

**The Clean Neighbourhoods and Environment Act 2005**

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

**The Dogs on Leads by Direction (Kettering Borough Council) Order 2011**

The Kettering Borough Council hereby makes the following Order:-

1. This Order comes into force on 1<sup>st</sup> July 2011
2. This Order applies to the land specified in the Schedule.
3. In this Order "an authorised officer of the Authority" means an employee of the Authority who is authorised in writing by the Authority for the purposes of giving directions under this Order.

**Offence**

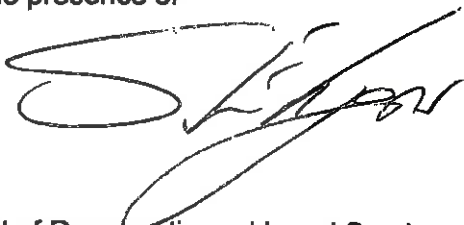
- 4.1 A person in charge of a dog shall be guilty of an offence if, at any time, on any land to which this Order applied, he does not comply with a direction given him by an authorised officer of the Authority to put and keep a dog on a lead of not more than 1.5 metres in length unless -
- (a) he has 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.
- 4.2 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 nuisance or behaviour by the dog likely to cause annoyance or disturbance to any other person 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: 17<sup>th</sup> June 2011

The COMMON SEAL of the  
KETTERING BOROUGH COUNCIL was  
Hereunto affixed this 17<sup>th</sup> day of June 2011  
in the presence of



Head of Democratic and Legal Services



CERTIFY THAT I HAVE SEEN THE ORIGINAL DOCUMENT AND THIS COPY IS A COMPLETE AND  
WRITE COPY OF THAT ORIGINAL. *John Williams* JAMES CHADWICK, SOLICITOR (IPA NUMBER 11/12/009  
356384)  
TO: 6TH JULY 2011 CONNECT LAW, MUNICIPAL OFFICES, BOWLING GREEN ROAD, KETTERING

**The Clean Neighbourhoods and Environment Act 2005**

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

**The Fouling of Land by Dogs (Kettering Borough Council) Order 2011**

The Kettering Borough Council hereby makes the following Order:-

1. This Order comes into force on 1<sup>st</sup> July 2011
2. This Order applies to the land specified in the Schedule.

**Offence**

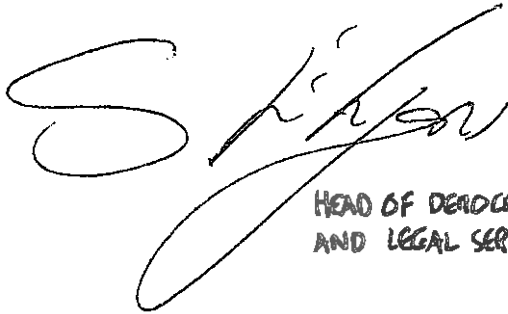
- 3.1 If a dog defecates at any time on land to which this Order applies and a person who is in charge of the dog at the time fails to remove the faeces from the land forthwith, that person shall be guilty of an offence unless –
- (a) he has reasonable excuse for failing to do so; or
  - (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.
- 3.2 Nothing in this article applied 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 whom he relies for assistance.
- 3.3 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, of for the disposal of waste, shall be 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)
    - (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: 17<sup>th</sup> June 2011

The COMMON SEAL of the  
KETTERING BOROUGH COUNCIL was  
Hereunto affixed this 17<sup>th</sup> day of June 2011  
in the presence of



HEAD OF DEMOCRATIC  
AND LEGAL SERVICES

Schedule



1. Subject to the exemption in paragraph 2 below, this Order applied to all land which is within the administrative area of Kettering Borough 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.
2. Excepted from the description in paragraph 1 above is land that is placed at the disposal of the Forestry Commissioners under section 39(1) of the Forestry Act 1967.

I CERTIFY THAT I HAVE SEEN THE ORIGINAL  
DOCUMENT AND THIS COPY IS A COMPLETE AND  
ACCURATE COPY OF THAT ORIGINAL



JAMES CHOWICK DATED: 6th JULY 2011  
SOLICITOR (SRA NUMBER 356384)  
CONNECT LAW, MUNICIPAL OFFICES, BOWLING  
GREEN ROAD, KETTERING, NN15 7GX