

Licensing Sub-Committee

Monday 8 March 2021 at 2.00 pm

To be held as an online video conference

The Press and Public are Welcome to Attend

Membership

**Councillors Karen McGowan (Chair), Joe Otten and Cliff Woodcraft
Vickie Priestley (Reserve)**

PUBLIC ACCESS TO THE MEETING

The Licensing Committee carries out a statutory licensing role, including licensing for taxis and public entertainment.

As a lot of the work of this Committee deals with individual cases, some meetings may not be open to members of the public.

Recording is allowed at Licensing Committee meetings under the direction of the Chair of the meeting. Please see the website or contact Democratic Services for details of the Council's protocol on audio/visual recording and photography at council meetings.

A copy of the agenda and reports is available on the Council's website at www.sheffield.gov.uk. You can also see the reports to be discussed at the meeting if you call at the First Point Reception, Town Hall, Pinstone Street entrance. The Reception is open between 9.00 am and 5.00 pm, Monday to Thursday and between 9.00 am and 4.45 pm. on Friday.

You may not be allowed to see some reports because they contain confidential information. These items are usually marked * on the agenda.

If you require any further information please contact John Turner on 0114 273 4122 or email john.turner@sheffield.gov.uk

FACILITIES

There are public toilets available, with wheelchair access, on the ground floor of the Town Hall. Induction loop facilities are available in meeting rooms.

Access for people with mobility difficulties can be obtained through the ramp on the side to the main Town Hall entrance.

**LICENSING SUB-COMMITTEE AGENDA
8 MARCH 2021**

Order of Business

- 1. Welcome and Housekeeping Arrangements**
- 2. Apologies for Absence**
- 3. Exclusion of Public and Press**
To identify items where resolutions may be moved to exclude the press and public
- 4. Declarations of Interest**
Members to declare any interests they have in the business to be considered at the meeting
- 5. The Animal Welfare (Licensing of Activities Involving Animals) Regulations 2018 - Dog Breeding - Barbarian Corso Kennel**
Report of the Chief Licensing Officer

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ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

If you are present at a meeting of the Council, of its executive or any committee of the executive, or of any committee, sub-committee, joint committee, or joint sub-committee of the authority, and you have a **Disclosable Pecuniary Interest (DPI)** relating to any business that will be considered at the meeting, you must not:

- participate in any discussion of the business at the meeting, or if you become aware of your Disclosable Pecuniary Interest during the meeting, participate further in any discussion of the business, or
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

You **must**:

- leave the room (in accordance with the Members' Code of Conduct)
- make a verbal declaration of the existence and nature of any DPI at any meeting at which you are present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent.
- declare it to the meeting and notify the Council's Monitoring Officer within 28 days, if the DPI is not already registered.

If you have any of the following pecuniary interests, they are your **disclosable pecuniary interests** under the new national rules. You have a pecuniary interest if you, or your spouse or civil partner, have a pecuniary interest.

- Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner undertakes.
- Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period* in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

*The relevant period is the 12 months ending on the day when you tell the Monitoring Officer about your disclosable pecuniary interests.

- Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority –
 - under which goods or services are to be provided or works are to be executed; and
 - which has not been fully discharged.

- Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.
- Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.
- Any tenancy where (to your knowledge) –
 - the landlord is your council or authority; and
 - the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.
- Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -
 - (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
 - (b) either -
 - the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
 - if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

If you attend a meeting at which any item of business is to be considered and you are aware that you have a **personal interest** in the matter which does not amount to a DPI, you must make verbal declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent. You should leave the room if your continued presence is incompatible with the 7 Principles of Public Life (selflessness; integrity; objectivity; accountability; openness; honesty; and leadership).

You have a personal interest where –

- a decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing (including interests in land and easements over land) of you or a member of your family or a person or an organisation with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the Authority's administrative area, or
- it relates to or is likely to affect any of the interests that are defined as DPIs but are in respect of a member of your family (other than a partner) or a person with whom you have a close association.

Guidance on declarations of interest, incorporating regulations published by the Government in relation to Disclosable Pecuniary Interests, has been circulated to you previously.

You should identify any potential interest you may have relating to business to be considered at the meeting. This will help you and anyone that you ask for advice to fully consider all the circumstances before deciding what action you should take.

In certain circumstances the Council may grant a **dispensation** to permit a Member to take part in the business of the Authority even if the member has a Disclosable Pecuniary Interest relating to that business.

To obtain a dispensation, you must write to the Monitoring Officer at least 48 hours before the meeting in question, explaining why a dispensation is sought and desirable, and specifying the period of time for which it is sought. The Monitoring Officer may consult with the Independent Person or the Council's Audit and Standards Committee in relation to a request for dispensation.

Further advice can be obtained from Gillian Duckworth, Director of Legal and Governance on 0114 2734018 or email gillian.duckworth@sheffield.gov.uk.

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SHEFFIELD CITY COUNCIL Committee Report

Report of: Chief Licensing Officer, Head of Licensing

Date: 8th March 2021 at 2pm via Zoom

Subject: Dog Breeding
The Animal Welfare (Licensing of Activities Involving Animals)
Regulations 2018

Author of Report: Claire Bower

Summary: To consider a review of a licence for breeding dogs

Background Papers: As attached

Category of Report: OPEN

REPORT OF THE CHIEF LICENSING OFFICER, HEAD OF LICENSING TO THE LICENSING SUB COMMITTEE

REF No: 11/21

Animal Welfare Act 2006; and
The Animal Welfare (Licensing of Activities Involving Animals) Regulations 2018

Dog Breeding – Barbarian Corso Kennel

1.0 PURPOSE OF REPORT

1.1 To consider the review of a licence for breeding dogs.

2.0 INTRODUCTION

- 2.1 On the 1st October 2018 the Animal Welfare Act 2006 brought the Animal Welfare (Licensing of Activities Involving Animals) Regulations 2018 into force and repealed the previous legislation. The regulations imposed licensing or registration requirements in relation to, amongst other things, breeding dogs.
- 2.2 Those holding a licence to breed dogs must adhere to conditions that are set out in schedules to the legislation.
- 2.3 The conditions are attached at Appendix 'A'.
- 2.4 A local authority may at any time suspend, vary, or revoke a licence without the consent of the licence holder if:
- i. The licence conditions are not being complied with
 - ii. There has been a breach of the regulations
 - iii. Information supplied by the licence holder is false or misleading; or
 - iv. It is necessary to protect the welfare of an animal.
- 2.5 The decision to vary, suspend or revoke a licence should be dependent upon the severity of the situation.
- 2.6 If an operator fails to meet administrative conditions or provide information where requested then this could potentially lead to the suspension of the licence if it happens repeatedly.
- 2.7 Variations can occur if adjustments need to be made, whether that is to the licence itself or to the premises/animals referred to in the licence.
- 2.8 Revocation of a licence should occur in an instance where poor welfare conditions are discovered or it would otherwise benefit the welfare of the animals involved to be removed from the activity.
- 2.9 If it is necessary to protect the welfare of an animal, paragraph 16(2) of the Regulations provides the notice of suspension, variation or revocation is effective immediately.

3.0 THE LICENCE

- 3.1 The licence holder is Carmen Pinteá and a copy of the current licence is attached at Appendix 'B'.
- 3.2 The licence has been held since 17th July 2019 and is valid for 2 years.
- 3.3 It allows the breeding and sale of Cane Corso's with 4 bitches and 2 studs permitted at the premises.

4.0 REASONS FOR REFERRAL

- 4.1 On 27th January 2021, Ms Pinteá pleaded guilty to failing to notify the Secretary of State of the import of puppies and her partner pleaded guilty to arranging the cropping and docking of puppies and illegally importing the dogs.
- 4.2 The following papers are attached to the report detailing the background to the case:
- Appendix 'C' - submission from Animal Control & Enforcement (AC&E) Team
 - Appendix 'D' - Witness statement provided by AC&E Officer, Shaun Bell, from visit to premises on 24th June 2020
 - Appendix 'E' - Witness statement provided by AC&E Officer, Shaun Bell, from visit to premises on 21st November 2020 and 2nd December 2020.
 - Appendix 'F' - Witness statement provided by AC&E Officer, Lyndsey Hodkin, from visit to premises on 21st November 2020 and 2nd December 2020.
- 4.3 The attached papers provide evidence of the breach of the following conditions:

3.0 Use, number and type of animals

- 3.2 The number of animals kept for the activity at any time must not exceed the maximum that is reasonable taking into account the facilities and staffing on any premises used for the licensable activity.

9.0 Protection from Pain, Suffering, Injury and Disease

- 9.4 All reasonable precautions must be taken to prevent and control the spread among animals and people of infectious diseases and parasites.

Part B – Specific conditions: breeding dogs (Schedule 6 of the Regulations)

- 1.0 Advertisements and sales 1.1 The licence holder must not advertise or offer for sale a dog—
- (a) which was not bred by the licence holder;
 - (b) except from the premises where it was born and reared under the licence.
- 4.4 The AC&E Officers and the licence holder have been invited to attend the Licensing Committee hearing. Copies of the invites are attached at Appendix 'G'.
- 4.5 A copy of the hearing procedure is also attached at Appendix 'H'.

