

Working Together to Tackle Graffiti and Fly Posting

Joint Action Plan by Perth and Kinross Community Planning Partnership



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Introduction

Overview

Graffiti and fly postings can be considered as “environmental crimes”. Graffiti can spoil the enjoyment of the local environment and lead to circumstances, which promote other crime and anti-social behaviours. If graffiti is not dealt with it can engender a negative perception of an area, including fostering a belief that nobody cares, or takes pride in their local environment. The British Crime Survey indicated that graffiti was one of the key drivers of perception about an area being safe. This has a knock-on economic effect, as it is a burden on the businesses and local authorities that are left to clean up graffiti and fly posting on property and public spaces. Some graffiti can be extremely offensive (such as conveying racist or sexual content), which is incompatible with a fair and tolerant society.

The costs involved in tackling graffiti are considerable. For example in one year, Birmingham City Council spent £760,000 and the local bus operator spent £130,000 on graffiti cleanups. When other costs are added (such as repair or replacement of damaged surfaces, CCTV installation and anti graffiti painting), the cost, for what is seen as a “victimless” crime, mounts up.

Fly posting is the commercially driven defacement of the local environment through the display of advertisements pasted or attached to buildings, street furniture, or other structures, without the consent of the owner. It gives a cheap and instant advertising message, and is a well established marketing device in the entertainment industry. It is often associated with graffiti as a vehicle for youth culture communications, therefore some advertisers see it as a way of promoting events and products to youth audiences. Fly posting is contrary to the provisions of Planning requirements. It is unsightly and spoils the environment. If it is not removed the posters slowly rot, becoming more unsightly and cause litter. In addition, the businesses involved in fly posting are gaining an unfair advantage over their law abiding competitors by not paying for advertising space.

In summary, graffiti and fly posting in the community are contrary to many of the Council and Community Planning Partners’ aspirations for the area:

- They are a defacement of the public realm and open space.
- They create, negative perceptions, and project an unwelcome image to both residents, and visitors to the area.
- Consequently this could ultimately have a detrimental effect on the experience of visitors to our area
- They contribute to fear of crime perceptions
- They can act as an encouragement for more antisocial behaviours.

Conversely, appropriately managed graffiti and fly posting can actually contribute to the vibrancy of an area. For example some graffiti artists’ work is highly valued, and well executed graffiti can add a certain “fresh” and “young” look in the right location. Similarly, the controlled informal advertising of local events can contribute to the area’s cultural and recreational activities, as well as assisting local businesses promote events to residents and visitors.

Issues with Graffiti and Fly Posting in Perth and Kinross

Graffiti

The issues are:

- There appears to be a need for greater co-ordination and communication. There is no lead Service/individual in the Council or Community Planning Partnership for tackling this problem. Those involved in tackling graffiti often don't know what others are doing (or can do) to contribute to resolving or clearing up the problem.
- Graffiti removal legislation is limited – it only covers certain types of graffiti on some public buildings/structures, with no powers to require graffiti removal from other structures. (See Appendix 1 for summary of the legal powers available).
- Proactive graffiti removal – at present, relatively little activity is undertaken in cleaning up graffiti, in the wider community, although there are pockets of good practice (see Case Study 1). This is probably attributable to the lack of statutory requirements for graffiti removal.
- Utilities - Scottish Gas, Scottish and Southern Electric, Scottish Water, and British Telecom do not have a service standard. They remove graffiti from their various buildings/street furniture as and when they can. This activity is not the highest priority for any of them, but they will remove offensive graffiti more quickly.
- Incidences of graffiti– around 100 road signs are defaced every year within Perth and Kinross. There were 18 instances of graffiti in public open spaces over 18 months monitoring between April 2007 and September 2008. Since April 2007 to October 2008 48 cases of graffiti were reported to Housing and Community Care.
- Notwithstanding the above there is a lack of co-ordinated data on scale of graffiti in our area, so we can't tell objectively how bad the problem is, if its getting better or worse, and which areas are worst affected.

A summary of current graffiti activities is detailed in Appendix 2

Case Study 1

Graffiti Removal – Partnership Initiative Perth City Centre – Public Access Vennels

In early 2007 Perth City Centre Management (PCCM), in partnership with Criminal Justice Services and Tayside Police, developed a graffiti removal initiative for Perth City centre. The initiative targeted public access vennels with a view to reducing the fear of crime factor and also enhance the usage of the vennels. Vennels are checked on a fortnightly basis by PCCM. A template is completed and regularly sent to Criminal Justice Services which then arranges for removal by supervised Criminal Justice clients.

The project has received 3 separate funding donations from Perth and Kinross Community Safety Partnership totalling £1,500. This has been used to purchase a steam cleaner, working platform and graffiti removal products. This project will only require future funding for graffiti removal products. The vennels in Perth are monitored on a fortnightly basis by Ian Campbell's team (safer cities programme) for fly posting and graffiti. Any areas which require attention are then passed onto the Criminal Justice Team. Graffiti is also removed on a fortnightly basis. Detergents are supplied by Ian Campbell – funding for this is through the Community Safety Partnership. Paint is sourced from skips (recycling) and is also bought through a decorator's business. Commercial businesses are not asked to remove graffiti at present as their timescales to remove the graffiti are uncertain and because of "fear of crime" the graffiti is removed as soon as possible. The graffiti is usually on vennel walls which belong to businesses. The graffiti project only covers public access vennels and does not cover graffiti on business premises, unless their wall is situated within a vennel.

The Project gained a "Commended" award at the Scottish Regional Awards of Association of Town Centre Management in 2007. The project is also used as best practice by Scottish Business Crime Centre for use by other cities and towns. The project is also linked with Perth in Bloom, and clients are now removing fly posting from empty shop windows within the city centre of Perth.

Fly posting

The issues are:

- There is a shortage of intelligence on prevalence of problem (similar to graffiti)
- There is an opportunity for increased co-ordination between agencies on what activity is going on, and what can be done. However there is currently good cross working between the Council's Planning and Roads services to respond to fly posting.
- The legislation is such that people responsible for fly posting have to be served with a notice, requiring its removal. By the time the legal process is concluded, two months may have passed by then the advertiser has achieved their objective to promote the event. In many cases it can be extremely difficult to trace the person responsible for fly posting, to take enforcement action.
- The City Centre Management team has investigated the possibility of communal "bill boards" for posters to provide a managed solution, but have had issues regarding planning permission, which have impacted on progress.

