

St Mary's Extra Cemetery consultation

Full results summary report

southampton
dataobservatory



Data, Intelligence & Insight Team, *July 2023*

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Introduction & methodology





Introduction



- Southampton City Council undertook public consultation on draft proposals aimed at reducing damage to graves and memorials along the side paths at St Mary's Extra Cemetery
- This consultation took place between **Thursday 08 June** and **Wednesday 05 July 2023**
- The aim of this consultation was to
 - Communicate clearly to residents and stakeholders the draft proposals with regards to St Mary's Extra Cemetery
 - Ensure any resident, business or stakeholder who wish to comment on the proposals had the opportunity to do so, enabling them to raise any impacts the proposals may have, and
 - Allow participants to propose alternative suggestions for consideration which they feel could achieve the objectives in a different way
- This report summarises the aims, principles, methodology and results of the public consultation; it provides a summary of the consultation responses both for the consideration of decision makers and any interested individuals and stakeholders
- It is important to be mindful that a consultation is not a vote – it is an opportunity for stakeholders to express their views, concerns and alternatives to a proposal; equally, responses from the consultation should be considered in full before any final decisions are made
- This report outlines in detail the representations made during the consultation period so that decision makers can consider what has been said alongside other information



The proposals



- Southampton City Council is responsible for St Mary's Extra Cemetery under the Local Authorities' Cemeteries Order 1977. It is currently open from 8am to 8pm daily with no restrictions on vehicular access.
- There have been an increasing number of issues raised regarding damage to the cemetery caused by the driving of personal vehicles on cemetery footpaths. Reports have been received of graves and memorials being damaged by vehicles and potholes appearing on the footpaths, creating a potential health and safety risk to visitors.
- Under the Local Authorities' Cemeteries Order 1977, Southampton City Council has a responsibility and duty of care to both site visitors and the cemetery and those laid to rest there. Southampton City Council is therefore required to implement a policy solution that addresses the issues described while maintaining the cemetery and access to it.
- As a result of the issues raised, we proposed the following:
 - Installing lockable, drop-down bollards at the entrances to the footpaths;
 - Continuing to allow all vehicles to use the main road through the cemetery, including for parking;
 - Allowing cemetery operative vehicles, funeral corteges and memorial masons to use cemetery footpaths where necessary;
 - Allowing disabled visitors vehicle access to footpaths by appointment, and;
 - Continuing to allow access to all areas of the cemetery, including footpaths, from 8am to 8pm, for those accessing the site by foot, wheelchair, pushchair, disabled mobility scooter, and other similar forms of personal disabled transport



Consultation principles



Southampton City Council is committed to consultations of the highest standard, which are meaningful and comply with the *Gunning Principles* - considered to be the legal standard for consultations:

1. Proposals are still at a formative stage (a final decision has not yet been made)
2. There is sufficient information put forward in the proposals to allow 'intelligent consideration'
3. There is adequate time for consideration and response
4. Conscientious consideration must be given to the consultation responses before a decision is made



Rules: The Gunning Principles

They were coined by Stephen Sedley QC in a court case in 1985 relating to a school closure consultation (R v London Borough of Brent ex parte Gunning). Prior to this, very little consideration had been given to the laws of consultation. Sedley defined that a consultation is only legitimate when these four principles are met:

1. **proposals are still at a formative stage**
A final decision has not yet been made, or predetermined, by the decision makers
2. **there is sufficient information to give 'intelligent consideration'**
The information provided must relate to the consultation and must be available, accessible, and easily interpretable for consultees to provide an informed response
3. **there is adequate time for consideration and response**
There must be sufficient opportunity for consultees to participate in the consultation. There is no set timeframe for consultation,¹ despite the widely accepted twelve-week consultation period, as the length of time given for consultee to respond can vary depending on the subject and extent of impact of the consultation
4. **'conscientious consideration' must be given to the consultation responses before a decision is made**
Decision-makers should be able to provide evidence that they took consultation responses into account

These principles were reinforced in 2001 in the 'Coughlan Case (R v North and East Devon Health Authority ex parte Coughlan²), which involved a health authority closure and confirmed that they applied to all consultations, and then in a Supreme Court case in 2014 (R ex parte Moseley v LB Haringey³), which endorsed the legal standing of the four principles. Since then, the Gunning Principles have formed a strong legal foundation from which the legitimacy of public consultations is assessed, and are frequently referred to as a legal basis for judicial review decisions.⁴

¹ In some local authorities, their local voluntary Compact agreement with the third sector may specify the length of time they are required to consult for. However, in many cases, the Compact is either inactive or has been cancelled so the consultation timeframe is open to debate
² BAILII, England and Wales Court of Appeal (Civil Division) Decisions, Accessed: 13 December 2016.
³ BAILII, United Kingdom Supreme Court, Accessed: 13 December 2016
⁴ The information used to produce this document has been taken from the Law of Consultation training course provided by The Consultation Institute



- The agreed approach for this consultation was to use an online questionnaire as the main route for feedback; questionnaires enable an appropriate amount of explanatory and supporting information to be included in a structured questionnaire, helping to ensure respondents are aware of the background and detail of the proposals
- Respondents could also write letters or emails to provide feedback on the proposals - emails or letters from stakeholders that contained consultation feedback were collated and analysed as a part of the overall consultation
- The consultation was promoted in the following ways:
 - At a public in-person meeting on Thursday, 08 June, where paper copies were also available
 - Social media posts were published on Facebook, Twitter, and Instagram, throughout the consultation
 - The consultation was also featured in various e-alerts including City News and Your City Your Say
- All questionnaire results have been analysed and presented in graphs within this report. Respondents were given opportunities throughout the questionnaire to provide written feedback on the proposals. In addition, anyone could provide feedback via letters and emails. All written responses and questionnaire comments have been read and then assigned to categories based upon sentiment or theme.



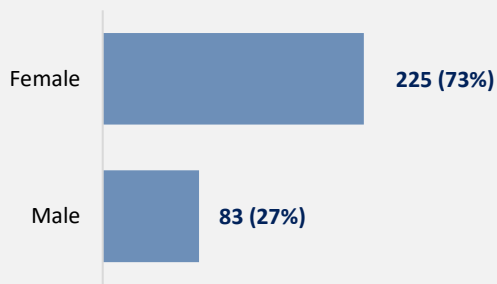
Who were the respondents?



