

CONTROL OF HORSES ACT 2014

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 3 – Notices about seizure etc.

4. The local authority is required to post a written notice within 24 hours of seizing a horse under section 2, at or near the place where the horse was seized stating the date and time it was seized and detailing how contact may be made with the local authority. It must also within 24 hours of seizing a horse, give written notices to a constable (to inform the local police force of its actions) and to any person who appears to be the owner or a person acting on behalf of the owner of the horse.
5. The local authority must take reasonable steps to establish the identity of the owner of the horse as soon as reasonably practicable following its seizure. If, within 7 days of seizing a horse under section 2, the local authority ascertains that a person who has not already been given written notice under the Act, is the owner of the horse, the local authority must within 24 hours, give a written notice to that person. If a notice is issued in these circumstances (i.e. notice given under section 3(4)), the 7 days period recommences from the date of this notice.
6. The notices given under sections 3(3) and 3(4) must be dated and include a description of the horse, and the date, time and place at which the horse was seized together with contact details of the local authority.
7. A notice to a person believed to be, or to be acting on behalf of, the owner of a horse must also state why the local authority believes that person to be either the owner of the horse or a person acting on behalf of the owner. The notice must set out the effect of the operation of section 5 (disposal of impounded horses) including the date on which the powers under, section 5 (3) to sell, or otherwise dispose of, the horse (including arranging for its destruction) will become available. A notice issued to a constable must also state who else has been served with a notice.