



Exeter City Council

THE CLEAN NEIGHBOURHOODS AND ENVIRONMENT ACT 2005

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

THE DOGS ON LEADS BY DIRECTION (EXETER) ORDER 2006

The Exeter City Council (in this Order called “the Authority”) hereby makes the following Order:

1

This Order comes into force on the 1st day of February 2007.

2

This Order applies to the land specified in the Schedule.

3

In this Order “an authorised officer of the Authority” means an employee of the Authority who is authorised in writing by the Authority 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 this Order applies, he does not comply with a direction given 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.

(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 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.

18th December 2006

The COMMON SEAL of the)
EXETER CITY COUNCIL was)
hereunto affixed this eighteenth)
day of December 2006 in the presence of:-)

17192



Head of Legal Services

B. A. - 10/12/06

SCHEDULE

1. Subject to the exception in paragraph 2 below, all land which is in the administrative area of the Council and which is
 - (i) open to the air (which includes land that is covered but open to the air on at least one side) and
 - (ii) to which the public are entitled or permitted to have access (with or without payment).
2. Excepted from the description in paragraph 1 above is land that is placed at the disposal of the Forestry Commissioners under section 39(1) of the Forestry Act 1967.