Building a future

Upgrading your equestrian facilities is an exciting prospect, but before you start, thorough research is essential, as **JANE CARLEY** explains



The Monarch Barn (also below) offers flexible accommodation and is modular in design, allowing additional stabling to be added as a business grows



Buying more horses or taking on extra liveries may mean that your stabling and schooling facilities need an update, but it's essential to make sure you do your homework first.

David Johnson from Equine Construction explains that planning is a vital element. "Using our preferred planning consultants, Equine Planning Solutions, we offer sound professional advice for your proposed equestrian project," he says.

According to Equine Planning Solutions, a common query is whether planning permission is needed to use existing stables and arenas for commercial purposes. This may depend on the number of stables on-site and the scale of the proposed commercial use. »







Converting an outdoor to an indoor arena. The photo on the right shows an open-sided indoor arena, giving lots of natural light

For example, using six existing stables for livery is unlikely to have the same impact as holding competitions in what used to be a private indoor arena.

"Where change of use is likely to generate an increase in site traffic or general nuisance, such as noise or external lighting, we would recommend that a pre-application be submitted to the local authority to ascertain whether or not planning approval is required," says David.

The cost of a detailed planning application will vary depending on the complexity of the project and whether any supporting planning statements – such as bat or tree surveys – are required by the local authority.

Equine Planning Solutions is able to provide proposals and timescales based on a simple brief and the postcode of the site. Most applications will be prepared and submitted within eight weeks, following which the local authority will take eight to 13 weeks to make its decision.

"Each site and each project brings with it a different set of circumstances," says David. "Your chances of a successful outcome are likely to increase if the application is prepared and submitted by an experienced team of professionals, as any planning constraints can be identified and addressed before the application is submitted."

STABLE MAKEOVERS

According to the experts, you don't need a huge budget for a successful project. Many leading stable manufacturers and suppliers can suggest low-cost alternatives, and it is often possible to add facilities in stages.

"Using existing barns is a great way to save money," says Monarch Stables' Fiona Hardy. "We manufacture bespoke stables, so can virtually make any unused space usable, as we are flexible on the sizes and heights. This is a much more cost-effective idea for a horse owner wanting to take on a couple of liveries, for example."

Fiona adds that the renowned Monarch Barn is also an option. "These can be as small as a two-bay American barn to accommodate four stables, or as large as a 10-bay for 20 stables, but also can accommodate a wash bay, tack room, feed room, solarium etc, so everything is in one place for ease of use."

The modular design of the Monarch Barn allows buildings to be constructed in units of four upwards, which means it can be extended with ease at a later date by adding further modules.

OUTDOOR INTO INDOOR

Converting an existing outdoor arena into an indoor school is possible, but will require planning permission.

David suggests liaising with their dedicated equestrian architects for advice before drawing up plans, showing the various elevations of the proposed barn, which should be submitted under a pre-application, rather than a full application.

"This way your costs are significantly reduced and you will get a good idea of the planner's views to the proposed scheme, rather than a full application that could just get turned down," explains David.

If the existing school has a poor surface, it should be stripped off and disposed of in an environmentally sensitive manner; a good surface should also be stripped and »

"Using existing barns is a great way to save money"
Fiona Hardy, Monarch Stables

stored to avoid contamination from building materials.

New pad foundations – to which the steel structure is bolted – are dug approximately every 6m, depending on the size of the building, and then concreted,

"Depending upon size, the barn typically takes three weeks to erect, clad and roof, and is based around a steel-frame structure, with a fibre cement roof incorporating clear Perspex sheets making up 20% of the roof area. Planners can object if you try to incorporate too many, as they feel this could cause light pollution," says David.

The sides of the barn, along with the entrance sliding doors, are traditionally clad in treated timber in the form of Yorkshire boarding, with gaps between each board. These can cast too many light beams onto the surface, in which case castle boarding can be used instead, as the boards are butted together with an additional board over the join. Alternatively, the barn can be clad in steel sheets, typically green or brown.

"Whichever option you decide on, it is always good to try and get as much natural light into the barn as possible, using clear Perspex sheets in the gable ends or in a 1m-deep band below the eaves," advises David. "You can also incorporate an open side from above the kickboards to 1m below the eaves."

