

**Dog Control Orders
Clean Neighbourhoods and Environment Act 2005**

The Dog Control Orders (Prescribed offences and Penalties, etc) Regulations 2006
(SI 2006/1059)

THE FOULING OF LAND BY DOGS (WEST SOMERSET) ORDER 2010

The West Somerset Council makes the following Order:

1. The Order will come into force on the thirty first day of March 2010
2. This Order applies to the land specified in Schedule 1

Offence

3. (1) If a dog defecates at any time on land to which this Order applies and a person who is in charge of the dog at that time fails to remove the faeces forthwith, that person shall be guilty of an offence unless -
 - a) he has 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) Nothing in this article 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 co-ordination 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.
- (3) 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) placing the faeces in a receptacle on the land which is provided for the purpose, or for the disposal of waste, shall be a sufficient removal from the land;
 - c) being unaware of the defecation (whether by reason of not being in the vicinity or otherwise), or not having a device for or other suitable means of removing the faeces shall not be a reasonable excuse for failing to remove the faeces;
 - d) each of the following is a "prescribed charity" -
 - i. Dogs for the Disabled (registered charity number 700454);
 - ii. Support Dogs (registered charity number 1088281);

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- iii. Canine Partners for Independence registered charity
number 803680)

Penalty

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

Date Eighth of March 2010

I Timms

Group Manager, Housing and Community, West Somerset Council, West Somerset House, Killick Way, Williton, Somerset, TA4 4QA

Schedule 1;

Land designated by description;

Schedule 1 applies to all land in the West Somerset Council area which is open to air and to which the public are entitled or permitted to have access (with or without payment), including but not limited to, parks, public open spaces and highways.

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The Dog Control Orders (Prescribed Offences and Penalties, etc) Regulations 2006
(SI2006/1059)

The Dogs on Leads by Direction (West Somerset) Order 2010

The West Somerset Council (in this order called "the Authority") hereby makes the following order:

1. This order comes into force on the thirty first day of March 2010
2. This order applies to the land specified in the Schedule 1.
3. In this order "an authorised officer of the authority" means an employee or **agent** 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, 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.

Date Eighth of March 2010

I Timms

Group Manager, Housing and Community, West Somerset Council, West Somerset House, Killick Way, Williton, Somerset, TA4 4QA

**Dog Control Orders
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Schedule 1

1. Subject to the exception in paragraph 2 below, all land which is in the administrative area of the council and which is:-
 - i open to the air (which includes land that is covered but open to the air on at least one side) and
 - ii to which the public are entitled or permitted to have access (with or without payment).
 - iii All roads within the District of West Somerset (as defined by Section 142 of the Road Traffic regulation Act 1984)
2. Excepted from the description in paragraph 1 above is land that is placed at the disposal of the forestry commissioners under section 39 of the Forestry Act 1967

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

The Dogs on Leads (West Somerset) Order 2010

The West Somerset Council (in this order called "the council") hereby makes the following order:

1. This order comes into force on the thirty first day of March 2010
2. This order applies to the land specified in the Schedule1

Offence

3. (1) a person in charge of a dog shall be guilty of an offence if, at any time, on land to which this Order applies does not keep the dog on a lead, unless -
 - i. Has a reasonable excuse not to do so; or
 - ii. 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 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. a person who is guilty of an offence under article 3 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Date Eighth of March 2010

I Timms
Group Manager, Housing and Community, West Somerset Council, West Somerset House, Killick Way, Williton, Somerset, TA4 4QA

Schedule 1:

1. **Exmoor House Lawns, Dulverton** (as shown on Map DOL015 delineated in red)
2. **Lower Parks Walk, Minehead** section between entrances at Parkhouse Road and Periton Lane (as shown on Map DOL016 delineated in red)
3. **Minehead Seafront** (as shown on Map DOL017 delineated in red)
4. **Porlock Recreation Grounds** (as shown on Map DOL018 delineated in red)
5. **Porlock Churchyard and Cemetary** (as shown on Map DOL019 delineated in red)

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6. **Carpark opposite Memorial Hall, Withycombe** (as shown on Map DOL020 delineated in red)
7. **King George V Playing Field, Minehead** (as shown on Map DOL021 delineated in red)
8. **Cross Farm Park, Alcombe** (as shown on map DOL022 as hatched red)

