

The Clean Neighbourhoods and Environmental Act 2005

The Dog Control Orders (Prescribed Offences and Penalties, etc.) Regulations 2006 (S.I.2006/1059)

The Dogs on Leads by Direction (Cornwall Council) Order 01/2010

The Cornwall Council (in this Order called “the Council”) hereby makes the following Order:

1. The Order comes into force on 16 July 2010
2. The Order applies to the land specified in the Schedule
3. In this Order “an authorised officer of the Council” means an employee of the Council who is authorised in writing by the Council for the purpose of giving directions under this Order.

Offence

4. (1) A person in charge of a dog shall be guilty of an offence if, at any time on any land to which the Order applies, he does not comply with a direction given by an authorised officer of the Council to put and keep the dog on a lead, unless -
 - a. he has a reasonable excuse for failing to do so; or
 - b. the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.(2) For the purposes of this article –
 - a. a person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in control of the dog;
 - b. an authorised officer of the Council may only give a direction under his Order to put and keep a dog on a lead if such restraint is reasonably necessary to prevent a nuisance or behaviour by the dog likely to cause annoyance or disturbance to any other person on any land to which this Order applies or the worrying or disturbance of any animal or bird.

Penalty

5. A person who is guilty of an offence under article 4 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Given the Common Seal of Cornwall Council

This day of 2010

THE COMMONS SEAL OF)
CORNWALL COUNCIL)
was hereunto affixed)
in the presence of:-)

Authorised Officer

SCHEDULE

The Order applies to the following land:

The Order shall apply to all land which is open to the air and to which the public are entitled or permitted to have access, with or without payment, within the County of Cornwall other than land which is placed at the disposal of the Forestry Commissioners under Section 39(1) of The Forestry Act 1967