

NEWTOWNABBEY BOROUGH COUNCIL

The Clean Neighbourhoods and Environment Act (Northern Ireland) 2011

The Dog Control Orders (Prescribed Offences and Penalties etc) Regulations
(Northern Ireland) 2012 (S.R. 2012 No. 114)

The Dogs on Leads by Direction (Newtownabbey Borough Council) Order 2012

Newtownabbey Borough Council hereby makes the following Order:

- 1.** This Order comes into force on **1st February 2013**
- 2.** This Order applies to the land specified in the Schedule
- 3.** In this Order "an authorised officer of a district council" means an employee of the district council who is authorised in writing by the district council 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 to him by an authorised officer of the Newtownabbey Borough Council 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 Council 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.

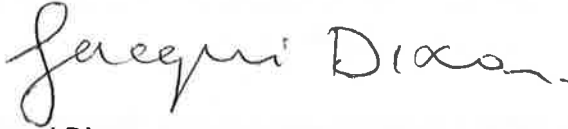
Penalty

- 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.

Dated this 20~~th~~ day of December 2012

The Common Seal of Newtownabbey Borough Council

Affixed hereto in the presence of:-



Jacqui Dixon
Chief Executive

Schedule

1. Subject to the exception in paragraph 2 below, this Order applies to all land within the Borough of Newtownabbey 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 enter (with or without payment)

(iii) all land designated in a Dog Control Order which requires a dog to be kept on a lead

2. Excepted from the description in paragraph (1) above is land held by the Department of Agriculture and Rural Development for the purpose of any of its functions under the Forestry Act (Northern Ireland) 2010 (2010 c. 10 (NI))