent a day on the run and the owner and staff at Glen Tanar Equestrian Centre had to look after the clients of Highlands Unbridled and provide them with horses to search for the ponies. Clients on the rides reported a lack of care of the horses after a long day with no water in the fields and they suspected the horses were turned onto land without permission on occasion. A neighbour next to the yard at Tain reported the horses in the fields at Tain were left without water for long periods of time. This shows a worryingly lack of care by the owners and a complete disregard of the licensing conditions.

It is also apparent that Highland Unbridled only holds one Riding Establishments Licence for the premises at Tain. No licences are held for the other premises where horses are stabled or grazed whilst on the trails. It is a requirement of the Riding Establishments Act that all premises which are used as part of the business must be inspected by the Local Authority and a licence issued. There are many trekking and trail riding establishments which operate from multi premises and the Local Authority will inspect all of the premises.

We would welcome the opportunity to meet with you to discuss further why a Riding Establishments Licence should not be issued until the welfare and safety concerns are addressed and rectified on a permanent basis.

Helene Mauchlen BHSAI  
**Scottish Manager for The British Horse Society**

Professor Brian Robinson D.Sc. D.MVSc. PhD. MiOSH. FMiLM. AEMT. MABRS.  
**Director and Trustee for UK Compliance and Scottish Portfolios Association of British Riding Schools**

Susan Howard  
**Chief Executive Trekking and Riding Society of Scotland**



The  
British  
Horse  
Society  
Scotland

## Objection 8 (redacted)

**From:** Eileen Mair [mailto: [REDACTED]]  
**Sent:** 21 November 2016 14:57  
**To:** envhealth  
**Subject:** Highlands Unbridled

My name is Eileen Mair and I was an employee of Highlands Unbridled for 4 and a half years until I quit on August 15th. I strongly object to the renewal of Jans licence, as I have witnessed this year practices that have put myself, my guests, and my horses at risk. I want to make it clear that I have not always felt this way, although the business has always been rough and ready, I believed that Jan had her horses welfare at heart.

Since the move to Tain last year I believe she has compromised on everything, including the conditions the horses are kept in. Still she passed her inspection when the horses are subsisting in poached fields, fed on mouldy straw and silage. I believe that Jan booked this years calendar to get the deposits to tide her through winter, then couldn't deliver on it.

I started doing the long distance trail rides for Jan two years ago, and was thrown in the deep end [REDACTED], and had ridden the trails only once, as a perk of the job. I was good at it, so last year the rides were divided between us, myself doing the North and South Routes, and the Wild West occasionally. The logistics of this were not thought through, as at full capacity we each had 9 horses, which is too much for one guide, and we did not have safe horses for both groups. Jan, being the boss, obviously had first pick of horses, transport, horsebox, and back-up that knew the grazing, and where she is on the hill.

My list of back-up has been my boyfriend, my sister, Jans best friend, some volunteers at the yard, the yard manager, a girl who was never insured to drive the vehicle, a random man who showed up that I had never met, who lasted a day, but nevertheless was in charge of all my guests luggage and valuables. My vehicles have been a beaten up Volvo, a Sherpa, and a Delica that I had warned wasn't in fit condition, and broke down on the way home on the same day. Not one of my backups knew where I was if anything had gone wrong on the hill.

Sometimes there was no backup at all, and the kindness of hotel owners as a taxi service was my godsend. Jans communication with guests has been non-existent, and I know that she did not look at the forms until a couple of days before a ride, when my horses had been already been allocated to me, whether or not they were suitable, and whether or not the riders were suitable, weight wise or ability wise.

These rides are tough, and not suited to bigger horses, so I had 2 horses that went lame, one permanently, on the the first 3 days of my North ride. The replacement Jan was going to send me is in my opinion a dangerous horse, so I objected, she hung up, and it took my guests threatening to stop the ride that gave me the horse I wanted, a halflinger blind in one eye, that I rode for insurance purposes. After that horses introduction to the long rides, she was then with me for several more, but not as lead horse, her lack of vision made her unsuitable as a lead horse, so guests rode her, and one of my guests was jumped into and put in a river, then stood on badly, on the hill, resulting in a hospital visit.

On that ride we had a horse that I had never met, Norman, a seedy-toed 19 year old with tack that didnt fit him. He was aggressive when tacked and booted, biting and kicking, luckily the rider was an endurance rider and vet, who could deal gently with him. His back abscessed on day 4. On that same ride we had another vet from New Zealand who must have weighed 17 stone, and was allocated a highland pony who hadn't done a trail before, she struggled badly and went lame on day 4, then I was given the horses I had originally requested.

My guests were never informed that it wasn't Jan who was leading their trek, so I started out with an apology, and went on to apologise repeatedly for any number of things. Often my backup vehicle was too small for the number of guests, so two trips were required to get to accomodation, which wasn't booked in time and was often over half an hour or more away.

Everything culminated in the Strangles issue, which Stacie Macdonald has put to you, my testimony is in there. I was in touch repeatedly with Jan, when she would deign to answer, and I know by the end she only answered certain numbers. I was the one that put a stop to the longest ride , ending what I had deemed a perfect job, taking leave of horses I have a very deep bond with, and ruining 5 peoples holiday, of which they have not been reimbursed. [REDACTED]

[REDACTED]. Jan has introduced vicious, unsafe horses, that she has never sat on herself, nor her staff, and blindly put guests on, so unsafe, which has been proven, and also probably brought Strangles to the yard.

