

WIRRAL COUNCIL

CABINET – 25 SEPTEMBER 2008

REPORT OF THE DIRECTOR OF REGENERATION

TACKLING GRAFFITI – AN ANTI-GRAFFITI POLICY & STRATEGY

1.0 EXECUTIVE SUMMARY

- 1.1 Following Cabinet's approval of a policy option to provide additional funding for graffiti removal this report seeks endorsement of a new approach to tackling graffiti within the borough. Whilst this approach will improve the quality of service it is very much focused on tackling anti-social behaviour and improving quality of life in neighbourhoods.

2.0 BACKGROUND

- 2.1 All Crime and Reduction Partnerships are under a duty to consider enviro-crime issues under Section 1 of the Clean Neighbourhoods and Environment Act 2005. Graffiti is a criminal offence under Section 1 of the Criminal Damage Act 1971, attracting a penalty ranging from a Fixed Penalty Notice to community sentences (such as Reparation Orders to imprisonment (for adults) or detention and training (for young people)). Racially or religiously aggravated criminal damage is an offence under Section 30 of the Crime and Disorder Act 1998, which carries a maximum penalty of imprisonment (for adults), detention and training order (for young people) and/or fine.
- 2.2 Graffiti is a form of anti-social behaviour (ASB) and often a pre-cursor to other types of ASB and crime such as deliberate fire setting, vandalism and more serious behaviour. Alongside litter, graffiti has a significant impact on communities' perceptions of anti-social behaviour. There are a number of National Indicators included within the Council's Corporate and/or Departmental Plans. NI 17 is a new indicator measuring perceptions around "vandalism, graffiti and other deliberate damage to property or vehicles". In addition, NI 21 is also a new indicator measuring levels of public satisfaction with the police and local authority in dealing with ASB and crime that matters in their areas.
- 2.3 National Indicator 195 is an existing performance measure that combines four environmental quality indicators: litter; detritus; graffiti and flyposting. Levels of graffiti are measured through an approved NI 195 survey methodology three times each year, totalling nine hundred locations or transects. The combined results provide a score for the percentage of streets that fall below acceptable levels of graffiti. Any graffiti that can be seen from the survey location must be accounted for when scoring each transect. Therefore, graffiti on any land or property can affect the performance of this indicator, not just that falling under the ownership of the Council.
- 2.4 NI 195 has been selected as an LAA priority area where challenging improvements are to be expected in the levels of litter and detritus on Wirral's streets. Government Office will also be monitoring levels of graffiti. Any deterioration in current levels of graffiti will result in Wirral failing to meet its LAA target. The new focus of graffiti resources proposed in Wirral's Anti-Graffiti Strategy will ensure graffiti levels do not increase in the borough, and indeed, seek to reduce levels of graffiti over the next few years. Wirral's

current borough wide performance for graffiti (07/08 NI 195 out turn) is 7% (streets falling below an acceptable standard) (lower is better). An independent survey conducted by EnCams has shown that levels of graffiti are more prolific in the most deprived areas of Wirral. The NI 195 score for most deprived Super Output Areas (07/08) is 12% (streets falling below an acceptable standard).

3.0 CURRENT POLICY & PROCESS FOR REPORTING AND REMOVING GRAFFITI

3.1 Incidents of graffiti are reported primarily through Streetscene (0151 606 2004) but also through 'It's Your Call' (0151 606 2020), both operated through the Council's Call Centre. Any calls to the latter service results in a service request being generated through to Streetscene (subject to the report meeting the current service criteria).

3.2 Racist or other offensive graffiti

Under the current policy, any graffiti that is perceived to be racist and/or offensive will be logged by the Call Centre and a service request generated to the contractor responsible for removing graffiti; Biffa. The target time for the removal of graffiti of this nature is within 24 hours. If the graffiti is on property belonging to a utility company or statutory undertaker, efforts will be made to have the company remove the graffiti themselves, however if they are unable to do so and given the pressing nature, the task is directed to Biffa. In relation to privately owned property, if access is denied to remove the graffiti, the Technical Services Department's Enforcement Team may serve a defacement notice (under Sections 48-52 of the Anti-Social Behaviour Act 2003 as amended by Section 31 of the Clean Neighbourhoods and Environment Act 2005) upon the owner giving him/her 28 days to remove the graffiti. If it is not removed, the Council can remove it from the owner's property without consent and recharge the owner for the cost. To date, however, no such notices have been served.