Kickboards will vary depending on budget, but are normally set up on a concrete plinth to protect the bottom when harrowing, and are angled back, or can be vertical, depending on personal preference. It is worth noting that your barn structure should be bigger than your finished arena size to accommodate the kickboards.

"Your existing surface or a new surface can then be laid. It is always worth considering a waxed surface of some description in an indoor school, to help to prevent dust."

David adds that lighting is an important factor, and it is expensive to find the right type that won't cast shadows on the arena floor. LEDs, while initially expensive to buy, offer low-running costs in comparison with alternatives.

> *"A formal livery agreement is essential for any business providing livery services to clients"*
> **Ruth Coupe, Harrison Clark Rickerbys**

TOP TURNOUT



Uthopia enjoying his turnout at Carl Hester's Gloucestershire yard Below: Carl Hester's head groom, Fiona Lawrence

Carl Hester is well known for ensuring that his horses enjoy plenty of turnout, including those in competition training. His paddock system could suit many horse owners looking to expand into livery or training.

Head groom Fiona Lawrence explains: "The horses go out for three or four hours each day, weather permitting. We prefer small turnout paddocks of about one-sixteenth of an acre, giving them the chance to rest, stretch and roll, but safer than a big field if they are inclined to charge around, as they can't get up speed. This routine is for the horses that live in.

"We also have a group of horses, mainly four-, five- and six-year olds, that live out in pairs in two-acre fields. Being in pairs minimises the risk of arguments, working on the theory 'two's company, three's a crowd!'



"Apart from being a healthy option, this is also economical with the cost of feed, hay and bedding."

Fiona says that post-and-rail fencing is chosen for preference, with a strand of electric fence along the top rail to keep neighbouring horses separate. Pairs of paddocks share a water trough situated along the fence line.

Maintenance of small paddocks is important, she stresses: "We remove droppings daily and look after the grass, rolling and harrowing in the spring and fertilising twice a year."

"In a typical 60m x 20m arena, you would have four lines of 10 lights, giving you a light lux level of 200 lumens at ground level."

Other considerations include access to the site, and around the existing arena will also need to be carefully considered to enable heavy plant to erect the building.

LEGAL AND INSURANCE ISSUES

It is important to be aware of legal and insurance issues when considering taking on liveries. BD members have access to expert advice from legal specialist Harrison Clark Rickerbys and insurer KBIS.

A formal livery agreement is essential for any business providing livery services to clients, says Ruth Coupe of Harrison Clark Rickerbys.

"A carefully considered, well-drafted livery agreement will define the terms of the agreement between the parties and set out what should happen in the case of default. Clients defaulting on payments is a primary area of concern for many livery yard owners. It is crucial to identify who is responsible for payment and, where necessary, obtain personal guarantees from a third party in respect of the costs, together with clear payment terms as well as a breakdown of costs wherever possible."

Ruth adds that a training agreement formalises the relationship between trainer »



and horse owner and can help to avoid disputes. "It will help you manage expectations, confirm the fee for the arrangement, the exact services that you are providing and insurance requirements."

Above: A modern-style Monarch Barn

Below: Indoor Victorian-style stable design from Monarch

UNDERSTANDING LIABILITY

Livery providers should also consider the issue of liability. "It is a legal requirement for anyone who runs a riding establishment to have liability insurance in place," explains Ruth. "Regardless of whether or not your business falls within the scope of the legal definition of 'riding establishment', you should have your business activities adequately covered by insurance."

Lawrence Gill of KBIS says: "You may find that your current public liability provider will not provide any cover for business activities. The purpose of liability insurance is to protect you when you are held liable for injury or damage to a person or their property as a result of your negligence. Examples of public liability claims include horses getting loose and causing accidents, kicking cars while hacking and kicking other horses at competitions. It does not cover injury to the horses themselves."

"There are two possible kinds of liability for damage where the damage has been caused by a horse: liability under the law of negligence and under the Animals Act 1971," says Ruth. "Liability in negligence is the more common and depends upon whether you had taken reasonable care to avoid causing harm to others. Animals Act liability is strict and generally requires a horse to exhibit unusual characteristics, or normal characteristics in unusual circumstances, but the law here is not always applied consistently. Each case will depend on its particular facts, but consider whether you could demonstrate that you exercised reasonable care and were sufficiently in control of your horse."

