

Comhairle Contae Chorcaí  
Cork County Council

By registered post

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**DOG BREEDING ESTABLISHMENTS ACT, 2010**

**CLOSURE NOTICE**

To: Ms. Anne Broderick, The Hermitage, Ballyandrew, Doneraile, County Cork

Cork County Council in exercise of the powers conferred on it by Section 21(1) of the Dog Breeding Establishments Act, 2010 ("the Act"), hereby directs that the Dog Breeding Establishment identified in Part 1 of the Schedule ("the Establishment") be closed from the date of the service of this notice until the earliest of:

- (i) an Order to contrary effect by a Court of competent jurisdiction; or
- (ii) further written direction by **Cork County Council**

This notice is made for the particular reasons set out in Part 2 of the Schedule.

**Schedule**

**Part 1 ("The Establishment")**

The premises of the applicant Ms. Anne Broderick at The Hermitage, Ballyandrew, Doneraile, County Cork

**Part 2 Particular reasons for making of Order**

Cork County Council is satisfied that the operation of the Establishment poses a **serious and immediate threat to animal welfare, details of which are specified below**. You are required to cease breeding or keeping dogs at the establishment, to surrender the registration certificate to the Local Authority and take such measures as directed to enable the rehousing, at your own expense, of all dogs being kept for the time being at the Establishment. If you contravene this closure notice you shall be guilty of an offence.

1. Deficient environment-failure to provide suitable accommodation at the Establishment in respect of size of quarters, numbers of dogs, cleanliness, exercise facilities, temperature requirements and beds;

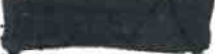
2. Overcrowding in the Establishment -there were approximately 218 dogs including approximately 76 puppies at various stages of development at the Establishment on 12<sup>th</sup> December 2022;
3. Consistent pattern of poor-management practices at the Establishment;
  - a) Poor hygiene practices at the Establishment evidenced by faeces/excrement and a strong smell of urine and excrement in some kennel blocks/pens. Dog faeces was noted in some beds. Rubble/disused materials stored at the Establishment serve as harborage for vermin e.g. isolation facility;
  - b) Failure to provide for the behavioural and exercise requirements of dogs at the Establishment – Some dogs displayed fearful and abnormal behaviours including stereotypies (repetitive behaviour), abnormal postures and coprophagia (eating dog faeces); Dog faeces were evident in some of the dog beds;
  - c) Failure to ensure the (thermal) comfort of many of the dogs at the Establishment including during sub-zero temperatures. At the time of an inspection on 12<sup>th</sup> December 2022 the temperature reading at bed level in one of the sheds was 0.7°C and neither bedding material nor heat sources (e.g. heat lamps) were provided for the majority of the dogs on the premises;
  - d) Failure to comply with the requirement to provide clean drinking water/liquid to all dogs at the Establishment. Water wasn't available in two pens comprising 14 dogs. There was also varying levels contamination of water bowls;
  - e) The confinement of dogs in undersized kennels in sub-zero temperatures without bedding or a heat source at the Establishment e.g. two adult German Shepherds confined in a space less than 6 sq m were walking in their own faeces. The minimum kennel size requirement for 2 large breed dogs confined without free access to exercise per revised guidelines is 8.5 sq m. A Labrador bitch and male cocker spaniel were confined in similar conditions;
  - f) Lack of adequate socialisation at the Establishment -many of the dogs were not habituated to human contact;
  - g) Lack of adequate grooming at the Establishment whereby there was considerable matting of two Yorkshire terriers and one Pomeranian;
  - h) Failure to present detailed records upon request by an authorised officer including the bitch register, whelping (birth) records, dog identification and sales/transfer records;
  - i) Failure to present treatment records for dogs upon request by an authorised officer;

- j) Failure to present written procedures including (a) an animal health programme incorporating the responsible breeding programme and retirement plan, (b) exercise, socialization and enrichment plan, and documented cleaning procedures etc upon request;
- k) Failure to provide a suitable isolation facility at the Establishment contrary to disease control requirements;
- l) Failure to adequately staff the Establishment;
- m) Failure to comply with requirements of national microchipping of dogs legislation S.I. No 63 of 2015;
- 4. Failure to comply with the terms of the Dog Breeding Establishment Improvement Notice dated 12<sup>th</sup> October 2022 and the Animal Health and Welfare Notice dated 27<sup>th</sup> October 2022.

*You are hereby directed to cease breeding dogs with immediate effect. You are required to arrange for the rehoming of the dogs at your expense per Section 21. -(2)(d) by way of transfer and/or sales to private individuals, private entities, established animal rescue charities without delay. All dogs must be microchipped and registered in accordance with the Microchipping of Dogs Regulation (S.I. No. 63 of 2015) and records of all sales/transfers must be available upon request to an authorised officer.*

You may appeal this notice not later than seven days after the service of the notice (or for such a longer period as the district court may, for good and sufficient reason determine) to a Judge of Mallow District Court, Mallow, County Cork

Dated this day 3<sup>rd</sup> January 2023

Signed:  (authorised officer)  
duly authorised by Cork County Council for the purposes of Sections 21 of the Dog Breeding Establishments Act, 2010.