3.3 Other graffiti (non-racist/non-offensive)

If the graffiti is not racist and/or offensive in nature, it will only be removed from property belonging to the Council (such as street furniture, recycling banks, pavements, road signs, footbridges and walls abutting the highway). The target for removal is within 10 working days. Graffiti of this nature on property belonging to utility companies, statutory undertakers, housing associations or private property will not be removed by the Council. The Council can however serve a defacement notice. The Council do not make recommendations to the public on removal firms who may be able to assist in removing graffiti from their homes. Calls reporting non-racist/non-offensive graffiti are not logged by the Call Centre.

3.4 Under the current policy, it is the responsibility of each respective Council Department to arrange removal of graffiti from their own property.

3.5 Due to the fact that not all occurrences of graffiti are recorded through the Call Centre, no accurate data exists within the Council as to whether graffiti has become more prevalent. Anecdotally however, officers working within communities have seen a steady increase in incidents of graffiti and that has been supported by BV199b survey scores in the last two years.

3.6 Response times for graffiti removal have improved in 2007/08 and the vast majority of offensive graffiti complaints are now removed within 24 hours. The service that has been provided to-date, currently operates five days per week, which excludes Saturdays and

Sundays. However levels of graffiti across the Borough are still unacceptable and the need to adopt a new policy and strategy to tackle this issue is evident.

3.7 Within the borough in specified areas, there are a limited number of additional graffiti removal services in operation, such as through the Neighbourhood Environmental Team (NET) employed by Together Neighbourhood Management Pathfinder (NMP) and through the Council's Housing Market Renewal Initiative (HMRI) LIVE Wirral wardens.

3.8 Research shows that the most effective control over graffiti is its prompt removal or defacement pending removal.

4.0 **A NEW POLICY & RESPONSE**

4.1 It is proposed that as a 12-month pilot scheme commencing from 1 August 2008, a new policy is adopted for the removal of graffiti, with the aim of providing a more comprehensive and inclusive service (see Appendix 1).

4.2 The removal of graffiti will be delivered by Together NMP's NET team. Together will take responsibility for co-ordination of the scheme, which will include stock management, equipment and vehicle maintenance. The overall responsibility for the authority's response to graffiti will remain with the Technical Services Department.

4.3 The pilot scheme will deliver the following service standards:

- removal of racist and/or offensive graffiti within 24 hours;
- removal of 'other' graffiti (i.e. non racist/offensive) within 28 days (this timescale reflects the increase in coverage – see 4.4);
- programmed activity in identified hot-spot locations (and initially a clearance of the backlog);
- preventative activities in accordance with the Anti-Graffiti Strategy (see 5.0).

4.4 It is proposed that the removal of 'other' graffiti is extended to private residential properties (with the owner's consent) and all Council buildings and property. Registered social landlords (RSLs) have been engaged through the RSL Practitioners' Respect Consortium, led by Wirral Anti-Social Behaviour Team, and further discussion is planned to develop a protocol in relation to their properties. Anti-graffiti coatings will be advocated and utilised where appropriate and cost effective.

4.5 This new approach will be operated five days per week and can include Saturday if required; with the Council's out-of-hours service defacing any racist or other offensive graffiti that is reported over the weekend.

4.6 Within Wirral and across other areas nationally, offenders on community-based orders supervised by the National Offender Management Service (NOMS) have been involved in reparation and community payback schemes, including graffiti removal in defined areas or at hot-spot locations. Discussions have taken place with NOMS and it has been agreed that offenders will be engaged more formally in the removal of graffiti and through other environmental initiatives.

4.7 It has been acknowledged that due to the current Council policy, there are numerous accumulated graffiti markings across the borough that have remained in situ for long periods of time, increasing the 'baseline' level of graffiti.

- 4.8 Since 1 April 2008, Together NMP has been addressing pockets of graffiti identified through audits conducted by the LIVE Wirral wardens. This work has been undertaken primarily in areas including Egremont, New Brighton, Liscard, Rock Ferry, Seacombe and Poulton. The entire lengths of Laird Street and Borough Road, Birkenhead, have also been focused upon, together with parks large and small. This work has had an immediate impact and resulted in positive feedback from members of the public.
- 4.9 In addition, in order to test the proposed new policy, from June 2008 requests for removal have been directed from Streetscene to Together NMP; these have been separated into requests requiring an urgent response (within 24 hours) and those of normal priority (within 28 days). The former have been removed within 24 hours and the latter have been removed within 10 days, having been grouped into geographical clusters to minimise travelling time. Incidents have ranged from simple 'tags' to a heavily affected underpass taking three days to overpaint.
- 4.10 These efforts have been made to attempt to reduce the baseline/backlog before the new approach is implemented fully (subject to Cabinet endorsement) and the public informed. An example of some of this work, through the use of before and after photographs, is included at Appendix 2.
- 4.11 The new approach has been operating on a trial basis and Members are asked to endorse the new policy. 'It's Your Call', the Borough-wide reporting service for anti-social behaviour, will be advertised as the number for the public to call to report graffiti. Merseyside Fire & Rescue Service has provided access to all fire stations and standpipes for use by the graffiti removal team.

