



SHEFFIELD CITY COUNCIL Committee Report

Report of: Chief Licensing Officer, Head of Licensing

Date: 22nd March 2021

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

Author of Report: Claire Bower

Summary: To consider an appeal against the revocation 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: 15/21

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 an appeal against the revocation 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Welfare Act 2006 brought the Animal Welfare (Licensing of Activities Involving Animals) Regulations 2018 into force and repealed the previous legislation.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 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.
- 2.4 The decision to vary, suspend or revoke a licence should be dependent upon the severity of the situation.
- 2.5 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.
- 2.6 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.
- 2.7 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.
- 2.8 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 APPEAL

- 3.1 On the 8th March 2021 the Licensing Sub-Committee considered a review of the licence made by Animal Control & Enforcement (AC&E) Team and determined to revoke the licence. The determination notice is attached at Appendix 'A'.
- 3.2 The licence holder submitted written representation to the revocation within 7 working days of the decision. This is attached at Appendix 'B'.
- 3.3 The Licensing Authority must decide whether to continue with the revocation of the licence or cancel the decision to make changes to the licence.

4.0 FINANCIAL IMPLICATIONS

- 4.1 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.

5.0 RECOMMENDATIONS

- 5.1 That Members consider all the relevant information available.

6.0 OPTIONS OPEN TO THE COMMITTEE

- 6.1 To suspend the licence until a time the licence holder is able to adhere to the relevant conditions.
- 6.2 To amend the licence.
- 6.3 To revoke the licence to breed dogs.
- 6.4 To impose the variation, suspension or revocation with immediate effect.
- 6.5 To take no action.
- 6.6 To defer the matter for further consideration.



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



Licensing Sub- Committee Decision

Record of proceedings of Sheffield City Council Licensing Sub Committee hearing held on 8th March 2021.

Full name of Applicant : Sheffield Environmental Protection Service

Premises in relation to: Barbarian Corso Kennel

Reason for attendance at committee

To consider an application for the review of a dog breeding licence under the Animal Welfare (Licensing of Activities Involving Animals) Regulations 2018

Notice of hearing sent 11th February 2021

Applicant present? Yes

Licence holder present? Yes

OFFICERS PRESENT

Legal Advisor: Marie-Claire Frankie

Licensing Officer: Claire Bower

Committee Secretary: John Turner

Applicants Representative	Premises Representative
Mark Parry – Head of Service Lindsay Hodkin – Animal Health Inspector Shaun Bell – Animal Control and Enforcement Officer	Carmen Pinteá – Licence Holder
Page 12	

1. Chairman's note of evidence (details of all oral and written evidence put before the Sub-Committee)

1. Written report of the Head of Licensing case number 11/21
 2. Oral representations from Mark Parry on behalf of Environmental Protection Service
 3. Oral representations from Ms Pintea
 4. Additional statement and references submitted by Ms Pintea
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2. Findings of the Sub-Committee and relevant facts accepted from the evidence available.

1. On 27th January 2021, Ms Pintea 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 dogs.
2. The charges were linked to three puppies.
3. Ms Pintea explained that her partner had been in Romania visiting relatives when he accepted three puppies as payment for using their stud dog.
4. Ms Pintea stated that she did not know about the puppies until 24 hours before they arrived at her kennels.
5. Ms Pintea stated that these puppies were her partners pets and they may have entered her breeding programme but not until they were 2 years old and had been health and behaviour tested.
6. Ms Pintea stated that she gave one puppy to 'an acquaintance' to be a guardian for the puppy whilst it was socialised. This puppy went missing for a number of months but Ms Pintea can now confirm that it is in Spain. She stated no money had been exchanged for the puppy
7. Another puppy was sent to Doncaster to be socialised and the third was sold for £2500 and went to Surrey.
8. Ms Pintea stated that she placed the advert on Pets for Homes at the request of her partner and that she does not usually advertise her dogs but instead breeds a litter and sells to her waiting list.
9. Ms Pintea stated that the wrong address stated on the forms must have been an administrative error as both are held on the import systems.
10. Ms Pintea stated that she was very sorry for what had happened and that from here-on-in no dogs would be brought into her kennels that she had not herself imported.
11. Ms Pintea stated that since the Court hearing she had got herself licensed as an animal transporter and now fully understood the rules and regulations surrounding the importing of dogs.
12. Ms Pintea stated that she did not arrange for dogs to be cropped and docked. This was her partner and he pleaded guilty to it.
13. Ms Pintea stated that her dogs are her life and that she wouldn't do anything to harm them or put them at risk.

3. Legal advice given

- Advice on Animal Welfare (Licensing of Activities Involving Animals) Regulations 2018
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4. Decision

- To revoke the licence.

5. Reasons for the decision

- The Sub Committee found that the current business model was putting animals at risk.
- Ms Pinteá was not aware of animals until they arrived at her kennels and they had already been cropped and docked.
- It was unclear initially whether the animals had come from Romania or Serbia and needed different approaches to rabies quarantine dependant on the country.
- The sub committee accepted that Ms Pinteá was passionate about her dogs and that animals on her premises were not at risk.
- The puppies that arrived from Romania were then given away for socialising and they have not been seen by Ms Pinteá since. One puppy was sold in breach of the licence condition.
- Members determined that the welfare of animals outside of the kennel setting was a concern and looked to see if there were any conditions that could be added that would address these.
- Members could not find any conditions to amend the licence and then looked to see if suspension or revocation was appropriate. Members determined that the business was the concern and that Ms Pinteá didn't have control over dogs being imported and therefore couldn't check that the correct scheme was used.
- As such the only option Members felt suitable was to revoke the licence.

