

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 (Brighton and Hove) Order 2009

Brighton and Hove City Council (the Council) hereby makes the following Order:

1. This Order comes into force on 1st January 2009.
2. This Order applies to the land specified in Schedule 1.

Offence

3.(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 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 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.

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.

THE COMMON SEAL OF BRIGHTON & HOVE)
COUNCIL was affixed hereto this)
in the presence of:-)

Authorised Officer

SCHEDULE 1

Description of Land, or Lands, to which the Order applies

1. Subject to the exceptions set out at paragraph 2 below, all roads (as defined by Section 142 Road Traffic Regulation Act 1984) in the administrative area of the Council, including the seafront promenades (upper and lower).¹
2. This Order does not apply to land used for agriculture² or woodland or Forestry Commission Land³.

¹ A 'road' is defined in section 142 of the Road Traffic Regulation Act 1984 as 'any length of highway or of any other road to which the public has access, and includes bridges over which a road passes.'

² 'agriculture' includes horticulture, fruit growing, seed growing, dairy farming, and livestock breeding, and keeping, and the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds.

³ 'Forestry Commission Land' is land that is placed at the disposal of the Forestry Commissioners under section 39(1) of the Forestry Act 1967.