Schedule 2

The Order will be in force at all times for the land specified in Schedule 1

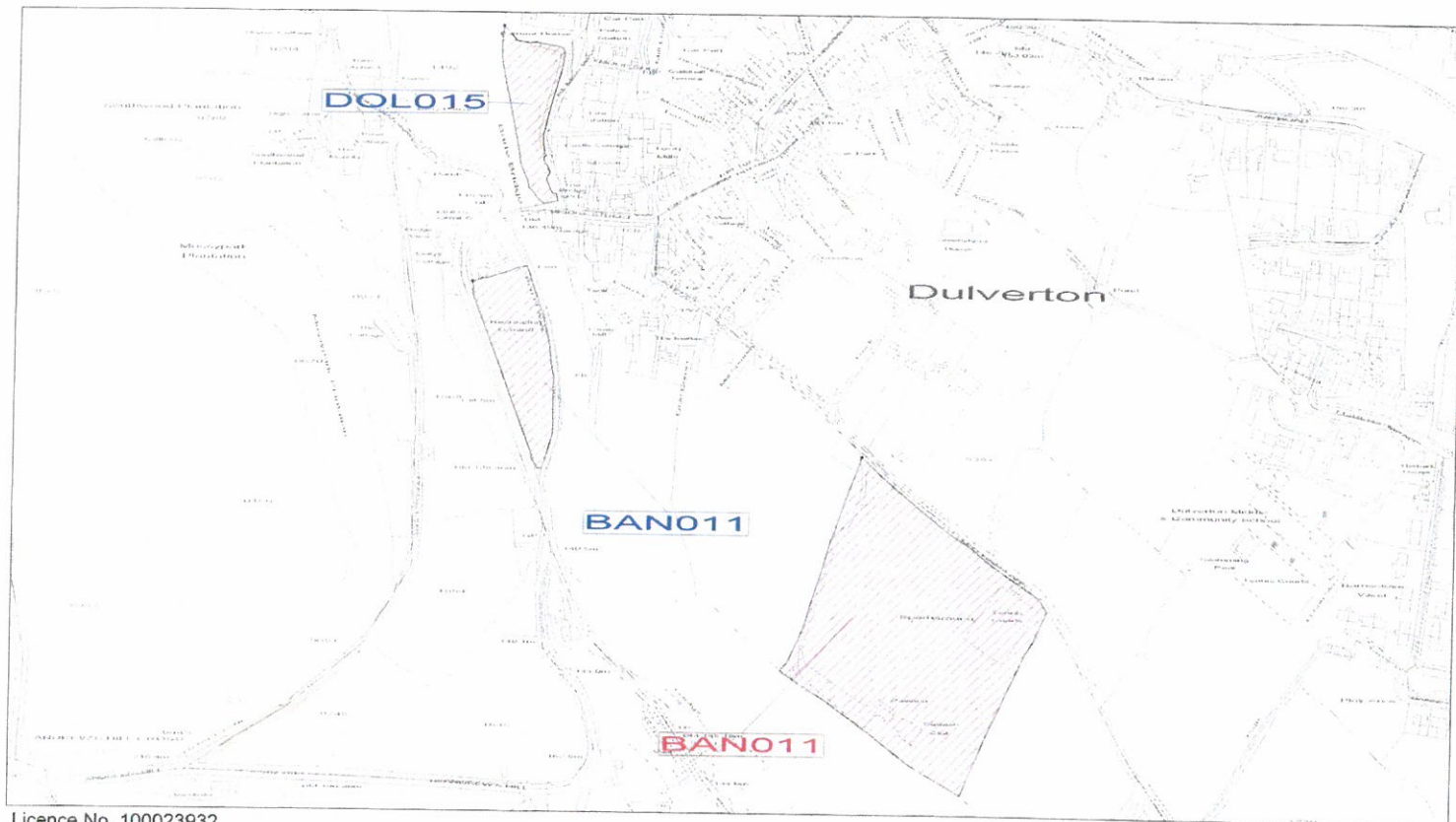
All other existing Parish and Town Council byelaws not mentioned above relating to dog control remain unaltered.

WEST SOMERSET COUNCIL - HOUSING AND COMMUNITY; Ref DOL015, & BAN011

Map shows designated Dog Control area (Exmoor House Lawns) and Dog Ban areas (The Recreation Ground, and the Sportsfield, Dulvert. Made under s.55 of the Clean Neighbourhoods and Environment Act 2005).