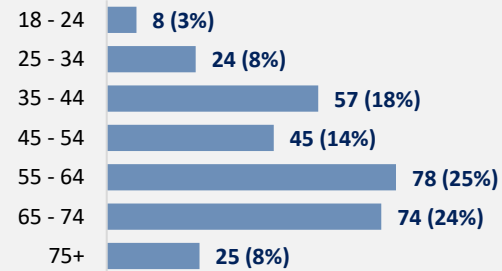
Questionnaire responses **343**
 Email/letter responses **3**
 Total responses **346**

*Graphs on this page
 are labelled as
 count; %.*

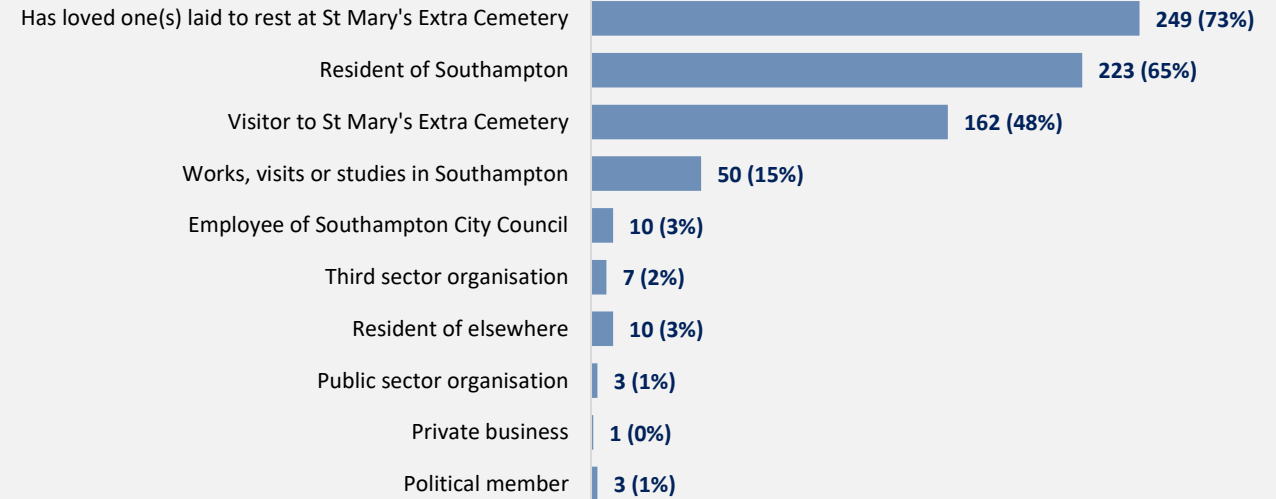
Sex



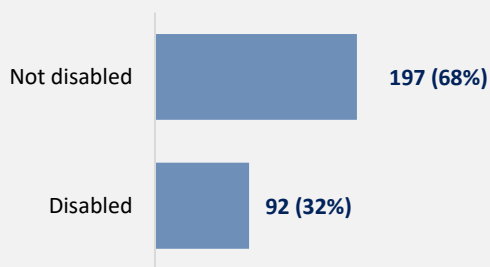
Age



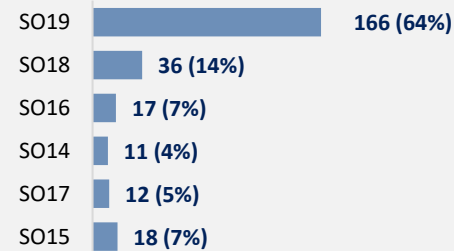
Interest in consultation



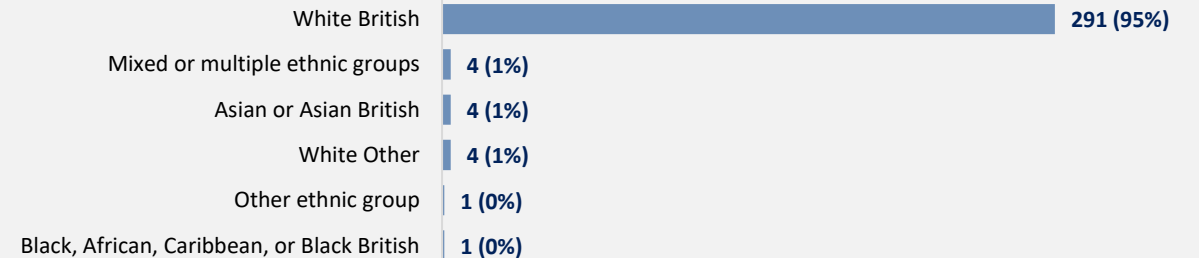
Disability



Postcode



Ethnicity





Responses & analysis



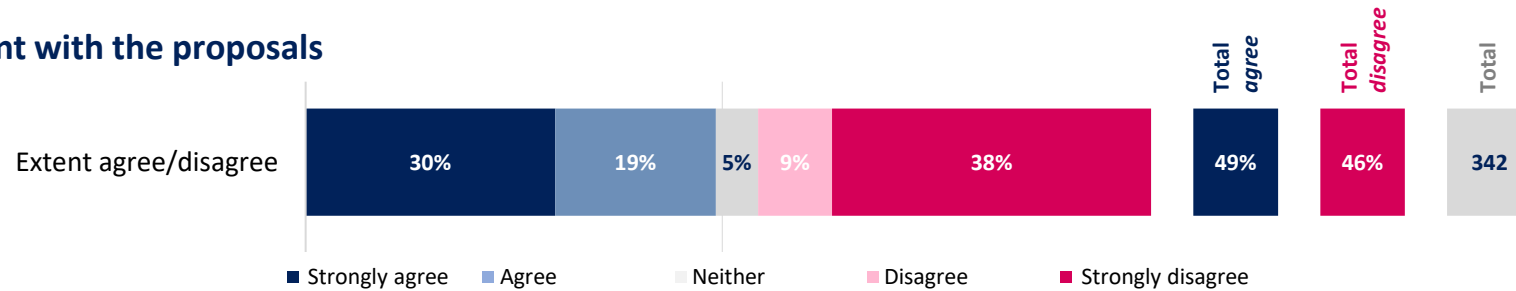


Overall summary

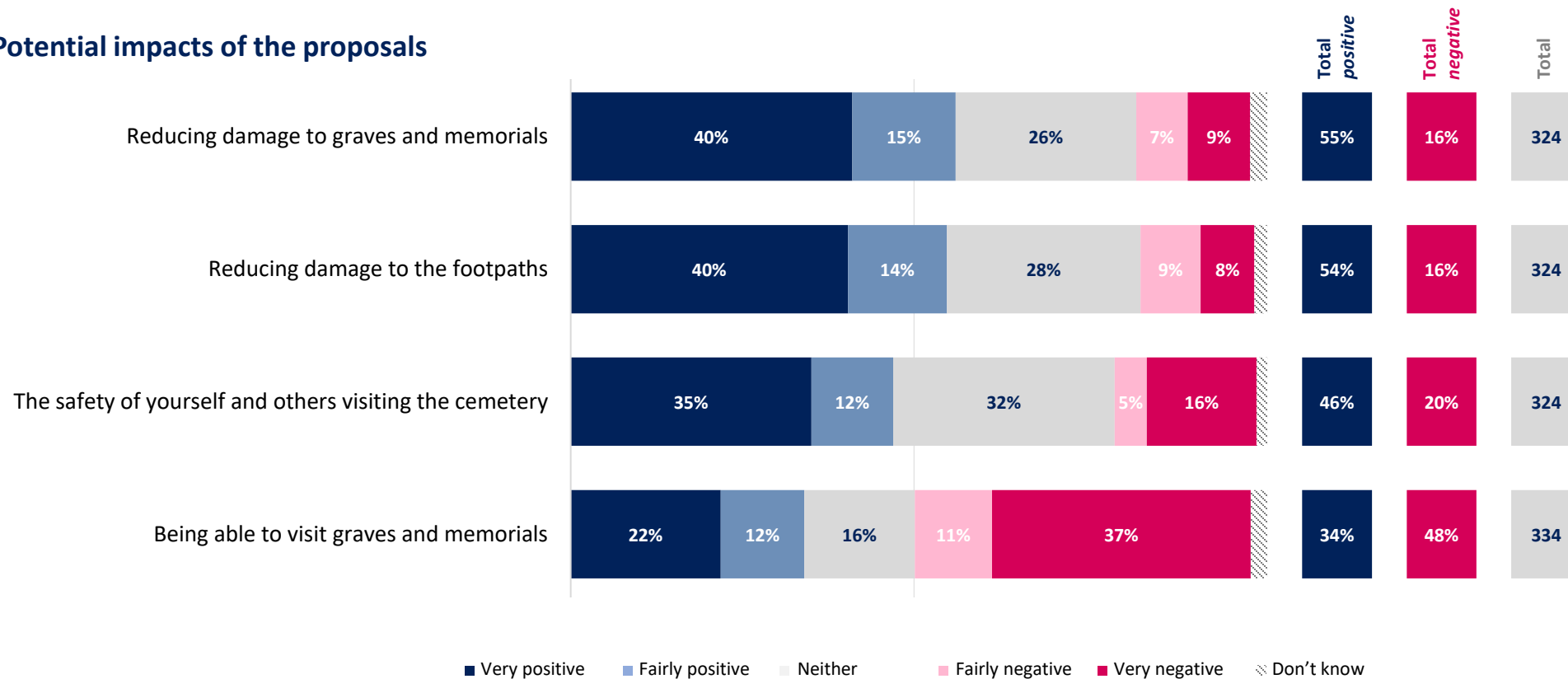
Levels of agreement with the proposals and views on potential impacts



Overall levels of agreement with the proposals



Potential impacts of the proposals



Key findings

- Overall agreement with the proposals was broadly the same – 49% agree and 46% disagree.
