

## EQUALITY ANALYSIS (EA)

<b>POLICY/PROPOSAL:</b>	Review of the Public Spaces Protection Order relating to the presence of dogs in Paddington Old Cemetery
<b>DEPARTMENT:</b>	Resident Services
<b>TEAM:</b>	Cemeteries
<b>LEAD OFFICER:</b>	Thomas Cattermole
<b>DATE:</b>	December 2024 - March 2025

*NB: Please ensure you have read the accompanying EA guidance and instructions in full.*

## SECTION A – INITIAL SCREENING

1. Please provide a description of the policy, proposal, change or initiative, and a summary its objectives and the intended results.

Paddington Old Cemetery (POC) is a space for mourning, reflection and respect. It is also a space that is used by those visiting graves, exercising, taking walks or walking dogs. Over the last few years dog walking in the cemetery has increased considerably.

As a result, POC has seen an increasing number of complaints in relation to dog behaviour including, dog urination and defecation on graves, ball games (fetch) and dogs out of control. The consultation review aims to look at whether the presence of dogs is or is likely to cause a detrimental effect on users of the cemetery.

The main options for consideration included;

1. Preventing dogs from accessing POC
2. Asking dog owners/walkers to place their dogs on lead when in POC or
3. Concluding there is no detrimental effect and therefore allowing dogs to continue to be walked off-lead.

Other measures may include further restrictions on access timings, access by vehicles and other activities such as ball games.

This EIA looks at how individuals may be affected by these options and the table in para 4 below, captures the impacts of dogs being on a lead in POC.

2. Who may be affected by this policy or proposal?

Local residents who visit the cemetery to walk their dog, exercise (including those exercising without dogs) or go for a walk etc. or those persons that are visiting a grave, those seeking tranquillity, and those persons who are visiting the cemetery for its historical value. It may also affect staff and contractors that work on site.

3. Is there relevance to equality and the council's public sector equality duty? Please explain why. If your answer is no, you must still provide an explanation.

Yes, please see below for details.

4. Please indicate with an "X" the potential impact of the policy or proposal on groups with each protected characteristic. Carefully consider if the proposal will impact on people in different ways as a result of their characteristics.

Characteristic	Impact Positive	Impact Neutral/None	Impact Negative
Age		X	
Sex			X
Race	X		
Disability			X
Sexual orientation		X	
Gender reassignment		X	
Religion or belief	X		
Pregnancy or maternity	X		
Marriage		X	

5. Please complete **each row** of the checklist with an "X".

### Screening Checklist

	YES	NO
Have you established that the policy or proposal <i>is</i> relevant to the council's public sector equality duty?	X	
Does the policy or proposal relate to an area with known inequalities?	X	
Would the policy or proposal change or remove services used by vulnerable groups of people?		X
Has the potential for negative or positive equality impacts been identified with this policy or proposal?	X	

If you have answered YES to ANY of the above, then proceed to section B.

If you have answered NO to ALL of the above, then proceed straight to section D.