A summary of current fly posting activities is detailed in Appendix 3.

Aims and Objectives

Strategic Overview

The importance of attractive public space to the aspirations of Perth & Kinross can be seen from the following extracts, from the documents which shape the vision for the area:

‘Perth and Kinross is synonymous with quality of life - renowned for its scenery, accessibility, history, quality local services, facilities, products and strength of community

In today’s competing global market, it is essential that an area can promote itself positively so that it is seen as attractive to potential visitors, workers, residents or investors, and thereby sustain the economy. Developing a positive image for our area locally, nationally and internationally will be key to achieving this.

One of the most significant assets Perth and Kinross has is its environment, both in terms of outstanding natural beauty and the quality of life in communities across Perth and Kinross. This forms the basis of our important tourist economy and contributes to the wellbeing of our communities. We see our environment as one that people are attracted to, feel safe in, enjoy and have pride in.

We have a clear responsibility to the people in Perth and Kinross to work with them to protect and enhance not only the natural environment but also the public space in their towns and villages.’

Perth & Kinross Community Plan, 2006-2020

‘Our approach to enhancing our natural and built environment and the accessibility of our open spaces has an obvious impact on residents and the high number of visitors to the area.

Single Outcome Agreement for Perth and Kinross 2009 - 2011

‘Perth and Kinross is renowned for its outstanding quality of life, exhilarating scenery, rich heritage, the hospitality and creativity of its people and as a fantastic place to live, work and visit.

Our diverse environment is one of Perth & Kinross Council’s most significant assets, both in terms of its outstanding natural beauty and in contributing to the quality of life we enjoy. The provision of clean, green and accessible public spaces enhances the quality of life of all residents and attracts many visitors to our area.’

Draft Corporate Plan, Perth & Kinross Council, 2009

Aim – Graffiti and Fly Posting

Antisocial illegal, graffiti and fly posting has no place in the strategic vision for Perth and Kinross. Therefore the basis of this Action Plan has to be a bold “zero acceptance” approach, both within our communities and with the agencies responsible for serving our communities.

Objectives

Delivering this “zero acceptance” approach to antisocial illegal graffiti and fly posting will be achieved through the following objectives:

- (1) Public agencies working together to prevent and remove graffiti and fly posting,
- (2) Prevention of graffiti and fly posting through education, involvement of individual officers and agencies involved in this activity, and the deterrent effect of enforcement.
- (3) Ensuring that instances of graffiti and fly posting are reported, actioned and removed as soon as reasonably practicable.
- (4) Maximising the use of available enforcement tools to punish those who commit offences.
- (5) Engaging with the public and local communities to gain their support for the “zero acceptance” approach, to encourage their participation in being vigilant against the perpetrators, and reporting any instances of graffiti and fly posting in their communities.

The following sections outline the individual measures to meet these aims and objectives.

Graffiti - What will we do?

Tackling graffiti will be undertaken via several strands:

- Reactive cleaning/removal
- Preventative measures, including education
- Follow up action/enforcement
- Engagement, Promotion, Reporting
- Monitoring and Review

Reactive cleaning/removal

Responsibilities and arrangements for clearing graffiti from different building ownerships/occupation will be determined e.g Council properties (e.g schools, roads infrastructure, bridges, Council housing), residential properties, utilities, commercial property, absent (orphan) property.

Graffiti will be removed as soon as practicable by the most appropriate means:

- The Council's supervised Criminal Justice Clients via the Criminal Justice Service
- PKC Operations/NET Team
- Specialist Contractor – may be necessary for more sensitive locations or delicate structures
- The graffiti removal squads will be co-ordinated to ensure there are no gaps or overlaps
- As a trial, cleaning kits will be made available at a low cost to local shopkeepers and householders, to clean the graffiti themselves.
- A centralised store of graffiti removal materials will be created for all, including centralised procurement.
- Seek agreements with Community Planning partners and utilities to have graffiti removed from their properties/structures, either directly, or by using Council clean-up resources.

Preventative Measures (including Education)

- Planning process – organisations will be encouraged to seek advice from Police on use of deterrent/resistant surfaces when building potentially vulnerable buildings
- Identification of frequently graffitied Council furniture, walls or fences, which can then be coated with anti-graffiti paint
- Use of more community projects to cultivate “graffiti art” and channel energies positively, as well as identifying managed locations where people could express themselves through graffiti art.
- Consider the use of Antisocial Behaviour Orders (ASBOs) and Antisocial Behaviour Agreements (ABAs) if persistent offenders are identified.

Follow up Action/Enforcement

- Identifying and reporting graffiti will allow greater use of intelligence sharing, to catch culprits. Investigate a greater role for the use of CCTV in the City Centre – specifically looking for graffiti activity (where other priorities allow).
- Wherever possible instances of graffiti will be photographed, record place and time, eyewitness details and pass to Police to build up intelligence on tags and “hotspots”. This could be carried out by a range of Council staff, including:
 - Community Wardens (in their areas)
 - Roads Staff
 - Street cleaning staff
 - Litter officers
 - Dog Control Officers

Engagement, Promotion, Reporting

- Develop a communications campaign to engage the public in reporting graffiti as part of “zero acceptance” report
- Campaign to encourage Council officers who are “out and about” to see it as a part of their job to report graffiti and fly posting.
- Establish clear lines of reporting via the Council’s Customer Service Centre, to log reports and initiate action, based on pre-agreed procedures.

Monitoring and Review

- Develop a system to categorise and prioritise graffiti in terms of its content/prominence/size/duration in a location to determine the prioritisation for removal. Develop agreed service standards for graffiti and fly posting removal, with a higher service standard for offensive graffiti (e.g sexual references or racist graffiti).
- Monitoring and reporting systems are to be put in place, to measure success, and also extent of problem over time, and across areas – to be co-ordinated by the Council’s Customer Service Centre.