- The most popular response regarding overall agreement with the proposals was *strongly disagree* at 38%, 8% points more than said *strongly agree* at 30% – this indicates that while overall sentiment totals are similar, those that said they *disagree* felt more strongly about their response to a greater extent than those that said they *agree* with the proposals.
- Additionally, while overall agreement sentiment levels are broadly even, more than half of respondents said that some specific aspects of the proposals would have a *positive* impact – reducing damage to graves (55% positive) and reducing damage to footpaths (54% positive).



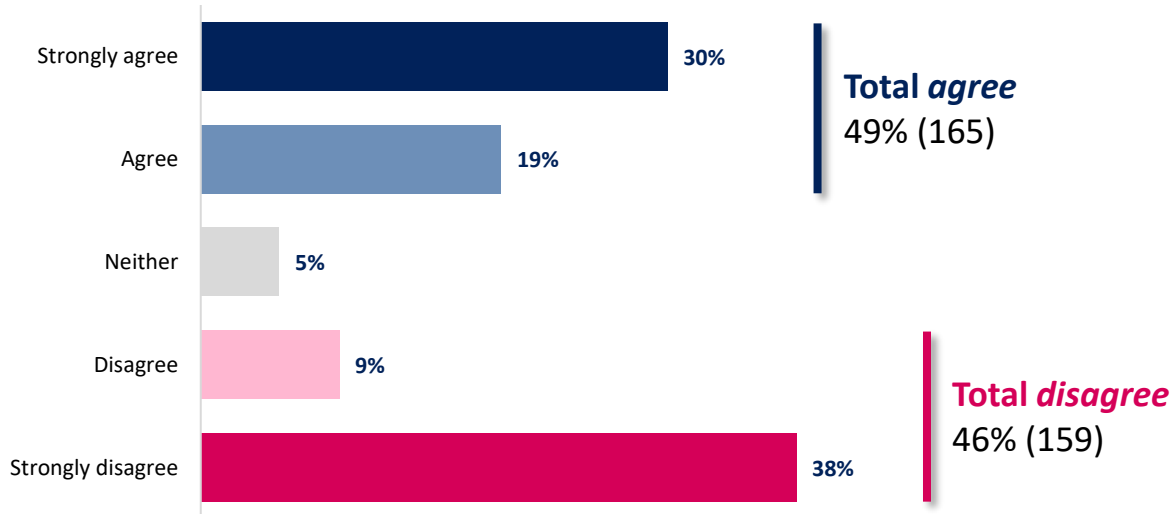
Question 1

To what extent do you agree or disagree with the proposed measures regarding vehicle use on the footpaths at St Mary's Extra Cemetery?