As to the vicious, unsafe horses, I have experience of one of 2 of them, Sonny and Freddie. Sonny is an 8 year old 16.3 thoroughbred cross something heavier, who is a handful. On the first day of the wild West Ride this year, he was charging, bucking jumping, and trying to bolt. I had a tall Dutch guest on him, Army officer, who got off him in tears, and proceeded to walk away. I phoned Jan, as I rarely have a horsebox to replace injured horses, and she told me I had to ride him, as there were no replacement horses. We made it through, but a guide should not have the loose cannon, when looking after guests welfare. The same horse kicked Jan in the face, giving her 6 stitches.

As to Freddie, another emergency buy, thrown into a ride, without anybody risk assessing. I occasionally cover a day or two's riding for Jan, and Freddie was on the beginning of the Cairngorm ride. A 16.2 thouroughbred 7 years old.. I had never met him, but had been assured he was a ploddy type ride, so I put my least experienced rider on him, to soon find out he was no plod. I switched out with a more experienced rider but he was so tired from holding him back, that I had to get on a 7 yr old and ride him over canal swing bridges, then through the teeming locks of Fort Augustus. Freddie's rider and his wife dropped out that day. Freddie has since been put down, after gouging a big chunk out of Jans arm. I believe that poor horse was ruined by Jan, I don't think theres any excuse for destroying a 7 year old horse.

In summary, Jan and Graham are unfit and unsuitable to run an equine business for different but equally disturbing reasons;

[REDACTED]

Jan An individual totally motivated by monetary gain at all costs, the costs primarily being the welfare and safety of the horses and customers. Perhaps more disturbing is her willingness to spread strangles throughout the Highlands to make a profit, and to not hesitate to lie to and manipulate customers and staff. This behaviour extends to vetenaries and officials when conducting inspections, where details of movements of horses whilst the yard was under lock-down (under the cover of darkness) and the blatant concealment of horses to avoid inspection has been commonplace.

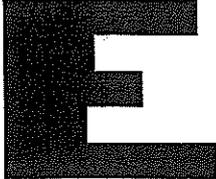
Surely granting a License for this business would represent a gross lack of judgement.

If you need testimony, or text messages, or guest testimony, I am more than willing to provide them

## Objection 9

**From:** joanna macdoanld [mailto: [REDACTED]]  
**Sent:** 21 November 2016 22:25  
**To:** envhealth  
**Subject:** Objection to Highland Unbridled Licence Renewal 2016

Joeanna MacDonald



21 November 2016

To: Highland Council

Re: Objection to Highland Unbridled Licence renewal

Dear Sirs,

I am writing to you as an avid equine enthusiast and also the Chair of the local Riding Club to object to the renewal of Highland Unbridleds Riding Establishment Licence for their site at North Wilds, Tain and more so there Trail riding business which covers areas out with the Highland Council area (sometimes Montrose).

Firstly I would like to point out,

4 (b)(vi) that all reasonable precautions will be taken to prevent and control the spread among horses of infectious or contagious diseases and that veterinary first aid equipment and medicines shall be provided and maintained on the premises:

The above is an extract of the Riding Establishment Act 1964 and the legislation that should be adhered to by any Riding Establishment registered within the Council body. Highland Unbridled has shown total disregard to this with their activities this year. On many occasions putting others at risk and causing chaos within the Highland area. Unfortunately they contracted Strangles which is highly contagious. For any professional business this is their worst nightmare, Isolation is the only way to control this. Although they put their yard in "lock down" they were still moving horses from the yard for days after. They continued with the Trail riding side of the business claiming that there was no contact between the 2 groups of horses. This has been shown to be untrue, as social media posts from clients have been seen to be naming certain horses that were put back to North Wilds with Strangles, this information has been passed to the Highland Council previously.

Their behaviour in regard to controlling this disease was nothing short of reckless!! There actions had a huge impact on everyone else's activities both pleasure and business alike. Highland Unbridled have shown that they do not have the facilities, nor the knowledge to care for animals in a situation like this.

This company has shown total disregard for the animals in there care, they are nothing more than a revenue producing company. The Riding Establishment Licences are in place to protect the animals in situations like this.

The other thing that concerns me greatly is that all new horses/ponies that are on the premises that are intended to be used for hire & reward need to be vetted for suitability for their roll. This has not been the case where Highland Unbridled are concerned. They have bought animals on two occasions that have not even been ridden by staff members and put paying clients on them out on trial rides. I am aware that this contravenes conditions of the licence and above all does not meet with health & safety therefor invalidates the insurance?

I thank you for taking the time to consider my objection and I would like to attend the hearing on the 6<sup>th</sup> December 2016, look forward to your reply.

Kind Regards

Joeanna C MacDonald

## OBJECTION 10

**From:** sandra millar [mailto: ]

**Sent:** 22 November 2016 03:02

**To:** envhealth; Alan Yates

**Subject:** HIGHLANDS UNBRIDLED OBJECTION TO OBTAIN A LICENCE

I am emailing my objection for Highlands Unbridled Tain renewal for a licence.....

I am their neighbour and have several horses of my own at my own yard at Northwolds Tain. I have known Mrs Jan Oneil for over 20 years and allowed Highlands Unbridled to use our stables our land and our water supply for almost a year at Tain. We have always tried to help.