We will know we have made progress by

- Evidence that Council Services and partner agencies are working together to tackle graffiti (through implementing actions in the Progress Plan).
- Higher levels of public and Council staff reporting instances of graffiti than at present.

What measurement should we use?

- Achieving each item in the Progress Plan on time
- Levels of achievement with clean-up response standards
- Numbers of graffiti incidents reported by a) the public b) Council employees.

Fly Posting - What Will We Do?

As with graffiti, dealing with fly posting is best approached across several activities:

- Reactive measures
- Preventive measures, including education
- Follow up action/enforcement
- Engagement, promotion and reporting
- Monitoring and review

Reactive measures

- Instances of fly posting will either be removed or covered over, to prevent the perpetrators from deriving the intended publicity benefits of their illegal activities through the Council's powers to advance wellbeing (under the Local Government in Scotland Act 2003). This will be subject to approval of the owner of the premises, although it is hoped to achieve an overarching agreement for this from owners of the multiple premises in the area which may be affected.
- Leases for temporary entertainment events on Council properties (e.g circuses on the South Inch) will be reviewed to strengthen powers to have organisers remove any posters/advertising after the event concludes.
- Standards will be developed, which will set out target timescales for removal of fly posting.

Preventative measures, including Education:

- The main beneficiaries of fly posting are local entertainment events. Therefore the assistance of the Licensing Board will be sought to have licensed premises which agree to this illegal activity, held to account by the Board.
- Develop proposals to establish managed advertising areas where local entertainment and recreational businesses can legitimately advertise their activities.
- Continue the existing scheme to "decorate" empty shop fronts to retain a positive image, and discourage fly posters from using that vacant space to affix advertisements.
- Consider the use of Antisocial Behaviour Orders (ASBOs) if persistent offenders are identified.

Follow up action/enforcement

- This will be similar to graffiti, with Council employees and the citizens asked to notify the Customer Service Centre of any instances of fly posting. These will be referred to Planning Enforcement Officers to gather intelligence on trends and possible offenders.

Engagement, promotion and reporting

- We will use formal and informal business contacts to discourage their use of fly posting (e.g City Centre Partnership, Licensing Board).

Monitoring and review

- Service standards will be developed and reporting systems introduced to assess progress.
- Monitoring systems will be established to assess the extent of the problem over time, and across the area, to identify “hot spots” of activity.

We know we have made progress by?

- Evidence of agencies working together (meeting actions in the Progress Plan)
- High degree of contact with business community, discouraging them from engaging fly posting as a means of advertising
- Increased reporting of fly posting by the public and Council staff
- High response rate to meeting response standards for covering/removing fly posting

What Measurement should we use?

- Achievement of actions by agencies in the Progress Plan
- Levels of fly posting removal/cover ups within response standards
- Number of organisations contacted recommending non use of fly posting
- Number of fly posting instances reported by a) the public b) Council officers.

Leadership and Co-ordination

What Will We Do?

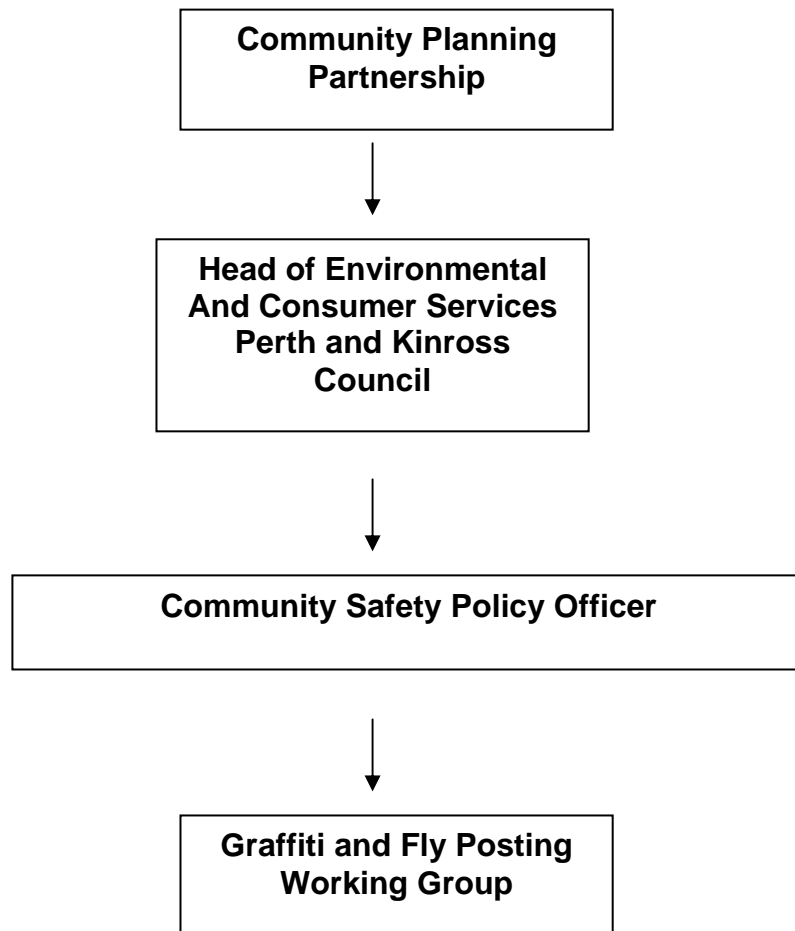
This Action Plan for the Council and Community Planning partners in tackling graffiti and fly posting will establish effective action in working towards a common goal. It secures the commitment to tackling this issue; ensures there is clearly defined leadership; sets out roles, responsibilities and response standards; and ensures both partnership working, and information sharing between the agencies involved. This Plan includes seeking agreement that Community Planning partners would give to tackling graffiti / fly posting.

An important part of this co-ordination, both at strategic level and also in dealing with day to day issues.

It is proposed that leadership and direction will be provided by the Community Safety Partnership. This will be supported by the identification of a “champion” at senior management team level to support the Partnership and ensure co-ordination takes place. It is proposed that this role be fulfilled by the Head of Environmental and Consumer Services.

