

## **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 in Schedule 1 and during the periods specified in Schedule 2

#### **Offence**

3. A person in charge of a dog shall be guilty of an offence if, during the time periods specified in Schedule 2, they take a dog onto, or permit 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 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

The land to which this Order applies is shown edged blue on those plans attached to this Order and are as follows;

Castle Beach, Falmouth  
Chapel Porth Beach, St Agnes  
Gyllyngvase Beach, Falmouth  
Maenporth Beach, Falmouth  
Porthtowan Beach, Porthtowan  
Summer's Beach, St Mawes  
Swanpool Beach, Falmouth  
Tattam's Beach, Portscatho  
Tunnel Beach, Falmouth

#### SCHEDULE 2

This Order applies to those beaches listed in Schedule 1 from Easter Day to 1 October of each year.

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

*J. Sleeman*  
Authorised Officer



This *13<sup>th</sup>* day of *April* 2017