



**THE DOGS ON LEADS
BY DIRECTION
(SHROPSHIRE COUNCIL)
DOG CONTROL ORDER 2013**

SHROPSHIRE COUNCIL

The Clean Neighbourhoods & Environment Act 2005

The Dogs on Leads by Direction (Shropshire Council) Dog Control Order 2013

Commencement and title and interpretation

Shropshire Council (herein this Order called "the Authority") in exercise of its powers under section 55 of The Clean Neighbourhoods and Environment Act 2005, The Dog Control Orders (Prescribed Offences and Penalties, etc.) Regulations 2006 (S.I. 2006/1059) and all other enabling powers, hereby makes the following order.

1. This Order comes into force on 1st November 2013
2. This Order applies to the land specified in the Schedule.
3. This Order shall be cited as 'The Dogs on Leads by Direction (Shropshire Council) Dog Control Order 2013'.
4. In this Order "an authorised officer of the Authority" means a representative of the Authority or an employee of West Mercia Police or a representative of a Secondary Authority (Parish or Town Council) who is authorised in writing by the Authority for the purpose of giving directions under this Order.

Offence

5. (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 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 present a hazard or 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

6. 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.

Revocations

7. For the avoidance of doubt the following orders shall cease to have effect on the coming in to force of this order:

- The Dogs on Leads (Borough of Oswestry) Control Order 2007
- The Dogs on Leads by Direction (Borough of Oswestry) Control Order 2007
- The Dogs on Leads by Direction (Shrewsbury & Atcham Borough Council) Order 2007
- The Dogs on Leads (Shrewsbury & Atcham Borough Council) Order 2007
- The Dogs on Leads (South Shropshire District Council) Control Order 2007

THE COMMON SEAL of
SHROPSHIRE COUNCIL

was affixed to this Order

on the

16th day of October 2013

in the presence of:-

H. Powell

298041

Authorised Signatory

SCHEDULE

Land designated by description

16 October 2013

This Order shall apply to any land within the administrative area of Shropshire 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 Shropshire 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 Shropshire 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 Shropshire Council, a Registered Social Landlord/Housing Association or any Town or Parish Councils, and any public open space held by any Body on behalf of a community within Shropshire Council.
- (d) Any cemetery, burial ground or churchyard.

The exceptions to which the provisions of the order will NOT apply are:

- a) Forestry Commission land, or
- b) Land designated by the secretary of state as land which is not subject to the Order