Total responses **342**

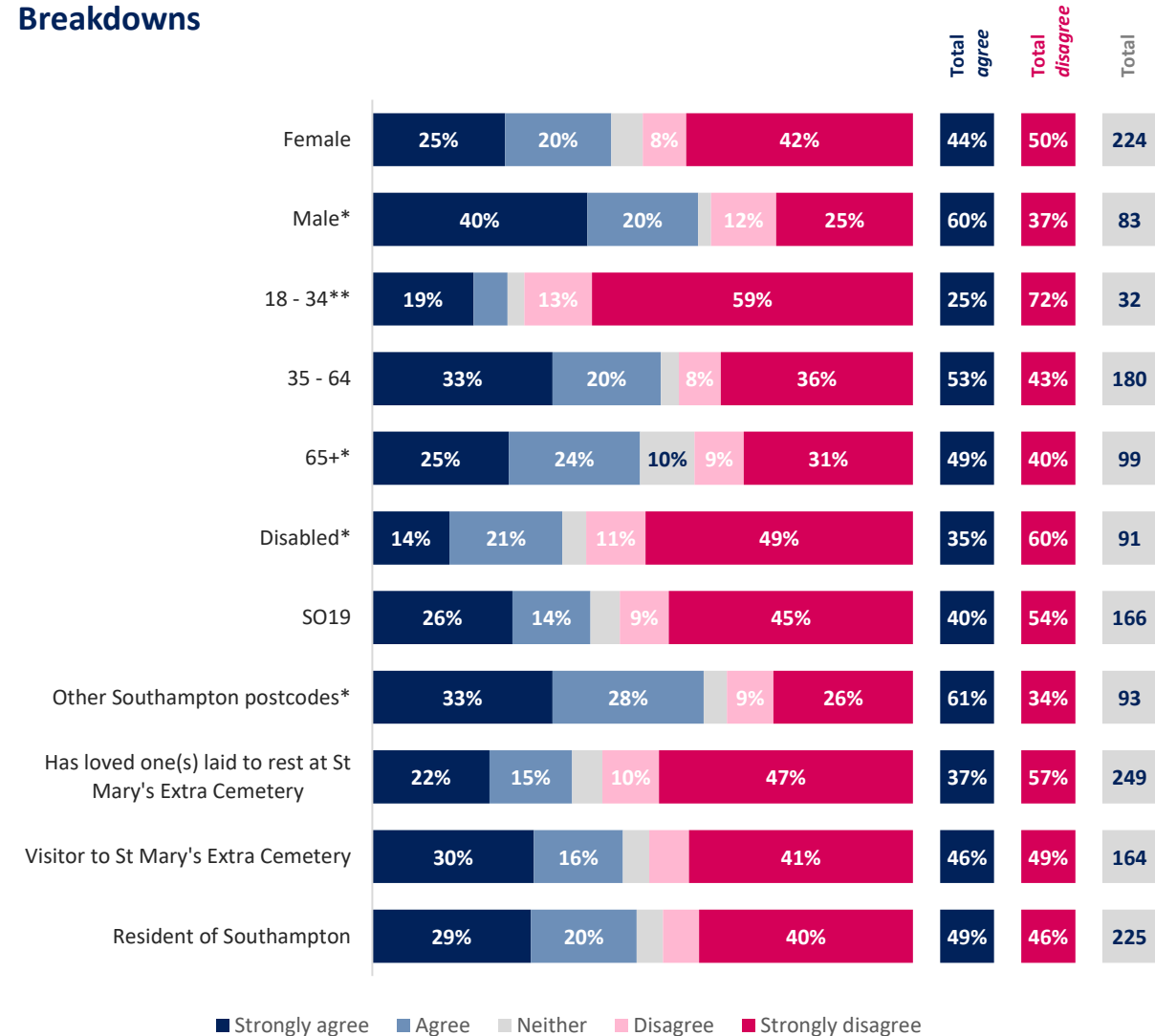
Overall



Key findings

- Respondents said that they *agree* with the proposals to a slightly greater extent than *disagree*, 49% to 46%.
- Those that said they *disagree* with the proposals to the greatest extent were those with loved ones laid to rest at St Mary's (57%), respondents that said they are disabled (60%), residents of the SO19 postcode area (54%), and women (50%)
- Those that said they *agree* with the proposals to the greatest extent were men (60%), those aged between 35 and 64 (53%) and those aged 65 or older (49%) and respondents that live in non-SO19 postcodes (61%)

Breakdowns



*Fewer than 100 respondents; **fewer than 50 respondents.



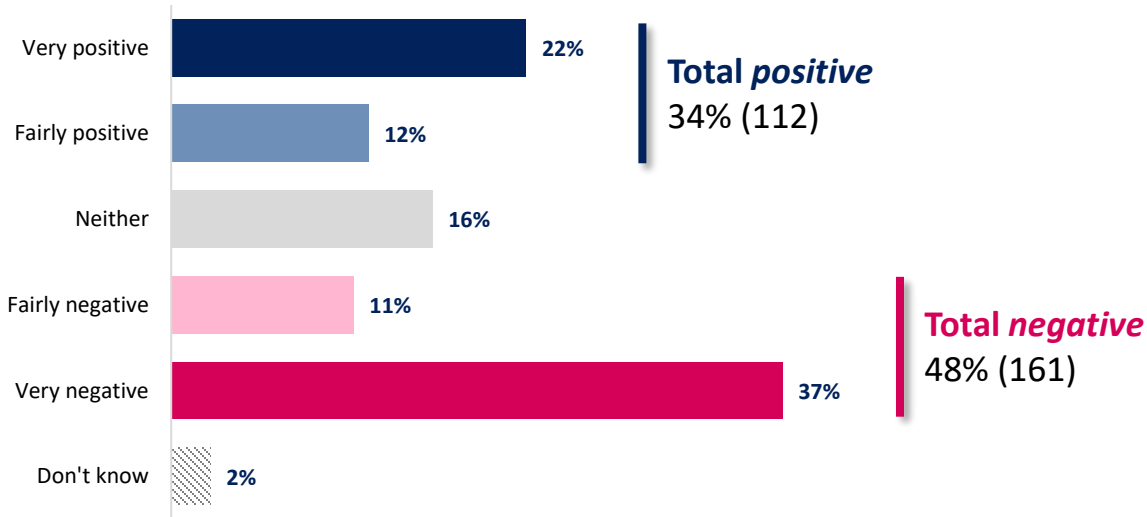
Question 2a

What impact do you feel the proposals would have in the following areas? *Being able to visit graves and memorials*