5.0 FINANCIAL IMPLICATIONS

5.1 There are no specific financial implications arising from this report. However, costs may be incurred should the matter go to appeal. In such an eventuality it may not be possible to recover all these costs.

6.0 RECOMMENDATIONS

6.1 That Members consider all the relevant information available.

7.0 OPTIONS OPEN TO THE COMMITTEE

7.1 To suspend the licence until a time the licence holder is able to adhere to the relevant conditions.

7.2 To amend the licence.

7.3 To revoke the licence to breed dogs.

7.4 To impose the variation, suspension or revocation with immediate effect.

7.5 To take no action.

7.6 To defer the matter for further consideration.



Steve Lonnia
Head of Licensing
Block C Staniforth Road
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S9 3HD

February 2021

Part A - General Conditions (Schedule 2 of the Regulations)**1.0 Licence Display**

- 1.1 A copy of the licence must be clearly and prominently displayed on any premises used for the licensable activity.
- 1.2 The name of the licence holder followed by the number of the licence holder's licence must be clearly and prominently displayed on any website used in respect of the licensable activity.

2.0 Records

- 2.1 The licence holder must ensure that at any time all the records that the licence holder is required to keep as a condition of the licence are available for inspection by an inspector in a visible and legible form or, where any such records are stored in electronic form, in a form from which they can readily be produced in a visible and legible form.
- 2.2 The licence holder must keep all such records for at least three years beginning with the date on which the record was created.

3.0 Use, number and type of animals

- 3.1 No animals or types of animal other than those animals and types of animal specified in the licence may be used in relation to the relevant licensable activity.
- 3.2 The number of animals kept for the activity at any time must not exceed the maximum that is reasonable taking into account the facilities and staffing on any premises used for the licensable activity.

4.0 Staffing

- 4.1 Sufficient numbers of people who are competent for the purpose must be available to provide a level of care that ensures that the welfare needs of all the animals are met.
- 4.2 The licence holder or a designated manager and any staff employed to care for the animals must have competence to identify the normal behaviour of the species for which they are caring and to recognise signs of, and take appropriate measures to mitigate or prevent, pain, suffering, injury, disease or abnormal behaviour.
- 4.3 The licence holder must provide and ensure the implementation of a written training policy for all staff.

5.0 Suitable Environment

- 5.1 All areas, equipment and appliances to which the animals have access must present minimal risks of injury, illness and escape. They must be constructed in materials that are robust, safe and durable, in a good state of repair and well maintained
- 5.2 Animals must be kept at all times in an environment suitable to their species and condition (including health status and age) with respect to—
 - (a) their behavioural needs,
 - (b) its situation, space, air quality, cleanliness and temperature,
 - (c) the water quality (where relevant),
 - (d) noise levels,
 - (e) light levels,
 - (f) ventilation.
- 5.3 Staff must ensure that the animals are kept clean and comfortable.
- 5.4 Where appropriate for the species, a toileting area and opportunities for toileting must be provided.
- 5.5 Procedures must be in place to ensure accommodation and any equipment within it is cleaned as often as necessary and good hygiene standards are maintained. The accommodation must be capable of being thoroughly cleaned and disinfected.
- 5.6 The animals must be transported and handled in a manner (including for example in relation to housing, temperature, ventilation and frequency) that protects them from pain, suffering, injury and disease.
- 5.6 All the animals must be easily accessible to staff and for inspection. There must be sufficient light for the staff to work effectively and observe the animals.

- 5.7 All resources must be provided in a way (for example as regards frequency, location and access points) that minimises competitive behaviour or the dominance of individual animals.
- 5.9 The animals must not be left unattended in any situation or for any period likely to cause them distress.

6.0 Suitable Diet

- 6.1 The animals must be provided with a suitable diet in terms of quality, quantity and frequency. Any new feeds must be introduced gradually to allow the animals to adjust to them.
- 6.2 Feed and (where appropriate) water intake must be monitored, and any problems recorded and addressed.
- 6.3 Feed and drinking water provided to the animals must be unspoilt and free from contamination.
- 6.4 Feed and drinking receptacles must be capable of being cleaned and disinfected, or disposable.
- 6.5 Constant access to fresh, clean drinking water must be provided in a suitable receptacle for the species that requires it.
- 6.6 Where feed is prepared on the premises used for the licensable activity, there must be hygienic facilities for its preparation, including a working surface, hot and cold running water and storage.

7.0 Monitoring of behaviour and training of animals

- 7.1 Active and effective environmental enrichment must be provided to the animals in inside and any outside environments.
- 7.2 For species whose welfare depends partly on exercise, opportunities to exercise which benefit the animals' physical and mental health must be provided, unless advice from a veterinarian suggests otherwise.
- 7.3 The animals' behaviour and any changes of behaviour must be monitored. Advice must be sought, as appropriate and without delay, from a veterinarian or, in the case of fish, any person competent to give such advice if adverse or abnormal behaviour is detected.
- 7.4 Where used, training methods or equipment must not cause pain, suffering or injury.
- 7.5 All immature animals must be given suitable and adequate opportunities to—
(a) learn how to interact with people, their own species and other animals where such interaction benefits their welfare, and
(b) become habituated to noises, objects and activities in their environment.

8.0 Animal Handling and Interactions

- 8.1 All people responsible for the care of the animals must be competent in the appropriate handling of each animal to protect it from pain, suffering, injury or disease.
- 8.2 The animals must be kept separately or in suitable compatible social groups appropriate to the species and individual animals. No animals from a social species may be isolated or separated from others of their species for any longer than is necessary.
- 8.3 The animals must have at least daily opportunities to interact with people where such interaction benefits their welfare.

9.0 Protection from Pain, Suffering, Injury and Disease

- 9.1 Written procedures must—
(a) be in place and implemented covering—
(i) feeding regimes,
(ii) cleaning regimes,
(iii) transportation,
(iv) the prevention of, and control of the spread of, disease,
(v) monitoring and ensuring the health and welfare of all the animals,

- (vi) the death or escape of an animal (including the storage of carcasses);
(b) be in place covering the care of the animals following the suspension or revocation of the licence or during and following an emergency.
- 9.2 All people responsible for the care of the animals must be made fully aware of these procedures.
- 9.3 Appropriate isolation, in self-contained facilities, must be available for the care of sick, injured or potentially infectious animals.
- 9.4 All reasonable precautions must be taken to prevent and control the spread among animals and people of infectious diseases and parasites.
- 9.5 All excreta and soiled bedding for disposal must be stored and disposed of in a hygienic manner and in accordance with any relevant legislation.
- 9.6 Sick or injured animals must receive prompt attention from a veterinarian or, in the case of fish, an appropriately competent person and the advice of that veterinarian or, in the case of fish, that competent person must be followed.
- 9.7 Where necessary, animals must receive preventative treatment by an appropriately competent person.
- 9.8 The licence holder must register with a veterinarian with an appropriate level of experience in the health and welfare requirements of any animals specified in the licence and the contact details of that veterinarian must be readily available to all staff on the premises used for the licensable activity.
- 9.9 Prescribed medicines must be stored safely and securely to safeguard against unauthorised access, at the correct temperature, and used in accordance with the instructions of the veterinarian
- 9.10 Medicines other than prescribed medicines must be stored, used and disposed of in accordance with the instructions of the manufacturer or veterinarian.
- 9.11 Cleaning products must be suitable, safe and effective against pathogens that pose a risk to the animals. They must be used, stored and disposed of in accordance with the manufacturer's instructions and used in a way which prevents distress or suffering of the animals.
- 9.12 No person may euthanase an animal except a veterinarian or a person who has been authorised by a veterinarian as competent for such purpose or—
(a) in the case of fish, a person who is competent for such purpose;
(b) in the case of horses, a person who is competent, and who holds a licence or certificate, for such purpose.
- 9.13 All animals must be checked at least once daily and more regularly as necessary to check for any signs of pain, suffering, injury, disease or abnormal behaviour. Vulnerable animals must be checked more frequently. Any signs of pain, suffering, injury, disease or abnormal behaviour must be recorded and the advice and further advice (if necessary) of a veterinarian (or in the case of fish, of an appropriately competent person) must be sought and followed.
- 10.0 Emergencies**
- 10.1 A written emergency plan, acceptable to the local authority, must be in place, known and available to all staff on the premises used for the licensable activity, and followed where necessary to ensure appropriate steps are taken to protect all the people and animals on the premises in case of fire or in case of breakdowns for essential heating, ventilation and aeration or filtration systems or other emergencies.
- 10.2 The plan must include details of the emergency measures to be taken for the extrication of the animals should the premises become uninhabitable and an emergency telephone list that includes the fire service and police.
- 10.3 External doors and gates must be lockable.
- 10.4 A designated key holder with access to all animal areas must at all times be within reasonable travel distance of the premises and available to attend in an emergency.

