

Statutory Document No. 2022/0236



Dogs Act 1990

BRADDAN DOG CONTROL (NO.2) BYELAWS 2022

Approved by the Department of Infrastructure:

Laid before Tynwald:

Coming into operation:

1 September 2022

Braddan Parish Commissioners make the following Byelaws under section 24(1) and (4) of the Dogs Act 1990. In accordance with section 24(10) of that Act the Commissioners have obtained the approval of the Department of Infrastructure (following consultation with the Department of Environment, Food and Agriculture under section 24(10A) of the Act) and in accordance with section 24(5) of that Act the Commissioners have obtained the consent of the owner of any open space or car park to which the byelaws apply which is not vested in, or under their management or control of, Braddan Parish Commissioners.

1 Title

These Byelaws are the Braddan Dog Control (No.2) Byelaws 2022.

2 Commencement

These Byelaws come into operation on 1 September 2022¹.

3 Interpretation

(1) In these Byelaws —

“the Act” means the Dogs Act 1990;

“assistance dog” means —

- (a) a dog which has been trained to guide a blind person;
- (b) a dog which has been trained to assist a deaf person;
- (c) a dog which has been trained to assist a disabled person who has a disability that consists of epilepsy or otherwise affects the person’s mobility, manual dexterity, physical co-ordination or ability to lift, carry or otherwise move everyday objects; or

¹ The Byelaws expire 10 years after the date on which are they made, in accordance with section 24(10) of the Dogs Act 1990, if not revoked earlier.

THE COMMON SEAL³ of Braddan Parish Commissioners was affixed on 14 July 2022 in the presence of

(L.S.)

MADE



A C R JESSOPP

Chairman, Braddan Parish Commissioners



J C WHITEWAY

Clerk to Braddan Parish Commissioners



³ As required by section 30(2) of the Local Government Act 1985.



SCHEDULE 1
SPECIFIED OPEN SPACES

[Byelaw 4]

OPEN SPACES WHERE DOGS ARE PROHIBITED

- (1) The grounds and playing fields of, and within, the following schools —
 - (a) Braddan Primary School; and
 - (b) Ballacottier Primary School.
- (2) The sports grounds and fields at —
 - (a) Ballafletcher Sports Centre; and
 - (b) Strang Corner Field.
- (3) Port Soderick Community Hall Gardens.

SCHEDULE 3

[Byelaw 6]