Total responses **334**

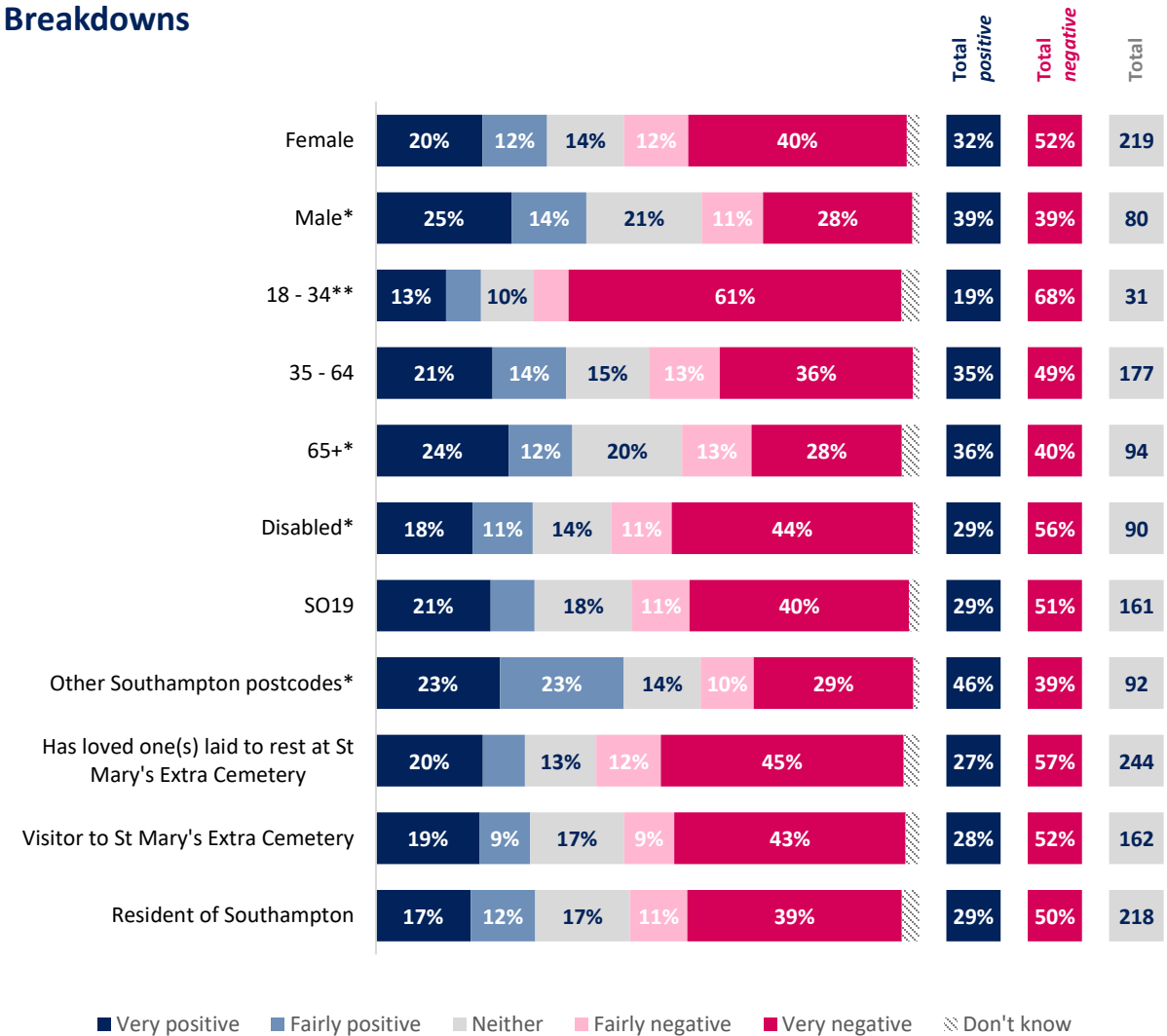
Overall



Key findings

- Overall responses to this question were mixed – while more respondents said the proposals would have a *negative impact* than a *positive impact* on the ability to visit graves and memorials at St Mary's Extra by 14% points (48% to 34% respectively), more than half (52%) respondent selected either *positive* (34%), *neither positive or negative* (16%), or *don't know* (2%)
- However, respondents that said they are disabled responded *negative* at 56%, with 44% responding *very negative*
- Further, female respondents, residents of SO19, and both visitors to St Mary's and those with loved ones laid to rest there all responded *negative* by more than 50%, with *very negative* responses in these breakdowns ranging from 40% to 45%

Breakdowns



*Fewer than 100 respondents; **fewer than 50 respondents.



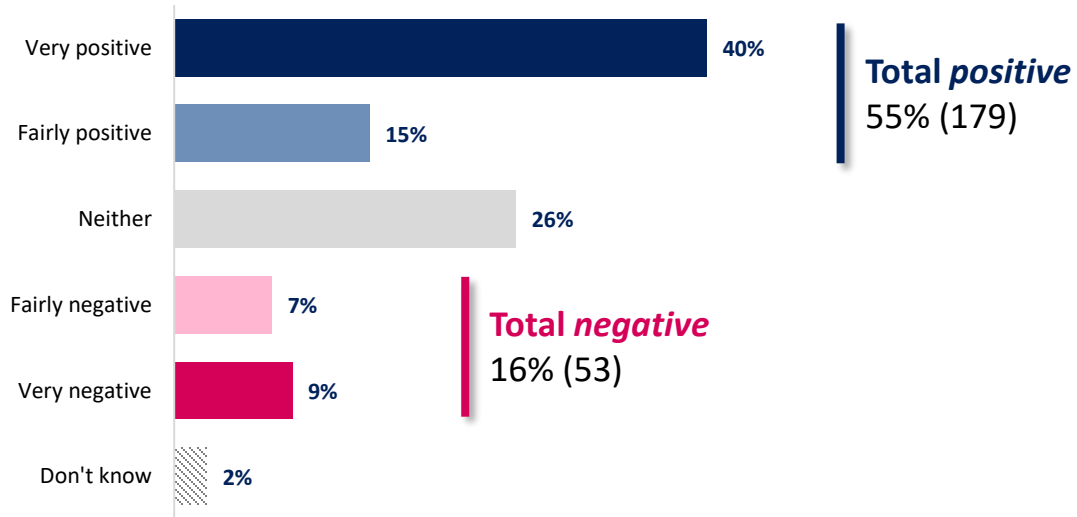
Question 2b

What impact do you feel the proposals would have in the following areas? *Reducing damage to graves and memorials*



