

2006 No. 779

DOGS, ENGLAND

CONTROL OF DOGS

**The Controls on Dogs (Non-application to Designated Land)
Order 2006**

<i>Made</i> - - - -	<i>10th March 2006</i>
<i>Laid before Parliament</i>	<i>16th March 2006</i>
<i>Coming into force</i> - -	<i>6th April 2006</i>

The Secretary of State is, in relation to England, the appropriate person as defined in section 66(a) of the Clean Neighbourhoods and Environment Act 2005(a), for the purpose of exercising the powers conferred by section 57(3) of that Act, and makes the following Order in exercise of those powers:

Title, commencement and application

1. This Order—

- (a) may be cited as the Controls on Dogs (Non-application to Designated Land) Order 2006;
- (b) comes into force on 6th April 2006;
- (c) applies in England only.

Interpretation

2. In this Order—

“the Act” means the Clean Neighbourhoods and Environment Act 2005;

“land” means any land which is open to the air and to which the public are entitled or permitted to have access (with or without payment), and any land which is covered is to be treated as “open to the air” if it is open on at least one side;

“road” means any length of highway or of any other road to which the public have access, and includes bridges over which a road passes.

Land to which Chapter 1 of Part 6 of the Act does not apply

3. Any land that falls within a description in the first column of the table in the Schedule is designated as land to which Chapter 1 (controls on dogs) of Part 6 of the Act does not apply, for the purposes specified in relation to the particular description in the second column of that table.

Ben Bradshaw

Parliamentary Under Secretary of State

Department for Environment, Food and Rural Affairs

Date 10th March 2006

SCHEDULE

Article 3

LAND TO WHICH CHAPTER 1 OF PART 6 OF THE ACT DOES NOT APPLY

<i>Description of Land</i>	<i>Purposes for which Chapter 1 of Part 6 of the Act does not apply</i>
Land that is placed at the disposal of the Forestry Commissioners under section 39(1) of the Forestry Act 1967 ^(a)	For the purpose of making a dog control order under section 55(1) of the Act
Land over which a road passes	For the purpose of making a dog control order under section 55(1) of the Act which provides for an offence relating to the matter described in section 55(3)(c) (the exclusion of dogs from land)

^(a) 1967 c.10; section 39(1) was amended by S.I. 1999/1747, article 3 and Schedule 12, Part II, paragraph 4(1) and (28)

EXPLANATORY NOTE

(This note is not part of the Order)

This Order designates descriptions of land to which Chapter 1 (controls on dogs) of Part 6 (dogs) of the Clean Neighbourhoods and Environment Act 2005 (“the Act”) does not apply (*article 3*), for the purposes specified in relation to each description.

Two descriptions of land are designated in this Order. They are—

- (i) any land that is placed at the disposal of the Forestry Commissioners under section 39(1) of the Forestry Act 1967, in respect of the making of any dog control order under section 55(1) of the Act, and
- (ii) any land over which a road passes, in respect of the making of a dog control order under section 55(1) of the Act which provides for an offence relating to the matter described in section 55(3)(c) (the exclusion of dogs from land) (*article 3 and the Schedule*).

A full regulatory impact assessment of the effect of the then Clean Neighbourhoods and Environment Bill was prepared (dog control orders are dealt with on pp.58-60), and was deposited in the libraries of both Houses of Parliament; copies of it are available from the Department for Environment, Food and Rural Affairs, Ashdown House, 123 Victoria Street, London SW1E 6DE. A separate regulatory impact assessment has not been produced for this Order as it has no impact on the costs of business.

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The Controls on Dogs (Non-application to Designated Land)
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