The Clean Neighbourhoods and Environment Act 2005

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

The Dogs on Leads by Direction (Kirkdale, Anfield and County Wards, Liverpool) Order 2011

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

1. This Order comes into force on 1st January 2012
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 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 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.

Exemption

6. (1) Nothing in this order applies to a person who-

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

(b) has a disability which affects his mobility, manual dexterity, physical coordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon which he relies for assistance.

(2) For the purposes of this article each of the following is a "prescribed charity":-

(i) Dogs for the Disabled (registered charity number 700454);
(ii) Support Dogs (registered charity number 1088281);
(iii) Canine Partners for Independence (registered charity number 803680).
Dated: 6th December 2011.

THE COMMON SEAL of
the Council was
hereunto affixed

INTERIM Assistant City Solicitor

Seqn No. 11
SCHEDULE

Land to which the Order applies

1. Subject to the exceptions set out at paragraph 2 below, all land within the area edged with a blue line on the map attached to this Order which is open to the air, including covered land which is open on at least one side, and to which the public are entitled or permitted to have access (with or without payment).

2. This Order does not apply to the following -

   a) Land used for agriculture or woodland

   b) Forestry Commission Land

   c) Gardens to private residences

   d) Land which is predominately marshland, moor or heath

   e) Common land to which the public are entitled or permitted to have access, otherwise than by virtue of Section 193(1) of the Law of Property Act 1925

   “Agriculture” includes horticulture, fruit growing, seed growing, dairy farming and livestock breeding, and keeping and the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds.

   “Forestry Commission land” is land placed at the disposal of the Forestry Commissioners under Section 39(1) of the Forestry Act 1967.
Map attached to the Dogs on Leads by Direction (Kirkdale, Anfield and County Wards, Liverpool) Order 2011

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