Total responses **324**

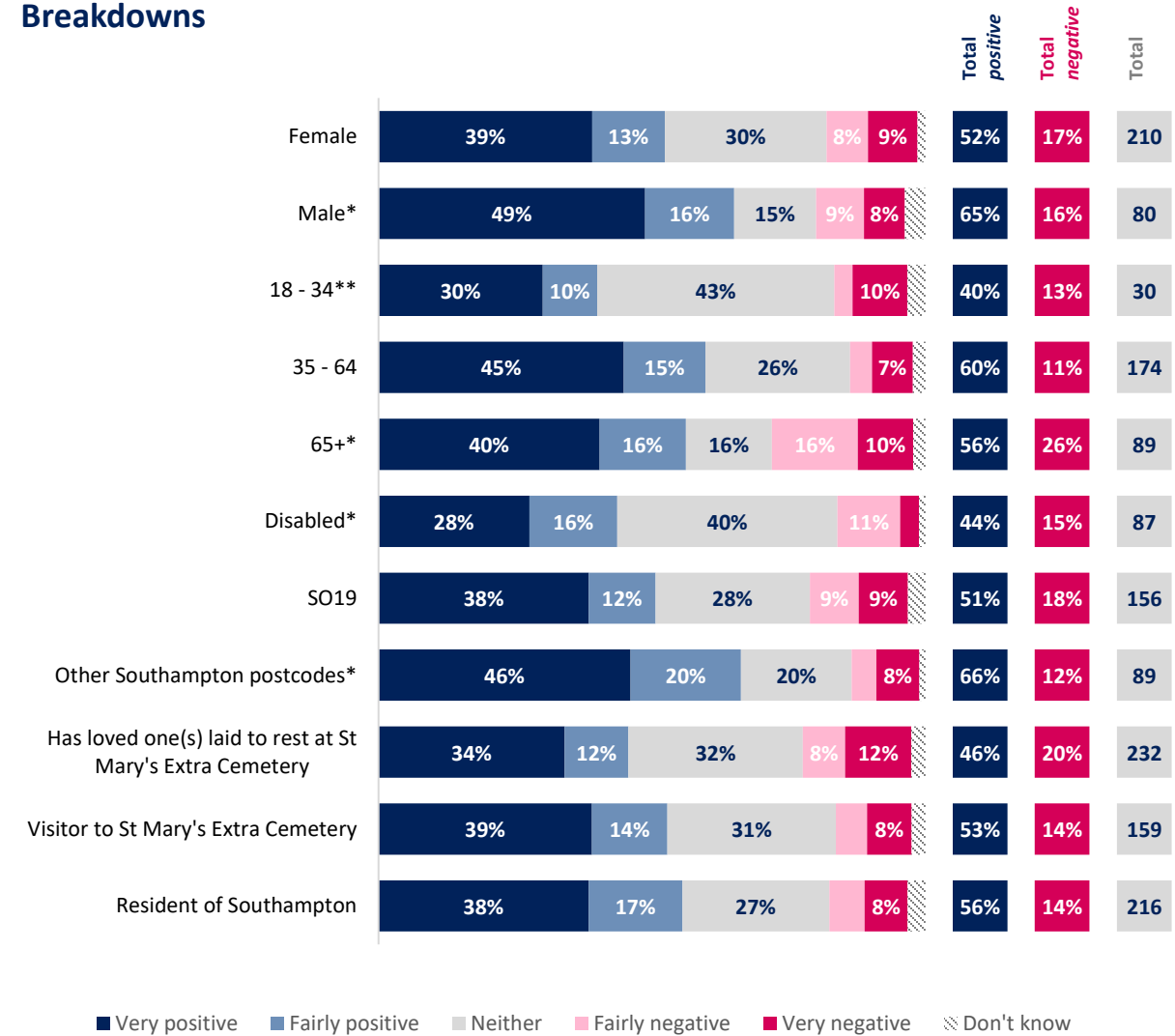
Overall



Key findings

- Respondents said that the proposals would have a *positive* impact on reducing damage to graves and memorials at 55%, with 26% saying the proposals would have neither a *positive* or *negative* impact, and 16% saying they would have a *negative* impact
- Positive* was the most popular sentiment among all breakdowns between 44% (disabled respondents) and 66% (Southampton residents not in SO19)
- Again, in all breakdowns, *neither positive or negative* was the next most popular response, ranging between 20% and 41%, except with male respondents (15% *neither* and 16% *negative*) and respondents aged 65 or older (16% *neither* and 26% *negative*)

Breakdowns



*Fewer than 100 respondents; **fewer than 50 respondents.



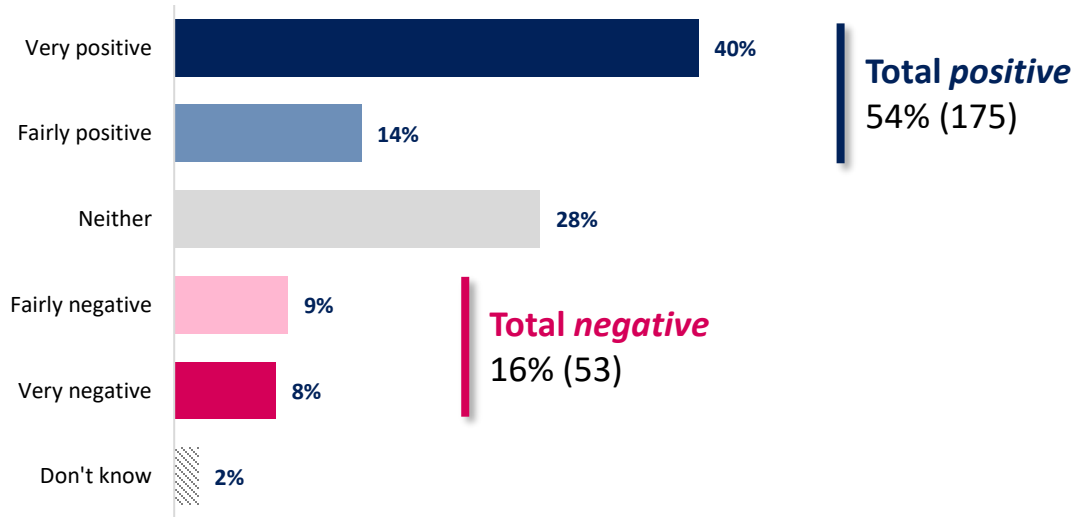
Question 2c

What impact do you feel the proposals would have in the following areas? *Reducing damage to the footpaths*