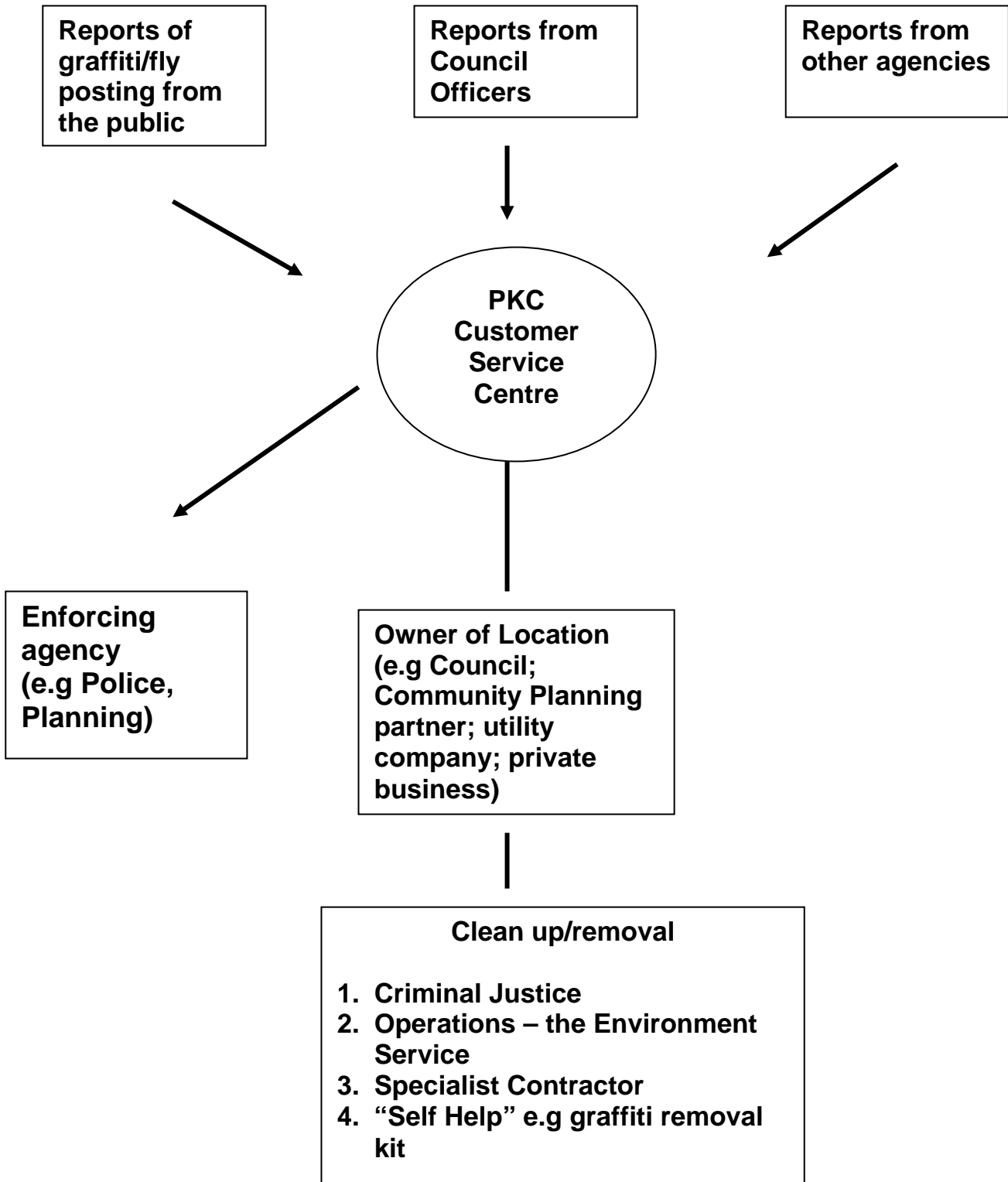
At tactical/operational level it is proposed that a lead officer will work with Council Services and other agencies to ensure that this Plan is implemented and that actions on graffiti and fly posting are co-ordinated, and are consistent with the Action Plan. This can be achieved through a Graffiti and Fly Posting Working Group, involving the organisations which jointly developed this Action Plan. The Lead Officer should be the Council's Community Safety Policy Officer. This arrangement is depicted in Figure 1.

Figure 1



On a day to day basis, the Council’s Customer Service Centre will have an important role as a hub to handle incoming contacts about graffiti and fly posting, as well as disseminating the information to the relevant Council service or agency to take appropriate action (see figure 2). The establishment of clear processes and agreement on roles and responsibilities will be an important part of the success of this Plan.

Figure 2



Conclusion

Better control and management of graffiti fly posting will support the strategic vision to secure the future of Perth and Kinross, and maintain the appeal and attractiveness of our urban and rural areas, supporting a quality sense of welcome and well being for visitors and residents alike.

Delivering better control requires partnership working, both internally and externally to the Council and Community Planning partners, and concerted action over an extended time period. The basis for this approach is provided within this Action Plan.

Working Together to Tackle Graffiti and Fly Posting

Appendix 1:

Legislative Options

Graffiti

Police Powers

Malicious Mischief – at Common Law.

Malicious mischief consists in the wilful, wanton and malicious destruction of, or damage to the property of another person. There must be malice, either actual or inferred, on the part of the perpetrator, as destruction or damage caused by accident, or under a reasonable belief of right is not criminal.

One main difference between Malicious Mischief and the offence of vandalism is that with vandalism there must be damage to actual property, whereas with malicious mischief, financial damage brought about by a criminal act would suffice.

If property is damaged and the value of damage is high it may be more relevant to libel this common law crime than vandalism.

The Common Law crime of Malicious Mischief has a power of arrest.

Vandalism – Section 52, Criminal Law (Consolidation) (Scotland) Act 1995.

Any person who, without reasonable excuse, wilfully or recklessly destroys or damages any property belonging to another shall be guilty of the offence of vandalism.

There must be either a deliberate intention to damage the property or an act so reckless as to show utter disregard for the consequences.

The statutory charge of vandalism is used when property is damaged in the vast majority of cases.

The act is silent in relation to power of arrest.

However offenders can be arrested at common law if;

- They refuse to desist
- They refuse to give their name and address
- They are suspected of giving a false name and address
- They are of no fixed abode
- It is in their own interest or the interest of public safety.