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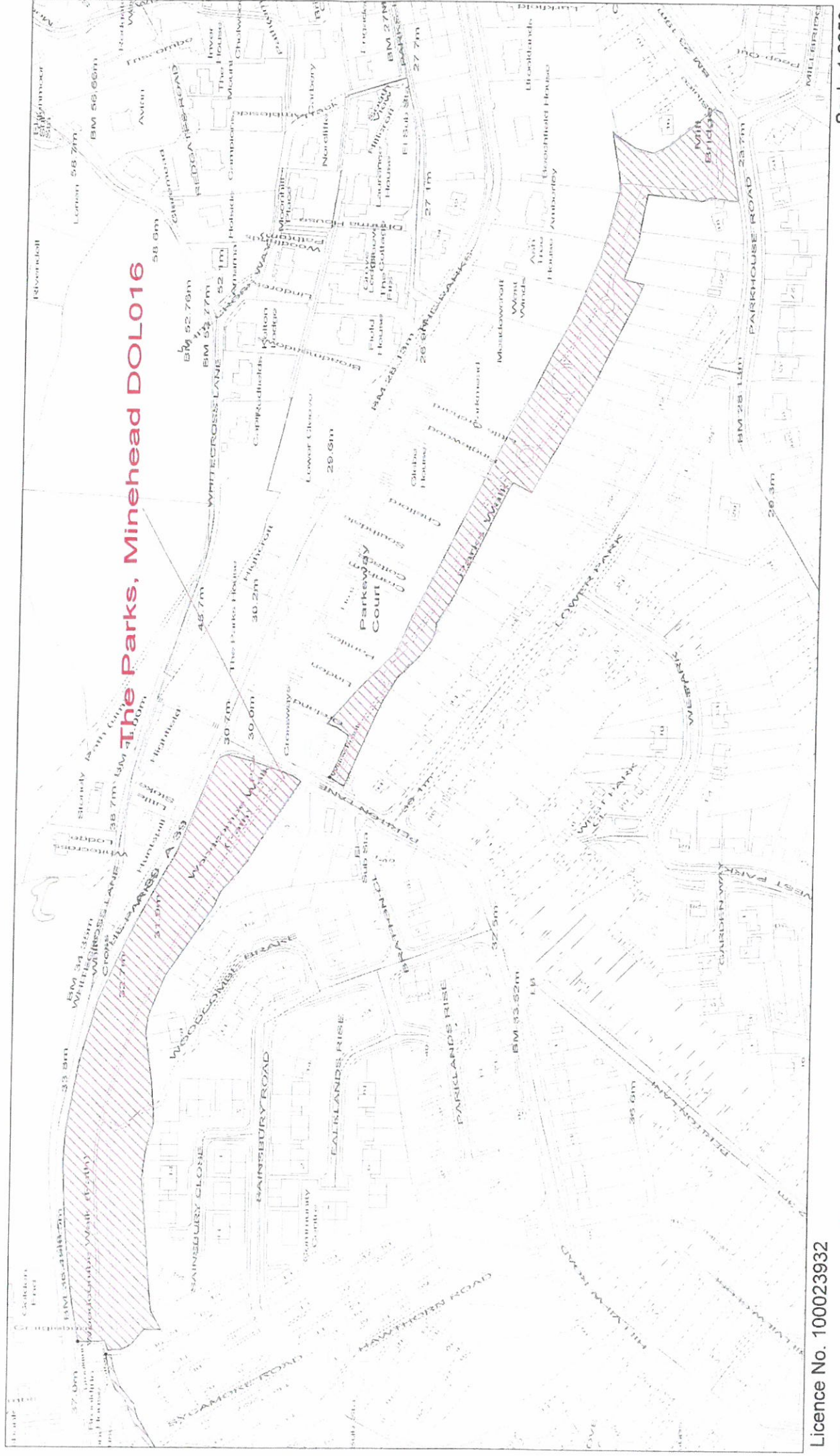
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WEST SOMERSET COUNCIL - HOUSING AND COMMUNITY; Ref DOL016

