

**The Clean Neighbourhoods and Environment Act 2005
The Dog Control Orders Regulations 2006
(Prescribed Offences and Penalties, etc.)**

The Dogs on Lead at All Times (Tamworth Borough Council) Order 2012

Tamworth Borough Council hereby makes the following Order:

1. This Order comes into force on **1st August 2012**
2. This Order applies to the land specified in the Schedule below.

Offence

3. (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 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;

Penalty

4. In lieu of prosecution for an offence under article 3, the alleged offender will be given the opportunity to discharge any liability to conviction for the offence by the payment of a fixed penalty to the maximum allowed by statute (currently £80) with a reduction to £50 if paid within 7 days

Failure to pay the fixed penalty within fourteen days will lead to the instigation of legal proceedings. A person found guilty of an offence under article 3 in the Magistrate's Court shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Signed

Chief Executive

Date 12 July 2012

Schedule

Subject to the exception in paragraph 2 below, this Order applies to the following designated land:- Amington Cemetery, Wilnecote Cemetery (Old and New), Glascote Cemetery, Wigginton Cemetery, Anker Valley Sports Pitches, Pedestrian area of the Town Centre, Upper and Lower Lawn (Castle Grounds), St Edithas Church Graveyard and all public footpaths and grass verges to highways in Tamworth (as defined by the Road Traffic Act 1988)

2. Excepted from the description in paragraph 1 above is:
 - i. land that is placed at the disposal of the Forestry Commissioners under section 39(1) of the Forestry Act 1967; or
 - ii. agricultural land.

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