Total responses **324**

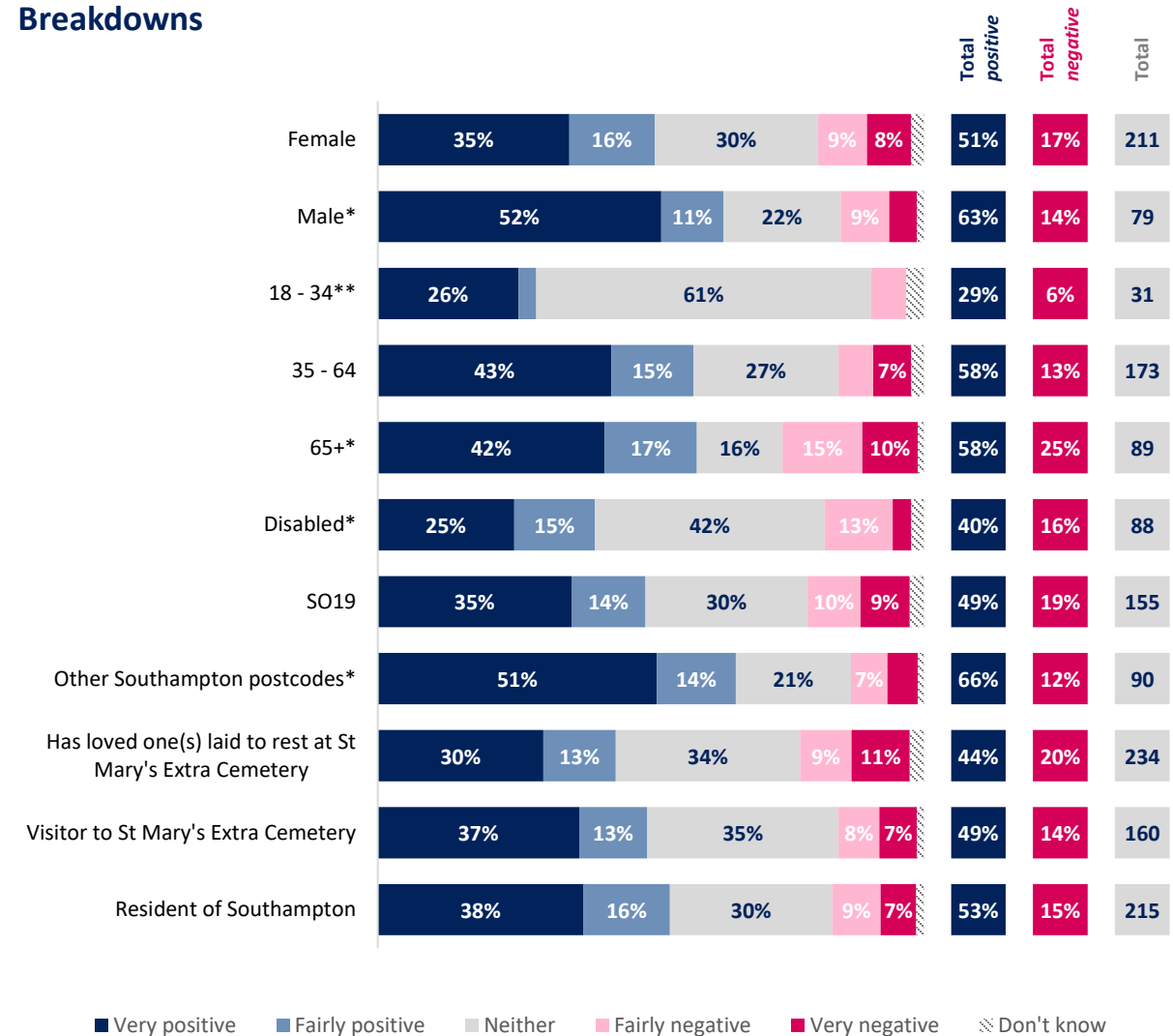
Overall



Key findings

- Respondents said that the proposals would have a *positive* impact on reducing damage to the footpaths at 54%, with 28% saying the proposals would have neither a *positive* or *negative* impact, and 16% saying they would have a *negative* impact
- Positive* was the most popular sentiment among all breakdowns between 44% and 66%, except from disabled respondents, who responded *positive* at 39%, *neither* at 43%, and *negative* at 16%
- Again, in all breakdowns, *neither positive or negative* was the next most popular response, ranging between 21% and 35%, except for disabled respondents and respondents aged 65 or older (who responded 16% *neither* and 25% *negative*)

Breakdowns



*Fewer than 100 respondents; **fewer than 50 respondents.



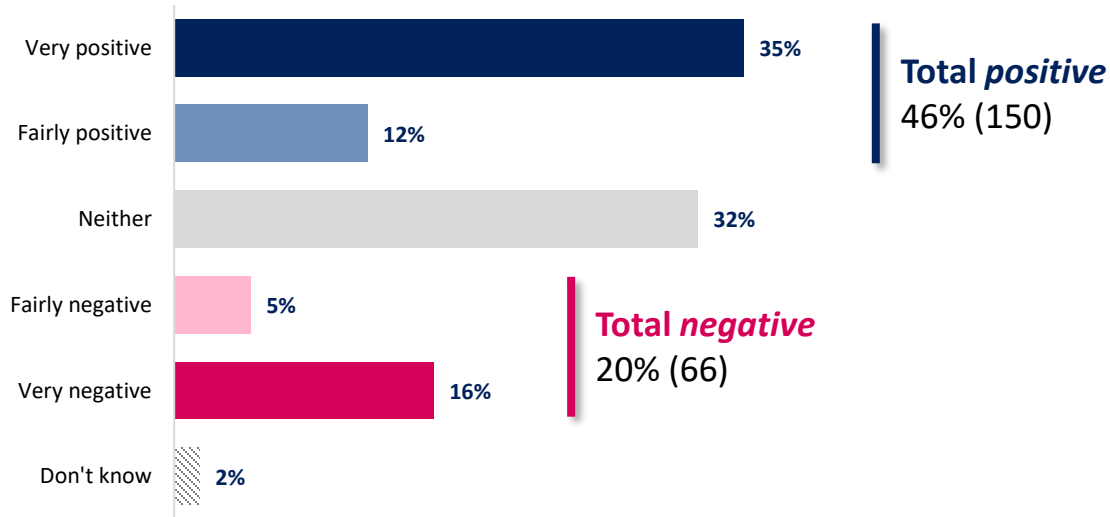
Question 2d

What impact do you feel the proposals would have in the following areas? *The safety of yourself and others visiting the cemetery*