Map shows designated Dog Control area, The Parks, Minehead (DOL016)
Made under s.55 of the Clean Neighbourhoods and Environment Act 2005).
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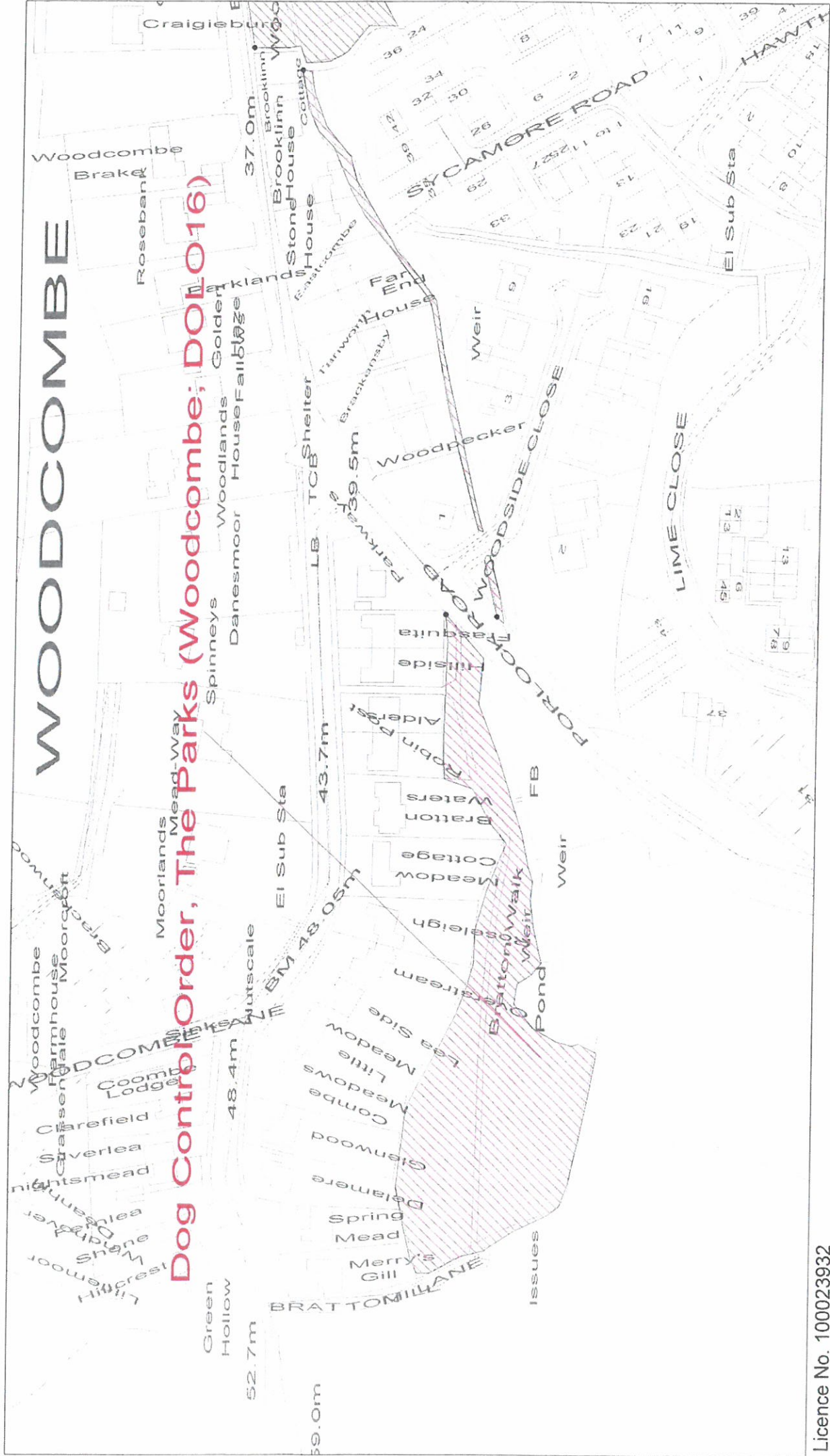