Part B – Specific conditions: breeding dogs (Schedule 6 of the Regulations)

1.0 Advertisements and sales

- 1.1 The licence holder must not advertise or offer for sale a dog—
- (a) which was not bred by the licence holder;
 - (b) except from the premises where it was born and reared under the licence;
 - (c) otherwise than to—
 - (i) a person who holds a licence for the activity described in paragraph 2 of Schedule 1; or
 - (ii) a keeper of a pet shop in Wales who is licensed under the Pet Animals Act 1951 to keep the shop,
- knowing or believing that the person who buys it intends to sell it or intends it to be sold by any other person.
- 1.2 Any advertisement for the sale of a dog must—
- (a) include the number of the licence holder's licence,
 - (b) specify the local authority that issued the licence,
 - (c) include a recognisable photograph of the dog being advertised, and
 - (d) display the age of the dog being advertised.
- 1.3 The licence holder and all staff must ensure that any equipment and accessories being sold with a dog are suitable for it.
- 1.4 The licence holder and all staff must ensure that the purchaser is informed of the age, sex and veterinary record of the dog being sold.
- 1.5 No puppy aged under 8 weeks may be sold or permanently separated from its biological mother.
- 1.6 A puppy may only be shown to a prospective purchaser if it is together with its biological mother.
- 1.7 Sub-paragraphs (5) and (6) do not apply if separation of the puppy from its biological mother is necessary for the health or welfare of the puppy, other puppies from the same litter or its biological mother.

2.0 Suitable environment

- 2.1 Each dog must have access to a sleeping area which is free from draughts and an exercise area.
- 2.2 Each dog must be provided with sufficient space to—
- (a) stand on its hind legs,
 - (b) lie down fully stretched out,
 - (c) wag its tail,
 - (d) walk, and
 - (e) turn around,
- without touching another dog or the walls of the sleeping area
- 2.3 The exercise area must not be used as a sleeping area.
- 2.4 Part or all of the exercise area must be outdoors.
- 2.5 There must be a separate whelping area for each breeding bitch to whelp in which contains a suitable bed for whelping.
- 2.6 Each whelping area must be maintained at an appropriate temperature (between and including 26 and 28 degrees centigrade) and include an area which allows the breeding bitch to move away from heat spots.
- 2.7 Each dog must be provided with constant access to a sleeping area.
- 2.8 A separate bed must be provided for each adult dog.
- 2.9 No puppy aged under eight weeks may be transported without its biological mother except—
- (a) if a veterinarian agrees for health or welfare reasons that it may be so transported, or

(b) in an emergency.

- 2.10 No breeding bitch may be transported later than 54 days after the date of successful mating except to a veterinarian.
- 2.11 No breeding bitch may be transported earlier than 48 hours after whelping except to a veterinarian where it is not otherwise practicable or appropriate for that person to attend to the bitch.
- 2.12 Each dog's sleeping area must be clean, comfortable, warm and free from draughts.
- 2.13 In this paragraph, "exercise area" means a secure area where dogs may exercise and play.

3.0 Suitable diet

3.1 Staff must—

- (a) ensure that each puppy starts weaning as soon as it is capable of ingesting feed on its own,
- (b) provide each breeding bitch with feed appropriate to its needs,
- (c) provide each puppy with feed appropriate for its stage of development, and
- (d) ensure that each puppy ingests the correct share of the feed provided.

4.0 Monitoring of behaviour and training

- 4.1 The licence holder must implement and be able to demonstrate use of a documented socialisation and habituation programme for the puppies.
- 4.2 Each dog must be provided with toys or feeding enrichment (or both) unless advice from a veterinarian suggests otherwise.
- 4.3 Except in the circumstances mentioned in sub-paragraph (4), all adult dogs must be exercised at least twice daily away from their sleeping area.
- 4.4 Where a veterinarian has advised against exercising a dog, the dog must be provided with alternative forms of mental stimulation.
- 4.5 Any equipment that a dog is likely to be in contact with and any toy provided must not pose a risk of pain, suffering, disease or distress to the dog and must be correctly used.

5.0 Housing with or apart from other dogs

- 5.1 Each adult dog must be provided with opportunities for social contact with other dogs where such contact benefits the dogs' welfare.
- 5.2 Each adult dog must be given suitable and adequate opportunities to become habituated to handling by people.
- 5.3 Procedures must be in place for dealing with dogs that show abnormal behaviour.
- 5.4 There must be an area within each sleeping area in which dogs can avoid seeing people and other dogs outside the sleeping area if they so choose.

6.0 Protection from pain, suffering, injury and disease

- 6.1 All dogs for sale must be in good health.
- 6.2 Any dog with a condition which is likely to affect materially its quality of life must not be moved, transferred or offered for sale but may be moved to an isolation facility or veterinary care facility if required until it has recovered.
- 6.3 The licence holder must ensure that no bitch—
- (a) is mated if aged less than 12 months;
- (b) gives birth to more than one litter of puppies in a 12 month period;
- (c) gives birth to more than six litters of puppies in total;
- (d) is mated if she has had two litters delivered by caesarean section.
- 6.4 The licence holder must ensure that each puppy is microchipped and registered to the licence holder before it is sold.
- 6.5 No dog may be kept for breeding if it can reasonably be expected, on the basis of its genotype, phenotype or state of health that breeding from it could have a detrimental effect on its health or welfare or the health or welfare of its offspring.

- 6.6** The health, safety and welfare of each dog must be checked at the start and end of every day and at least every four hours during the daytime.
- 6.7** Breeding bitches must be adequately supervised during whelping and the licence holder must keep a record of—
- (a)** the date and time of birth of each puppy,
 - (b)** each puppy's sex, colour and weight,
 - (c)** placentae passed,
 - (d)** the number of puppies in the litter, and
 - (e)** any other significant events.
- 6.8** The licence holder must keep a record of each puppy sale including—
- (a)** the microchip number of the puppy,
 - (b)** the date of the sale, and
 - (c)** the age of the puppy on that date.
- 6.9** The licence holder must keep a record of the following in relation to each breeding dog—
- (a)** its name,
 - (b)** its sex,
 - (c)** its microchip and database details,
 - (d)** its date of birth,
 - (e)** the postal address where it normally resides,
 - (f)** its breed or type,
 - (g)** its description,
 - (h)** date or dates of any matings, whether or not successful,
 - (i)** details of its biological mother and biological father,
 - (j)** details of any veterinary treatment it has received, and
 - (k)** the date and cause of its death (where applicable).
- 6.10** In addition to the matters mentioned in sub-paragraph (7), the licence holder must keep a record of the following in relation to each breeding bitch—
- (a)** the number of matings,
 - (b)** its age at the time of each mating,
 - (c)** the number of its litters,
 - (d)** the date or dates on which it has given birth, and
 - (e)** the number of caesarean sections it has had, if any.
- 6.11** Unless the licence holder keeps the dog as a pet, the licence holder must make arrangements for any dog no longer required for breeding to be appropriately rehomed.
- 6.12** A preventative healthcare plan agreed with the veterinarian with whom the licence holder has registered under paragraph 9(8) of Schedule 2 must be implemented.
- 6.13** The licence holder must keep a record of any preventative or curative healthcare (or both) given to each dog.
- 6.14** Where any other activity involving animals is undertaken on the premises, it must be kept entirely separate from the area where the activity of breeding dogs takes place.

THIS LICENCE IS ISSUED BY



Sheffield City Council
Licensing Services
Block C
Staniforth Road Depot
Staniforth Road
Sheffield
S9 3HD
web: <https://licensing.sheffield.gov.uk/>
tel: 0114 2734264

This Licence to breed and sell dogs is subject to the provisions of **The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018**, and is subject to the conditions set out in the accompanying schedule.

STAR RATING

4 / 5

DURATION OF LICENCE

Commences: 17/07/2019

Expires: 17/07/2021

NAME & ADDRESS OF LICENCE HOLDER

Carmen Pintea
[REDACTED]

PREMISES ADDRESS

Barbarian Corso Kennel [REDACTED]

NUMBER AND TYPE OF DOGS PERMITTED

Bitches

4 Studs

2

SIGNED ON BEHALF OF THE ISSUING LICENSING AUTHORITY

Stephen Lonnia
Head of Licensing Services
Sheffield City Council



SCC review of dog breeding licence held by Carmen Pinte, Barbarian Corso Kennels.

Notes for the Licensing Committee Hearing 8th March 2021

On 27th January Ms Pinte, holder of a dog breeding licence issued under the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018, pleaded guilty to an offence of failing to notify the Secretary of State of a trade import of dogs. They had been imported by a person posing as their owner, using the simplified PETS scheme. This allows a person who travels with their pet to cross borders with less paperwork. The reason for the relaxation is that a person knows their pet, would be expected to care for it, would be aware of any contact with other animals whilst abroad, and would recognise any symptoms of disease, and would ensure that veterinary attention is sought. However, these dogs were imported for trade purposes and should have brought in under The Trade in Animals and Related Products Regulations (TRACES)

The investigation commenced on the 2nd December 2019, officers visited [REDACTED] after receiving a complaint that imported cropped and docked puppies were being sold by Carmen Pinte and Claudiu Belceanu at Barbarian Corso Kennels. This visit and following investigation confirmed that-

- Three puppies had been imported, after being cropped and docked, using the PET travel scheme and they had listed a friend as the owner of the dogs so that he could get them over the border using the pet travel scheme.
- The puppies should have been imported under the Trade in Animals and Related Products Regulations as it was a commercial movement of dogs.
- This means that the puppies should have been transported with an Intra community trade certificate and notification should have been made to Defra 24 hours before the puppies arrive so all necessary post import checks to take place.
- They should have been transported in an approved vehicle by an authorised transporter.
- Officers were told that the puppies had been taken from Romania to Serbia at 6 weeks old where they were attacked by another dog so had to be cropped and docked in Serbia, and that they were then moved back to Romania where they were vaccinated against rabies and passports issued to be transported to England.
- Ms Pinte knew that cropping and docking is illegal in Romania.
- Ms Pinte confirmed in writing that the puppies had been taken to Serbia to be cropped and docked but said that they had not been in an accident as they told us originally. She later said that they had not been moved to Serbia.
- All three puppies were transported by their friend Dan Mihai Pop and he was not an authorised transporter.
- Ms Pinte had never seen the puppies before they arrived in the UK. Pet travel scheme can only be used for a person to moving their own dog, and only when that person is travelling with it or within 5 days of the owner travelling.

