

SCHEDULE 3

Regulations 7 and 8

OFFENCE OF NOT PUTTING AND KEEPING A DOG ON A LEAD, UNDER DIRECTION AND FORM OF ORDER

1.—(1) Subject to sub-paragraph (2), it is an offence when being in charge of a dog on land to which a dog control order (described as a “Dogs on Leads by Direction Order” in the form set out below) applies, not to put, and thereafter keep, the dog on a lead or on a lead of a maximum length prescribed in the order, during such times or periods as may be prescribed, when directed to do so by an authorised officer of an Authority.

(2) No offence is committed where a person has a reasonable excuse for failing to comply with a direction to put and keep the dog on a lead, or the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to that person failing to do so.

2 In any Dogs on Leads by Direction Order, the offence of not putting and keeping a dog on a lead, by direction, is to be set out in full as stated in article 4 in the form of the order given below.

3 In all other respects, a Dogs on Leads by Direction Order providing for that offence is to be in the form given below, or in a form substantially to the like effect.

Form of Order

The Clean Neighbourhoods and Environment Act 2005

The Dog Control Orders (Miscellaneous Provisions) (Wales) Regulations 2007 ([SI 2007/702 \(W.59\)](#))

The Dogs on Leads by Direction ([X](1)) Order [X](2)

The [X](3) (in this Order called “the Authority”) hereby makes the following Order:

- 1 This Order comes into force on [X](4).
- 2 This Order applies to the land specified in [the Schedule] [Schedule 1](5).

Offence

3.—(1) A person in charge of a dog is guilty of an offence if, [at any time] [during the [times] [periods] specified in Schedule 2](6), on any land to which this Order applies, that person does not comply with a direction given by an authorised officer of the Authority to put and keep the dog on a lead[of not more than [X centimetres / metres] in length](7), unless—

- (a) that person 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 that person failing to do so.

(2) For the purposes of this article—

- (a) a person who habitually has a dog in their possession is 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

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- (1) Identify, specifically or generally, the land in respect of which the Order applies.
 - (2) Insert year in which Order is made.
 - (3) Insert name of primary or secondary authority making the Order.
 - (4) Insert date Order comes into force, being at least 14 days after making of the Order.
 - (5) Specify whichever is the case.
 - (6) Specify whichever of the options in square brackets is to apply.
 - (7) If this is to be specified, insert maximum length of lead.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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.

(3) In this Order “an authorised officer of the Authority” means a person who is authorised in writing by the Authority for the purpose of giving directions under this Order.

Penalty

4

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

[Date]

[Attestation clause]

[SCHEDULE] [SCHEDULE 1](8)

[SCHEDULE 2

[Specification of times or periods during which the offence is to apply]](9)

(8) Specify whichever is the case.

(9) If applicable, include Schedule 2 specifying times or periods.