## SECTION B – IMPACTS ANALYSIS

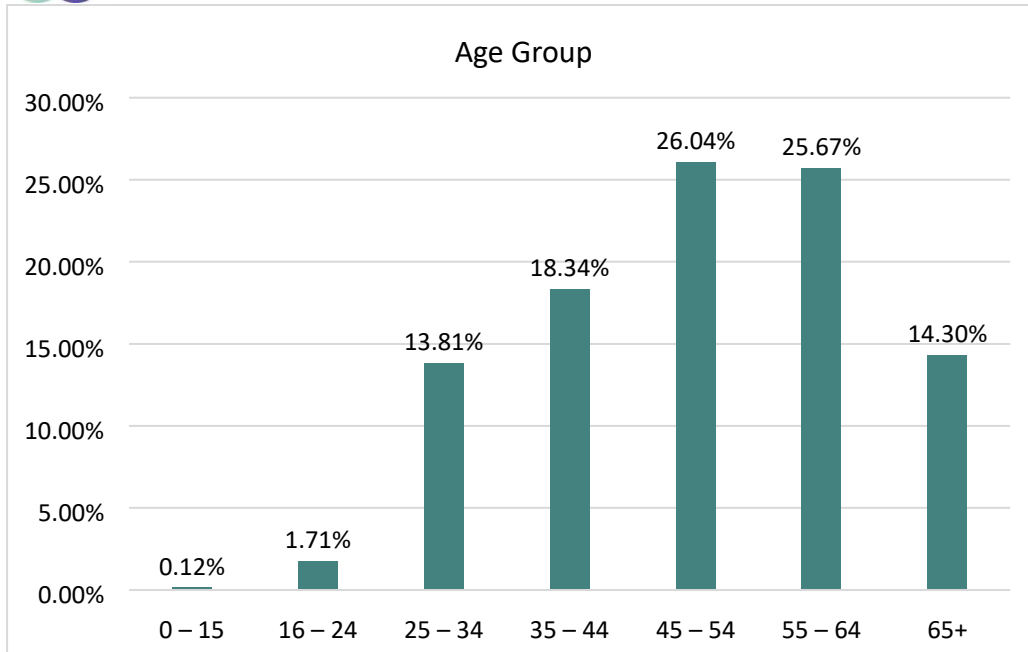
1. Outline what information and evidence have you gathered and considered for this analysis. If there is little, then explain your judgements in detail and your plans to validate them with evidence. If you have monitoring information available, include it here.

During the consultation, data on the most affected protected characteristics was gathered from those completing the survey. The data and information related to this are presented below.

2. For each “protected characteristic” provide details of all the potential or known impacts identified, both positive and negative, and explain how you have reached these conclusions based on the information and evidence listed above. Where appropriate state “not applicable”.

### AGE

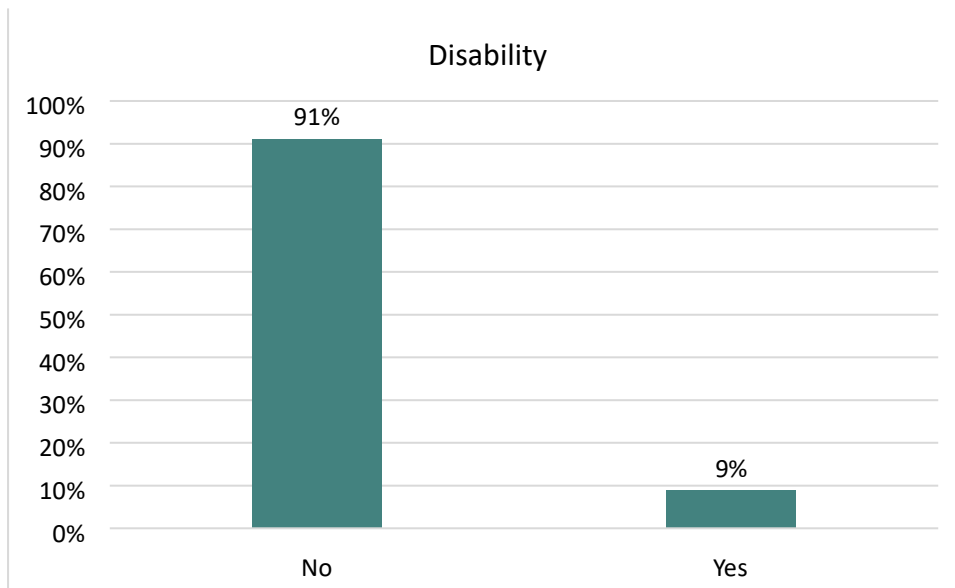
Details of impacts identified	<p><b>Positive</b></p> <ol style="list-style-type: none"> <li>1. Young people and older adults with dogs may find comfort and companionship in bringing their dogs to a cemetery, enabling emotional well-being during such visits.</li> <li>2. Children may develop a sense of responsibility and respect for the cemetery when visiting with their dog.</li> <li>3. Some dogs may have an attachment to owners who may have been buried in the cemetery and are being brought to visit them.</li> </ol> <p><b>Negative</b></p> <ol style="list-style-type: none"> <li>1. Elderly visitors feel vulnerable if dogs are off-lead or poorly controlled which leads to discomfort and/or anxiety.</li> <li>2. Elderly visitors are frightened of being knocked over by dogs, whilst visiting POC.</li> <li>3. Young children may be frightened or upset by dogs being present in the cemetery, especially if they are not used to being around dogs, or the dog is being over-friendly.</li> </ol>
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The age of respondents is weighted towards those between **45 – 54 (213 or 26.04%)** and **55 – 64 years old (210 or 25.67%)**. 37 respondents chose 'Prefer not to say' and one declined to complete the question.