5. Appeal

The Premises Licence Holder, Ms Carmen Pinteá, has a right of appeal to Sheffield City Council within 7 days of being notified of the decision to revoke her licence

DATE 9th March 2021

Licensing Sub-Committee

Good afternoon,

I am writing this email to plead for reconsideration of the decision made 09.03.2020 to revoke my breeding license for kennel name Barbarian Corso.

To address the concerns of the sub-committee members, I would like to clarify that I do not import dogs to sell. This has never been an activity I undertake and never will be. Throughout my 8 years of hobby breeding, all the dogs I imported for myself have come with the correct documentation, have come from health tested parents, excellent pedigree and results in both conformation and working shows. I take huge pride in the fact that I have kept back puppies from most litters I bred to show, gaining titles which have had historic impact for the breed in the UK. I have produced the first UK born Cane Corso to become an FCI champion back in 2014, since then, several of my dogs whom I bred have become champions in FCI countries, placing the UK in the Cane Corso world league. I have been, and continue to be the only breeder in the UK of Cane Corso who represents the UK in World dogs shows, European dog shows and many other countries since 2014. I was also the only Cane Corso breeder to have had a litter from a World Champion to a UK bred Champion in history, puppies have went all over the world, France, Spain, Denmark, USA, Nigeria, Ireland and so on. In the years I have been breeding, I have produced only healthy dogs with no genetic issues. This is due to the amount of health testing I do. Hip and elbow scoring, heart tests, eye tests, DNA profile to check for congenital issues are at the core of my programme, as well as correct conformation and working ability. In my breed, there is only one other licensed breeder, nobody else has a license, yet there are 106 adverts on Pets4Homes with Cane Corso puppies for sale (of which many are cropped and docked), dogs sold under kennel names, therefore business sellers (EG Sovereign Cane Corso, Lockdown Kennels, Mrs Mastiff, Traditional Cane Corso to name a few). By obtaining the license in the first place, I have shown commitment of doing things the right way. During the inspection, there has never been any concern shown or raised regarding the quality of life my dogs have or the care they have. They have appropriate shelter, ample space, great quality food, excellent veterinary care, warmth and most importantly, LOVE.

All dogs in my home and care are very much part of the family which is evidenced in the references from my owners.

None of the dogs enter my breeding programme before the age of 2, when all the relevant necessary health and temperament tests have been completed and the dogs developed to an excellent standard both in conformation as well as temperament. They are simply pets, who benefit from the same high level of care and love. Even so, they still came with correct Traces documentation in my name because they were bought and therefore it was a commercial movement. As part of my programme, I have 3 females I bred and kept back from my litters born in the UK in my home, and one imported female (Berry, who's Traces document is attached). Both males I use in my programme are imports. Due to the limited gene pool in the UK and the low quality of the dogs available here, import of good, healthy dogs who come from many generations of health tested dogs was unavoidable to ensure only the best specimens of the breed are used.

I personally had no say in the matter of the 3 puppies in question, I didn't even know they were coming. My partner made those decisions and implicated me indirectly with his actions. I can assure the committee members that something like this has not happened before and WILL NEVER happen again. Since the incident, all decisions have been solely mine and I can guarantee every single action will be solely my responsibility.

For this reason, to avoid the possibility of missing any crucial information, I have undertaken the training and obtained my transport license. All information regarding current regulations is known and any possible mistake is avoided. I have always strived to do things right, within the scope of the law, “by the book” and I hope my qualifications and personal references would evidence this.

My dedication to my dogs has always been my top priority, this is evidenced in the results they have in shows. I drive thousands of miles to show my dogs, endless time and financial investment for a hobby which does not bring any income, why? Because I care about what I breed. Showing is an activity which provides the dogs with mental stimulation as well as promoting balanced temperament. My dogs are trained with the guidance from police dog handlers in protection and scentwork as well as tracking (human and article search). I have always strived to be the best and always will continue to further my knowledge and understanding. Please also see attached my canine behaviour and communication diplomas, pet psychology, pet first aid, animal care, kennel and cattery management, customs declarations training to ensure everything is done properly. I have also completed my training as a Security Dog Handler. A lot of time and money has been invested in these qualifications, all with the purpose of bettering my working knowledge of the rules and regulations, as well as the relationship with my dogs through training. I am also currently studying for my Veterinary Nursing diploma, all of this through passion for my dogs.

I would like to plead with the members of the committee to take all this information into consideration, as well as the references from my owners. Not one breeder in this country or abroad for that matter has this level of training, time and passion invested into their dogs and their programme. Could my mistake please be considered as a one off mistake (which it was and not even mine) and I can assure you nothing of this sorts will ever happen again.







Certificate No
YN3XADDM

This certificate is to verify that

Carmen Pinteá

has successfully completed the

INTRODUCTION TO ANIMAL CARE CERTIFICATE

on the

24th November 2019



D Morgan
Daniel Morgan
Head Tutor
New Skills Academy

This certificate can be verified online at:

<https://newskillsacademy.co.uk>



Certificate No
89DPG5IX

This certificate is to verify that

Carmen Pinteá

has successfully completed the

PET FIRST AID CERTIFICATE

on the

23rd June 2019



D Morgan
Daniel Morgan
Head Tutor
New Skills Academy

This certificate can be verified online at:

<https://newskillsacademy.co.uk>





Highfield Qualifications

Certifies that
Carmen Pinteá

has completed the following programme
**Level 2 NASDU Award for a Security Dog
Handler: General Purpose**

Training Organisation NASDU/SSIT
Date of award 06 June 2018
Certificate number END2075073



Course Director



Endorsed
Learning Programme



Jason Sprenger - Chief Executive
Highfield Qualifications







Best regards,
Carmen Pintea

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