On the 8th of August approx this year i heard through a friend that some of the horses at Highlands Unbridled yard were sick. I asked the then yard manager Yvonne Shepherd if this was true. She told me some of their horses had a snotty nose and had a cold. She continued to trek past our yard and horses and staff continued to come onto my yard and use our water and our hoses. A few days later i heard once again from a friend ( not from staff) that the yard manager was concerned enough to call a vet and tdo some tests on the horses. Vet also advised them to lockdown as a precaution. They did not lockdown and continued to trek past my horses and yard and use my hoses and water supply on my yard. At this time i told staff to stay away from my yard and horses due to the fact i knew a vet would not advise lockdown if they did indeed suspect a cold. My first thoughts were strangles. I spoke to the yard manager on the Saturday 13th August as she trekked once again past my horses and yard. I asked her what was going on and she said the vet was over reacting and the horses were fine just a slight cold. She allowed the horses to touch noses with our horses as she spoke to me. ( The horses she allowed to touch noses with mine went down approx a week later with full blown strangles). Yard manager told me not to worry as the horses were not ill. Monday 15th August Highlands Unbridled had strangles confirmed. The at last locked down. Approx 6.30pm Monday night 15th August a friend called me telling me Highlands Unbridled had strangles confirmed. No one from the centre has ever told me about it i had to learn this through a friend.

OBJECTION 1..... Totally irresponsible behaviour from staff not to inform the neighbouring yard of a potential deadly illness. Basically the staff " hid " this illness from us and if i had known beforehand i could have moved my 7 horses to another field of mine behind our house. Our horses at the time were fenceline to fenceline from the centres. Maybe it would have been too late to move my horses to prevent infection but if staff had told me i might have stood a chance plus staff had no right to lie that their horses had a slight cold and not to worry. NO RESPECT FOR NEIGHBOURS HORSES. Staff also continued to use my yard and water hoses ect on the Monday morning 15th August despite us telling them to stay away. NO RESPECT FOR NEIGHBOURS AND THEIR PROPERTY. Our horses went on to develop an illness with exact same symptoms as strangles and we were devastated. My 5 year old grand daughters 30 year old pony almost died. Our vet took swabs and blood tests which came back not strangles but a sister strangles ie a milder strain most probably due to it being passed by indirect contact ie staffs hands and boots on our yard and hoses ect. Our vet told us to lockdown and start bio security

which we did. Our biosecurity lasted several weeks until our horses were cleared of being carriers. Vets bills and bio security methods ran into 4 figure sum plus the worry stress and heartache Highlands Unbridled caused us.

OBJECTION 2..... The owner Jan Oneil continued to put her Red Zone untested horses behind my stable block where my horses were grazing. I was petrified even more so when on numerous occasions they escaped and wandered free inched from my horses. Hers are still shedding the bacteria and i have enclosed a photo to prove how close she put untested strangles horses to my horses. TOTAL DISREGARD TO NEIGHBOURS AGAIN AND DISREGARD TO INNOCENT CLEAR HORSES.....



OBJECTION 3..... I have lived in the heart of it all for over a year and have witnessed the way Jan Oneil operates. She does not care 1 bit for her horses. She dumped 3 starved skinny horses in my field last winter because 1 was old but

healthy, 1 was healthy but a bit lame and 1 was old and skin and bone. If they dont make her any money they are ignored and not fed. I still have her 3 horses at my yard and keeping them all and they now are all fat and well fed. .... Ive enclosed 2 photos of Jans untested Red Zone horses which have escaped and actually on my fenceline behind my stable block where my horses are.



Its unfair to worry and stress innocent people like this and her behaviour disregard knowing what she was putting us through has made myself and my partner very ill i have had to attend my doctor. My partner ended up in hospital hooked up to a heart monitor through stress and worry caused by this establishment. If a licence is granted i know for a fact we cannot live in our home anymore and will sell up and have to move away. My health has deteriorated so much since August and i dread waking up and opening my front door in fear of what i will see ie Red Zone horses so close to my horses again and again i prefer to get friends to tend to my horses and i just stay away. This is not the way to live your life. Please consider carefully when thinking of renewing her licence as if she gets it i will not be at Northwolds anymore as we cannot take the stress anymore.

Thankyou for taking the time reading my email and appreciate any help you can offer,

SANDRA MILLAR [REDACTED]



*21<sup>st</sup> November 2016.*

*For the attention of The Highland Council - Environmental Health Department with reference to the Committee meeting to be held on the 6th December 2016 to determine the renewal of the Equine Operating Licence for Highlands Unbridled, Fendom, Tain. IV19 1PE.*

*Objections to be raised at the meeting as the land / property owner on the other side of the relevant boundary fence lines to Highlands Unbridled at Fendom:*

- 1). The Environmental Health Department were made of the concerns to do with Highlands Unbridled prior to and after the licence being granted, via emails, phone calls and a personal visit over another matter but where this subject was discussed.*
- 2). The contents of the vets report from 2015. To include the maximum number of horses allowed on site (Fendom) was not adhered to and was till very recently well above the stipulated number of 10. This from recent documentation has been changed for some reason to over 30, where the grazing was stated not to be sufficient enough to allow the proper grazing for these horses. The form of silage being supplied by the land owner / farmer is made for his cattle, not the horses, due to the content of and preparation of etc.*
- 3). How the usage of my stable block, barn and land was included and used to obtain the licence when it was not allowed to be. Plans & details submitted clearly show that and areas that didn't even belong to me or Highlands Unbridled.*
- 4). As there was no mains water supply for a large majority of the site my water supply was used to fill up the water container/s when they remembered to do so, more so even Strangles was present on site, hence the spreading to my 7 horses.*
- 5). The constant supply of Farm Silage which is bought from the land owner / farmer due to point 1 and not enough grazing being made available as clearly stated in the report. The particular form of any silage is critical in its formation, monitoring of the supply and due to the number of horses on site whether this could cause for example Listeria in some horses etc. A further 18 acres was required back in 2015 but never supplied.*
- 6). The Planning Department were contacted back in November 2015 where issues were raised and again in 2016 to which there is still been no response to.*
  - a). Items not shown on the planning have been built or just left still to be done.*
  - b). Subletting grazing land to another horse owner on the planning area to another 7 horses. This obviously had a serious effect on the available grazing, as per points 1 & 4.*
  - c). Allowing building of a stable block on sub-letted land.*
  - d). The parking area is for 4 cars only as stated. Due to the other horse owners on site and at the front of which are rented out by the owner this severely increased over the property area where the joint access road to the Fendom road for at least 6 home owners was damaged and rarely repaired causing damage to owners vehicles. This apparently falls under the Increase in Traffic regulation/s. Due to this constant movement of traffic with cars, lorries and horse boxes this was above the limit stipulated in the planning*

application.