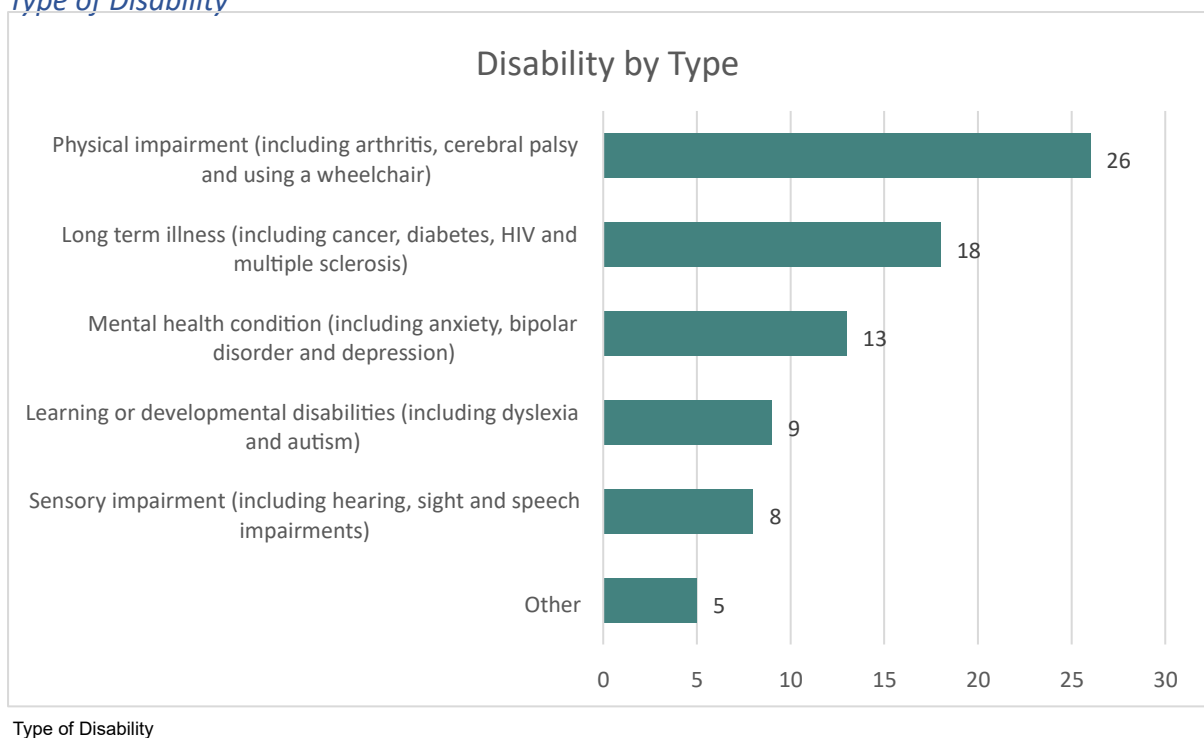
## **DISABILITY**

<b>Details of impacts</b>	<b>Positive</b>
	<ol style="list-style-type: none"> <li>1. Assistance dogs play a vital role for people with disabilities in accessing POC.</li> <li>2. Emotional support animals may provide comfort to individuals with mental health conditions during visits to POC.</li> <li>3. Dogs may provide emotional support to someone with a disability when visiting a grave.</li> <li>4. Individuals with physical disabilities will face less challenges such as being knocked over or tripping over a dog, if dogs are on-lead.</li> <li>5. POC users who are worried or frightened about poorly controlled dogs which cause obstructions or disturbances will feel reassured if the dogs are on leads.</li> </ol>
	<b>Negative</b>
	<ol style="list-style-type: none"> <li>1. Some persons with disabilities may be unable to travel further afield and therefore be unable to be part of a community space in which they can exercise their dog effectively.</li> <li>2. Dog waste creates biological and trip hazards or obstacles for people with or without mobility aids.</li> </ol>



**698 (91%)** respondents completed this question, **62 (9%)** of whom chose to identify as having a disability. 33 respondents chose 'Prefer not to say' and 125 declined to answer the question.