- Ms Pinteia provide a fake declaration to allow the dogs to be imported using the pet travel scheme.
- The three puppies were not at the property at time of visit, officers were told that they were in other homes being socialised.
- Investigations confirmed one puppy had been sold, and Ms Pinteia does not have a licence to sell dogs.
- Investigations also confirmed one puppy had been in Doncaster. Officers were refused the details so they could not speak to this person/family to explain the rabies risk to them and to carry out contact animal check which presented a disease and welfare risk to those animals.
- One puppy was never located.
- Neither officers, nor the official veterinarian at the quarantine kennels could confirm the vet details who it was said carried out the docking and cropping so were unable to confirm that this procedure was carried out by a vet.
- The reason for these mutilations being illegal is that they are painful and deleterious to the animals involved. They provide no health benefit to the animals that are forced to endure them. They breach the 5 Freedoms contained within the Animal Welfare Act in the UK- freedom from pain, injury and disease and freedom from fear and distress.
- Ms Pinteia confirmed that she did not know where the cropping and docking took place but believed it took place in Romania but this could not be proved.
- The vet on the certificate was listed as being a vet in Serbia not Romania.
- Ms Pinteia said that she never sold the puppy that went to Surrey but the sales contract was seen.
- Ms Pinteia showed officers a number of import health certificates, showing she was fully aware of the import requirements for dogs. She was interviewed by officers in 2013 for the same allegations and given a formal warning at that time.
- Dogs are shown internationally by Ms Pinteia and has stated that she has a good working knowledge of import/export requirements.
- The health and welfare of all the dogs in that kennel was put at risk by these puppies being imported incorrectly.
- Ms Pinteia will have known that the puppies could not have been cropped and docked in Romania, and if she accepted that they had been cropped and docked in Serbia she will have known they could not have complied with the Rabies Control measures. Ms Pinteia, acting as a responsible person and dog breeder should have brought this to our attention immediately so that the puppies could have been quarantined before being allowed to be moved/sold to other home potentially risking the spread of Rabies putting human and animal life at risk.
- If the puppies had been correctly imported as a trade movement and post import checks had taken place, this would have been picked up on and the puppies would have been quarantined. The puppies' owner would have to pay for the quarantine. This appears to be the reason why the puppies were imported illegally using the pet travel scheme.

Visit June 2020 – See statements from Lindsey Hodkin and Shaun Bell

- Officers found that the maximum number of dogs allowed on the premises had been exceeded.
- Officers found that another cropped and docked dog had been imported from Romania but was now an older breeding bitch and Ms Pinteia said we couldn't do anything about it as she was older, so couldn't be quarantined.
- Ms Pinteia had provided false address in the import health certificate and made notification to a false address (old address in Doncaster).

Additional information

- Ms Pinteia is operating as an authorised animal transporter- Lone wolf transport and has purchased a high quantity long distance vehicle and is now transporting dogs across the UK and Europe.
- During officers' last visit in June 2020, they found that she was not keeping the required transporter documentation. Ms Pinteia declined to listen to the advice being given.

The import requirements in place to protect human and animal health for Romania and Serbia are presented in Appendix 1.

Response to conviction on 27th January 2021

A post was made on the Barbarian Corso Facebook Page which was still available on 17 February 2021. A picture of the post showing the time and date of retrieval is exhibited below. The text reads as follows-

I am sure most of you have already seen this circulated online. I am making this post to explain how the truth has been distorted. I owe my owners that and nobody else. The dogs came as my dogs first and foremost and because they came as pets, I did nothing wrong other than not informing DEFRA 24 hours prior to them arriving (I didn't know I had to when the puppies arrived) this happened in 2019 and Mina is one of the 3 pups and she is still here with me. THE PUPS HAVE BEEN RETURNED TO MY CARE, that should say a lot as if there were any welfare concerns, they wouldn't have been back with me would they? and they are all doing amazing!!!! The pups were already cropped and docked when they travelled to the UK Cropping and docking still happens in Romania. As you all know, my dogs are my world, cropped or not, they are part of the family. I won't lower myself to respond to threats I received but same "prosecuting officers" are the ones who gave me a 4* breeding license which I still hold so clearly they were not concerned about the welfare of the dogs but more for the sensationalism of the story. I will not comment any more on the subject, everyone who throws stones, better not have cropped and docked dogs themselves.

This post does not appear to concede that the welfare of animals subject to the licence was compromised, nor does it show any remorse that an offence had been

committed. In fact, it reads that there was a simple administrative error made. However, there are also a number of factual inaccuracies.

- The dogs came as my dogs first and foremost and because they came as pets. *In fact Ms Pinteá admitted she had not seen the dogs before, and was importing them to be part of the breeding programme. They could not have been her pets. By avoiding the correct procedure she jeopardised the welfare of her animals.*
- I did nothing wrong other than not informing DEFRA 24 hours prior to them arriving. *This is untrue. Ms Pinteá deliberately falsified documents to show the dogs were the pets of the transporter, in order to use the PETS scheme to import dogs, rather than TRACES which is the correct way to import dogs for trade purposes compromising the welfare of her animals.*
- (I didn't know I had to [inform DEFRA] when the puppies arrived). *Ms Pinteá admitted in interview that she was familiar with importing dogs for trade purposes. But this wasn't a case of "not knowing", Ms Pinteá had deliberately avoided trade import restrictions by falsifying the documents, stating the animals were pets of Mr Pop. She admitted that this was a trade import and that she had not informed DEFRA. This was the charge laid at court.*
- THE PUPS HAVE BEEN RETURNED TO MY CARE, that should say a lot as if there were any welfare concerns, they wouldn't have been back with me would they? *This does not demonstrate any understanding of why the dogs were returned. The two puppies located were quarantined as they presented a real risk of rabies, and when that quarantine was complete the dogs could be reclaimed. If the correct procedures for importing dogs had been observed, then there would have been adequate safeguards and no risk to the public health or her animals' welfare.*
- The pups were already cropped and docked when they travelled to the UK Cropping and docking still happens in Romania. *There is no recognition that cropping and docking is a form of mutilation prohibited by law in the UK and in Romania. It infers that cropping and docking happens in Romania, with no condemnation of the practice, indicating Ms Pinteá does not understand the welfare of animals.*
- but same "prosecuting officers" are the ones who gave me a 4* breeding license which I still hold. *We are asking for a review of this license in view of the conviction in court, additional contraventions of the licence which occurred between the illegal import and the court case, and this Facebook post.*
- clearly they were not concerned about the welfare of the dogs but more for the sensationalism of the story *This appears to ignore the compromise of the welfare of the dogs in Ms Pinteá's care. Had the illegally imported dogs been carrying infection, it would have been passed on to her animals.*

Appendix 1 - Import requirements in place to protect human and animal health

EU Travel (Romania)

12 weeks old minimum

Microchipped

Vaccinated against rabies

Passport issued

21 day wait after vaccination

Tapeworm treatment 24 hours-5 days before travel

Non-EU OR unlisted country (Serbia)

12 weeks old minimum

Microchip

Third country health certificate

Vaccinated against rabies

Blood sample taken 30 days after vaccination

3 months wait after blood test before travel

Tapeworm treatment 24hours -5 days before travel

Appendix 2 – Edited email from Paul Barber, prosecuting solicitor, on the result of the case of Carmen Pintea

From: Paul Barber (CEX) <Paul.Barber@sheffield.gov.uk>

Sent: 27 January 2021 14:49

To: Parry Mark <Mark.Parry@sheffield.gov.uk>

Cc: Hodkin Lindsey (DEL) <Lindsey.Hodkin@sheffield.gov.uk>; Bell Shaun <Shaun.Bell@sheffield.gov.uk>

Subject: Pintea and Belceanu

This case came to a long overdue conclusion this morning. To cut a very long story short:

Pintea pleaded guilty to failing to notify the relevant department of the import. She was fined £120 (on the basis of being on universal credit). She was however additionally ordered to pay costs of £800 and a surcharge of £32.