e). *The sand school is not included in the planning and requires permission still.*

7). *From the 12.8.2016 prior & afterwards - Strangles outbreak (Highlands Unbridled).*

a). *Blood test were taken by Kessock Vets on the 12.8.2016 where advice was duly given by the attending vet that under the circumstances a closure / lock down should be put in place due to the results not being available until at least Monday. At that time there was a Yard Manager, employed by the owners, but despite the advice given she and other staff still allowed at least 2 treks to leave the yard in question in that period, walk directly past my land & 7 horses, then continue on to what becomes a Public right of Way to the forest & Tain beach areas, a distance of around 6 miles there and back. If positive advice was clearly given by the attending vet then why allow this to happen, increase the risk to another yard / horses and the spreading of to a public area where other horse owners use frequently???*

b). *As per point 3 the use of my mains water supply was still being used by the owners and staff. This meant they had to climb over from a possible infected field area onto my land to attach the hose and turn the water on. Again this all had to be repeated to remove it all etc. During this time I / we were NOT made aware of the situation here by the owners / staff and it wasn't till the Sunday morning I was told my another source from Tain what was exactly going on here.*

*On phoning the vet on Sunday afternoon she informed me as far as she could what was happening, about the blood test taken and the advice given to lock down.*

*Despite this the water is still used on a continuous basis until the land owner decided to put in a supply. Despite that treks were still going out on a regular basis, horses were coming and going from the yard to carryout holiday bookings around the Scottish Highlands and there was no general bio securities put into effect at any of the entrances to the property / land areas.. It would seem that until such times that Mr. Ratters team and the SSPCA became involved this just didn't happen allowing the possible spread of Strangles even further from area to area, including other trail areas used.*

c). *It has to be seriously noted here that despite another yard with horses and other horse owners in the close perimeters of Fendom were not directly notified and that the only people to receive any help / advice on Strangles was Highlands Unbridled.*

d). *Due to the nature of Highlands Unbridled operations for holiday bookings in 2015 the movement of horses across the area is to be expected. At a time prior to the Strangles outbreak at Fendom the owners were keeping a number of their horses down in the Aviemore area where they were using land from an owner of a horse yard which was already in the lock down process for Strangles. Despite the owners one presumes knowing that fact horses were kept in that area for a period and then brought back to Fendom.*

e). *Should the movement of horses been stopped or even controlled in a more positive manner, the issue raised in point 1 where there are still between 25 - 30 horses on site at Fendom, plus the previous subletted ones as well it would have been far easier for all concerned to of dealt with the situation, helping to strongly prevent the spread of Strangles further.*

9). *One of the owners of Highlands Unbridled (Jan O'Neill) whilst at the Brora site was operating with out the appropriate licence where via the court system it was proven and a fine imposed. This should of been taken into account in any further applications.*

10). *There is no mention in any of the reports on the recent change in the regulations concerning head ware for any rider, child or adult. This was reported to Trading Standards about a month ago where they would follow this concern up.*

11). *Please note that it has not been possible in full to include in the objections:*

a). *A reply from the owners in regards to an insurance claim. Refusal to supply details of*

*the Policy in the first instance. No further replies from the insurance company RSA and is still out standing to be dealt with.*

*b). The inspection should of been done at an earlier time to allow comments to be raised and not putting people in a position of where due to the closure date this would appear not to be possible at the moment or not being able to respond to fully due to the time element etc.*

*c). There is still no reply from the Planning Department who were notified back in November 2015 and again a few months ago over issues in planning or what was granted and therefore are not included in this objection.*

*Please note that this objection for the renewal of the licence for Highlands Unbridled is formed in two parts, a personal objection and comments via the vets inspections. These have therefore been sent as such and to be both included in the objections process.*

*Yours faithfully,*

*LLoyd Roberts.*

21<sup>st</sup> November 2016.

Dear Sir,

*For the attention of The Highland Council - Environmental Health Department with reference to the Committee meeting to be held on the 6th December 2016 to determine the renewal of the Equine Operating Licence for Highlands Unbridled, Fendom, Tain. IV19 IPE.*

*Objections to be raised at the meeting - The Vets report for November 2016:*

1). *The current licence, as stated, was originally for a maximum of 10 horses only due to the inadequate land available at Fendom for grazing. This has obviously been changed to a point of where the number of horses clearly on site has not been adhered to despite the visits by the relevant offices. This has to include the availability for water for this large area also but never has. Due to the number of horses on site and the lack of grazing it has to be noted that these horses are on a daily basis being fed "Farm Silage" which has been proven to contain Ragwort and other substances deadly to horses. Also the farmer / land owner has prepared this silage for his cattle only and this procedure is nor acceptable for horses etc.*

2). *With reference to the Strangles outbreak on site:*

*This fails to include any reference to the other horse owners in the area of Highlands Unbridled where they were left totally on their own to deal with this matter and no advice / visits from other offices etc.*

*Despite there being horses still on site and not tested due to the lack of funding by HB the movement of horses, people, dogs still continues onto which is around 3 miles of a Public Right of Way. Horse inspections have also been done off of the infected site, again next to my property on a public area.*