WEST SOMERSET COUNCIL - HOUSING AND COMMUNITY; Ref DOLO16

Map shows designated Dog Control areas, the Woodcombe section of The Parks, Minehead.
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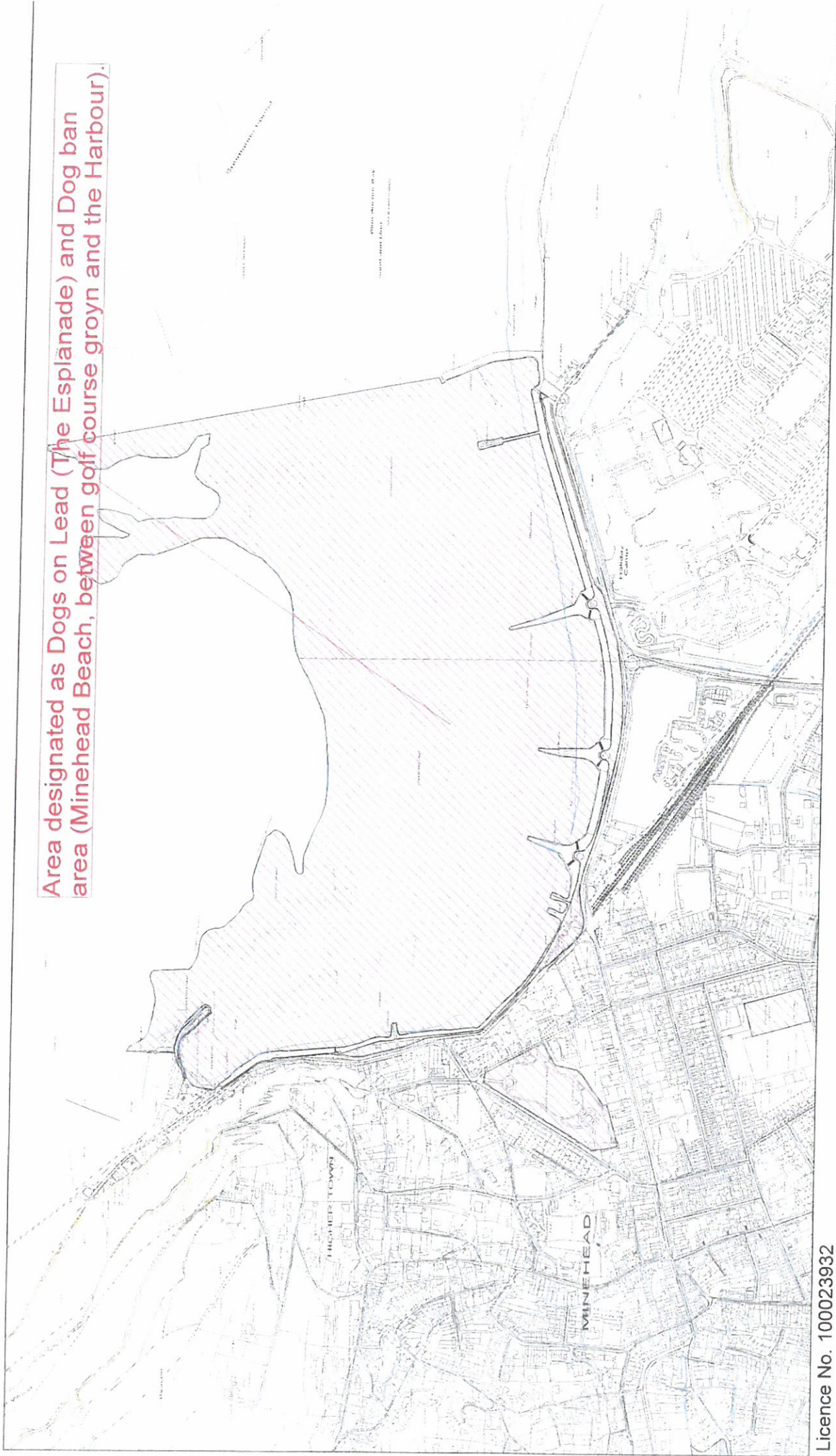
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WEST SOMERSET COUNCIL - HOUSING AND COMMUNITY REF; DOL017 and BAN002

