

IN THE MATTER OF:

THE PET ANIMALS ACT 1951

HANWELL PET STORE LIMITED, 340 GREENFORD AVENUE, HANWELL, LONDON W7 3DA

APPLICATION TO VARY A LICENCE.

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CASE SUMMARY

on behalf of the Licensing Authority

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1. This application is to vary a condition on the Applicant's Licence to Keep a Pet Shop ("the Licence") such that the Applicant is permitted to keep 40 puppies at any time, rather than the 8 it is currently restricted to.
2. The Licensing Authority resists the application.
3. The restriction concerned was imposed following a hearing on 14 June 2012, which in turn followed the conviction of Mr Stuart Wood (husband of the sole Director of the present Applicant, Annette Wood) of 18 offences of breaches of condition of his licence to keep a pet shop at another premises in Harrow borough. He was disqualified from keeping a pet shop for 15 years.
4. Following that conviction and disqualification, Hanwell Pet Shop Limited (whose sole Director is Annette Wood) applied to this authority for a licence to run the pet shop previously run by Mr Wood on Greenford Avenue. The licence was granted subject to the restriction that no more than 8 puppies should be kept.
5. That licence was renewed for 2013 and 2014, and has recently been renewed for 2015. On each occasion the same restriction has been imposed.
6. Annette Wood now applies to lift the restriction such that the shop can keep 40 puppies.

The basis on which the application is resisted

7. Since the summer of 2014 there has been a worrying pattern of problems arising at the premises. The Licensing Authority is of the view that this pattern shows unequivocally that the present restriction is necessary for, at least, the prevention of the spread of disease, but also for good management reasons.
8. The following is a summary of those concerns. References in [square brackets] are to the relevant pages in the bundle of evidence. **The evidence is contained chiefly in two witness statements, of Lorraine Abbott¹ [43-63] and of Deborah Bradfield² [327-338].**
9. The premises have been visited on the following occasions:

13 July 2014

26 August 2014

16 September 2014

28 November 2014

4 December 2014

19 December 2014

23 January 2014

Effective control

10. Stuart Wood is disqualified from keeping a pet shop for 15 years as of early 2012. Although Annette Wood has the appropriate qualifications and is not disqualified, on none of the 7 occasions listed above was she observed at the premises. On 6 of the 7 occasions, Stuart Wood was there. On a number of occasions it was clear that the junior members of staff present deferred to Mr Wood. In the circumstances that causes real concern. He is plainly not competent to be in charge of a pet shop.

13 July 2014 [46-47], [330-331]

11. There were puppies present at the premises originating from Southern Ireland, meaning that they required passports. No passports were present. A warning was given.
12. No disinfectant footbath was observed between the puppy area and public areas, meaning disease could not be contained.
13. The isolation rooms (where puppies with infectious disease can be stored immediately, in order to minimise the risk of infection spread) were not available and were being used for storage.

¹ Regulatory Services Officer, Ealing BC

² Animal Health Inspector, City of London

2 September 2014 [48-49], [331-333]

14. This visit was following a complaint about the sale of a puppy that was sick.
15. Despite the warning given on 13 July, the records showed 9 puppies had come from Southern Ireland since then, and yet there was no record of any passports being provided. Stuart Wood claimed that the breeder had sent the wrong ones.
16. The records also showed that the puppy the subject of the complaint – which had kennel cough and had been returned to the premises – had been sold again two days later. Investigations showed that the puppy still had kennel cough when it was sold for the second time.
17. A second puppy from the same litter had also been sold with kennel cough.

16 September 2014 [50-51], [333-334]

18. This visit was in response to a complaint from a member of the public about a sale of a puppy that was sick. It had a hernia, and an eye infection which was contracted by members of the family that bought it. When the complainant contacted the premises she reported a man on the phone being dismissive of her complaint.
19. The puppy was not recorded on the register kept at the premises. Stuart Wood was able to retrieve some details from a back room about the puppy concerned. The details made no mention of an eye infection or a hernia.
20. There was no footbath in operation on this visit.

28 November 2014 [51-52], [335]

21. This visit followed a complaint from a member of the public. On investigation there were no details of the sale on the register at the premises. Once again Stuart Wood was able to retrieve details only from a back room. The documents he provided did not tally with the register.

4 December 2014 [53-56], [335-337]

22. This visit followed a complaint about puppies being sold with parvo virus, which is often fatal and contagious.
23. Upon inspection, there was no evidence of any measures having been taken to avoid the spread of that virus once it was clear there had been an outbreak at the premises.