Once offenders are arrested they can be photographed, fingerprinted and have their DNA taken.

Where possible and appropriate, offenders over the age of 16 years will be issued with a Fixed Penalty Notice (FPN) in terms of the Antisocial Behaviour etc (Scotland) Act 2004 for acts of Vandalism and Malicious mischief. An FPN can be issued to an offender in public 'on the street' or in Police custody.

In other instances whereby offenders aged over 16 years are not considered suitable for FPN's a report will be submitted to the Procurator Fiscal.

Those under 16 years will be dealt with as deemed suitable by the Youth Justice Assessor

Council Powers

Graffiti Removal

The only specific legislation requiring graffiti removal is in the 2004 Antisocial Behaviour (Scotland) Act. This allows Councils to require certain public bodies ('educational institutions' or 'statutory undertakers') to clear up graffiti which is "offensive" or detrimental to the local amenity, from buildings, structures, apparatus etc. belonging to that public body. If the body refuses to do the work, the Council can clear the graffiti and recover the costs.

The Council could also conceivably use its powers contained in the Local Government in Scotland Act 2003 to "advance wellbeing", by proactively carrying out graffiti removal in the wider community.

The Roads (Scotland) Act 1984 (s100) makes it an offence to place anything on a public road without the consent of the roads authority. This includes any way over which there is a public right of access and includes the road verge, foot path, bridges or tunnels over or under which the road passes. It is an offence, under this Act, to paint, inscribe or fix upon the surface of a road or tree, traffic sign, milestone, structure or works a picture, letter, sign or other mark.

Fly Posting Enforcement of control over advertisements

The Town and Country Planning (Scotland) Act 1997 (s186) makes provision to enable the planning authority to require the removal of any advertisement that is displayed in contravention of the regulations and the discontinuance of the use of the site for the display of advertisements. Section 186(3) provides that where a person displays an advertisement in contravention of Advertising Regulations, they are guilty of an offence.

Use of enforcement notices

The planning authority may also issue enforcement notices, according the Town and Country Planning (Scotland) Act 1997 (s127) and the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (s24), requiring the removal of any advertisement displayed in contravention of the Regulations. Enforcement Notices issued under the Advertisement Regulations generally require that the recipient is given at least 28 days notice before the Enforcement Notice takes effect, but this period can in certain cases be reduced to 7 days where the planning authority "considers it urgently necessary

in the interests of public safety that the advertisement to which the notice relates should be altered or removed, or where they are satisfied that any steps required by the notice to be taken can be taken without the removal or substantial modification of any structure or the carrying out of any building or similar operations on land" (1984 Advertisements Regulations, s24(4)(a)). If the action required by an enforcement notice has not been undertaken within the period specified, local authorities may enter land and take action to remove or obliterate posters or placards. The Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (s26) gives local authorities the power to recover any reasonable expenses incurred by them in taking action. A landowner who has incurred costs complying with an Enforcement Notice may also seek to recover these costs from the person who put up the advertisement.

Power to remove posters

The Town and Country Planning (Scotland) Act 1997 also allows the local authority to remove or obliterate any poster or placard displayed in contravention of the Advertisement Regulations. This can be done after:

- the planning authority has given notice in writing that the advertisement is displayed in contravention of the regulations and that they intend to remove it on expiry of the notice; and
- providing at least two days notice of the intention to remove the poster.

Notice is not required if the poster does not give the person's address or if the planning authority is unable to ascertain it after reasonable inquiry. Entry to land for the purposes of exercising these powers may be gained if the land is unoccupied and it would be impossible to exercise the power without entering the land. Local authorities may be liable to claims for any damage to property during the course of removing posters or for trespass. The planning legislation does not permit the removal of adverts from within a building to which there is no public right of access, therefore making it difficult to remove posters from third party property.

Other potentially relevant powers

Fly-posting adversely impacts on local amenity, community well-being and has links to antisocial behaviour. The Local Government in Scotland Act 2003 gives local authorities power to do anything which they consider likely to promote or improve the well-being of their area and persons within that area. Well-being may include environmental factors such as the quality of the built environment, however, this is for the relevant authorities to determine. The Antisocial Behaviour etc. (Scotland) Act 2004 gives the sheriff court the power to make an antisocial behaviour order if a person has engaged in antisocial behaviour. A person engages in antisocial behaviour if he or she acts in a manner or pursues a course of conduct that causes or is likely to cause alarm or distress (s 118).

Working Together to Tackle Graffiti and Fly Posting

Appendix 2

Graffiti

What are we doing now?

Enforcement: offenders –

Where possible and appropriate, offenders over the age of 16 years are issued with a Fixed Penalty Notice (FPN) in terms of the Antisocial Behaviour etc (Scotland) Act 2004 for acts of Vandalism and Malicious mischief. An FPN can be issued to an offender in public 'on the street' or in Police custody.

In instances of high value crime, it is not usually deemed suitable to issue a FPN and a report is submitted to the area Procurator Fiscal.

In other instances whereby offenders aged over 16 years are not considered suitable for FPN's a report is also submitted to the Procurator Fiscal.

Those under 16 years are referred to and dealt with as deemed suitable by the Youth Justice Assessor.

Proactive graffiti removal – although relatively little co-ordinated activity is undertaken in cleaning up graffiti, in the wider community, there are pockets of good practice. These are:

- City Centre Management, Tayside Police and the Criminal Justice Service have successfully operated a programme for graffiti removal from vennels in Perth city centre.
- Fly posting and graffiti removal has also been carried out by the Criminal Justice Team in preparation for the judging of towns and villages in the Britain in Bloom Competition.
- Funding for graffiti removal. In 2008 the Environment Service's Management Team has allocated a budget for £10k for graffiti removal. It is likely that priority will be given to heavily affected areas, or offensive graffiti, in prominent locations, where the owner is unknown, or is unwilling to initiate the graffiti removal. The Roads Service has been tasked with tendering for a specialist contractor to undertake this work, and to maintain a database of potential sites for carrying out this clearance work. It is envisaged that the Roads Service will instruct their contractor to clean the graffiti then recharge to the relevant businesses.

