

REPORT TO:		Cabinet	
DATE:		18 March 2026	
PORTFOLIO:		Councillor Stewart Eaves - Environmental Services	
REPORT AUTHOR:		Craig Haraben (Head of Environmental Services)	
TITLE OF REPORT:		Dog Control in Accrington Cemetery	
EXEMPT REPORT (Local Government Act 1972, Schedule 12A)	No	Not applicable	
KEY DECISION:	No	If yes, date of publication:	

1. Purpose of Report

1.1 To inform Cabinet of additional dog control measures in Accrington Cemetery.

2. Recommendations

2.1 That Cabinet note the report.

2.2 That Cabinet agree to the installation of fencing and introduce additional dog control measures in Accrington Cemetery as set out in paragraph 3.5 of this report.

2.3 That Cabinet delegate authority to the Executive Director (Environment) to implement the installation of the fencing and in consultation with the Executive Director (Legal and Democratic Services) to amend the dog controls in Accrington Cemetery.

3. Reasons for Recommendations and Background

3.1 Currently there is a Public Space Protection Order (PSPO) relevant to dog control in force at Accrington Cemetery. While PSPO's are reviewed every three years, there has been a dog control PSPO for Accrington Cemetery since 2015. This is because there is a high level of public support to have some reasonable dog control in the cemetery.

3.2 The current PSPO permits dog walkers to walk their dogs throughout Accrington Cemetery but does require dog walkers to keep their dogs on a lead at all times and to pick up any dog fouling after their dogs.

3.3 A considerable number of the dog walkers who walk their dogs in Accrington Cemetery enter the cemetery via the pedestrian access off Whitewell Road. Dog walkers who enter through this access tend to turn left and walk down the footpath towards the bottom of the cemetery between plots MA and EO.

- 3.4 Members of the community with relatives buried in burial area MA adjacent to the footpath referenced above, have made representation to the Council stating they have seen dogs on leads being allowed to walk on the grass burial plots and on occasion seen some dog owners cleaning up dog fouling from the grass burial area. While this behaviour does not breach the current PSPO, it has caused some distress to the families who have requested additional dog control due to the dog walking traffic in that part of the cemetery.
- 3.5 There were a number of options available to Cabinet which could address the specific complaints received and this report recommends implementing the following:
1. Create a fenced 'dog free zone' by installing a fence along the boundary of EO plot with a gate at either end of the footpath and one in the middle running between EO and MA plot (a map highlighting the fenceline is appended to this report).
 2. Amend the existing dog control order to exclude dogs from the footpath running between EO and MA plot, (a fenced dog free zone) so the Council's dog wardens can take enforcement action should any dog walkers choose to ignore the fenced dog free zone and walk through it with their dogs.
- 3.6 To ensure the Council was compliant with its equality duty, the Council engaged a specialist consultant to undertake an equality impact assessment (EIA) in relation to the possible options Cabinet could choose to strengthen dog control, or not, in Accrington Cemetery (the EIA is appended to this report).

4. Alternative Options considered and Reasons for Rejection

- 4.1 The following options were considered by the Council:
- (a) Do nothing and leave the current dog control arrangements in place.
 - (b) Install a fence with multiple access gates, along the boundary of MA plot in Accrington Cemetery with no change to the existing PSPO.
 - (c) Implement a new PSPO which excludes dogs from the whole of Accrington Cemetery (except for assistance dogs).
 - (d) Implement a new PSPO which excludes dogs just from the footpath running between MA and EO plots in Accrington Cemetery, effectively creating a dog free zone (except for assistance dogs).
 - (e) Install a fence along the boundary of EO plot with a gate at each end and one in the middle, to create a fenced dog free zone (except for assistance dogs) along the footpath running between MA and EO plots in Accrington Cemetery. In addition, implement a new PSPO which excludes dogs just from the footpath running between MA and EO plots in Accrington Cemetery.
- 4.2 These options were evaluated after taking into consideration the equality impact assessment. The following were some of the key points relevant to each option:
- 4.2.1 The Council had received a number of complaints and option (a) of doing nothing would not be acceptable.

- 4.2.2 Option (b) does provide a physical barrier between MA plot and dog walkers. However, having the fence along the boundary MA plot would create difficulties for visitors to access graves, would mean certain graves would become entrances to the plot, and would cause access issues for people with mobility issues, wheelchair and mobility scooter users and people with visual impairments. It would also make grave digging and grounds maintenance operations more difficult and less safe for staff to undertake. The fence would also have to be a removable fence so that it could be removed to facilitate grave digging and grounds maintenance operations. This would lead to a lower quality fence, compared to a fixed permanent fence, and would make it harder to respond to some short notice burials due to the extra time required to remove the fence before grave digging operations could safely commence.
- 4.2.3 Option (c) would lead to dogs not having access to MA plot. However, this would also mean responsible dog owners, with their pets, could not visit the graves of family members in the cemetery and prevent those dog owners who use the cemetery as an open space from walking their dogs along their usual dog walking route.
- 4.2.4 Option (d) would exclude dogs from the footpath running between MA and EO plots in Accrington Cemetery, effectively creating a dog free zone. This option does allow dog walkers to walk their dogs (on leads) in the majority of the cemetery. However, there would be no physical barrier and require the current PSPO to be amended to exclude dog owners from walking dogs using the footpath running between MA and EO plot.
- 4.2.5 Option (e) creates a fenced dog free zone by installing a fence along the boundary of EO plot and having a gate at either end and in the middle of the footpath running between EO and MA plot. As the fence runs along the boundary of EO plot (which is full for coffin burials) it does not cause any significant maintenance, grave digging or staff safety issues. It also means that access to the whole MA plot is via one gate on the footpath which retains the open access of MA plot for visitors. The current PSPO would then be amended to exclude dogs from the footpath running between EO and MA plot, so the dog wardens can take enforcement action should any dog walkers choose to ignore the fenced dog free zone and walk through it with their dogs.

5. Consultations

- 5.1 The leader of the Council, deputy leader of the Council, portfolio holder, cemetery staff, funeral directing leads from the three main mosques in Hyndburn and trade unions have been consulted in writing this report.

6. Implications

<p>Financial implications (including any future financial commitments for the Council)</p>	<p>The Council has allocated a budget of £30,000 to implement this project.</p> <p>Installing new fencing and gates would require maintenance. However, due to them being new, there would be a limited call on the cemetery service staff and cemetery revenue budget in the immediate future.</p>
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<p>Legal and human rights implications</p>	<p>To ensure the Council met its equality duty, the Council engaged a specialist consultant to undertake an equality impact assessment.</p> <p>Where dog control orders need changing, the correct process for amending the PSPO will need to be followed. This includes a statutory 4-week period of public consultation and a further Cabinet decision/approval to implement and changes.</p>
<p>Assessment of risk</p>	<p>The cemetery staff and trade unions have been consulted and have not raised any maintenance or health and safety concerns with implementing the preferred option.</p> <p>The Council has two dog wardens, but it is not possible to monitor the cemetery 24/7. Even with a fence in place to create a dog free zone, it is possible that pet dogs or stray dogs could still access graves in this area. However, with the fenced area and stronger dog control measures in place, will help to deter most dog owners.</p>
<p>Equality and diversity implications</p>	<p>An equality impact assessment relevant to this report is appended.</p>

**7. Local Government (Access to Information) Act 1985:
List of Background Papers**

7.1 There are no background papers to this report.

8. Freedom of Information

8.1 The report does not contain exempt information under the Local Government Act 1972, Schedule 12A and all information can be disclosed under the Freedom of Information Act 2000.