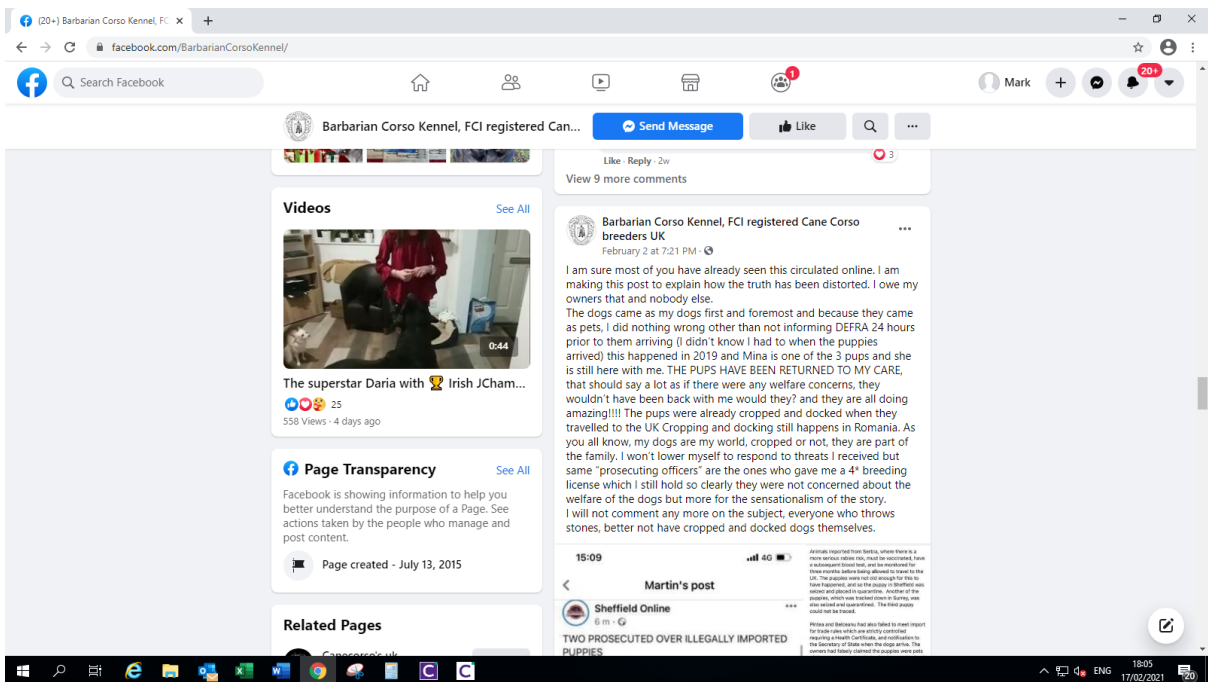
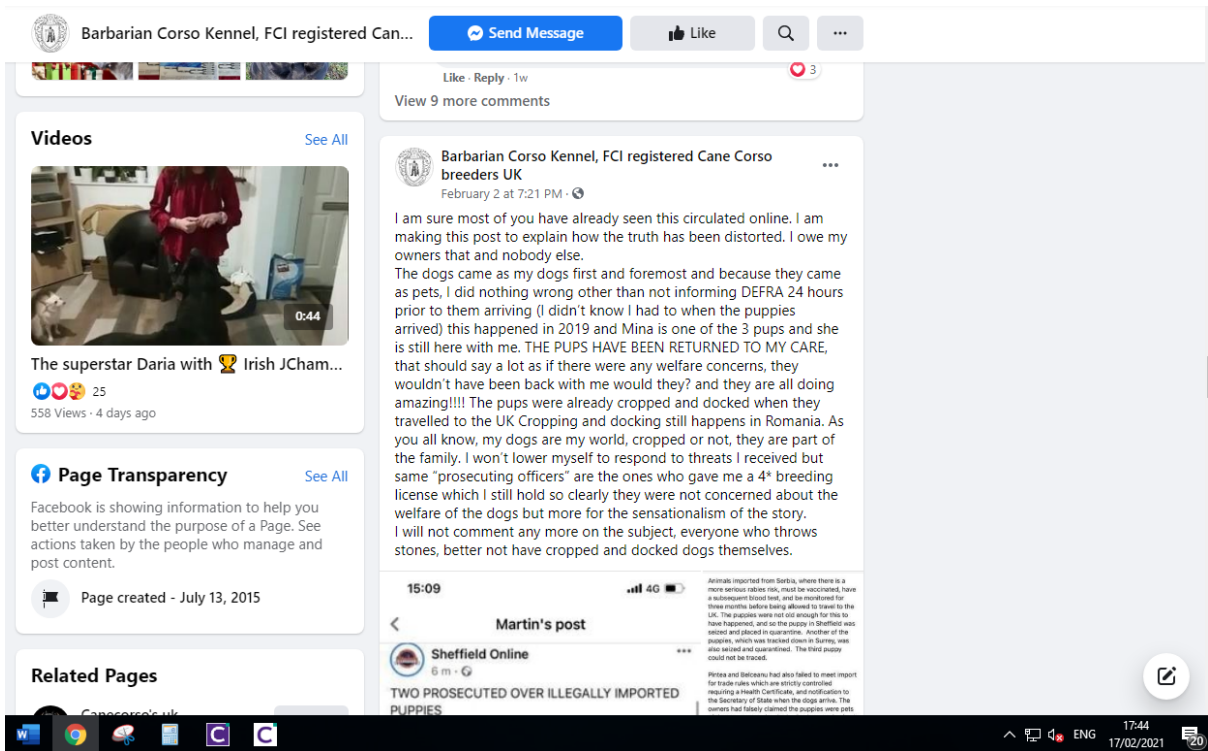
There was no disqualification order available to the Court in her case.

All in all, it's a job well done. Many thanks to Lindsey and Shaun for their efforts.

If you've any questions then by all means get in touch.

Paul

Appendix 3 - Post from the Barbarian Corso page, retrieved 17.45 on 17.2.21



BUSINESS STRATEGY AND REGULATION
STATEMENT OF WITNESS

(Criminal Justices Act 1967, Section 9 Magistrates Court Act 1980, Sections 5A(3)(a) and 5B, Criminal Procedures Rules 2005 Rule 27.1)

STATEMENT OF: Shaun Bell

AGE OF WITNESS (If over 21 enter "over 21"): OVER 21

OCCUPATION OF WITNESS: Animal Control & Enforcement Officer

This statement consists of .four.... pages each signed by me, is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the day of: - 21 January 2020

Signed.....

I am Shaun Bell Animal Control & Enforcement Officer employed by Sheffield City Council and based at Environmental Protection Service, 5th Floor (North), Howden House, Union Street, Sheffield, S1 2SH. I have been employed by the City Council since 6 August 1990. As part of my normal duties I am responsible for the enforcement of the provisions of the Dogs (Fouling of Land) Act 1996, and the littering and waste provisions of the Environmental Protection Act 1990. I am authorised to serve fixed penalty notices in respect of offences relating to these statutes.

On the 18 November 2019, the Sheffield Council Environmental Protection Service received a report of suspected illegally imported dogs. The report was received via an email

On the 21 November 2019, I visited the address supplied on the email, [REDACTED]. I spoke with the occupant Ms Carmen Pintea in relation to the

Signed..... Signature Witnessed by.....

Date.....

report received. Also present at time of visit was Mr Claudiu Belceanu.

I was informed by Ms Pinteana that she imported 3 Cane Corso puppies, (2 male and 2 female) approximately 2 weeks previously. She told me the puppies were born on 2 July 2019 and imported from Romania. She also told me the puppies had been sired by a stud dog owned by her which she kept in Romania.

Ms Pinteana told me the puppies went to Serbia. She told me that there had been 4 puppies born, but whilst in Serbia the mother of the puppies had attacked them, which had caused damage to the ears and tail and also resulting in the death of one. I was told the puppies were taken to a vet in Serbia and on the advice of the vet, the ears and tails were cropped and docked for cosmetic reasons.

I asked Ms Pinteana about the advert and was told that she is selling 1 male and keeping the other 2 for breeding. I was told the names of the puppies which are: Chors (male) Marco (male) and Mira (female).

I asked to see the puppies and was taken outside to what Ms Pinteana called the isolation unit. I saw three puppies inside the isolation unit.

I advised Ms Pinteana that I may have to revisit if further information was required.

On the 26 November 2019, I contacted my colleague, Ms Lindsey Hodkin, Animal Health Inspector. I discussed my visit with her. It was agreed that further investigation was required. I contacted Ms Pinteana on the 26 November 2019 and an appointment was made to revisit on the 2 December 2019. During my telephone conversation, Ms Pinteana told me that the puppies were brought into the UK by a friend. She told me the puppies were not imported to sell, however she decided that she did not want one of the puppies named Chors to be part of the breeding program.

Signed..... Signature Witnessed by.....

Date.....

Statement Of Lindsey Hodkin

On the 2 December, I revisited [REDACTED] with my colleague Lindsey Hodkin. We met with Ms Carmen Pintea. Also present at our time of visit was Mr Claudiu Belceanu. Ms Pintea told us the puppies were no longer at the property. We were shown a document which contained details of 3 puppies which were imported from Romania. Ms Pintea told us that the puppies had been transported by a friend, Mr Dan Mihai Pop. We were told that the puppies had been taken to Serbia at 6 weeks old. We were told that whilst the puppies were in Serbia, they were attacked by another dog, resulting in damage to the ears and tails, so had to be cropped and docked whilst in Serbia. According to Ms Pintea, the puppies were then taken back to Romania where they were vaccinated against rabies, passports issued in preparation to be imported into the UK. When Ms Pintea was asked where the puppies were, we were told they were in other households as part of the socialisation process.

On the 10th December 2019, Mr Claudiu Belceanu was invited in for an interview in accordance with The Police and Criminal Evidence Act 1984. The interview took place at Howden House, 1 Union Street Sheffield S1 2SH.