#### *Type of Disability*



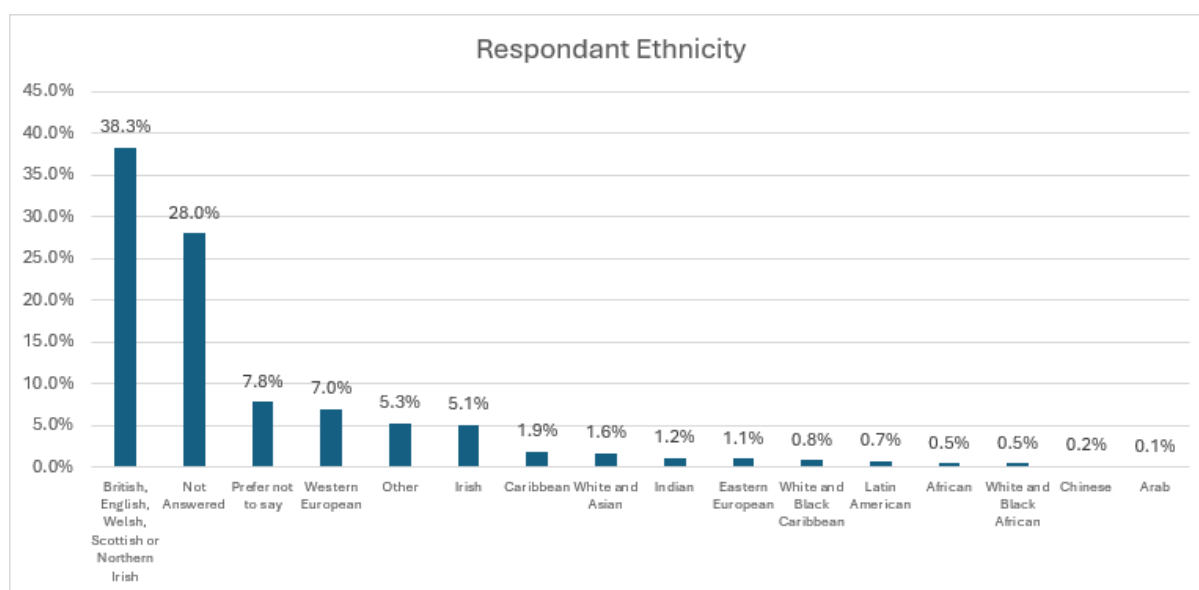
Although 62 people specified that they had a disability in the previous question, 91 people chose a response when asked to list disability by type. This became 59 respondents when those who chose 'Prefer not to say' were removed from the total count.

The values above total to more than 59 as some respondents specified multiple disabilities. The percentage of those with each condition is as follows:

- Physical impairment (including arthritis, cerebral palsy and using a wheelchair) – 26 respondents (3%)
- Long term illness (including cancer, diabetes, HIV and multiple sclerosis) – 18 respondents (2%)
- Mental health condition (including anxiety, bipolar disorder and depression) – 13 respondents (2%)
- Learning or developmental disabilities (including dyslexia and autism) – 9 respondents (1%)
- Sensory impairment (including hearing, sight and speech impairments) – 8 respondents (1%)
- Other – 5 respondents (1%)

