

1.0 Purpose and Scope

- 1.1 One of the Council's strategic priorities is to promote the economic, environmental and social well being of the District. Graffiti is recognised as a problem which detracts from the achievement of this aim and the Council is committed to dealing with it quickly and efficiently to benefit all local residents.

2.0 Background

- 2.1 An increase in the occurrences of graffiti in the District over the last few years and specifically in the last twelve months has caused concern among residents, traders and Councillors.
- 2.2 The Council has an agreement in place for removing graffiti from HCC Highways equipment.
- 2.3 As a public body, NHDC must conform to the Race Relations (Amendment) Act 2000, which sets a General Duty to end all forms of illegal racial discrimination, promote equal opportunity and promote good relations between racial groups
- 2.4 In view of this, it has become necessary for us to formalise our arrangements and establish a protocol and policy for eliminating graffiti where the graffiti is considered to be anti-social due to racist or otherwise offensive content.
- 2.5 Council Departments are already engaged in clearing graffiti off their own property, and this work will continue at the Departments' own cost. However, it is now necessary for this work to be undertaken within a more formal structure and timetable, with a corporate consensus and agreement over how to proceed and prioritise.

3.0 Policy Statement

- 3.1 The Council policy is to remove graffiti from public view within the boundaries of North Hertfordshire District Council as quickly as possible using a defined operational structure and timetable. We will do this by a partnership approach to privately owned property and where necessary positively support the funding of graffiti removal (should it be of a racist or have an anti-social/offensive content) from all property. We will work with the community through identification, educational and programmed graffiti removal, using contacts with the probationary service, police and other local groups.

4.0 Policy Introduction

4.1 Monitoring

- If we are to adopt a consistent corporate response to clearing graffiti, it is essential that we also monitor the work; keep a note of the number and nature of complaints and ensure that the work is completed within the specified time.
- The results of the monitoring will be reported to the relevant Committee.

4.2 Working Arrangements

4.2.1 Council Property

- The removal of graffiti from council controlled land/properties, including, highway structures and street furniture is included in the street cleansing contract due to commence on the 4th August 2003.
- Where finished Surfaces have been treated with propriety anti-Graffiti coatings, the Contractor shall reapply the appropriate special colour matched spray paint, as supplied by the manufacturer.
- Upon notification by the Contract Administrator of specific Graffiti the Contractor shall respond to the request as laid out in the time table below.
- Where, in the opinion of the Contract Administrator, Police, or Contractor, the Graffiti is of a racist, sexist, or other offensive nature, the Contractor shall be responsible for its removal within twenty four (24) hours of notification. In instances where the Contract Administrator determines the matter to be of a particularly offensive nature, the Contractor shall respond to the incident as if it were an emergency and effect its removal within one (1) hour.

4.2.3 Property not Owned by the Council

- The principle and timetable will also apply to property not owned by the Council.
- In incidents of graffiti on private property, although we will endeavour to keep to the timetable noted below, the situation is different. Local Government has the power under the Local Government Act 2000 to enter private property to clean graffiti, but we do not have the power under the legislation to demand payment.
- In cases of racist graffiti, the Race Relations Act gives Local Authorities the right to clear graffiti and demand payment. It should however be noted that in each case, there would have to be permission from the owner to enter the land or property. In cases of racist graffiti where permission is not granted, the matter would have to be referred to the Police. It should be noted that our powers are different in relation to general and racist graffiti, and we will need to be clear about our responsibilities and the responsibilities of the owners when developing this part of the policy.

- Each case that falls into this category is likely to be different, and they must be considered individually. However, the Council must consider carefully its role in facilitating the clearing of graffiti from private property and set up specific arrangements. We should be ready to respond to calls by private owners requesting that graffiti be removed and also to contact owners to suggest the various options for clearing.
- Offering the service free “one time only” may encourage owners to remove subsequent occurrences at their own expense.
- Where graffiti is on a painted surface, the service will only allow for painting over the area of graffiti and an exact paint match cannot be guaranteed because of fading of original colours and the many paint colours available.
- Residents or traders requesting work to be carried out on their property must sign an agreement indemnifying the Council from liability for any damage caused by the removal of the graffiti (a sample GRAFFITI REMOVAL INDEMNITY FORM is included at the end of this document).

4.3 Timetable

- Under the Race Relations Act, it is necessary to give high priority to the removal of racist graffiti, and also to any graffiti which offends other groups.