The owner/keeper of the horse has a general duty of care to keep the horse properly fenced or secured from gaining access to the highway. The owner has contracted with the livery yard and there is an implied condition in that fencing and the fields will be adequate. While the owner should check that the facilities are adequate, there is a strong argument that the liability will attach to the yard owner.

If the horse has escaped, not due to any negligence or neglect on the part of the owner or keeper, but, for example, where thieves have deliberately let the horses out, arguably the owner or keeper of the horses will not be negligent and will not have any liability at common law unless a successful claim under the Animals Act 1971 can be made. The courts, nevertheless, will have »



CASE STUDIES





Jen Baldwin-Murphy runs Haysden Liveries near Tonbridge, in Kent, at a property purchased by her parents in 2001.

"We moved from my previous rented yard, starting off with eight stables and expanding to 18. We converted two hay barns into stables. I have a very good handyman and he knows how destructive horses are, so we always over-engineer things.

"The first thing to do with a hay barn is line it, as they usually are just outer shells, so 6ft x 1 ¼in planking was used up to 5ft high.

"I have found that planking is stronger than sterling board and cheaper than ply wood, and, if it gets damaged, can be replaced one plank at a time.

"We always bolt the base of the boards into the concrete with large raw bolts at 12in intervals – it makes it less likely to move.

"The best thing I have installed is a hot-water shower – absolutely vital, as I also show coloured horses, so I could not live without it!

"We also have an Equisand round pen for winter turnout – we are on heavy clay, so this is a godsend."





Jenny Gogarty set up RedHills Stud, in Kildare, with her husband, Karl, in 2008, converting mainly arable land into an 80-acre grass farm.

"We designed it from scratch ourselves as a livery yard and it has been a gradual process. Each stable has its own fenced outdoor space or 'garden'. A testament to how much the horses love them is the fact that they are either standing outside all the time, right up until 10pm lock-up, or happy to just stand at the door looking out."

Jenny and Karl used a number of suppliers for the two barns and a third currently in construction, including Cheval Liberté and Monarch for stables. They also tried less well-known solutions, such as a jigsaw grid material from German supplier Landgrid, to stabilise the surface in the 'gardens'.

"Employers Liability insurance may be needed if you take on additional help" **Lawrence Gill, KBIS**

a great deal of sympathy for the innocent party, who may be severely injured by an escaping animal.

Where a horse kept on livery with you has injured itself, a claim may be pursued against you for negligence and/or breach of contract.

Ruth explains: "A clear contract can help protect you in such situations. Where there is no contract or the contract is silent on this point, there will be an implied term that you would use reasonable skill and care of somebody holding himself out as competent in the provision of livery services and stabling facilities."

Lawrence says: "Care, custody and control insurance can be added to your policy to cover injury or death of a horse in your care, but does not belong to you, where the owner is suing you for causing the problem."

Employers' liability insurance may be needed if you take on additional help, for example to do evening stables when you are away at a competition. Lawrence explains: "If they are working for you on a full-time or regular basis, you need to ensure that you have employers' liability insurance in place to cover them. If they are truly freelance in that they have their own insurance and work for others as well as you, they may be classed as a sub-contractor, in which case they would not necessarily be classed as an employee. If you are not sure, chat to your insurer or the Health and Safety Executive, who will be happy to assist."

And don't forget, property insurance: "The sum insured on property insurance is based on the cost to rebuild the property, therefore you will need to increase the cover to include the new stabling."

BD members have the benefit of the free legal advice helpline (08450 178601), which they can call at anytime and receive up to 30 minutes of free telephone legal assistance on any subject, equine or non-equine. As legal partner to British Dressage, Harrison Clark Rickerbys also offers various special-priced fixed-fee packages for BD members, such as a basic livery agreement starting from £200, plus VAT. If things do go wrong somewhere down the line, there is a 10% reduction on all legal fees for all BD members (except associate members) on their first instruction (equine or non-equine).