Graffiti removal from owned/managed properties – the activities depend on the location:

- Schools and other educational establishments – if graffiti appears on the external walls/doors or signs the janitors of the school deal with it (although it is noted that the products are very expensive).

- Roads structures (bridges, signage etc). The defacements are usually reported by the road supervisors or by the Police. The graffiti is removed by spray cleaners by the supervisors, or by SACRO under the supervision of Council/or their own supervisors.
- Bridges on trunk roads and motorways are cleaned of graffiti by Bear Scotland. Local road network bridges are dealt with by the Council Roads Service. Sometimes graffiti removal work is “batched” then a squad will come into remove it. Offensive graffiti is removed more quickly.
- Housing areas (including lockups and garages), clean ups are carried out by the NET (Neighbourhood Environmental Team) in its geographical area. If graffiti appears on Council owned surfaces, the NET team power wash the surface, and paint over it. Any graffiti is reported by NET teams/Community Wardens/Officers and is recorded on a sharepoint site. Outwith NET team areas, the Housing Repair Centres (or in the case of blocks of Council flats, the housing caretaker) will remove graffiti/posters. Graffiti is removed by power wash then painted. Any offensive graffiti is removed within 24 hours. The most prevalent areas for graffiti include; doors, bin stores, fences, walls and lockups.
- Graffiti is reported to other utilities ie; Gas/Scottish and Southern if found on street furniture. Fly posting is less prevalent but the same procedures would apply. Utilities do remove graffiti from their various buildings/street furniture as and when they can. This activity is not high priority for any of them, but they will remove offensive graffiti more quickly. Network rail on past experience have been very quick to respond to any complaints the Council has given them, (e.g the railway bridges between South Inch and Craigie were very heavily graffitied but were put onto their schedule of works within weeks of the complaint, and power washed).
- Other Council properties (managed by Property Services). A budget is available for reactive cleaning of graffiti
- Private housing and commercial properties – this would be the responsibility of the individual householder. Currently, the Council takes no action over graffiti on private housing.
- “Orphan sites” – this is where the owner is absent or cannot be identified. Currently no action is taken by the Council on this.
- In Summer 2008, Beautiful Perth provided funding for Criminal Justice Young Offenders to purchase graffiti removing materials and paint for work carried out in the City Centre and Norrie Miller Gardens. They also removed fly posting from empty shops.

Education/Promotion - Graffiti Art Workshops are held by the Council Art Development Workers and Youth Community Workers. This is done to engage with young people and to make them aware that graffiti in public places is not acceptable. The Youth Workers also work with the High Schools within Perth and Kinross, in which one of the subjects broached is graffiti. The Council Art Development Workers have also done work at the Pomarium flats in Perth, and also Kinross, following several graffiti instances reported by residents/members of the public.

Working Together to Tackle Graffiti and Fly Posting

Appendix 3

Fly Posting

What are we doing now?

Clean up activities in Perth vennels by the City Centre Management for graffiti also include fly posting removal. The team tries to remove posters as quickly as possible to avoid the “fear of crime” perception by members of the public and visitors to Perth. Fly posting is removed and if it is a persistent offender (usually licensed premises) their details are then passed to the Council’s Licensing Enforcement Officer who deals with this by a visit or letter. This is not part of the Licensing Act but falls under the “umbrella” of a licensee being a ‘responsible person’.

If fly posting is found on street lights and other street furniture/trees which are on the road side, these are regularly removed by Roads Supervisors as and when they see them.

Enforcement - the Enforcement Officer in Planning is responsible for the policing of fly posting in Perth and Kinross. If he receives notification of an offending poster, he will contact the premises/ band etc to get them to remove the poster. If the poster is not removed within a specified time an ‘advertisement Enforcement Notice’ can be issued.

The Councils’ Principal Environmental Initiatives Officer is pursuing a proposal, via the Planning process, for the display of advertisement hoardings to be erected in Perth City Centre so that advertising for local events such as music venues could be legitimately erected. This is an attempt to alleviate the amount of “fly posting” in Perth town centre.

The licensing of Fun Fairs/Circus within Perth and Kinross is agreed through the Council’s Community Greenspace (Environmental Initiatives Team) and Property Services. Property issue the lease agreement for the Fun Fairs which includes a clause for all necessary provisions before the visit (this includes fly posting). The Environmental Initiatives team gives permission for use of land. In the case of the Circus The Environmental Initiatives team gives permission for use of site which includes ‘Conditions of Hire’ (section 8.1 relates to fly posting).

During Summer 2008, Beautiful Perth agreed on a voluntary basis to survey their 70 utility boxes throughout Perth marking the worst affected. BT then sent in a company from England to carry out the work. Unfortunately despite their efforts the boxes that were cleaned and repainted are as badly affected as ever with fly posting, particularly on the main arteries into the town.

Beautiful Perth paid the Environment Service Operations to have the worst of the fly-posting taken off during the summer of 2008 in the City Centre.

Appendix 2 Graffiti and Fly Posting Progress Plan

G = Graffiti F = Fly Posting GF= Both	Action	Lead	Support From	Target/Timescale	Cost/resource implications	Comments
<u>Reactive Cleaning/Removal</u>						
G F	Define responsibilities for who should clean up sites of different types and ownership (e.g schools, roads, Council properties, commercial, absent (orphan) properties, utilities etc	Euna Scott		List prepared and agreed – October 2009	Nil	Draft list prepared
G F	Identify what capacity and resource is needed for Criminal Justice to take on more of a role in graffiti/fly posting removal	Elizabeth Nisbet		Advise the group – September 2009	Delivered via Criminal Justice activities	
G F	Identify what capacity and resource is needed for TES Operations to take on a broader graffiti/fly posting removal role	Keith McNamara		Conclusion reached – September 2009	Possibility of taking on workers via the Training for Work Scheme, so costs are supervisory time	
G	Develop a checklist for prior assessment for graffiti removal (e.g planning, structural issues, ownership information, prioritisation)	Tony Stanger		List prepared and agreed September 2009	Nil	Draft list prepared
G	Develop a scheme for prioritising cleanups (into different categories) to target resources most effectively	Tony Stanger		Scheme agreed by contributing organisations – October 2009	Minimal	
G F	Investigate possibility of partnership working between Utilities and Criminal Justice to remove graffiti/fly posting from utility boxes, in a return for a donation for cleaning materials	Euna Scott	Elizabeth Nisbet	Agreement by November 2009	Minimal – at worst cost of cleaning materials	
G	Investigate feasibility/costs of supplying cleaning kits for local businesses at discount rate	Ian Campbell		Proposal development by November 2009	Operate as a pilot to assess costs/uptake	

