

## The Clean Neighbourhoods and Environment Act 2005

### The Dog Control Orders (Prescribed Offences And Penalties Etc) Regulations 2006 (S.I.2006/1059)

#### Dogs Exclusion (The Council of the Borough of Kirklees) Order 2010

The Council of the Borough of the Kirklees (in this Order called "the Authority") hereby makes the following Order:-

1. This Order comes into force on **Monday 5<sup>th</sup> November 2012**.
2. This Order applies to the land specified in the Schedule.

#### Offence

- 3.1 A person in charge of a dog shall be guilty of an offence if, at any time, he takes the dog onto, or permits the dog to enter or to remain on, any land to which this Order applies unless:-
  - (a) he 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.
- 3.2 Nothing in this article applies 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) is deaf, in respect of a dog trained by Hearing Dogs for Deaf People (registered charity number 293358) and upon which he relies for assistance; or
  - (c) 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 which 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; and
  - (b) 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.

GIVEN under the Corporate Seal of the Council of the Borough of Kirklees this 17th day of October Two Thousand and Twelve.

THE CORPORATE COMMON SEAL of the )

COUNCIL OF THE BOROUGH OF KIRKLEES )

was hereunto affixed in the presence of : - )

Acting Assistant Director – Legal, Governance and Monitoring

## Schedule

This order applies to land which is within the Council of the Borough of Kirklees and which is: -

- a) Children's play areas, paddling pools and an area signed at its entrance(s) as a 'dog exclusion area' (whether the sign uses those particular words or words and/or symbols having like effect) which are designated and marked for children's play on the maps attached to this order.
- b) Games areas e.g. tennis and ball courts, multi-sports areas, skate parks; as defined on the maps attached to this order.
- c) The following schools, as shown on the maps attached to this order, including, save where indicated, the playing fields :-

Almondbury Junior School  
Ashbrow Schools (Infant & Nursery and Junior School)  
All Saints Catholic College  
Brownhill Infants School  
Brownhill, St Saviour's CE Junior School  
Birkby I & N School  
Berry Brow I & N School  
Bywell  
Castle Hall Academy  
Crow Lane  
Earlsheaton Technology College  
Earlsheaton Infant School  
Farnley Tyas First School  
Flockton CE (VC) First School  
Gomersal Primary School  
Heaton Avenue F&N School  
Highburton C E (C) First School  
Holy Spirit  
Holmfirth High School  
Holmfirth JIN School  
Honley CE Junior School  
Hyrstmount Junior School  
Kirkheaton Primary School  
Kaye's F & N School  
Lepton CE (VC) J I & N School  
Moldgreen School  
Manorfield Infant & Nursery

Marsden I & N School  
Moorlands Primary School  
Newsome High School and Sports College  
Newsome Junior School  
Norrithorpe J & I School  
North Huddersfield Trust School  
Overthorpe CE(C) School  
Paddock JIN School  
Reinwood I & N School  
Rowley Lane J, I & N School (excluding the playing fields above the school)  
Royds Hall High School (excluding the upper playing fields)  
Salendine Nook High School  
Scholes Village Primary School  
Scapegoat Hill J & I School  
Shelley College  
Spenn Valley Sports College  
Staincliffe CE(C) Junior School  
Savile Town CE(C) I & N School  
St Mary's Catholic Primary School Batley  
St Paulinus Catholic Primary School  
The Federation of Clough Head and Wellhouse J and I Schools Golcar  
Huddersfield (excluding the playing field which is separate from the main  
Clough Head school site and the grassed area behind Wellhouse School)  
Thornhill Junior and Infant School  
Thornton Lodge Nursery School  
Upperthong J & I School  
Westfields PRU  
Whitcliffe Mount Business & Enterprise College  
Whitechapel C. of E. Primary School