

# SHEFFIELD CITY COUNCIL

## Licensing Sub-Committee

### Meeting held 22 March 2021

(NOTE: This meeting was held as a remote meeting in accordance with the provisions of The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020.)

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

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#### **1. APOLOGIES FOR ABSENCE**

1.1 No apologies for absence were received.

#### **2. EXCLUSION OF PUBLIC AND PRESS**

2.1 No items were identified where resolutions may be moved to exclude the public and press.

#### **3. DECLARATIONS OF INTEREST**

3.1 There were no declarations of interest.

#### **4. THE ANIMAL WELFARE (LICENSING OF ACTIVITIES INVOLVING ANIMALS) REGULATIONS 2018 - DOG BREEDING - BARBARIAN CORSO KENNEL**

4.1 The Chief Licensing Officer submitted a report to consider an appeal against the revocation of a licence for breeding dogs, made under the Animal Welfare (Licencing of Activities Involving Animals) Regulations 2018 in respect of the Barbarian Corso Kennel (Ref No. 15/21).

4.2 Present at the meeting were Carmen Pintea (Licence Holder), Jayne Gough (Licensing Strategy and Policy Officer), Marie-Claire Frankie (Solicitor to the Sub-Committee) and Jennie Skiba (Democratic Services).

4.3 Marie-Claire Frankie outlined the procedure which would be followed during the hearing.

4.4 Jayne Gough presented the report to the Sub-Committee and stated that on 8<sup>th</sup> March, 2021, the Licensing Sub-Committee considered a review of the licence made by the Animal Control and Enforcement Team, and subsequently revoked the licence and the determination notice is attached at Appendix "A" to the report. The licence holder submitted an appeal against the decision and this is attached at Appendix "B" to the report.

- 4.5 Carmen Pinteia stated that her partner had taken the decision to import the three puppies in question from Romania and did so without her knowledge, and it was this decision that had subsequently impacted on her. She stated that she would never put the lives of her dogs at risk and all the dogs she had imported over the past five years have been imported with the correct documentation. Ms. Pinteia said that she did not know the dogs were coming into the country until the day before they arrived, but that her partner had taken the decision and had implicated her indirectly with his actions.
- 4.6 In response to questions from Members of, and the Solicitor to, the Sub-Committee, Carmen Pinteia stated that she had been unable to prevent the animals being imported into the country and gave an assurance that her partner would not be involved in the business in future. She referred to an interview she had had with the Animal Welfare Team in 2019 and stated that the information she had given to them was confidential. Ms. Pinteia felt unsafe to speak on live stream due to fear of her safety, and that the information that she provided during an investigation that was carried out in December, 2019 under the Trade in Animals and Related Products Regulations (TRACES) had never been disclosed to the Licensing Service. Marie-Claire Frankie stated that she had a vague recollection of the report following the interview and was aware of the sensitive nature of the information contained within it and felt that the hearing should be closed to the public and press, to give Ms. Pinteia the opportunity to inform Members of why she was unable to discuss certain matters in public.
- 4.7 RESOLVED: That the public and press and attendees involved in the application be excluded from the meeting before further discussion takes place on the grounds that, in view of the nature of the business to be transacted, if those persons were present, there would be a disclosure to them of exempt information as described in paragraph 5 of Schedule 12A to the Local Government Act 1972, as amended.
- 4.8 The appellant then outlined her reasons for not disclosing in public the information she had provided during the investigation which had been carried out in 2019.
- 4.9 At this point in the proceedings, the meeting was re-opened to the public and press.
- 4.10 Carmen Pinteia stated that all the dogs in her care were well looked after and were part of her family. She produced a reference from Cane Corso UK Molosser Rescue regarding care she gave to their animals. She said none of her dogs entered the breeding programme until they reached the age of two when all necessary health and temperament tests had been carried out and were developed to an excellent standard. She again reiterated that the incident was a one-off and would never happen again.
- 4.11 Jayne Gough outlined the options available to the Sub-Committee.
- 4.12 RESOLVED: That the public and press and attendees involved in the appeal be excluded from the meeting before further discussion takes place on the grounds

that, in view of the nature of the business to be transacted, if those persons were present, there would be a disclosure to them of exempt information as described in paragraph 5 of Schedule 12A to the Local Government Act 1972, as amended.

4.13 Marie-Claire Frankie reported orally, giving legal advice on various aspects of the application.

4.14 RESOLVED: That, following consideration of the information contained in the report now submitted, and the representations now made, the licence in respect of the Barbarian Corso Kennel (Ref No. 15/21), be amended with the following conditions:

- (a) all animals on the premises must have been imported by the licensee;
- (b) the paperwork relating to the imported dogs must be kept on the premises for the lifetime of the dog and made available to officers on request;
- (c) all business decisions must be made personally by the licensee; and
- (d) the premises and its paperwork are to be inspected quarterly for the next 12 months.

(The full reasons for the Sub-Committee's decision will be included in the written Notice of Determination.)

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