G	Investigate centralised purchasing of graffiti removal products	Keith McNamara	PKC Stores	Location by August 2009 – Procurement – March 2010	Can be accommodated in existing arrangements	Friarton Stores is a suitable location
F	Develop methods for covering over fly posting on different locations such as shops, utility boxes, in a way which prevents damage, and is least obtrusive	Stuart D'All	Louise Walker	By October 2009	Very low level	
F	Review leases for circuses and other temporary entertainment activities that use Council facilities (e.g South Inch), to remove any advertising. Consider incorporating a clause with a deposit which will not be refunded if the signs are not removed.	Euna Scott		By November 2009	Nil	
F	Develop a protocol where building owners give a "blanket" permission to the Council to remove or cover over fly posting on their properties	Louise Walker		By November 2009	Nil	

Prevention/Education

G	Investigate whether Community Wardens could take a role of providing education advice and guidance on graffiti and fly posting, and using graffiti clean up kits	John Irons	Community Wardens	Develop proposal – November 2009	Minimal	
F	Investigate costs/feasibility of using anti-graffiti paint on surfaces repeatedly targeted.	John Irons		December 2009	Costs considerations to be developed	
G	Identify whether Police Crime Prevention service could offer advice to local businesses, householders etc on measures to protect against graffiti/fly posting	John Irons	Tayside Police Crime Prevention Officer	August 2009	Can be accommodated in existing budget	Police are prepared to assist
F	Identify if Police School Liaison could run a campaign on graffiti and fly posting in schools	John Irons		September 2009	To be identified if can be accommodated within existing resources	

G F	Investigate the involvement of Cultural and Community Services in promoting anti graffiti and fly posting, and supporting artistic and responsible graffiti use	Keith McNamara	Cultural and Community Services	September 2009	To be identified if can be accommodated within existing resources	Favourable initial response
G F	Investigate the involvement of Youth Justice in promoting anti graffiti and fly posting	John Irons		September 2009	To be identified if can be accommodated within existing resources	
G	Investigate the use of anti graffiti paint for Council properties which are subject to repeated incidents	Tony Stanger		November 2009		
F	Develop scheme for City Centre informal advertising areas (similar to Dundee)	Euna Scott	Gail Cantlan Campbell	Jan 2010	Could be capital cost of several thousand pounds	Part of current bid for Town Centre regeneration Fund
G F	Continue scheme to "decorate" empty shop fronts, to retain a positive image, and deter graffiti/fly posting	Gail Cant	Economic Development	Ongoing	Minimal	
F	Seek agreement of Licensing Board to contact licensees advising them that using fly posting to advertise their businesses is illegal and would not be viewed favourably by the Board.	Louise Walker	Head of Legal Services	September 2009	Minimal	Head of Legal Services is supportive of this proposal
G F	Seek views of local licensed premises and entertainment venues, to contributing financially to managed public advertising locations	Ian Campbell	Economic Development	December 2009	Minimal	
F	Develop clear definition of "what fly posting" is and the relevant approach to different types of informal advertising (e.g charitable events; elections to avoid having double standards)	Euna Scott	PKC Democratic Services	October 2009	Minimal	
G F	Provide a leaflet or other publicity materials to support "school watch" initiative where neighbouring householders can report any vandalism instances (including graffiti and fly posting)	Keith Colville	Education & Children's Services Tayside Police	By November 2009	Low cost	

Engagement/Promotion/Reporting/Enforcement

G F	Identify those officers in the Council who are "out and about"; and who could provide intelligence reports on graffiti and fly posting	Louise Walker			Agreement by relevant parties in involvement	Anticipated low level of resource Would need to be assessed in practice	Draft list prepared
G F	Establish whether PKC Customer Service Centre could act as a hub for reporting in incidents of graffiti and fly posting, from the public, and also Council officers/Community Planning partners	Liz Colledge			Develop plan for implementation – October 2009	Initial view is CSC has capacity to carry this out	
G F	Investigate the potential for allowing the reporting of graffiti/fly posting via the PKC website	Liz Colledge			By October 2009	Very low	
G	Identify the value to the Police of forwarding reports of graffiti, incidents to gather intelligence on hotspot areas, and "tags"	John Irons	Tayside Police		By December 2009	Anticipated low resource. Would have to be assessed in practice	Initial response is favourable
G F	Investigate if we could include graffiti/fly posting as part of the citizenship agenda	Euna Scott	Education & Children's Services		By October 2009	Not expected to be significant	
G F	Develop a communications/publicity campaign to encourage public to support the "zero acceptance" approach, and to gain support for reporting instances of graffiti/fly posting (both public and employees)	Euna Scott	PKC And Community Planning/Media Communications Team		By September 2009	Can be accommodated in existing resources	
G	Develop response standards for cleaning up different priority categories of graffiti	Tony Stanger	All Council Services		Standards agreed by Council Services – November 2009	Nil	
G F	Identify whether Community Planning partners would be prepared to adopt similar standards and targets for cleaning up graffiti and fly posting as PKC	Keith McNamara	Community Safety Partnership		By January 2010	May be too resource intensive to implement	