During the interview, Mr Belceanu stated that he part owned the bitch and fully owned the stud dog used in Romania, and his friend named Robert said that he could have 3 puppies as payment for using his stud. He then said that he had given the bitch to Robert. He stated that he asked his friend Robert to get the puppies cropped and docked if possible but said he needed it to look legal. Mr Belceanu confirmed that he is aware that cropping and docking is illegal in the UK and Romania. He said that he asked for them to be cropped and docked as he likes the way they look and it's more traditional. He said that Ms Carmen Pintea knew nothing about this. He stated that he listed his friend Dan Mihai Pop as the owner in the puppies' passports to get them over the French border as it would look like they were his puppies. He said they were transported in an unknown vehicle.

Mr Belceanu said that he is not able to provide further information relating to where the

Signed..... Signature Witnessed by.....

Date.....

Statement Of Lindsey Hodkin

cropping and docking took place as neither he nor Ms Carmen Pinteau were in Romania at the time.

Signed..... Signature Witnessed by.....

Date.....

**BUSINESS STRATEGY AND REGULATION
STATEMENT OF WITNESS**

(Criminal Justices Act 1967, Section 9 Magistrates Court Act 1980, Sections 5A(3)(a) and 5B, Criminal Procedures Rules 2005 Rule 27.1)

STATEMENT OF: Shaun Bell

AGE OF WITNESS (If over 21 enter "over 21"): OVER 21

OCCUPATION OF WITNESS: Animal Control & Enforcement Officer

This statement consists ofThree..... pages each signed by me, is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the day of: - 28 July 2020

Signed.....Shaun Bell.....

I am Shaun Bell Animal Control & Enforcement Officer employed by Sheffield City Council and based at Environmental Protection Service, 5th Floor (North), Howden House, Union Street, Sheffield, S1 2SH. I have been employed by the City Council since 6 August 1990. As part of my normal duties I am responsible for the enforcement of the provisions of the Dogs (Fouling of Land) Act 1996, and the littering and waste provisions Environmental Protection Act 1990. I am authorised to serve fixed penalty notices in respect of offences relating to these statutes.

On the 16 June 2020, a report was received that the owners of Barbarian Cane Corso, namely Ms Carmen Pinteá and Mr Claudiu Belceanu of [REDACTED], were importing puppies from Romania and selling the puppies.

On the 24 June 2020, I visited the premises with my colleague Lindsey Hodkin Animal Health Inspector to obtain further information. I knocked on the door and a female answered. I showed her my identification and asked to speak to Carmen Pinteá or Claudiu Belceanu.

Shortly after, both Ms Pinteá and Mr Belceanu came to the door. They were both aggressive and obstructive from the start of our conversation and asked us to leave. I explained the reason for our visit, but they continued to be obstructive and refused to allow us to carry out our duties. Mr Belceanu continued to be threatening and aggressive towards us. He also used profane language, telling us to "fuck off" several

Signed..... Signature Witnessed by.....

Date.....

times.

After refusing us entry to check the dogs, they agreed that they would let us enter the premises to obtain further information. Both Carmen Pinteana and Claudiu Belceanu said that they were not selling puppies which were not born on their premises, but did mention that one of their bitches was pregnant and a litter was due soon.

We proceeded to the outside rear of the property and witnessed a total of 8 adult dogs as follows:

- 1 Cane Corso in the quarantine pen,
- 1 'American Bully' in the side area of the property,
- 4 Cane Corsos' in the area of garden directly below
- 2 Cane Corsos' in another section of the garden.

All the dogs we saw were adult dogs.

We were informed by Carmen Pinteana that the dog in the isolation kennels was imported from Romania on the 14 May 2020. Photographs were taken of the importation documents.

Exhibit SHB/1

Carmen Pinteana informed us that a further Cane Corso- 'Bella' was inside and there was another bitch 'Harlow' due to give birth, thus bringing the total number of dogs at the property to 10.

I later checked the number of dogs allowed on the premises, as per the Licence 0004 issued on the 17 July 2019, which states that the total number of dogs allowed on the premises is:

- 4 Bitches
- 2 Studs

As the number of dogs witnessed during our visit exceeded this number, this is a contravention of the Licence Condition below:

Signed..... Signature Witnessed by.....

Date.....

The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018

Conditions for Breeding Dogs

Part A – General Conditions (Schedule 2 of the Regulations)

3.0 Use, number and type of animal	
3.1 No animals or types of animal other than those animals and types of animal specified in the licence may be used in relation to the relevant licensable activity.	The licence conditions must clearly state the total numbers of dogs that are kept for the licensable activity permitted at the premises including puppies.
3.2 The number of animals kept for the activity at any time must not exceed the maximum that is reasonable taking into account the facilities and staffing on any premises used for the licensable activity.	

Signed..... Signature Witnessed
by.....

Date.....

III. OZNAKOWANIE ZWIERZĘC
III. MARKING OF ANIMAL

1. Kod alfanumeryczny transpondera
Transponder alphanumeric code
 643099300095605

2. Data wszczęcia lub odczytu* transpondera
Date of application or reading* of the transponder
 23. 01. 2019

3. Umieszczenie transpondera
Location of the transponder
 LEWA STRONA SZYI

4. Kod alfanumeryczny tatużu
Tattoo alphanumeric code
 —

5. Data wykonania/data odczytu tatużu
Date of application/date of reading of the tattoo
 —

6. Umieszczenie tatużu
Location of the tattoo
 —

Oznaczenie musi zostać zweryfikowane przed dokonaniem jakiegokolwiek nowego wpisu do niniejszego paszportu

III. MARCAREA ANIMALULUI
MARKING OF ANIMAL

1. Codul alfanumeric al transponderului
Transponder alphanumeric code

 643099300095605

2. Data aplicării sau a citirii* transponderului
Date of application or reading* of the transponder
 17. 11. 2019

3. Amplasarea transponderului
Location of the transponder
 NEVICAL

4. Codul alfanumeric al tatuajului
Tattoo alphanumeric code
 —

5. Data aplicării / Data citirii tatuajului
Date of application / Date of reading of the tattoo
 —

6. Amplasarea tatuajului
Location of the tattoo
 —

Marcajul trebuie să fie verificat înainte oricărei noi înregistrări efectuate în prezentul pasaport
The marking must be verified before any new entry is made on this passport

* A se elimina oțuzirea inutilă / Delete as necessary

Pag. 6 din 24

RO A0857343

IV. ELIBERAREA PAȘAPORTULUI
ISSUING OF THE PASSPORT

Numele medicului veterinar autorizat:
Name of the authorised veterinarian:
 CERNEA ALEXANDRU

Adresa:
Address:
 CAL. NOC ALN 12.

Cod poștal:
Post-code:
 1101

Oras:
City:
 CRAIOVA

Tara:
Country:
 ROMANIA

Numărul de telefon:
Telephone number:
 07294656389

Adresa de e-mail:
E-mail address:
 A.cernea@xlvoo.com

Data eliberării:
Date of issuing:
 17. 11. 2019

Dr. ALEXANDRU CERNEA
Signature


Pag. 7 din 24

RO A0857343

**BUSINESS STRATEGY AND REGULATION
STATEMENT OF WITNESS**

(Criminal Justices Act 1967, Section 9 Magistrates Court Act 1980, Sections 5A(3)(a) and 5B, Criminal Procedures Rules 2005 Rule 27.1)

STATEMENT OF: Lindsey Hodkin

AGE OF WITNESS (If over 21 enter "over 21"): OVER 21

OCCUPATION OF WITNESS: Animal Health Inspector

This statement consists of 11 pages each signed by me, is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the day of: - 03/03/20

Signed.....

I am Lindsey Hodkin Animal Health Inspector employed by Sheffield City Council and based at Environmental Protection Service, 5th Floor (North), Howden House, 1 Union Street, Sheffield, S1 2SH. I have been employed by the City Council as an Animal Health Inspector since March 2005. As part of my normal duties I am responsible for the enforcement of the provisions of the Animal Health Act 1981 (as amended), The Rabies (Importation of Dogs, Cats and Other Mammals) Order 1974 (as amended), The Non-Commercial Movement of Pet Animals Regulations 2011 (as amended), The Trade in Animals and Related Product Regulations 2011 and The Animal Welfare Act 2006.

On the 18th November 2019 a complaint was received regarding a cropped and docked puppy cane corso being sold. Shaun Bell, Animal Control and Enforcement officer investigated. Owners identified as a licensed Cane Corso breeder at-Barbarian Corso Kennels, [REDACTED]. Owners known as Carmen Pintea

Signed..... Signature Witnessed by.....

Date.....

and Claudiu Belceanu. Advert exhibited as LH 1.

On the 21th November 2019, Shaun Bell visited while I was not working and confirmed three cane corso puppies had been imported on 2nd November 2019. All puppies had been cropped and docked. Cropping and docking certificate seen stating puppies had been injured. Shaun Bell was told that the puppies had been born in Romania then taken to Serbia by a friend where they had been attacked by another dog meaning they had to be cropped and docked. Romanian passports were seen. Cropping and docking is illegal in Romania but not in Serbia. Cropping and docking certificate exhibited as LH 2.