*It has to be noted that the movement and putting of infected horses into the relevant zones should be good practice. That is questionable here as horses are moved accordingly by people who are on a working holiday here and who have no idea on horse management. This also leads to the transfer of Strangles further due to the constant movement of staff from area to area and then at the end of the day walking from those areas back to the O'Neill's rented property a mile away causing possibly even more transfer as there is no boot wash facilities at this gate entrance.*

2). *With reference to the Farrier. The word declined has been used here and the name blocked out, but if you are owed money from previous visits then that should have been the honest answer to the question. This also applies to a second farrier who was called in who faced the same problems in payment. Therefore the outcome of horses becoming lame or other symptoms without the proper care and attention over the months has to be seriously questioned and how it was never noticed at the time of inspections by the relevant offices etc.*

3). *On the premises & grazing the new area rented out by the owner were never told at the time there could be Strangles present and in the end at least one horse had to be treated as a possible carrier. This land is now being used again without any clearance or testing etc. The 2 new wind shelters and line of round bales was only started / completed 2 days before the vets inspection and therefore this had to cause severe exposure prior to this being done.*

*With the number of horses on site and the lack of grazing for them all there is no mention by the vet that this is being substituted by "Farm Silage" which as proven can be deadly to horses if fed on a regular basis, with the added risk of ragwort and other harm full substances contained in the making of etc. As one can clearly see at the side of the site the storage of these round bales which are on a daily basis fed to all of the horses.*

*4). In the previous report there was clear mention on the maintenance for the whole of the area and where the drainage pond is which I have to use this has not been repaired, as per any of the fencing and this is mainly due to NO water for the horses and this is the damage they caused to get water. Still this area is not repaired and causes problems for me and drainage on my land area.*

*5). Before lessons and any other activities at Fendom can be done surely the appropriate staff with the relevant qualifications and disclosures checked have to be in place, even more so when young children are at risk??? The planning for the sand school cannot be commented on as they refuse to reply to this and other areas with in the planning which was applied for. Children and adults have been led from site on a trek by one member of staff mainly who are here on work experience / holiday.*

*6). The statement is a concerning one over the actions by the Yard Manager. It has to be noted here that when Kessock Vets came on site on the Friday in question to take blood samples the appropriate advice was given for "Strangles" and that the site should be put in total lock down / closed down until the results were known. Should this be the case then perhaps it can be explained why the Yard Manager took at least 2 treks out during this period past my area, onto a public right of way, never had the politeness to inform me of the situation and still continued at that time to cross over onto my land to use my mains water supply???*

*7). Comments made in a previous report via Alan Yates concerning photo's taken. If you own the land / property the other side of the fence line then there is certainly no need to go into the infected site to take them and this was not done at any time.*

*8). There is no mention in any of the reports on the change in the regulations concerning head ware for any rider. This was reported to Trading Standards about a month ago where they would follow this concern up.*

*Please note that this objection for the renewal of the licence for Highlands Unbridled is formed in two parts, a personal objection and comments via the vets inspections. These have therefore been sent as such and to be both included in the objections process.*

*Regards,*

*LLoyd Roberts.*

## Objection 12

-----Original Message-----

From: Rosie [mailto: ]

Sent: 21 November 2016 13:47

To: envhealth

Subject: FAO Alan Yates

Objection to the renewal of Riding Establishments License for Highlands Unbridled.

Dear sir,

I would like to object to the aforementioned establishment being granted a License for the following reasons:

Over the years I have witnessed their inability to care properly for the animals which they use to make money, from both their time in Brora and now in Tain. The final straw was the risk they put the entire equine community in by not quarantining horses.

I personally lost out on numerous opportunities to add value to my own horse for sale by entering shows and competitions due to them being cancelled after the news that they had horses infected with Strangles and were not adhering to guidelines set by BHS and other welfare groups (preventing movement of stock to avoid cross contamination )

I also have concerns over unqualified members of staff escorting both children and vulnerable people as well as adults. I have put many years and considerable amounts of money to obtain my qualifications and I object to seeing the industry suffer because of people who don't bother.

Yours sincerely

Rosemary Ross Barnett

Sent from my iPhone

**Objection 13 (redacted)**

Letter of Objection re Granting a Riding Establishments Licence to Highlands Unbridled

Dear Mr Ratter

Another year... another litany of complaints re Highlands Unbridled. Given the lengthy period they have been operating and the history of well documented issues with this business's operation I'll keep this letter brief and to the point.

Acting on behalf of myself and my parents, as those who've had to put up with this company the longest, we wish to object to Highlands Unbridled receiving another riding establishments licence for the following reasons:

- \* The O'Neil's knowingly broke the terms of their last licence by continuing to undertake short treks from a location in the Doll, Brora during 2016.
- \*
- \* The O'Neil's have repeatedly proven themselves to be unsuitable and unfit persons to hold a licence on the following grounds:
  - \* During the recent strangles outbreak though already aware that they had infected horses, they were still trading in the Doll(and elsewhere) despite publicly announcing they were in lockdown. Photographic evidence of one of these treks as they passed my own horses in the Doll on the 14th August was supplied to Mr Yates at the time. These horses ended their trek back at the property of Steve Davie in the Doll and were still there that evening, however I saw the very same horses in Assynt the following day as I was undertaking a job there in my new work role. Anecdotal evidence has them moving these horses using a trick we've seen previously in the Doll when they were trading without a licence i.e.moving them under cover of darkness. In this case around 3am.
  - \*
  - \* Mrs O'Neil already has an animal welfare conviction( type of animal, whether kittens or horses, I would argue is irrelevant - it's the charge that matters. And, as you know, that's for failing to seek veterinary attention.
  - \* 
- \* They have previously been convicted of trading without a licence.
  - \*And in yet another run in with the law they had to be evicted from their last rented property by Sheriff's officers

One final comment, Mr Ratter. There's nothing new in the above, just as there's nothing new or unexpected in the way the O'Neil's show complete contempt for their neighbours and the authorities. Leopards don't change their spots, Mr Ratter, and this mess will not end until Highland Council and their officers finally take action. Here's hoping.

