

The Clean Neighbourhoods and Environment Act 2005

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

**The Dogs on Leads by Direction
Shepway District Order 2012**

Shepway District Council (in this hereby makes the following order:

- 1 This Order comes into force on 1 February 2013
- 2 This Order applies to land specified in the schedule.
- 3 In this Order "an authorised officer of the Authority" means an employee or contractor of Shepway District Council who is authorised in writing by Shepway District Council for the purpose of giving directions under the 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 this Order applies he does not comply with a direction given to him by an authorised officer of the authority 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.

4.2 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 charge of the dog.
- (b) An authorised officer of the authority may only give a direction under this Order to put and keep a dog on the 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.

Date 17 December 201~~7~~² *ec*

The common seal of
Shepway District Council
Was fixed to this order
In the presence of:

Estelle Culligan
Legal Services Manager



Schedule



This Order will apply to all land in the district of Shepway District Council which is open to the air (which includes land which is covered but open to the air on at least one side) and to which the public are entitled or permitted to have access with or without payment.