**OPEN SPACES WHERE DOGS ARE PROHIBITED UNLESS ON A LEAD AND
RESTRICTED TO FOOTPATHS**

The children's play areas at —

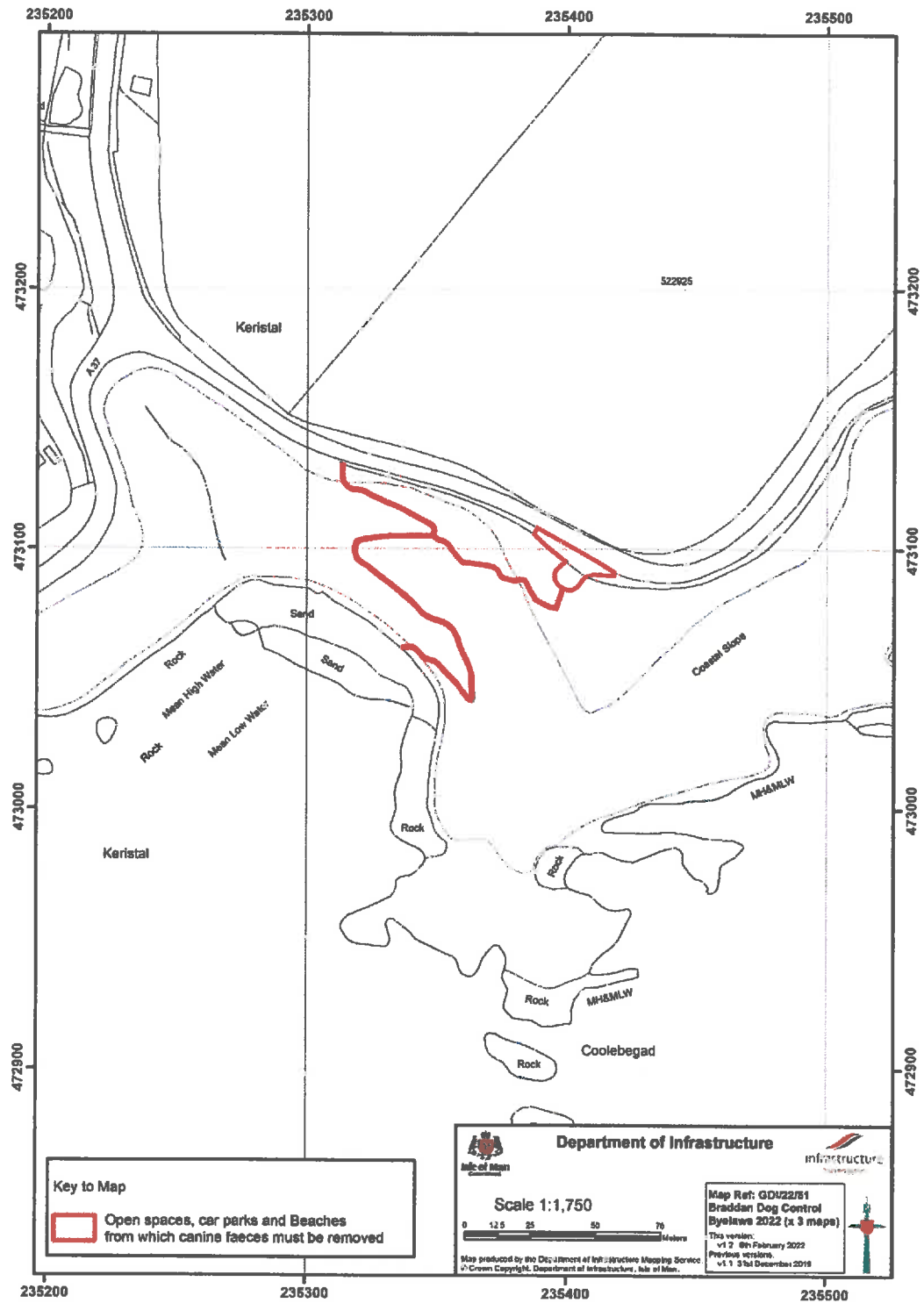
- (a) Snugborough;
- (b) Clybane;
- (c) Strang Close;
- (d) Cronk Grianagh Estate; and
- (e) Cronk Grianagh Park.

SCHEDULE 5

[Byelaw 8]

MAPS

MAP 2: Footpath between Marine Drive and Keristal Beach



EXPLANATORY NOTE

(This note is not part of the Byelaws)

These Byelaws impose controls on Dogs in certain parts of the Parish District of Braddan. Dogs are prohibited from open space specified in Schedule 1 and a dog must not be at large in the open spaces and beaches specified in Schedule 2. A dog “at large” is a dog not on a lead or under the effective control of a person aged 10 years or over. Dogs are prohibited unless on a lead in the open spaces specified in Schedule 3. Dog faeces must be removed from any highway within the district of Braddan Parish Commissioners which consists of or comprises a carriageway and from open spaces, car parks and beaches specified in Schedule 4.

A keeper of a dog that permits a dog to be in an open space or beach or allows it to be at large in contravention of these Byelaws commits an offence, punishable by a fixed penalty fine of £50 or, upon summary conviction, a fine of up to level 3 of the standard scale, which is currently up to £2,000. However section 24(2) of the Dogs Act 1990 provides a defence for a person who satisfies the court that the person took all reasonable steps to avoid the commission of the offence.

For the purposes of these Byelaws, the persons described in Byelaw 3 (2) are not keepers of a dog. These include keepers of an assistance dog, emergency services dog and dogs that are permitted by the headteacher of Braddan Primary School or Ballacottier Primary School to be on the school grounds, provided that the dog is kept on a lead or is otherwise kept under control.

These Byelaws revoke the Braddan Dog Control Byelaws 2022 (SD 2022/0147).