24. Upon searching the premises, it was discovered that there were 11 puppies on site despite the restriction to 8. In particular, two were hidden in a room to which Stuart Wood said he had no access, which was plainly untrue.
25. There was no footbath in operation and Mr Wood refused to provide one when advised by Deborah Bradfield [336].
26. 6 of the puppies on site (including 2 Pomeranians) had apparently arrived that morning, and did not appear on the register or have any form of identification on them. Stuart Wood said that they had come from a breeder in Wales, DLL Jones.
27. There was no isolation facility available.
28. It later came to light that the business sent an e-mail to the person who had bought the puppy with parvo virus (a Shih Tzo called Loki) which implied that her actions in complaining (albeit that she had not made any complaint) had caused him hardship [404-405].

23 Jan 2015 [57-60], [337-338]

29. This visit was following a complaint from a member of the public about a puppy being sold that was sick.
30. There was no record of the sale in the register. Once again, Stuart Wood was able to produce some record of the complainant and the sale from a back room.
31. 6 puppies were on site which had been present for 6 days and had not yet been microchipped.
32. In the meantime checks had been made of DLL Jones in Wales. He had confirmed that he had not sold any Pomeranians to the premises, and in fact did not breed Pomeranians [309-312].

Conclusion

33. It is clear that the current management does not keep good records. On a number of occasions sales had not been recorded in the register; it is not clear why details of the sales were able to be found in a back room but not on the register. The details of the source of some animals were incorrect.
34. Nor does the business appear to have responded in a responsible way to outbreaks of disease. No isolation facility was available, the disinfectant footbath was not in place, a puppy had been sold when known to have kennel cough, and two had been sold with parvo virus and yet no additional precautions had been taken.

35. On occasion the licence conditions had been breached, and it appeared that a deliberate (albeit unsuccessful) attempt to conceal the breach had been undertaken.
36. Puppy passports were not present even though animals had been sourced from outwith the UK (from Southern Ireland).
37. Annette Wood was not once observed at the premises. Stuart Wood, who is disqualified, was there on all but one occasion.
38. There is no basis for lifting the restriction on the number of puppies able to be kept. The business has shown a clear inability to cope well when restricted to 8 puppies. Being permitted to keep more would only exacerbate the problems.

Josef Cannon
Counsel for the Licensing Authority

24 March 2015

City of London

STATEMENT OF WITNESS
C.J.A. Statement

Monica David MRCVS
Main Approach Road, Tilbury

(Criminal Procedure Rules, r 27.2); Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s. 5B)

STATEMENT OF WITNESS

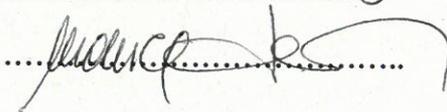
Age of Witness over 18

(True age to be shown where witness is a juvenile or person involved in serious crime enquiry, otherwise "over 18" will suffice)

Occupation of Witness Veterinary Surgeon MRCVS

This statement, consisting of ...2...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 24TH day of MARCH 2015

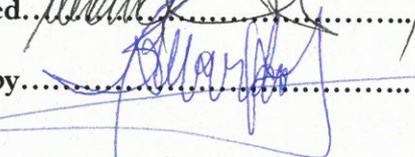
Signed.....

I qualified in July 1997 as Veterinary Surgeon, at the University Of Padua, Italy;
And I became a member of the Royal Veterinary College of Veterinary Surgeon the 14th December 1999.

Since then I worked as Official Veterinary Surgeon and LVI, in April 2006 I joined the City of London in the capacity of Official Veterinarian, working at one of the busiest Ports in the UK, other duties of the post were: inspecting animal boarding facilities, dog breeders, pet shops and dog sitters within the Great London as we are contacted by the different Local Authority.

I have been consulted by Local Authority during licensing process and inspections.

Signed.....

Witnessed by.....

I, also carry out veterinary work in support of my local animal charity, which is providing basic veterinary care for cats and dogs; the collaboration started in 2003. I have been member of the BSAVA, BVA, and VPHA.

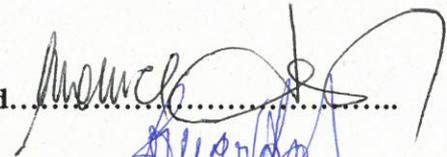
On the 12th of November I visited Hanwell Pets with Deborah Bradfield and Lorraine Abbott.

Mr Wood showed me the isolation facility which is positioned at the far end of the premises, to reach the facilities you need to walk in front of all the puppies, which is far from ideal.

I was not able to inspect the isolation facility since it was used as spare storage facility, and at the time not fit for its purposed use.

Although there were some disinfectant gel dispensers in the area where puppies have been kennelled there was not facility for sanitise the footwear.

From the brief conversation I had with Mr Wood on the day, he seems to me dismissive and not interested in control strategies for infectious diseases such as Parvovirus and Kennel Cough.

Signed.....

Witnessed by.....