Examples of Good Practice

Graffiti

- Several Councils (and their partners) have established a strategy for tackling graffiti (e.g Birmingham, Bristol, Harrogate) this secures the commitment to tackle this issue: ensures there is clearly defined leadership: sets out the roles, responsibilities and response standards: and ensures partnership working, and information sharing between the agencies involved.
- In Dundee City Council a number of anti graffiti measures are being developed. These include:
 - voluntary code for retail outlets in the sale of spray paints and broad marker pens to under 16's
 - The retail outlets selling these materials were written to by trading standards requesting they sign up to the voluntary code
 - The Public Relations department designed display posters and stickers advertising the code and the publicity material, backed up by a press launch, and visits to the retail outlets by Trading Standards officer.
- Birmingham City Council: "tackling graffiti" – this Council introduced several initiatives to tackle graffiti.
 - increased the number of Council staff that could report graffiti, ensuring they had access to and equipped with digital cameras, maintaining a clear list of contacts to report this information to, and creating publicity within the Council to encourage staff to get involved in keeping their communities clean.
 - Establishing standards for removing graffiti, sharing cleaning resources and communication of necessary action shared between different partners
 - The application/use of anti graffiti coatings and surfaces for street furniture
 - Providing defined areas where mural art will be accepted, including establishing parameters within which artists are expected to work, and using youth workers to support and actively manage these measures.
 - Cleaning kits are given to identified persons and organisations by the Council – the result is that graffiti is cleaned within 24 hours and stays clean because the perpetrators see that they are wasting their time.
- Harrogate Borough Council: graffiti initiatives – the following initiatives were implemented:
 - the Council gave a commitment to remove graffiti from any area where it can be overlooked by persons in a public open space, within 14 days of receiving a report.

- On Council owned property and the highway, street cleansing teams attend incidents of graffiti to remove it using mechanical means first, and if necessary chemical means.
- For residential properties – highway amenity staff contact the property owner with a view to the property owner removing or obliterating the graffiti. Council staff can clean the graffiti off these premises at the appropriate private rate/charge, minus fifty percent, subject to the owner signing a waiver indemnifying the service against unavoidable changes to the structure.
- Council staff photograph incidences of graffiti, record the place and time of occurrence and any eye witness details, and pass them onto the Police and Community Safety Partnership. Records are maintained to highlight recurring problems.

Fly Posting

- Dundee City Council – information boards. An initiative was launched in a bid to contain and direct fly posting around Dundee, especially the city centre where the problem was most pronounced. The Planning Enforcement Officer and City Centre Manager worked together to find appropriate sites where fly posting could occur in a controlled manner. The initial idea was to create areas of timber framing (primarily on screening around building sites) where posters could be displayed in a controlled manner. An arrangement was made with a music promotion company to provide the finance for the timber framing and paint, in return for fifty percent of the advertising space. The initiative was an instant success and many local promoters started using these for advertising their acts. The next phase was to create information boards around the city centre. The Dundee Partnership erected four black cast iron information boards, to display information concerning local events and acts. This was followed by six Parisian style columns were erected for the same purpose. Both of these initiatives have proved extremely successful and are heavily used and supported by local promoters. Dundee City Council regard this to be a success by keeping a potentially chaotic problem such as fly posting regulated not only under control, but turning it into a positive attribute in promoting the city’s cultural and recreational activities.



- Camden Council – prosecuting and ASBOs. In 2004 three interim Anti Social Behaviour Orders (ASBOs) were granted against employees of one of the biggest fly posting firms in the country, banning them from illegally fly posting in the borough of Camden. These ASBOs were sought after innumerable complaints from Camden residents and businesses, years of repeated prosecutions, and requests to desist. The effect was said to be a 95% reduction in fly posting in the borough. This action followed the success of a similar action against Sony Music Entertainment, during which they agreed to cease fly posting before the matter was taken to Court.
- Richmond upon Thames: planning – the London Borough of Richmond upon Thames set out standard planning conditions which applied to the erecting of hoarding, scaffolding and other construction site works. The conditions include a clause regarding fly posting:
 - any graffiti or fly posting on the hoarding should be removed within 48 hours unless it is of an offensive nature, in which case it should be removed immediately.
- Stirling Council: anti fly poster surfaces – Stirling Council recently introduced an initiative to tackle fly posting on control boxes throughout the town. Thirty control boxes in a pilot study area, which were regularly targeted by fly posters, were coated with an anti fly poster coating, thus reducing the available space for fly posting. Fly posting on the structures has ceased.
- Westminster Council: “Street Bling” campaign – this Council combined enforcement with an effective campaign, where the Council sought commitment from company directors of advertising organisations to stop fly posting, and change their behaviour. The directors of 12 of the largest offenders were written to requesting them to commit in writing to cease using fly posting and warning them they could face criminal prosecution if the fly posting did not stop. Illegal fly-posters were covered by enforcement stickers saying “this poster is illegal”, and directing the reader to a website address. Throughout the initiative, offending companies were embarrassed in the media and on a “name and shame” website. Westminster also had a hotline telephone number or online means for reporting fly posting problems. The cost of the campaign was £3,000, and fly posting had been reduced by ninety five percent since the action was taken.
- Stroud District Council: “don’t get burnt – use Factor 4 campaign” – Stroud District Council introduced an initiative that allows those who wish to legally advertise an event to do so within a set of guidelines. The policy is known as Factor 4. Any organisations, for example night clubs, charities, schools and community organisations can advertise an event. The scheme allows the event to be advertised:
 - not more than 4 weeks prior to the event
 - within a 4 mile radius of the venue
 - if all forms of display are removed within 4 days of the event
 The advertising must be displayed using demountable signage and the pasting of posters is not permitted. Events that are advertised in

compliance with Factor 4 are welcomed. However those failing to comply with the policy are to be fined and action taken to prevent the event from taking place, using powers under the Anti Social Behaviour Act.

- Nottingham City Council: tackling empty properties – this Council's enforcement team addressed fly posting on empty properties, which has significantly reduced the incidences of fly posting. The process is as follows:
 - land registry searches were carried out to identify the owner
 - Notices were served instructing the property owner to remove the fly posters, and apply an anti fly poster coating or to fix batons on the surface to deter fly posting.
 - The Council in-house fly posting team paint out any incidences of fly posting on properties with no traceable owners.
- Glasgow City Council – covering illegal advertisements – the cities Litter Wardens are cancelling illegal advertising sites by pasting up stickers over the unlicensed advertisements. Other workers have been issued with “cancelled” stickers which make it clear the advertisement has been banned by the Council.
- Coventry City Council have introduced a Fly Posting Policy covering methods of prevention, reporting, recording, and an enforcement policy.