5.0 A COMPREHENSIVE STRATEGY

- 5.1 It is recognised that a holistic response to the issue of graffiti has needed to be developed. Wirral's current response and best practice from across the country has been analysed in some detail following the appointment of a Criminal Damage Reduction Officer seconded to Wirral Anti-Social Behaviour Team from Merseyside Fire & Rescue Service. A Steering Group has been developed between the Council's Waste & Recycling Environmental Services Section (Technical Services Department), Anti-Social Behaviour Team (Regeneration Department), Together NMP and LIVE Wirral Wardens (Regeneration Department) and a comprehensive strategy to tackle graffiti developed.
- 5.2 This Strategy (Appendix 3) focuses upon six themes. This includes:
- 5.3 **Strategic management** via the Anti-Graffiti Steering Group (part of the Liveability Group). Including the monitoring of existing, and developing new, ways of improving liveability conditions in neighbourhoods and being an active partner within the Merseyside Cleaner, Safer, Greener Partnership, using the partnership to secure regional agreements with statutory undertakers.
- 5.4 **Graffiti removal.** Adopting the new partnership of delivery through Together NMP, which will ensure a faster and more comprehensive removal response. This will be supported through the use of community payback and reparation with adult and juvenile offenders.
- 5.5 **Proactive graffiti management.** Improving the recording of graffiti through the short-term adoption of a multi-agency web base and longer-term through improvements to the

CRM system. Improved intelligence and evidence gathering through covert and overt surveillance and reward schemes. Preventative work with young people and public communication campaigns. Undertaking graffiti removal blitzes, working with local businesses, controlling the use of graffiti mediums and 'designing out' areas vulnerable to graffiti attacks.

5.6 **Enforcement action.** Taking robust action against graffiti offenders and enforcing the responsibility of land and property owners to remove graffiti.

5.7 **Legalised graffiti sites.** Consideration of the use of authorised sites in appropriate circumstances and following the completion of Impact Assessment Surveys and Risk Assessments.

5.8 **Wider environmental issues.** Ensuring links to wider environmental issues such as flytipping, flyposting and littering and benefiting from economies of scale.

6.0 **FINANCIAL IMPLICATIONS**

6.1 The Council's mainstream budget provision for graffiti removal is £40k. Additional funding, through a policy option of £30k, has also been secured to fund the new approach. The service aims to generate income to self-fund above the value of the mainstream budget provision in future years. A progress report will be presented to Cabinet later in the financial year.

7.0 **STAFFING IMPLICATIONS**

7.1 The adoption of the new policy and strategy requires no additional staffing within the Council.

8.0 **EQUAL OPPORTUNITIES IMPLICATIONS**

8.1 The work of the team and the activities undertaken in relation to social cohesion will seek to promote equal opportunities for all.

9.0 **COMMUNITY SAFETY IMPLICATIONS**

9.1 Tackling anti-social behaviour is a key priority within both the Crime and Disorder (Community Safety) Reduction Strategy and the CDRP's Anti-Social Behaviour Strategy. This initiative will provide a focused response to the issue of graffiti and public perception.

10.0 **LOCAL AGENDA 21 IMPLICATIONS**

10.1 The prompt removal of graffiti is a deterrent to its use. If effective, this will reduce the use of paint and aerosols used to daub graffiti which include harmful chemicals and solvents.

10.2 The majority of graffiti removal will be undertaken using water directed at high-pressure, with the addition of appropriate substances which react with the graffiti medium used. Wherever possible, substances used will be environmentally friendly, however some accumulated long-term or oil-based graffiti require the use of more reactive substances in dilution with water.

11.0 **PLANNING IMPLICATIONS**

11.1 There are none arising directly from this report.

12.0 **ANTI-POVERTY IMPLICATIONS**

12.1 The skills and experience gained by offenders involved in community payback and reparation as part of the new approach may create employment opportunities and therefore reduce poverty.

13.0 **SOCIAL INCLUSION IMPLICATIONS**

13.1 Tackling graffiti helps promote social inclusion. The involvement of offenders, both adult and juvenile, will also contribute to social inclusion.

14.0 **LOCAL MEMBER SUPPORT IMPLICATIONS**

14.1 This report affects all wards.

15.0 **BACKGROUND PAPERS**

15.1 None.

16.0 **RECOMMENDATIONS**

16.1 That the new policy and comprehensive strategy for tackling graffiti be approved, the actions taken so far be endorsed and officers report back on progress to a future meeting later in the year.

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This report was prepared by Caroline Laing who can be contacted on 606 5471.