Regards

Emma, John and Margaret Little

## Objection 14

Objections for re-issuing of license to Highlands Unbridled.

I have emailed considerable information to Mr Alan Yates and John Reid – Environment Health Officers throughout this situation and would like all this information to be included in my objection.

Having endured personal stress, intimidation, illness, sleepless nights on a personal level and my horses have suffered more than I have through no fault of their own due to this problem created by Highlands Unbridled in not carrying out proper bio security arrangements and isolation of infected animals.

With them not having the funds to look after their horses welfare how then am I to be recompensed living directly next door without any precautions taken by this person leaving me financially out of pocket having to care for my horse's welfare due to them contracting a form of strangles due to their lack of bio security. It is rather obvious this person will not think about my situation given the circumstances she keeps her own animals under.

This business obviously does not have the knowledge or understanding of the equine industry and I would like the Committee members if at all possible to visit Chapelton Equestrian Centre, Muir of Ord to see the massive expense that they have gone to – to establish their business right from the start. I visit different yards in my work capacity so the Committee would see what a yard should be like before sitting and without these facilities no equine business could function properly where you have the facilities at your hand to accommodate full bio security and welfare of sick animals.

Given the above I cannot see how you could re – issue a license to Highlands Unbridled who have no facilities to accommodate what they are trying to do.

Debbie Fraser

## Objection 15

**From:** Claire MacLennan [mailto: [REDACTED]]  
**Sent:** 22 November 2016 11:52  
**To:** envhealth  
**Subject:** FAO Alan Yates, Objection for renewal of Highlands Unbridled license

To whom this may concern

I am writing to object to the renewal of Highland Unbridled trekking license. I am a vet and have encountered horses of Highland Unbridled as a vet and whilst not working. I believe the horses are not in fit condition for trekking and would hope that their license be discontinued for the welfare of the horses.

Regards,  
Claire MacLennan BVM&S MRCVS

OBJECTION 16  
(REDACTED)

**Alan Yates**

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**From:** Samantha Dorris  
**Sent:** 22 November 2016 21:22  
**To:** Alan Yates; envhealth  
**Subject:** objection re: Highlands Unbridled  
**Attachments:** highlands unbridled.pdf; H Broadhead HU signature.pdf

Hello

I am sending this email to ensure that my statement is considered a formal objection to the licencing of Highlands Unbridled. They have shown through this trek that basic conditions and concerns raised by council in previous hearings has been flat out ignored, and everyone is at risk.

The only justice is to stop this business from continuing its terrible practices.

I realize today was the last day, please excuse my tardiness, it is 4pm in Canada and I've just finished work.

Thank you for your consideration of this objection.

Samantha Dorris

----- Forwarded message -----

**From:** "Samantha Dorris" <  
**Date:** Oct 23, 2016 9:38 AM  
**Subject:** Highlands Unbridled  
**To:** <[Duty.OfficerConsumerAdvice@highland.gov.uk](mailto:Duty.OfficerConsumerAdvice@highland.gov.uk)>  
**Cc:**

To whom it may concern at Trading Standards:

Here is my experience. Since writing this statement I have learned that the 'dangerous ' horse Jan put me on wasn't so much dangerous, as Jan had just bought him the night before and plopped him into the field. He was terrified and unsure. An incredibly reckless choice by Jan that led to 2 people getting hurt that day. Let me know if you're interested in seeing the footage.

I was unfortunate enough to have been a guest of HUB this summer. My experience and what I now know about their business practice and their animals is horrifying, and I truly regret putting my life in their hands.

Thank you for reviewing my statement and corroborating witness's statement.

I am certain you will address these concerns. I look forward to hearing from you.

Samantha Dorris

This is a true and factual statement of events regarding our holiday with Highlands Unbridled which took place from 25 July to 31 July.

Firstly, leading up to the trip, we found it very difficult to contact Jan, sometimes going over a month without response and having to contact members of her staff via Facebook to ask them to ask her to please reply to our emails. Secondly, I have video evidence of almost all the events as I wore a GoPro. I will \*asterisks\* any statements that I can back up with video footage.

The horses on our trip were Bonnie, Annie, Freddie, Connor, Maverick, Saffy, Maia, Fern and Goose. Bonnie had just been boxed down from the north route to join us. Jan told us she had been away from the trail group for 8 weeks prior to July 25. Jan was our only trail guide.

#### Day 1 July 25

We were picked up and taken to farm North of Montrose that backs onto St Cyrus beach. Jan told me I would be put on Connor and that this was his first long distance ride. That made me a bit nervous to begin with. He was very difficult to lead out of the field however I chalked that up to him wanting his breakfast. He continued to be difficult, swinging around in front of his tie up and tossing his head so badly it took two people and almost 20 minutes to do up his nose band. Jan also announced that only she or Graham were to tack up Freddie as he can be aggressive.