4.4 Cleaning targets

	Council Property	Other Property
<p><u>Priority1:</u> Extremely Racist graffiti/ graffiti which offends other groups or could pose immediate danger</p>	Clean within 1 hour of incident being reported	Clean within 1 hour of permission to enter land being given
<p><u>Priority2:</u> Racist graffiti/ graffiti which offends other groups or could pose danger</p>	Clean within 24 hours of incident being reported	Clean within 24 hours of permission being given to enter land
<p><u>Priority 3:</u> General graffiti which is not racist, offensive or poses danger</p>	Clean within 7 working days of incident being reported	Clean within 14 working days of permission to enter land being given

4.5 Costs

- The cost of providing a free graffiti removal service on private land is difficult to estimate as there is no existing inventory of graffiti requiring removal from private property within the District consequently the level of service required can not be accurately measured. As a guide similar policies are funded to the value of between £60K and £100K in similar size/type Authorities.
- Members should establish a budget to enable graffiti removal from private property. Once the budget has been reached the service will be suspended.

4.6 Consultation

- Resident consultation regarding the success of this policy should be carried out through the area committee structure.

4.7 Service delivery

- Removal of graffiti from NHDC controlled areas is covered in the Street Cleansing Contract with Serviceteam due to commence in August 2003.
- As an interim measure the Serviceteam contract can be extended to include graffiti removal from non NHDC controlled areas.
- A future decision will have to be made regarding whether the graffiti removal service is tendered or provided as an "in-house" service.

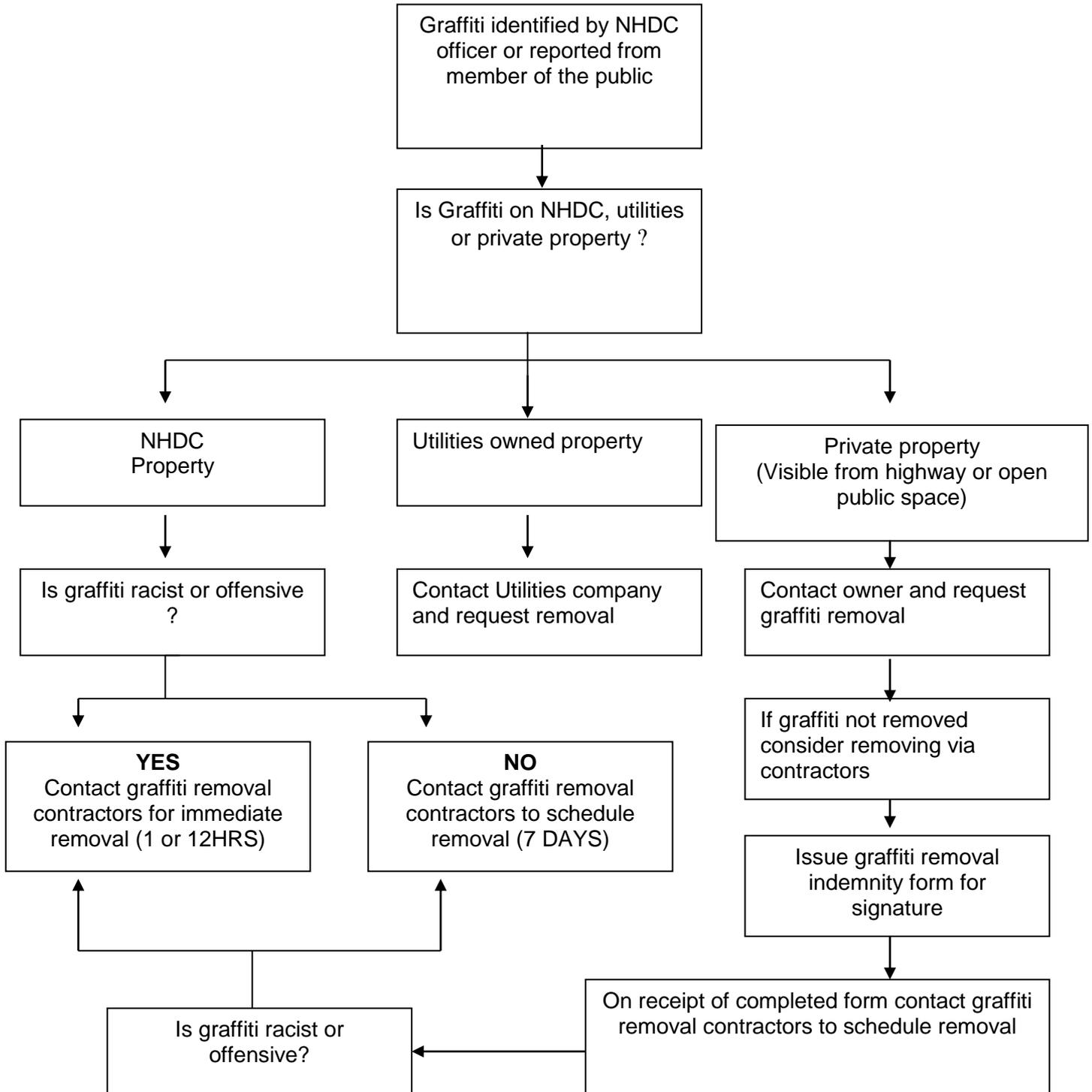
4.8 Further measures for consideration that can be taken to reduce graffiti in the District

