

The Clean Neighbourhoods and Environment Act 2005

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

Epping Forest District Council

(Dogs on Leads by Direction) (General) Order 2012

The Epping Forest District Council (in this Order called "the Authority") hereby makes the following Order:-

1. This Order comes into force on [date].
2. This Order applies to the land specified in Schedule 1.
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 or any other person 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 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. The Council is able to offer a fixed penalty notice (FPN) to anybody who breaches an order as an alternative to prosecution. The amount of fixed penalty can be set by the Council and may vary. In 2010 the FPN amount was set at £75 if the FPN is paid within 14 days and a discounted level of £50 if the FPN is paid within 10 days of being offered).

Dated: [date]

The Common Seal of Epping Forest District Council was hereunto affixed in the presence of

Authorised Officer

Schedule 1

All land 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 within the area edged with a bold line on the map attached to this Order marked "The Epping Forest District Council (Dogs on Leads by Direction) (General) Order 2012." being the whole of the Epping Forest district.

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