

## Anti-Social Behaviour Crime & Policing Act 2014

### Cornwall Council Public Space Protection (Dogs on Leads by Direction) Order 2023

Cornwall Council hereby makes the following Order:

1. The Order comes into force on 15 October 2023 for a period of 3 years
2. This Order applies to the land specified in the Schedule

#### Offence

3. A person in charge of a dog shall be guilty of an offence if, during the times specified in the Order, he does not comply with this order, unless (

a) one has a reasonable excuse for doing so; or

(b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his doing so.

A person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time.

An authorised officer of the Council 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 person on any land to which this Order applies or the worrying or disturbance of any animal or bird.

#### Exemptions

4. This Order does not apply to any person who;

(a) is registered as a blind person in a register compiled under Section 29 of the National Assistance Act 1948; or

(b) is deaf, in respect of a dog trained by Hearing Dog for Deaf People and upon which he relies for assistance; or

(c) has a disability which requires being in charge of an Assistance Dog registered with Assistance Dogs UK and upon which he relies for assistance.

#### Penalty

5. Failure, without a reasonable excuse, to comply with the prohibitions imposed by this Order, as set out above would be a criminal offence.

A person found guilty of such an offence, under Section 67 of the Act, would be liable on summary conviction to a fine not exceeding level 3 (£1,000) on the standard scale

A Police Officer, Police Community Support Officer or authorised person from the Council under Section 68 of the Act, may issue a fixed penalty notice in the sum of £100, to a person believed to have committed an offence under this Order this discharging liability for prosecution.

Given the Common Seal of Cornwall Council

Executed as an Order by )

**THE CORNWALL COUNCIL** )

K.M.W. whose <sup>Common</sup>~~Common~~ seal was hereunto )

affixed in the presence of )



*K.M. Nicholls*

Authorised Officer

*KATRINA NICHOLLS*

070199

This *25<sup>th</sup>* day of *October* 2023

**SCHEDULE**

This order applies 24 hours, 365 days of each given year 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 at the disposal of the Forestry Commissioners under Section 39(1) of the Forestry Act 1967.