

DRAFT

The Dogs on Leads by Direction (Wiltshire Council) Order 2012

The Clean Neighbourhoods and Environment Act 2005

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

The Wiltshire Council hereby makes the following Order:

- 1 This Order comes into force on
- 2 This Order applies to the land specified in the Schedules.
- 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 of not more than 2 metres in length 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 because the dog appears to be dangerous; or to prevent behaviour by the dog likely to cause alarm or distress 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 3 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

DRAFT

THE COMMON SEAL of
WILTSHIRE COUNCIL
Was hereto affixed in the presence of

Authorised Officer:

Schedule 1 Land Designated by Description

Any land within the administrative area of Wiltshire Council which is open to the air, including covered land which is 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 of the following descriptions:

- (a) Any highway, footways, footpaths and towpaths within the area of Wiltshire Council over which the public have a right of way on foot, together with any adjoining verges which are maintained at public expense. This may include some areas of access land.
- (b) All pedestrianised areas within the area of Wiltshire Council to which the public have a right of access.
- (c) All open spaces which are owned, occupied or maintained by or on behalf of Wiltshire Council, a Registered Social Landlords/Housing Association or any Town or Parish Councils, and any public open space held by any Body on behalf of a community within Wiltshire Council.
- (d) Any cemetery, burial ground or churchyard.

Schedule 2 Land designated specifically

- (e) The Common, Broughton Gifford; Norrington Common, Broughton Gifford (which comprises two areas of land)
- (f) The Carpark and Open space at the Westbury White Horse south of Westbury Hill

Exempted Land:

- (a) any woodland, marsh, or agricultural land.