\*After I mounted he continued to be agitated however I attempted to remain calm and rely on my experience with high strung horses. About ten minutes in on the way to the beach he began crow hopping and I lost my stirrups. Unable to steady him or regain my footing I decided I needed to emergency dismount. My leg got caught on the cantle, I fell but recovered. It took Jan several minutes to return in which time Connor continued to toss around agitatedly. She gave me her horse and took him to the barn and left me with her horse, Annie. We all went back together and then she decided we would return to the beach but with me on Bonnie. Two other riders were now too scared after seeing my fall. We headed back out with me on Bonnie. When we picked up a canter, Bonnie immediately had a coughing fit and coughed several times to the point I had to again, dismount for fear we would get hurt trying to catch up. Despite the group having passed me (I was 2<sup>nd</sup> in the line), Jan and the other riders left me completely and carried on to the beach. I had to walk Bonnie a ways over to where the non-riders and barn owner were waiting. I told the barn owner Bonnie had been coughing, as well as Jan. Jan stated to me that Connor had been bucking because he had a large fly on his belly, but I never found any evidence of a fly bite\*

\*When it was time to leave the barn to make our way to Edzell, I decided to remount Connor, taking Jan at her word and not wanting to be a quitter. He was very spooky along the road, obviously not okay with traffic, especially trucks. At this point we were on a side path, not even directly on the road. I told Jan after he repeatedly spooked that I wasn't comfortable riding him. I hopped down and we were going to

try to cross the road however, Connor spooked again at truck and I lost my grip and he took off back to the barn. Jan brought him back and hand walked him while I rode Annie. The barn owner came with us on her personal horse part of the way.\*

\*Approximately one hour later, another guest offered to try to ride Connor, feeling sorry for Jan walking. Connor was agitated and when the guest mounted, Connor spun around like a bronco until the guest hit the pavement.\*

We rode for 6 hours and 45 minutes that day before arriving in Brechin. After dismounting and while tied, Freddie took a double barrel kick at the guests standing behind him. At dinner, I asked Jan and Graham what their plan was for the next day. Jan started talking about the route and I clarified "What is your plan for Connor tomorrow" knowing that she couldn't walk and it didn't seem like he could be ridden. Graham replied "oh I'm going to have a 'talk' with him, he'll be fine, trust me". I asked if I had to ride him and Jan said no, she would ride him. I was very uncomfortable with what he might mean by that.

Day 2 July 26-

That morning, two other riders announced they felt unable to ride that day. Because of that, Connor and Freddie were boxed and I rode Maverick that day. The day went largely without incident. We rode for 8 hours and 45 minutes on day 2 before arriving at House of Mark just before 8pm.

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Day 3 July 27

That morning, Freddie was extremely aggressive and tried repeatedly to bite the property owner across the fence. Once tacked, it took several people about 10 minutes to get Jan onto Connor. We headed out and Connor was okay as we headed for Mount Keen. During the ascent and on the shoulder, when he started to act up, another guest offered to try to ride him. While she was relatively success with him that day, \*there were incidents of bucking, refusing to cross small ditches or streams and the guest had to dismount repeatedly and Connor was walked about half the day by hand\* One guest fell over the front of her horse during the descent as she was unable to walk downhill during the descent, and another fell because her girth was not tightened before she remounted. Neither Jan nor Graham was in the habit of checking girths for anyone. We went through Glen Tanar before arriving in Ballater. We rode just under 9 hours that day, leaving approx. 10:30am and arriving in Ballater at just before 8pm.

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horse trailer. While we were in the field untacking, Graham was having trouble removing Freddie's boots at his tie up. Jan led him into the center of the field and held him while Graham attempted to remove his back left boot. Freddie fired a warning kick at Graham, Graham then kicked Freddie in the back left leg, and Freddie struck Graham again making contact. He then charged forward and bit Jan very aggressively on the arm, removing a chunk of skin/flesh about 3" by 2". She was upset with Graham about this. She lacked the proper first aid supplies to dress her own wound (only had very small band aids) so I provided her with my personal first aid kit and some Polysporin, a topical

antibiotic from Canada. It was bleeding very badly. \_\_\_\_\_  
\_\_\_\_\_. Jan's arm continued to bleed heavily. Because of what they witnessed, Freddie's rider and another guest decided that they were finished riding completely for the trek.

#### Day 4 July 28

One guest declined to ride this day in order to recover from her fall. Graham told me he would "take good care of her" as we packed up our luggage. She was driven by Graham to Clova. Her horse was Bonnie and was ponied by Jan and Annie for the day. We left Ballater at 10am. We rode to Loch Muick and after lunch, began an ascent of Lochnagar Mountain. \*After approximately 2.5 hours we were approached by a "stalker" and informed the bridge was out on the other side and we would have to turn around\* I use "stalker" cautiously as there were suggestions made by locals that he was actually a member of the Queen's security and that's why we couldn't use the 'alternate bridge' however, this remains unclear. Either way we turned back down to the lake and took the Capel Mounth trail to Clova. I expressed concern that my mom (the guest who did not ride that day) would be worried but knowing Jan had called Graham I assumed he would've told her we were delayed. Jan was very dishonest about distances and times from the start. For example, when we descended into Glen Doll, she told us we were only 2 miles from the hotel when she absolutely knew we were still 5 miles out. This was physically and psychologically distressing. When we were almost there, we were approached by Graham's truck and my mom came out very upset. Not only had Graham not told her about the delay, he did not arrange any food for us and the kitchen was of course closed when we arrived at 9:45pm. \_\_\_\_\_

\_\_\_\_\_. Jan and Graham then drove 26 miles to the nearest town to bring us back food at almost midnight. The field in Clova was shared with sheep. No apologies were made, Jan did state she "owed us a bottle of wine" for our experience but that didn't happen.

#### Day 5

We were all very clear that today we were to ride the same Capel Mounth trail back to Ballater where we started the day before. The next day (day 6) we were to ride only a "half day" from Ballater to Braemar and visit the Balmoral castle before staying the night again in Ballater. Jan made a bad choice to combine the two without telling us.