On the 2nd December 2019, I visited [REDACTED] with Shaun Bell. We met with Carmen Pinteaa and Claudiu Belceanu and were provided with a document listing three puppies which had been imported using the Pet Travel Scheme on 2nd November 2019 (document exhibited as LH 3). We were told that the puppies had been transported by a friend Dan Mihai Pop who was coming to England and he was not an authorised transporter. I was told that the puppies had been taken to Serbia at 6 weeks old where they were attacked by another dog so had to be cropped and docked in Serbia, they were then moved back to Romania where they were vaccinated against rabies and passports issued to be transported to England. The three puppies not at property at time of visit, I was told that they were in other homes being socialised.

I was provided with what I was told was a Serbian cropping and docking certificate. This certificate exhibited as LH 2 states that a puppy was cropped and docked after being injured.

I explained that due to the puppies' age they would not have been able to have complied with the import requirements for moving from Romania which is a listed country and part of the EU Pet Travel Scheme (PETS) to Serbia an unlisted 3rd Country then back to Romania before being moved to the UK. Information provided showed that

Signed..... Signature Witnessed by.....

Date.....

the puppies were born on 7/7/19, they were vaccinated against rabies on 2/10/19 and microchip implanted 2/10/19. Passport for Mire exhibited as LH 7 & 8.

Import requirements in place to protect human and animal health-

EU Travel (Romania)

12 weeks old minimum

Microchipped

Vaccinated against rabies

Passport issued

21 day wait after vaccination

Tapeworm treatment 24 hours-5 days before travel

Non-EU OR unlisted country (Serbia)

12 weeks old minimum

Microchip

Third country health certificate

Vaccinated against rabies

Blood sample taken 30 days after vaccination

3 months wait after blood test before travel

Tapeworm treatment 24hours -5 days before travel

I was told that the puppies had been imported using the pet travel scheme but nether Carmen nor Claudiu had not been to Romania and the intention was to use them for breeding and one puppy had been sold. This means that they should have been imported with a Health Certificate and notification of the import should have been made.

I was shown TRACES Health Certificates by Carmen and she said that she had imported dogs using TRACES previously and understood what they were.

Signed..... Signature Witnessed by.....

Date.....

Statement Of Lindsey Hodkin

The pets travel scheme is to allow dogs to be moved because the owner is travelling and should not be used for commercial movement of animals or when there will be a transfer of ownership. When imported under TRACES dogs have to be held at a listed premise for 48 hours to allow post import checks to take place. This is to ensure that dogs have been imported correctly before any transfer of ownership takes place to protect human and animal health. As Carmen and Claudiu had never seen the puppies before they arrived Sheffield they should not have been imported using the pet travel scheme.

This was explained to Carmen Pintea and Claudiu Belceanu. I explained that I would have to speak to the Animal and Plant Health Agency (APHA) import team for further advice and that I would be in touch.

I contacted APHA on the 3rd December after speaking to my manager Mark Parry and was advised that four month quarantine was required as the puppies had been to Serbia. I contacted Carmen to explain that the puppies would have to go to quarantine. As the puppies were not at this property I requested that I was provided with full address details for where the puppies were being kept.

Following this initial phone call Carmen changed the story a number of times but she maintained that all the puppies were cropped and docked in Serbia. On one occasion Carmen said that they had lied before and the Claudiu had now told her that the puppies had actually been illegally cropped and docked in Romania but she knew nothing about this previously. I asked that this was confirmed by email and the location of the three puppies was provided. Carmen then called back and said that she had not told me the truth before and that the puppies had been cropped and docked in Serbia. Again I requested that this was provided by email.

Email sent by Carmen Pintea is exhibited as LH 4, in this email Carmen confirms that the puppies had gone to Serbia as she and Claudiu had previously informed us. She

Signed..... Signature Witnessed by.....

Date.....

Statement Of Lindsey Hodkin

provided location for two puppies and confirmed one has been returned to Sheffield from Doncaster.

On the 4th December I contacted the APHA imports team and updated them on the information which had been provided. It was confirmed that 4 months quarantine would be required. Serbia is classed as a high risk rabies country and there is the added risk that we had been told the puppies had been attacked meaning that they had been injured and blood saliva contact had taken place with another dog from Serbia.

Referrals were made to Leeds and Buckinghamshire and Surrey Trading Standards in relation to the two other puppies. The puppy from Surrey was seized and taken into quarantine kennels on the 6th December (ID 46 exhibited as LH 14). The puppy from Leeds has never been located. Was informed that Rebecca Harrington had given the puppy to a traveller, Carmen said that she still owned this puppy but had only met Rebecca once when she collected the puppy from Sheffield.

Arrangements were made for the puppy in Sheffield to go into quarantine. Carmen was advised of this requirement and the reason why this was necessary. I arranged for the puppy to be collected at 4pm. At around 11:54, I was contacted by Claudiu where I was then informed that the puppies (5 not 3 as initially told) had never been to Serbia and that they were illegally cropped and docked in Romania as they get better results at shows and because they are easier to sell. I was told that a Serbian vet had travelled to Romania to carry out the procedure and that the vet would confirm this. I explained that I would need evidence of where the cropping and docking took place but I would speak to APHA again.

I spoke to Magdalena Skalska-Zep who was acting as APHA duty vet. I detailed the information which had been provided to me from Carmen and Claudiu. Magda confirmed that they still posed a disease risk because they had initially told me and Shaun that the puppies had been to Serbia where they had been attacked so

Signed..... Signature Witnessed by.....

Date.....

Statement Of Lindsey Hodkin

quarantine was required. Magda said that if information was provided to show that the cropping and docking took place in Romania and this could be verified we could look at releasing the puppies.

This information was provided to Carmen and Claudiu over the phone and in person when the puppy was collected.

On the 4th December I attended [REDACTED] to seize the puppy known as Mira. Carmen and Claudiu were both present. This puppy was previously at an address in Doncaster but Carmen said that the people did not want to be involved. I requested their details again and explained that I needed to speak to them to explain possible risk to their health. I was told that they had no other animals but this could not be verified.

I checked and took photographs of the puppy known as Mire passport and vaccination card which are exhibited as LH 7 & 8. It was noted that the owner was listed as Dan Mihai Pop (LH 8, b). I had been previously told that this person was just a friend that transported the puppies for them. Puppy was scanned to confirm microchip number matched the passport. ID46 notice was issued (exhibit LH 12). Photographs were taken of the puppy showing it has cropped ears and a docked tail (exhibits LH 10 & 11). Cropping and docking is illegal in England and Romania. It is not illegal in Serbia.

8 adult dogs were seen at the address, 7 cane corso's and one American Bully. ID85 Home quarantine notice was issued. Other cropped and docked dogs at the property (Exhibit LH 13).

Carmen and Claudiu maintained that the puppies had not gone to Serbia. I confirmed that I was happy to look at any information provided and that the puppy would be released if this could be verified. Carmen said that Claudiu had lied to her about what had happened and she believed that they had gone to Serbia so that was what she had told us. Carmen could not explain how the puppies could have legally gone to Serbia

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Date.....

with the age of the puppies when they had entered the UK.

Puppy was taken to authorised quarantine kennels at Calagran 4 Paws in Chesterfield. Costs and visitation was explained.

On the 5th December the following email was received from Dragan A Nedejkovic ([REDACTED]) (email exhibited as LH 9).

Hello, My name is Dragan A Nedejkovic, I am a retired veterinarian living close to Romanian border with Serbia, a friend asked me to crop and dock his puppies for show. I agreed to do this procedure and it was completed with appropriate anaesthetic to ensure the welfare of the dogs. The 3 dogs were cropped in Romania. The dogs, 2 males and 1 female were healthy and fit at the date of cropping which was 08-10-2019. Regards, Dragan A Nedejkovic tel + [REDACTED]

This is the vet listed on the cropping and docking certificate (attached as exhibit LH2). This email was sent to APHA to see if it could be verified.

On the 6th December, I spoke to Sean Brister the superintended vet at the quarantine kennels. He could only find one vet registered under Dragan A Nedejkovic and he is showing as working at Veterinarska Stanica Bujanovac in Serbia around 4-5 hours from the Romanian border. The email is not from an official email address and it does not state at which veterinary practice the procedure took place. He states the puppies were fit and healthy and that cropping and docking took place for them to be shown. This indicates that the cropping and docking certificates issued previously are incorrect. (Exhibits LH 5 & 6)

On the 5th December I spoke to Carmen and agreed a date for her and Claudiu to come in for an interview under PACE. Date for interview arranged for 10th December. I arranged to email them the invite for interview letters. Invite for interview letters were

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Date.....

Statement Of Lindsey Hodkin

emailed to them separately as agreed and exhibited as LH 15 & LH 16.

Shaun Bell and I interviewed Carmen Pinteau and Claudiu Belceanu under PACE on the 10/12/19.

Carmen Pinteau stated that she co-owns the bitch in Romania but does not know who is looking after her. Carmen said knew nothing about the cropping and docking until the puppies arrived and just told us what Claudiu had told her about them going to Serbia. She said that she confirmed they had gone to Serbia by email on the 3/12/19 as that was what she was told had happened by Claudiu. She confirmed that she knew their friend was bringing the puppies over for them and she did not ask if he was an authorised transporter. Carmen stated that she produced the document provided to me on the 2/11/19 (exhibit LH 2) and gave it to Claudiu for their friend to carry while travelling with the puppies so that they could be imported using PETS. She confirmed that one puppy was sold and 2 were put in other homes for socialisation. Carmen said that she still owns the missing puppy but does not know where it currently is.