Map shows designated Dogs on Lead (The Esplanade) and Dog Ban areas (Minehead Beach, between golf course groyn and the harbour)
Dog Ban is between 1st May to 30 September.
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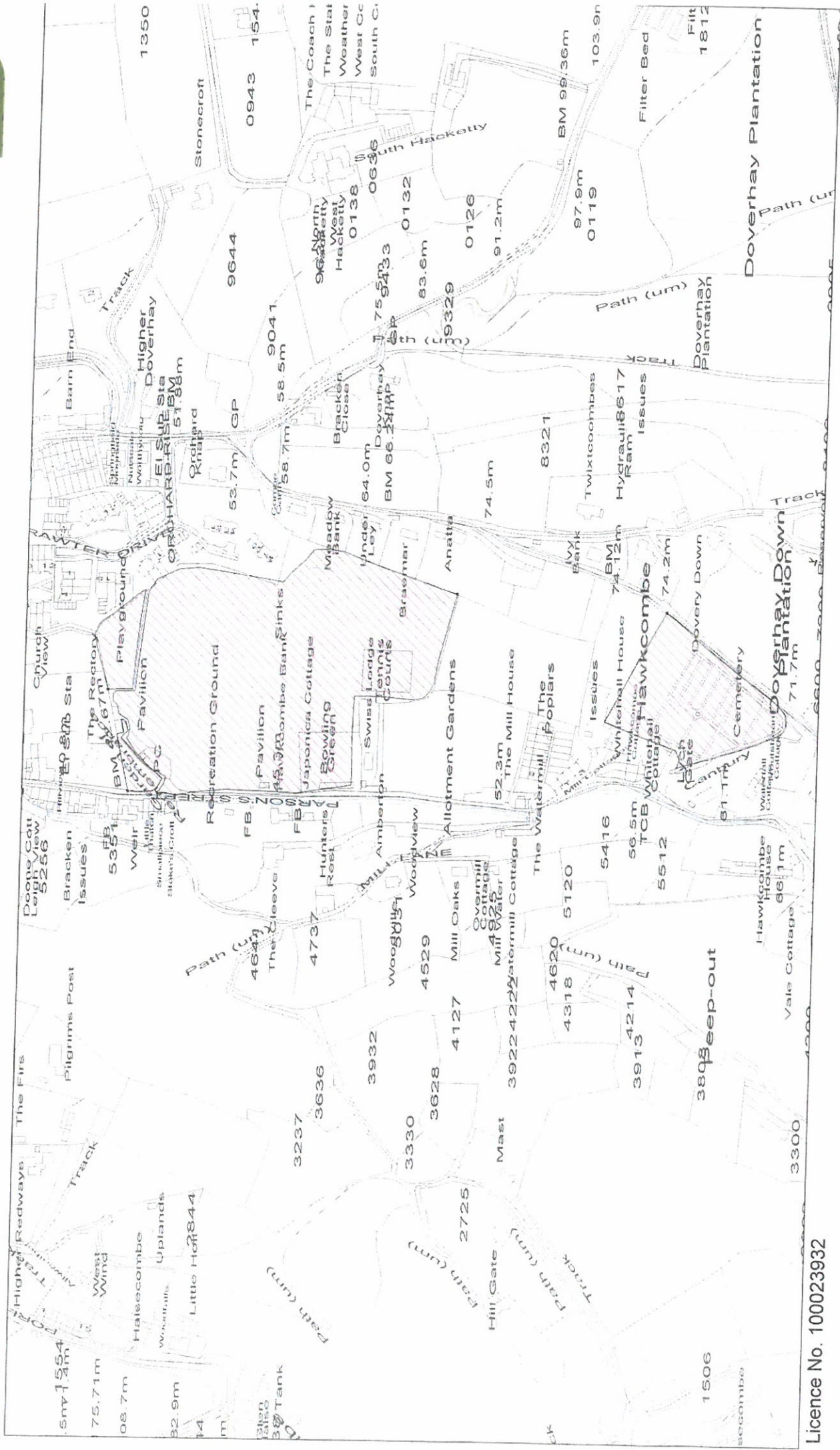
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WEST SOMERSET COUNCIL - HOUSING AND COMMUNITY; Ref Porlock BAN007, BAN008, DOL018, & DOL019

Dog Control areas at Recreation Ground (DOL018), Cemetery (DOL019), Cemetary (DOL018), Dog Ban Areas Mem Garden (BAN008), & Childrens play are Made under s.55 of the Clean Neighbourhoods and Environment Act 2005). No further copies can be made