## **RACE**

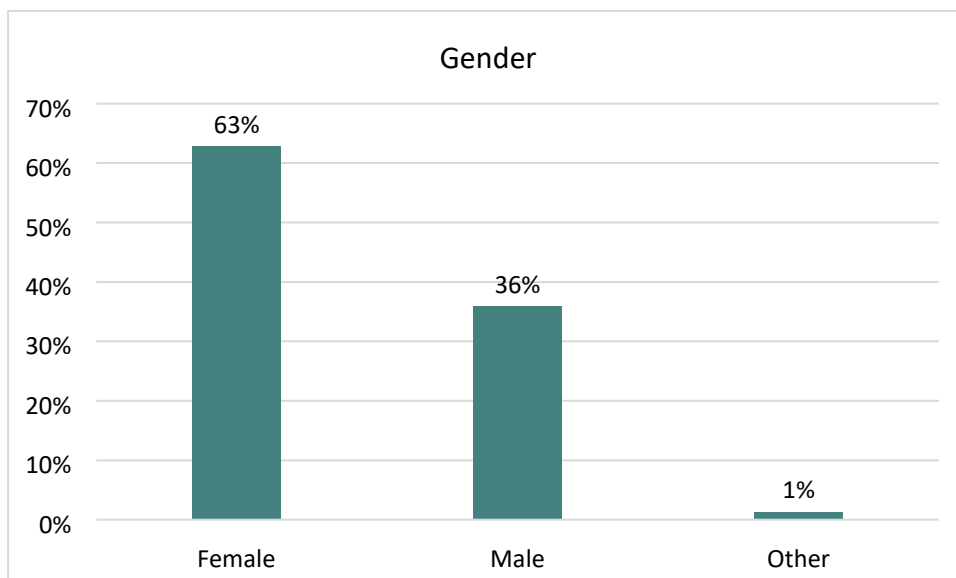
Details of impacts	<p><b>Positive</b></p> <p>1. Diverse communities often share cemeteries, and clear rules could foster mutual respect and understanding among visitors.</p> <p><b>Negative</b></p> <p>1. Cultural differences around dogs may create tension. For instance, in some cultures, dogs are considered unclean or spiritually inappropriate in sacred spaces. Their presence might make some individuals or groups feel excluded or disrespected.</p> <p>2. Ethnic minorities or new migrants from countries with different norms around dogs may feel anxious or distressed when encountering them in public spaces (especially when off lead), in POC.</p>
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550 respondents completed this question. The above chart shows the breakdown of respondent ethnicity: 38% of respondents identified themselves as British, English, Welsh, Scottish, or Northern Irish. 28% did not answer the question, and 7.8% chose the option 'Prefer Not to Say'.

## **SEX**

<b>Details of impacts identified</b>	<p><b>Positive</b></p> <p>1. Women may feel safer walking in POC with their dog.</p> <p><b>Negative</b></p> <p>1. Women may feel unsafe if large, aggressive or out of control dogs are present, particularly in secluded areas of POC or when it is quiet.</p>
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**429 (63%)** respondents identified as female and **245 (36%)** as male. **9 (1%)** selected other, and **173** declined to complete the question.

## **SEXUAL ORIENTATION**

<b>Details of impacts identified</b>	<p><b>Positive</b></p> <p>None</p> <p><b>Negative</b></p> <p>None</p>
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<b>Details of impacts identified</b>	<p><b>Positive</b></p> <ol style="list-style-type: none"> <li>1. Pregnant women or those with young children may appreciate the opportunity to walk their dog whilst visiting POC, in order to promote physical activity and emotional well-being.</li> </ol> <p><b>Negative</b></p> <ol style="list-style-type: none"> <li>1. Those with young children may feel unsafe around dogs, specifically those that are large or poorly controlled as it may be perceived as a threat to their child's safety, potentially deterring them from visiting the cemetery for a walk, exercise or visiting the grave of a loved one.</li> <li>2. Pregnant women may feel unsafe around large or unpredictable dogs, as they may perceive the risk of physical harm to themselves or their unborn child.</li> </ol>
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**RELIGION OR BELIEF**

<b>Details of impacts identified</b>	<p><b>Positive</b></p> <ol style="list-style-type: none"> <li>1. Cemeteries may be seen as a place of reflection where all individuals can feel welcome including persons with dogs, if rules are in place and followed.</li> </ol> <p><b>Negative</b></p> <ol style="list-style-type: none"> <li>1. Some religious beliefs view dogs as unclean animals and their presence in a sacred space like POC could be seen as disrespectful.</li> <li>2. Burials, anniversaries and other ceremonies/rituals may be disrupted by dogs especially if barking, running freely, out of control behaviour or urinating/defecating occurs. This is seen as deeply disrespectful and undermine the sanctity of POC as an active cemetery.</li> </ol>
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**GENDER REASSIGNMENT**

<b>Details of impacts identified</b>	<p><b>Positive</b> None</p> <p><b>Negative</b> None</p>
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<b>Details of impacts identified</b>	<p><b>Positive</b> None</p> <p><b>Negative</b> None</p>
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3. Could any of the impacts you have identified be unlawful under the Equality Act 2010?

