

Anti-Social Behaviour Crime and Policing Act 2014

Cornwall Council Public Spaces Protection (Dogs on Beaches) Order 2023

Cornwall Council hereby makes the following Order:

1. This Order shall come in force on 14 April 2023 for a period of 3 years.
2. This Order applies to the land specified and during the periods specified in Schedules 1 to 3.

This Order revokes the following Order made under the Anti-Social Behaviour Crime and Policing Act 2014;

The Cornwall Council Public Spaces Protection (Dogs on Beaches) Order 2020 of 13 April 2020.

Offence

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

A person who habitually has a dog in their possession shall be taken to be the person in charge of the dog at that 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 of the National Assistance Act 1948; or
 - b. Is deaf, in respect of a dog trained by Hearing Dogs for Deaf People and upon which he relies for assistance; or

- c. Has a registered disability which requires being in charge of an Assistance Dog which is registered with Assistance Dogs UK and upon which they rely for assistance;
- d. Working dogs: When actually working e.g. those working on a land under the control of a farm worker when moving livestock. Working dogs includes dogs that are being used in connection with emergency Search & Rescue, Law Enforcement and the work of HM Armed Forces

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 (currently £1,000) on the standard scale.

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

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:)

068619



Authorised Officer

CHANTAL GOLDEN

This 20th day of April 2023

SCHEDULE 1

This Order applies to those beaches listed from 1 July to 31 August of each year between the hours of 10.00 and 18.00 for the following land;

Cadgwith Cove,
Cadgwith Castle Beach,
Falmouth Cawsand Beach,
Cawsand Chapel Porth Beach,
St Agnes Church Cove,
Gunwalloe,
Harveys Towans to Godrevy Point, Hayle
Housel Bay,
Hoodny, Portwrinkle,
The Lizard,
Kennack Sands Beach,
The Lizard Kynance Cove,
The Lizard Maenporth Beach,
Falmouth Mousehole Beach to Skilly Beach,
Newlyn Beach to Battery Rocks,
Penzance Harbour to Marazion
Perran Sands,
Perranuthnoe,
Poldhu Beach, Mullion
Polurrian Cove Beach, Mullion,
Porth Beach, Newquay,
Porthcurno Beach, Porthcurno,
Porthgwarra Beach, St Levan,
Porthgwidden Beach, St Ives,
Porthleven West,
Portmellon Cove, Mevagissey,
Porthpean Beach, St Austell,
Portreath Beach incl. Harbour, Portreath,
Portwrinkle,
Praa Sands Beach, Praa Sands,
Readymoney Cove, Fowey
Summer's Beach, Falmouth,
Swanpool Beach, Falmouth,

SCHEDULE 1 CONTINUED

St George's Well, Padstow
St Ives Harbour Beach, St Ives,
Tattam's Beach, Portscatho
Tunnel Beach, Falmouth

SCHEDULE 2

This Order applies to those Blue Badge beaches and Seaside Award beaches, listed from 15 May to 30 September of each year between the hours of 10.00 and 18.00 for the following land;

Carbis Bay Beach, Carbis Bay,
Crackington Haven, Bude,
Crooklets Beach, Bude,
Gyllyngvase Beach, Falmouth,
Polzeath Beach, Polzeath,
Porthmeor Beach, St Ives,
Porthminster Beach, St Ives,
Porthtowan Beach, Porthtowan,
Sennen Beach, Sennen -
Trevone Beach, Padstow,
Widemouth Beach, Bude

SCHEDULE 3

This Order applies to those beaches listed for 24 hours of each day, 365 days of each year, 366 days for any leap years, for the following land;

Carnsew Pool
Copperhouse Pool
Hayle Estuary

Location maps of the land covered in Schedules 1 to 3 to which this Order applies are available on request.