

2012 No. 39

DOGS

CONTROL OF DOGS

**The Dog Control Orders (Procedures) Regulations (Northern
Ireland) 2012**

Made - - - -

7th February 2012

Coming into operation- -

1st April 2012

The Department of the Environment makes the following Regulations in exercise of the powers conferred by section 41(4) of the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011(a).

Citation and commencement

1. These Regulations may be cited as the Dog Control Orders (Procedures) Regulations (Northern Ireland) 2012 and come into operation on 1st April 2012.

Interpretation

2. In these Regulations “the Act” means the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011.

Procedures before and after making or amending a dog control order

3.—(1) Before making a dog control order under section 40 of the Act, a district council shall consult upon its proposal to make the order by publishing a notice of that proposal—

- (a) in a local newspaper circulating in the area in which the land to which the order applies is situated; and
- (b) on its website.

(2) The notice referred to in paragraph (1) shall—

- (a) identify the land in respect of which the order applies;
- (b) summarise the order;
- (c) where the order refers to a map, state where the map may be inspected at an address within the district council’s area, and that any inspection shall be free of charge at all reasonable hours during the period ending with the date mentioned in sub-paragraph (e);
- (d) state that representations may be made to the council about the proposal; and

- (e) state that any such representations must be made before the date specified in the notice, such date being at least 28 days after the date on which the notice is first published in accordance with paragraph (1).
- (3) The district council shall not make the order before the date specified in the notice.
- (4) After making a dog control order, the district council shall, not less than seven days before the day on which the order is to come into operation—
 - (a) where practicable, place signs summarising the order in conspicuous positions on or near the land in respect of which it applies;
 - (b) publish, in a local newspaper circulating in the area in which the land in respect of which the order applies is situated, a notice that the order has been made and stating the place at which the order may be inspected and copies of it obtained; and
 - (c) make the information referred to in sub-paragraph (b) available on its website.
- (5) This regulation shall apply to the amendment of a dog control order as if references to its making were to its being amended.

Revocation of a dog control order

- 4.—(1) Before revoking a dog control order it has made, a district council shall—
 - (a) consult upon its proposal to revoke the order by publishing a notice of that proposal—
 - (i) on its website; and
 - (ii) in a local newspaper circulating in the area in which the land in respect of which the order applies is situated, and
 - (b) not make the decision to revoke the order before the date specified in the notice.
- (2) The notice referred to in paragraph (1) shall—
 - (a) identify the land in respect of which the order applies;
 - (b) summarise the order;
 - (c) where the order refers to a map, state where the map may be inspected at an address within the district council's area, and that any inspection shall be free of charge at all reasonable hours during the period mentioned in sub-paragraph (e);
 - (d) state that representations may be made to the council about the proposal; and
 - (e) state that any such representations must be made before the date specified in the notice.
- (3) The date specified in the notice must be at least 28 days after the date on which the notice is first published in accordance with paragraph (1).
- (4) If a district council decides to revoke a dog control order it shall—
 - (a) publish a notice of that decision in a local newspaper circulating in the area in which the land in respect of which the order to be revoked is situated, and specifying the date (which shall not be earlier than the date on which the notice is published) on which the revocation is to have effect; and
 - (b) make the information referred to in sub-paragraph (a) available on its website.

Coming into operation of a dog control order

- 5. The date of coming into operation of a dog control order (including an order amending a dog control order) shall be at least 14 days after the date on which the order is made.

Sealed with the Official Seal of the Department of the Environment on 7th February 2012.



EXPLANATORY NOTE

(This note is not part of the Regulations)

The Regulations prescribe the procedures to be observed by a district council in making a dog control order (an “order”) under section 40 of the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011, or when amending or revoking such an order.

The Regulations prescribe that before making an order a district council shall consult on its proposal by publishing a notice in a newspaper circulating in the area in which the land to which the order would apply is situated and on its website (*regulation 3(1)*). The required contents of the notice are prescribed in *regulation 3(2)*.

The Regulations prescribe that a council shall not make an order before the date specified in the notice (*regulation 3(3)*).

The Regulations require a district council to publicise the making and effect of an order before it comes into operation (*regulation 3(4)*).

The Regulations apply the same consultation and information requirements to the making of any amendment to an order (*regulation 3(5)*).

The Regulations also prescribe similar consultation and information requirements for the revocation of an order (*regulation 4*).

The Regulations prescribe that a dog control order (including an order amending a dog control order) shall come into operation at least 14 days after the date on which the order is made (*regulation 5*).

A regulatory impact assessment on the effect of the Clean Neighbourhoods and Environment Bill (Northern Ireland) 2010 is available on the Department’s website (dog control orders are dealt with on pp.15 to 16). A separate regulatory impact assessment has not been produced for these Regulations as they have no impact on the cost to business.

© Crown copyright 2012

Printed in the UK by The Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty’s Stationery Office being the Government Printer for Northern Ireland and the Officer appointed to print Acts of the Northern Ireland Assembly.

STATUTORY RULES OF NORTHERN IRELAND

2012 No. 39

DOGS

CONTROL OF DOGS

The Dog Control Orders (Procedures) Regulations (Northern
Ireland) 2012

£4.00

N5224 02/2012 425224T 19585

ISBN 978-0-337-98668-0



9 780337 986680