
STATUTORY INSTRUMENTS

1995 No. 2767

**The Control of Dogs on Roads Orders (Procedure)
(England and Wales) Regulations 1995**

Commencement and citation

1. These Regulations may be cited as the Control of Dogs on Roads Orders (Procedure) (England and Wales) Regulations 1995 and shall come into force on 11th December 1995.

Revocation and transitional provisions

2.—(1) Subject to paragraph (2) below, the Control of Dogs on Roads Orders (Procedure) (England and Wales) Regulations 1962(1) and the Control of Dogs on Roads Orders (Procedure) (England and Wales) (Amendment) Regulations 1965(2) are hereby revoked.

(2) Where a notice relating to an order has been published pursuant to regulation 3(b) or 11 of the Control of Dogs on Roads Orders (Procedure) (England and Wales) Regulations 1962, those Regulations shall continue to apply to that order as if they had not been revoked and nothing in these Regulations shall apply to the order.

Interpretation

3. A reference in regulation 2 or regulations 5 to 10 below to an order is a reference to an order or a proposed order, as appropriate and, in the case of a proposed order, any reference to the effect of the order (however expressed) is a reference to its effect if it were to be made.

Application of Regulations

4. These Regulations apply to orders made or proposed to be made by a local authority falling within section 27(7)(a) of the Road Traffic Act 1988.

Procedure before making an order

5. Before making an order, a local authority shall—

- (a) without prejudice to section 27(5) of the Road Traffic Act 1988, consult such organisations (if any) representing persons likely to be affected by any provision in the order as it thinks appropriate; and
- (b) publish once at least, in a local newspaper circulating in the area in which any length of road to which the order relates is situated, a notice in the form and containing the particulars specified in Part I of the Schedule to these Regulations.

(1) S.I.1962/2340.
(2) S.I. 1965/640.

Inspection

6.—(1) During the period mentioned in paragraph (2) below, there shall be made available for inspection at the principal offices of the local authority during normal office hours and at such other places (if any) within its area as it may think fit during such hours as it may determine for each such place, the following documents—

- (a) a copy of the notice published under regulation 5(b);
- (b) a copy of the order; and
- (c) a map which clearly indicates in distinguishing colours or markings all lengths of road to which the order relates.

(2) The period referred to in paragraph (1) above, is the period beginning on the date of publication of the notice under regulation 5(b), and ending at the expiration of the period during which objections to the order may be sent under regulation 7.

Objections

7.—(1) Any person desiring to object to an order shall send to the local authority, at the address specified in the notice published under regulation 5(b), a written statement of his objection and the grounds on which it is made on or before the date specified in the notice.

(2) Before making an order the local authority shall consider all objections duly made under this regulation and not withdrawn.

Notification of decision to make an order by the local authority

8.—(1) After the local authority has decided to make an order, the decision shall be notified in writing to—

- (a) the chief officer of police who is required to be consulted under section 27(5) of the Road Traffic Act 1988; and
- (b) each person who has duly objected to the order under regulation 7 and has not withdrawn his objection.

(2) Where an objection made under regulation 7 has not been, or not wholly been, acceded to, the local authority shall notify in writing the person making the objection of the reasons for the decision.

Procedure after order is made

9. After an order is made, the local authority shall—

- (a) within 14 days of the making of the order publish in a local newspaper circulating in the area in which any length of road to which the order relates is situated a notice in the form and containing the particulars specified in Part II of the Schedule to these Regulations;
- (b) forthwith keep available for inspection at its principal offices during normal office hours a copy of the order as made and a map showing all lengths of road to which the order relates; and
- (c) forthwith take all such steps as are reasonably practicable to cause to be erected on or near to the lengths of road to which the order relates signs in such positions as the local authority may consider to be appropriate for ensuring that adequate information about the order is given to persons likely to be affected by its provisions.

Special provision for certain orders

10. Regulations 5,6,7,8(1)(b) and (2) shall not apply to—

- (a) an order which revokes and re-enacts another order or a provision of another order, but has no further affect, or
- (b) an order which revokes another order or a provision of another order, but has no other effect.

18th October 1995

Steven Norris
Parliamentary Under Secretary of State,
Department of Transport

19th October 1995

William Hague
Secretary of State for Wales