We left closer to 10:45 that day from the Clova Hotel. Some of the horses were lying down and had to be pulled up from the ground. As we entered Glen Doll, we saw a sign about a bridge out but I didn't read it carefully. The ascent back up from Glen Doll was very difficult for the horses who could only take a few steps before stopping to pant for air. We arrived at lunch back at Loch Muick just after 3pm. When we were getting ready to leave lunch, another guest told me Jan had said we would take "a different path back [to Ballater]" that she had never taken, that it was a 'land rover path' and that it was "about 10 miles". I expressed my displeasure about this, after the detour the day before and all the lies I was very uncomfortable with this. I asked her directly "is it only 10 miles?" and she replied "about that, yeah". So we rode away at 3:50 pm clearly in a direction that was not going towards Ballater. At 7:00 pm Jan told us we were about 45 minutes out and that Graham was going to meet us at Invercauld Bridge.

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She had realized at that point that our true destination, Mar Lodge, was too far hence why she wanted Graham to meet us but now we would have to ride all the way. I told her openly that I could not physically carry on riding for several more hours. Two other guests agreed they could not carry on. After an hour more, We stopped at Invercauld House, she said we were "about an hour and half" from Mar Lodge although she still had not actually admitted that that was our destination. She left a moment to talk to someone at a nearby home. She came back and said she thought there were be a bus down the road at 8:00 (in about 10 minutes), handed us 10 pounds and sent the 3 of us running to the road for the bus. The other 3 guests chose to ride on to Mar Lodge, ponying our 3 horses behind them. When we got to the road we weren't sure which side of the road to be on or if we even had enough money to get 3 of us on the bus. After several minutes and no bus in the rain we decided to hitchhike and were picked up by a local Priest who drove us to Ballater.

Graham had unloaded our luggage before driving to Mar Lodge. He had never unloaded our things for us before.

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This made no sense. The two riders who had quit on day 3 had asked if they could go with him to meet us at the end of the day and he declined them.

We immediately arranged for food to be held for them as the kitchen was closing when we arrived. I contacted Amba in Tain one of Jan's employees as we were very worried about Graham and them out of the trail. They rode until 11pm to arrive at Mar Lodge and did not get into the Deeside until almost midnight. Jan told us she'd be leaving for Aberdeen to go see Graham and we told her to get her arm looked at. She didn't, but she did return at 5am with Graham in tow.

Day 6 July 30

Jan joined us for breakfast at 9 am after arriving at the Hotel at 5 am. The next day we didn't really speak with them although we did physically see that they were around. They didn't talk to us about our day or riding or taking us to visit Balmoral. Everyone did their own thing that day.

That evening at a late dinner, when it was almost 11pm, the group was a bit concerned as no one had heard from Jan about how we would get to Aviemore the next day and no one was willing to get back on their horses. We consulted a map and saw we were at least 50 miles from Aviemore. Jan finally popped in just after 11. She offered to trek us to Aviemore but everyone declined so she said they would drive us in 2 trips. Still no apologies, explanations, anything at all to suggest that the trip wasn't going well.

---

Day 7 July 31

That morning the first group left for Aviemore around 10. We overheard there was a detour due to a bridge being out and that the route Jan was taking (same as the guests we overheard being warned) was at least a 1 hour delay to compensate for the detour around the closed bridge. Realizing how long they

would be to get back and not wanting to be driven through the mountains for hours \_\_\_\_\_  
\_\_\_\_\_, we managed to arrange a taxi to Aberdeen airport to rent a car and 3 of us drove on our own.  
After we arrived and saw Jan I decided to confront her. She said she would arrange a small refund. We  
left the next day to carry on our trip in Scotland. 3 days later I messaged her about the refund via  
Facebook and got no reply. Tried emailing but she had blocked my email. After a week I told her I would  
be disputing my payment through PayPal and she responded 1 minute later. She sent me 180 pounds,  
two days later as refund.

Other concerns that I had after our experience:

- All of the trail horses were eating the same amount and mix of grain despite serious weight differences
- Some of the horses including Maverick had saddle rubs
- There were times when Jan's cell phone didn't work. She did not have a satellite phone
- Bonnie struggled with her breathing throughout the trip
- Jan didn't seem concerned or caring about the outcome of our holiday
- Some of the saddles didn't seem suitable for the trail, for example, Connors saddle was treeless.
- Trail boots were in poor repair and Jan had no boots to fit Connor
- Freddie had an open cut or abscess where hoof meets leg in the front that wasn't covered
- None of us were told about our horses ticks. Eg. I was riding Annie beside a field and she freaked out really bad and I had to get down. She said after "oh ya she doesn't like minis' (miniature horses). That would've been helpful to know before almost getting thrown.
- \_\_\_\_\_  
\_\_\_\_\_
- One of our guests carried on the next week and said hotels were not booked, Jan and Graham slept in their car \_\_\_\_\_

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- \_\_\_\_\_
- \_\_\_\_\_
- One of our guests carried on the next week and said hotels were not booked, Jan and Graham slept in their car \_\_\_\_\_

My name is Heather Broadhead and I was a client of Highlands Unbridled on the trail ride that took place from Montrose to Aviemore July 25-31 2016. I have reviewed the statement of facts presented by Samantha Dorris and I corroborate her statements. I witnessed the events and conversations detailed in Ms. Dorris' statement.

\_\_\_\_\_  
Heather T Broadhead  
Date \_\_\_\_\_ September 7, 2016

\_\_\_\_\_  
On Canada \_\_\_\_\_