Claudiu stated that he part owned the bitch and fully owned the stud dog used in Romania and his friend Robert said that he could have 3 puppies as payment for using his stud. He then said that he had given the bitch to his friend but was not clear. He stated that he asked his friend Robert to get the puppies cropped and docked if possibly but said needed it to look legal. He is aware that cropping and docking is illegal in the UK and Romania. Claudiu said that he asked for them to be cropped and docked as he likes the way they look and it's more traditional. He said that Carmen knew nothing about this. He stated that he listed his friend Dan Mihai Pop as the owner in the passports to get them over the French border as it would look like they were his puppies. They were transported in an unknown vehicle.

Imports were not notified as moved under PETS not TRACES so no post import checks have taken place. If the puppies had been transported under TRACES, this may have

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Date.....

Statement Of Lindsey Hodkin

allowed for this to be found sooner meaning that one puppy would now not be missing.

Claudiu said that he is not able to provide further information relating to where the cropping and docking took place. As neither Carmen nor Claudiu were not in Romania at the time and they have changed their story only after they were informed the puppies were going to quarantine I am unable to show where the cropping and docking took place. I have a Serbian vet stating that he went to Romania to carry out an illegal procedure in that country but I am not able to verify this. No one has been able to read the name of the veterinary practice listed and on the cropping and docking certificate including Carmen and Claudiu.

Dogs are shown internationally by Carmen and Claudiu and both have stated that they have a good working knowledge of import/export requirements.

On the 11th December I consulted Davian Gray, Magdalena Skalska-Zep and Mike Wakefield from The Animal and Plant Health Agency, It was recommend that 4 month quarantine is required as I have been unable to verify that the cropping and docking took place in Romania and due the them only saying that they have not left Romania after they were informed of the requirement to quarantine.

On the 11th December I informed Carmen and Claudiu of this decision to make them aware that if they can provide any further documentation to show where the cropping and docking took place I will take this into consideration.

On the 12 December, Carman and Claudiu called me numerous times arguing that the puppies must be realised from quarantine. Claudiu then became threatening towards me so after consulting Mark Parry I asked them not to contact me by phone. I confirmed that any additional information would be accepted by email and this would be taken into consideration.

Signed..... Signature Witnessed by.....

Date.....

Statement Of Lindsey Hodkin

On the 12th December, Carmen contacted me asking if we could look at 3 months quarantine after the blood test results. I said that I would speak to the quarantine kennels to see if this was possible which I did.

On the 13th December I spoke to Sean Brister the superintended vet at the quarantine kennels and discussed the outcome of the interviews (unable to verify where the cropping and docking took place) and my discussions with APHA. Mr Brister confirmed that 4 months quarantine would be required, Mr Brister to consult with APHA and to discuss option of 3 month quarantine after successful blood test. This was later agreed but there was a delay in the blood test being taken as quarantine costs were not paid in required time limits.

Two puppies now in quarantine and one is missing.

1-Mira (642090003631877) in quarantine at Calagran Four Paws, Deepsick Lane, Chesterfield, S44 5DN- Nown called Mina.

2- Marco (642090003631873) in quarantine at Airpets, Spout Lane North, Heathrow, Middlesex, TW19 6BW. Now called Simba.

3- Chors (642090003631868) missing. Last known address in Leeds. (Rebecca Harrington, [REDACTED])

On the 16th December Claudiu requested another interview. This was discussed with Mark Parry. Claudiu was advised that we would not carry out another interview but offered the opportunity for him to come in with an interpreter present and clarify any information he had provided on the 16th January but this was declined. We have maintained that we would accept and take any additional information provided into consideration at any time via email and or writing.

On the 14th January 2020, I was contacted by Julie Adams at Calagran quarantine kennels to say that due to Claudiu visiting that day and threatening her and other

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Date.....

Statement Of Lindsey Hodkin

members of staff they would no longer allow him to visit the puppy. They also confirmed that payments were not up to date. The relationships between Carmen, Claudiu and the kennel staff later deteriorated so they requested that the puppy was moved to another quarantine kennels by 21st January.

On the 17th December it was confirmed that the puppy now known as Mina would be moved to another quarantine kennels on the 21st January

Signed..... Signature Witnessed by.....

Date.....

**IMPORTANT:
NOTIFICATION OF A
LICENSING COMMITTEE MEETING**

APPENDIX 'G'



**Shaun Bell and Lindsey Hodkin
Animal Control and Enforcement**

11th February 2021

Sent via email

Dear Shaun and Lindsey

LEGISLATION: **Animal Welfare Act 2006; and
The Animal Welfare (Licensing of Activities involving Animals) Regulations
2018**

LICENCE TYPE: **Dog Breeding**

The licensing authority, on 9th February 2021 received an application from you for a review of the dog breeding licence for the Barbarian Corso Kennel.

This matter has been referred to the Licensing Committee of Sheffield City Council for determination.

The Licensing Committee has the authority to decide what action to take.

The Committee has indicated that it expects all parties to attend the meeting.

Due to ongoing restrictions with COVID-19, the meeting in respect of the application will take place **via ZOOM on 8th March 2021 at 2pm**.

An online link to the meeting will be sent to you prior to the hearing.

PLEASE NOTE:

You must confirm that you will be attending by emailing the Licensing Service on licensing@sheffield.gov.uk as soon as possible and provide and confirm an email address to send the zoom video link to.

Steve Lonnia
.....

Steve Lonnia
Chief Licensing Officer
Head of Licensing

Date: 11th February 2021

IMPORTANT: A DECISION IS LIKELY TO BE MADE ON THIS ISSUE WHETHER YOU MAKE REPRESENTATION OR NOT.

Licensing Service, Business Strategy and Regulation, Block C Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD

**IMPORTANT:
NOTIFICATION OF A
LICENSING COMMITTEE MEETING**

APPENDIX 'G'



Carmen Pinteă– Barbarian Corso Kennel
[REDACTED]
[REDACTED]
[REDACTED]

11th February 2021

Sent via email to [REDACTED] and by post.

Dear Ms Pinteă,

LEGISLATION: **Animal Welfare Act 2006; and
The Animal Welfare (Licensing of Activities involving Animals) Regulations
2018**

LICENCE TYPE: **Dog Breeding**

The licensing authority, on 9th February 2021 received an application from the Animal Control and Enforcement Team for a review of the dog breeding licence for the Barbarian Corso Kennel.

This matter has been referred to the Licensing Committee of Sheffield City Council for determination.

The Licensing Committee has the authority to decide what action to take.

The Committee has indicated that it expects all parties to attend the meeting.

Due to ongoing restrictions with COVID-19, the meeting in respect of the application will take place **via ZOOM on Monday 8th March 2021 at 2pm.**

An online link to the meeting will be sent to you prior to the hearing.

PLEASE NOTE:

You must confirm that you will be attending by emailing the Licensing Service on licensing@sheffield.gov.uk as soon as possible and provide and confirm an email address to send the zoom video link to.

Steve Lonnia
.....

Steve Lonnia
Chief Licensing Officer
Head of Licensing

Date: 11th February 2021

IMPORTANT: A DECISION IS LIKELY TO BE MADE ON THIS ISSUE WHETHER YOU MAKE REPRESENTATION OR NOT.

Review of Dog Breeding Licence

Hearing Procedure

This procedure has been drawn up to assist those parties attending Licensing Committee hearings.

1. The hearing before the Council is Quasi Judicial.
2. The Chair of the Licensing Committee will introduce the Committee and ask officers to introduce themselves.
3. The Chair will ask the applicants and other parties to formally introduce themselves.
4. The Solicitor to the Committee will outline the procedure to be followed at the hearing.
5. Hearing Procedure:-
 - (a) The Licensing Officer will introduce the report.
 - (b) Questions concerning the report can be asked by Members the applicant and other parties.
 - (c) The Licensing Officer will introduce the applicant for review (or his/her nominated representative) who will be asked to detail the application.
 - (d) Members may ask questions.
 - (e) The Licensing Officer will in turn introduce representatives for any other Interested parties who will be asked to detail their relevant representations
 - (f) Members may ask questions
 - (g) With the leave of the Chair the licence holder or his representative may cross examine the representatives of the applicant for review and other Interested Parties.
 - (h) The licensee (or his/her nominated representative) will then be asked to respond to the application and to any other representations made.
 - (i) The licensee (or his/her nominated representative) may then be asked questions by members and with the leave of the Chair from the other parties present.
 - (j) The applicant will then be given the opportunity to sum up the application.
 - (k) The representatives of the Responsible Authorities will be given the opportunity to sum up
 - (l) The licensee will be given the opportunity to sum up
 - (m) The Licensing Officer will then detail the options.
 - (n) There will then be a private session for members to take legal advice and consider the application.
6. The decision of the Licensing Committee will be given in accordance with the requirements of the Animal Welfare Act 2006 and The Animal Welfare (Licensing of Activities involving Animals) Regulations 2018.

NB:

- 1) At any time in the Licensing Process Members of the Committee may request legal advice from the Solicitor to the Committee. This advice may be given in open session or in private.
- 2) The Board Hearing will be held in public unless and in accordance with the Regulations the Committee determine that the public should be excluded.

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