Total responses **324**

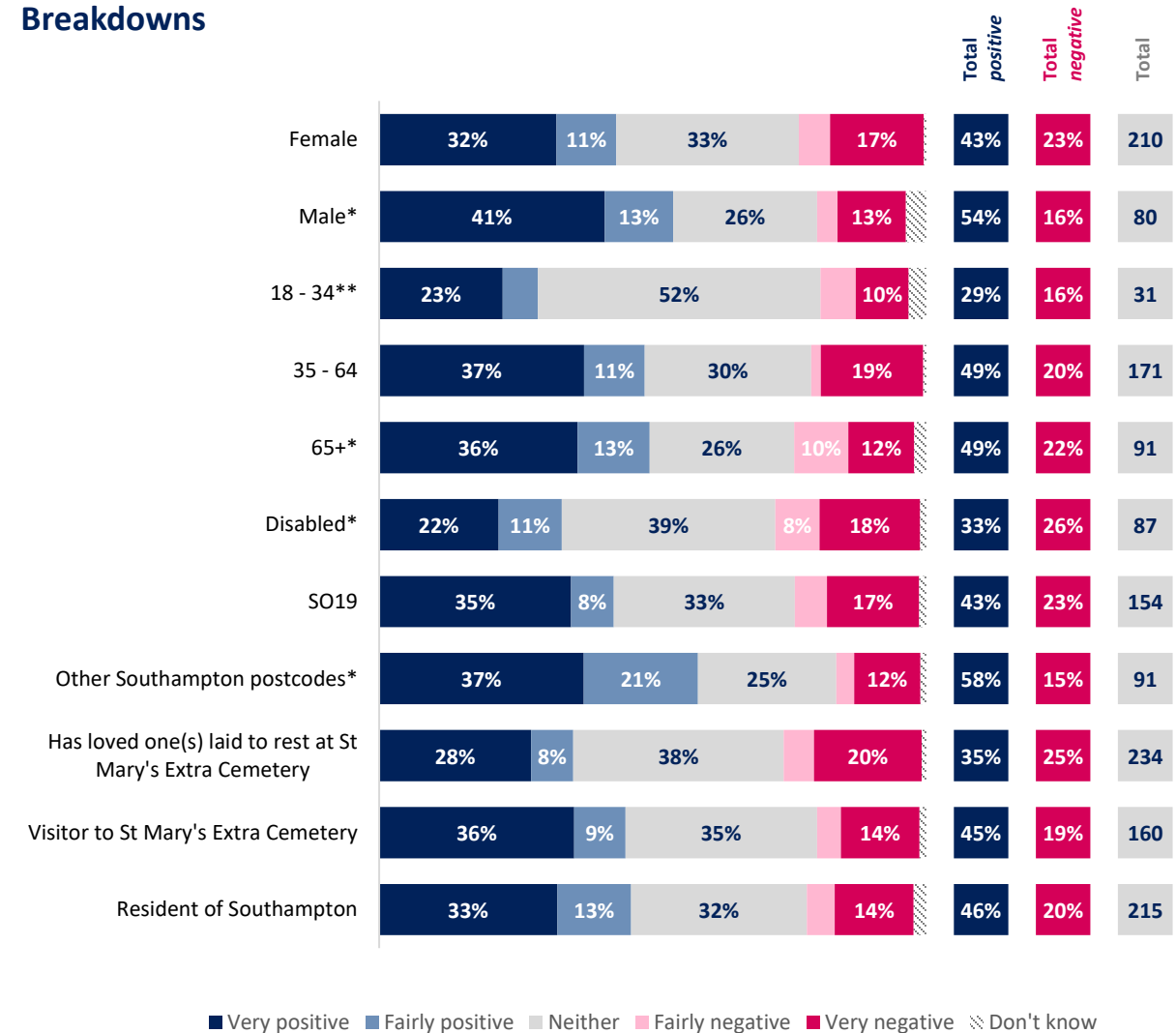
Overall



Key findings

- Respondents said the proposals would have a *positive* impact on safety to the greatest extent at 46%, followed by *neither* at 32% and *negative* at 20%
- Respondents with loved ones laid to rest at St Mary's Extra, visitors to the cemetery, residents of SO19, disabled respondents and those aged 65 or older responded *positive* at 35%, 45%, 43%, 33% and 49% respectively, each responding *positive* to a greater extent than *negative* between 7% and 27% points
- However, respondents that said they are disabled and those with loved ones at St Mary's both responded *neither* to a greater extent than *positive* (39% and 38%) at 6% and 3% points respectively

Breakdowns



*Fewer than 100 respondents; **fewer than 50 respondents.



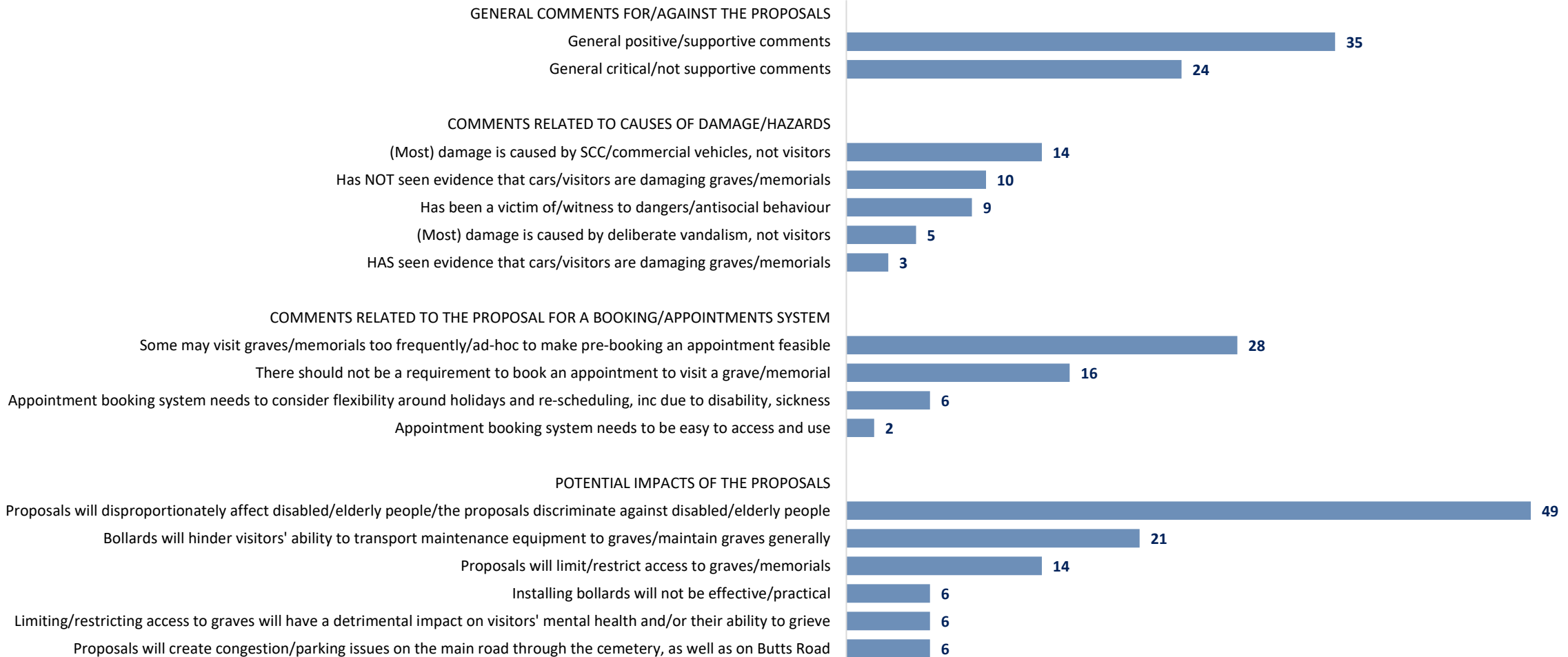
Question 3

Please use the following space to tell us any comments, impacts, suggestions or alternatives you feel we should consider *page one of two*



Comments received **202**

Total comments





Question 3

Please use the following space to tell us any comments, impacts, suggestions or alternatives you feel we should consider *page two of two*



Comments received **202**

Total comments

ADDITIONAL/ALTERNATIVE SUGGESTIONS



FURTHER COMMENTS/OTHER GENERAL COMMENTS