- The removal of graffiti is only one option that can be used to tackle the problem. The following initiatives could be implemented:
- Partnering with other local authorities and organisations to combat graffiti across the District and District boundaries;
- Initiate work in partnership with the Probation Service and the Youth Offending Team, who both use young offenders to remove graffiti from locations identified by the Council.
- Contact should be made with shops that sell the materials used for graffiti to make them aware of the problem and gain their co-operation in preventing the sale of these materials to youths. Many of these retailers have signed up to a voluntary agreement not to sell these materials to under 18's and to display spray cans etc. in secure locations only. This system has been trialled with success in other local authorities and it is proposed to encourage all neighbouring Authorities to take similar measures.
- Initiate a publicity campaign aimed at retailers, parents and concerned residents to make them aware of the problem and encourage them to take positive action by telling the Police where they suspect their customers, children or neighbours of being graffiti vandals. Information leaflets to be

available at all Council Offices, libraries and police stations within the District.

- Sell graffiti removal kits and encourage residents/traders to remove graffiti from their area. The Council will provide discounted graffiti removal kits, possibly via a voucher scheme, to recognised community groups to assist in keeping local areas clean of graffiti. Graffiti “wipe” kits could be made available for approximately £6 per unit.
- Encourage retailers in the District to stock graffiti removal kits for sale.
- Increase, where practicable, the level of surveillance operations carried out with the police and publicise the impact of such initiatives.
- Introduce an educational programme aimed at school children at all key learning stages to be developed and made available to all schools and youth services.
- Trials in the designing out of graffiti and flyposting can be carried out in areas where large expanses of wall/fence attract vandals. This could involve the use of protective coatings, anti-climb paint, anti-fly posting coatings, planting of natural screening i.e. thorn bushes or fast growing large shrubs.
- Reduce the potential for graffiti by negotiating with statutory undertakers (NTL, BT, Eastern Electricity etc) to provide anti-graffiti coatings to their street furniture or by charging for the removal of graffiti.
- Consider the provision of a reward (say £500) for information leading to the successful prosecution of graffiti offenders.
- Co-ordination with CCT operation to identify offenders.
- In conjunction with Police, set up and maintain a data base of “tag” photographs (digital) for identification and evidence purposes.

NHDC GRAFFITI REMOVAL FLOW CHART



NORTH HERTFORDSHIRE DISTRICT COUNCIL

GRAFFITI REMOVAL INDEMNITY FORM



NAME: LANDLORDS NAME.....

ADDRESS: LANDLORDS ADDRESS.....

.....

POST CODE.....

DAYTIME TELEPHONE NUMBER.....

Please confirm your status (delete as necessary): Property owner / Tenant / Landlord

If you are a tenant, please only sign below if you have permission to authorise work on the property. If not, please state the Landlords full name and address above, to enable the Council to obtain the Landlords agreement.

LOCATION OF GRAFFITI (e.g. side of house/garden wall/fence).....

SURFACE TYPE AND MEASUREMENT

(Circle as appropriate)

Brick / Painted brick / Rendered / Painted rendered / Pebble dash / Painted pebble dash / Timber / Painted timber / Glass / Plastic / Metal / Painted metal

Other (please state)

Colour of surface :.....

Approximate area of affected surface : ___ m x ___ m = ___ m²

AGREEMENT

In making all reasonable efforts to remove graffiti using pressurised water, chemicals, paint and other materials (" the service") as the Council/Contractor considers necessary, the land owner shall:

- Indemnify, release and discharge the Council/Contractor from and against any expense, liability, claim, or proceedings whatsoever arising in respect of any property, or any personal injury to the land owner, their tenants, invitees or any other residents of the property arising out of the carrying out of the service; and
- Give the Council/ contractor or a representative of the Council/ Contractor access to the property to perform the service.

Signature..... Name (print).....Date.....