

Offaly County Council

Áras an Chontae, Charleville Road,
Tullamore, Co. Offaly, R35 F893.

Comhairle Chontae Uíbh Fhailí

Áras an Chontae, Bóthar Charleville,
An Tulach Mhór, Contae Uíbh Fhailí, R35 F893.



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DOG BREEDING ESTABLISHMENTS ACT, 2010

CLOSURE NOTICE

To: **Mr John Boland (Senior), Newtown, Horseleap, Moate, Co. Offaly, N37 FP79**

I, Aidan Grant being an authorised person of Offaly County Council under the Dog Breeding Establishments Act, 2010 ("the Act"), and in exercise of the powers conferred on me by Section 21(1) of the Act, hereby direct that the premises identified in Part 1 of the Schedule be closed with immediate effect until the earliest of:

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

I make this order for the particular reasons set out in Part 2 of the Schedule.

Schedule

Part 1 Establishment

The premises of the owner/operator Mr John Boland (Senior), Newtown, Horseleap, Moate, Co. Westmeath

Part 2 Particular reasons for making of Order

I am satisfied that the operation of the dog breeding 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, and take such measures as directed to enable the rehousing, at your expense, of all dogs being kept for the time being at the establishment. Grounds that the continued operation of this dog breeding establishment poses a serious and immediate threat to animal welfare are as follows:

I am satisfied that the applicant for registration of this dog breeding establishment is either incapable or unwilling to adequately care for the animals at the premises for following reasons which Inspections findings have documented:

1. Sustained failure by applicant and staff to meet the required duties of a Dog Breeding Establishment (DBE) Operator outlined in Section 15 of the Act: including exceeding limits of breeding of dams, failure to fulfil requirements for exercise; failure to provide adequate standards of care outlined in the Act.
2. Ongoing contravention and contempt to adherence to a vital provision of the Dog Breeding Establishments Act 2010, namely, failure to adhere to the published DBE guidelines;
3. Failure to adequately comply with all requirements of previously issued Improvement Notice dated 19th December 2016.
4. Failure by the applicant to adhere to Court Order of 19th July 2017 mandating sustained improvements in record keeping by the applicant.
5. Failure to comply adequately with stipulations in the Animal Health and Welfare Notice issued by Offaly County Council on 6th March 2018 related to ongoing concerns for the welfare of the dogs in your care.

~~You are required to surrender the DBE registration certificate;~~ not applicable – registration renewal refused.

Measures to enable the rehousing of all dogs being kept for the time being at the establishment:

I am requiring that you ensure that within a period of one month you reduce the numbers of females at the premises and ensure that you maintain less than 6 breeding females over the age of 6 months, which are capable of breeding at the premises listed above at your own expense.

If you contravene this closure notice you shall be guilty of an offence.

You may appeal this notice to the District Court in accordance with the Act.

Dated this day 14th February 2020

Signed:  (authorised person)

duly authorised by Aidan Grant for purposes of Sections 21 of the Dog Breeding Establishments Act, 2010.

Municipal District of Birr / Ceantar Bardasach Bhiorra / 057 9124900

Municipal District of Tullamore / Ceantar Bardasach Thulach Mhór / 057 9352470

Municipal District of Edenderry / Ceantar Bardasach Éadan Doire / 046 9731256