

The Clean Neighbourhoods and Environment Act 2005

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

**The Dogs Exclusion (Eastwood Park, Hasland, Chesterfield)
Order 2013**

Chesterfield Borough Council hereby makes the following Order:

1. This Order comes into force on XXXX2013.
2. This Order applies to the land specified in the Schedule.

Offence

3. (1) A person in charge of a dog shall be guilty of an offence if at any time he takes the dog onto, or permits the dog to enter or to remain on, any land to which this Order applies 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) 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) is deaf, in respect of a dog trained by Hearing Dogs for Deaf People (registered charity number 293358) and upon which he relies for assistance; or

(c) 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; and

(b) 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).

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.

Dated the _____ day of _____ 2013

THE COMMON SEAL OF _____)
CHESTERFIELD BROUGH COUNCIL)
was hereunto affixed in the presence of:)

Mayor

Authorised Signatory

SCHEDULE

All that land at part of Eastwood Park, Hasland, Chesterfield which is land that is open to the air (including land that is covered but 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 which is shown coloured in red on the map attached to this Order.

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