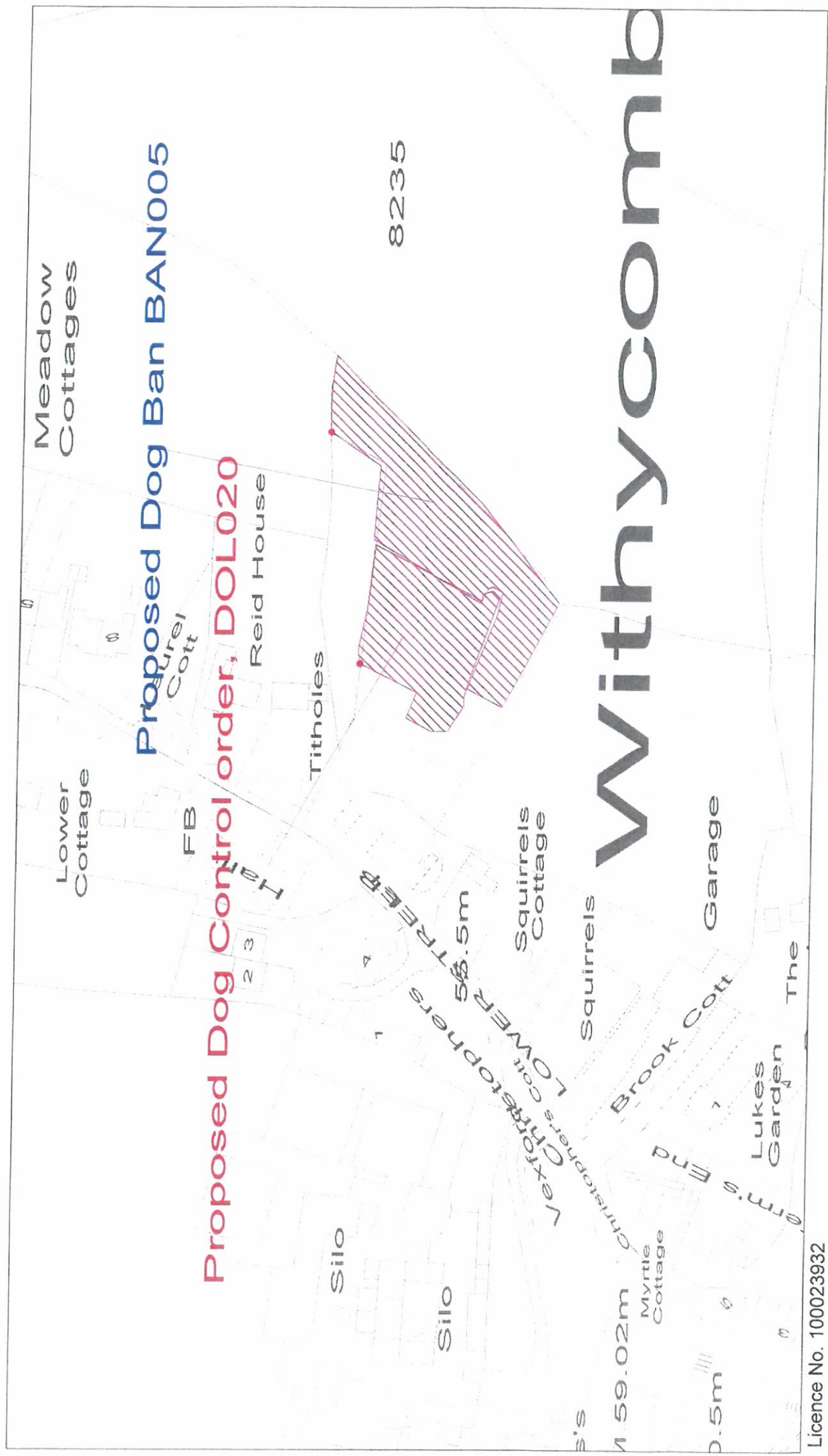
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WEST SOMERSET COUNCIL - HOUSING AND COMMUNITY; Ref DOL020 & BAN005

Proposed designated Dog Control area (The Car Park, Withycombe; DOL020) and Proposed Ban (Childrens Play area and Activity Field; B Made under s.55 of the Clean Neighbourhoods and Environment Act 2005).
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WEST SOMERSET COUNCIL - HOUSING AND COMMUNITY; Ref DOL021 & BAN014

Designated Dog Control area, (King George V Playing field, DOL021) and Dog Ban area (Millenium Rose Garden, BAN014)
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