No, consideration has been made for those with disabilities including those who use assistance dogs. Consideration has also been made for young people and the elderly who may be affected by the presence of dogs if poorly controlled.

4. Were the participants in any engagement initiatives representative of the people who will be affected by your proposal and is further engagement required?

Yes, the respondents are representative of the people affected by the proposed PSPO variation. No further engagement on this PSPO variation is required as sufficient data has been captured.

5. Please detail any areas identified as requiring further data or detailed analysis.

Displacement implications on dog walkers, will need to be a consideration.

6. If, following your action plan, negative impacts will or may remain, please explain how these can be justified?

N/a

7. Outline how you will monitor the actual, ongoing impact of the policy or proposal?

Monitoring the number and type of complaints also the number and type of any enforcement action taken in POC.

## SECTION C - CONCLUSIONS

Based on the analysis above, please detail your overall conclusions. State if any mitigating actions are required to alleviate negative impacts, what these are and what the desired outcomes will be. If positive equality impacts have been identified, consider what actions you can take to enhance them. If you have decided to justify and continue with the policy despite negative equality impacts, provide your justification. If you are to stop the policy, explain why.

The change to require dogs to be on-lead is unlikely to be discriminatory for people with any protected characteristics; age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation, marriage, or civil partnership, as it is applied to all equally. In addition, the proposed variation restricts how people can use POC, not their ability to use or gather there.

We recognise that the implementation of any requirement for dogs to be on-lead in POC shall apply to a person such as those registered blind or has an Assistance Dog but recognise they may not be able to meet the requirements of some of the other prohibitions, such as picking up dog faeces. Such contraventions will be dealt with on a case-by-case basis.

Consideration has been given to the impact on the freedoms and rights of dog owners. Dog owners have a duty to provide for their dogs' welfare, including exercise. The Home Office (and DEFRA) guidance states that where restrictions are in place, local authorities should publish a list of alternative sites which dog walkers can use to exercise their dogs without restrictions in the locality. Therefore, consideration should be given to ensure that there are alternative areas where dog owners can exercise their dogs freely, without breaching the PSPO.

In light of the above, the PSPO variation does not interfere with Article 10 & 11 rights to assemble and associate with others. Furthermore, even if Article 11 were interfered with, the interference would be justified as being prescribed by law and in pursuance of a legitimate aim (namely, in the interests of public safety, the prevention of crime and disorder and the protection of public health).

## SECTION D – RESULT

*Please select one of the following options. Mark with an "X".*

<b>A</b>	<b>CONTINUE WITH THE POLICY/PROPOSAL UNCHANGED</b>	
<b>B</b>	<b>JUSTIFY AND CONTINUE THE POLICY/PROPOSAL</b>	<b>X</b>
<b>C</b>	<b>CHANGE / ADJUST THE POLICY/PROPOSAL</b>	
<b>D</b>	<b>STOP OR ABANDON THE POLICY/PROPOSAL</b>	

## SECTION E - ACTION PLAN

This will help you monitor the steps you have identified to reduce the negative impacts (or increase the positive); monitor actual or ongoing impacts; plan reviews and any further engagement or analysis required.

Action	Expected outcome	Officer	Completion Date

## SECTION F – SIGN OFF

Please ensure this section is signed and dated.

<b>OFFICER:</b>			
	Jon Gardner, Head of Service	Date:	
<b>REVIEWING OFFICER:</b> <i>* the manager with oversight of the project</i>			
	Tom Cattermole, Director of Resident Services	Date:	
<b>Corporate Director:</b>			
	Peter Gadsdon	Date: 07.03.2025	