

Anti-Social Behaviour Crime & Policing Act 2014

Cornwall Council Public Space Protection (Dogs on Beaches) Order 2017

Cornwall Council hereby makes the following Order:

1. The Order comes into force on 13 April 2017 for a period of 3 years
2. This Order applies to the land specified and during the periods specified in Schedules 1 to 10

This Order revokes those Dog Control Orders on beaches by the former district Councils of Cornwall, hereby being;

Caradon District Council
Kerrier District Council
North Cornwall District Council
Penwith District Council
Restormel District Council

under the Clean Neighbourhood and Environment Act 2005 whereby the land in which is applied by this Order is set out in Schedules 1 to 10

Offence

3. A person in charge of a dog shall be guilty of an offence if, during the time periods specified in Schedules 1 to 10, a person takes a dog onto, or permits the dog to enter or to remain on, any land to which this Order applies unless –
 - (a) one has a reasonable excuse for doing so; or
 - (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his doing so.

A person who habitually has a dog in his possession shall be taken to be the person in charge of a dog at any time.

Exemptions

4. This Order does not apply to any person who:
 - (a) is registered as a blind person in a register compiled under Section 29 or the National Assistance Act 1948; or
 - (b) is deaf, in respect of a dog trained by Hearing Dog for Deaf People and upon which he relies for assistance; or

- (c) has a disability which requires being in charge of an Assistance Dog registered with Assistance Dogs UK and upon which he relies for assistance.

Penalty

5. Failure, without a reasonable excuse, to comply with the prohibitions imposed by this Order, as set out above would be a criminal offence.

A person guilty of such an offence, under section 67 of the Act, would be liable on summary conviction to a fine not exceeding level 3 (£1,000) on the standard scale

Cornwall Council, at their discretion, may issue a fixed penalty notice in the sum of £100, to a person believed to have committed an offence under this Order thus discharging liability for prosecution.

SCHEDULE 1

This Order revokes the Order(s) dated 3 March 2011 to which the land below applies. This Order applies 24 hours, 365 days of each year for the following land;

Carnsew Pool
Copperhouse Pool
Hayle Estuary

SCHEDULE 2

This Order revokes the Order(s) dated 30 July 2007 to which the land below applies. This Order applies between the hours of 7.00am and 7.00pm, from Easter Day until 30 September of each year for the following land;

Cadgwith Cove, Cadgwith
Church Cove, Gunwalloe
Housel Bay, The Lizard
Kennack Sands Beach, The Lizard
Kynance Cove, The Lizard
Poldhu Beach, Mullion
Polurrian Cove Beach, Mullion
Portreath Beach incl. Harbour, Portreath
Praa Sands Beach, Praa Sands

SCHEDULE 3

This Order revokes the Order dated 15 April 2013 to which the land below applies. This Order applies between the hours of 8.00am and 5.00am, from the Sunday before Easter until 30 September of each year for the following land;

Carbis Bay Beach, Carbis Bay

SCHEDULE 4

This Order applies from Easter Day to 30 September of each year for the following land;

<i>Land to which the Order applies;</i>	<i>Date of Order/Bye-law revoked</i>
Cawsand Beach, Cawsand Porthpean Beach, St Austell Readymoney Cove, Fowey	18 August 2006 Bye-Law made in 1985

SCHEDULE 5

This Order revokes the Order(s) dated 11 October 2007 to which the land below applies. This Order applies between the hours of 8.00am and 7.00pm, from 1 May to 30 September of each year for the following land;

Harveys Towans to Godrevy Point, Hayle
Mousehole Beach to Skilly Beach
Newlyn Beach to Battery Rocks
Penzance Harbour to Marazion
Perran Sands, Perranuthnoe
Porth Chapel Beach, Levan
Porthcurno Beach, Porthcurno
Porthgwarra Beach, St Levan
Sennen Beach, Sennen

SCHEDULE 6

This Order revokes the Order(s) dated 1 June 2007 to which the land below applies. This order applies from Easter Day to 30 September of each year for the following land;

Crackington Havern, Bude
Crooklets Beach, Bude
Polzeath Beach, Polzeath
St George's Well, Padstow
Trevone Beach, Padstow
Widemouth Beach, Bude

SCHEDULE 7

This Order revokes the Order(s) dated 15 April 2013 to which the land below applies. This Order applies from the Sunday before Easter to 30 September of each year for the following land;

Porthgwidden Beach, St Ives
Porthmeor Beach, St Ives
Porthminister Beach, St Ives

SCHEDULE 8

This Order revokes the Order dated 1 July 2014 to which the land below applies. This Order applies from 1 July to 30 September of each year for the following land;

Portmellon Cove, Mevagissey

SCHEDULE 9

This Order revokes the Order dated 15 April 2013 to which the land below applies. This Order applies between the hours of 8.00am and 7.00pm, from the Sunday before Easter until 30 September of each year for the following land;

St Ives Harbour Beach, St Ives

SCHEDULE 10

This Order applies between the hours of 9.00am and 7.00pm, from 1 May to 30 September of each year for the following land;

<i>Land to which the Order applies</i>	<i>Date of Order/Bye-law revoked</i>
<i>Porthleven West</i>	<i>30 July 2007</i>
<i>Porth Beach</i>	<i>Bye-law made in 1985</i>

Location maps of land covered in Schedule 1 to 10 to which this Order applies are available on request.

018052

Given the Common Seal of Cornwall Council

Executed as an Order by)
THE CORNWALL COUNCIL)
whose Common Seal was hereunto)
affixed in the presence of:)



Jonathan Sleeman
Senior Legal Officer
Legal Services
CORNWALL COUNCIL


Authorised Officer

This 13th day of April 2017