

## COMMUNITY COUNCIL LIAISON SUB-COMMITTEE 15TH OCTOBER 2008

**SUBJECT: GRAFFITI**

**REPORT BY: DIRECTOR OF THE ENVIRONMENT**

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### **1. PURPOSE OF REPORT**

1.1 To provide an outline of current provision relating to the removal of graffiti.

### **2. SUMMARY**

2.1 Graffiti is criminal damage that can have a significant impact on people's perceptions of an area. This can not only fuel the fear of crime but also give the impression that an area is uncared for which can itself encourage further graffiti or other criminal or anti-social behaviour.

2.2 The council and the Safer Caerphilly Community Safety Partnership (SCCSP) have processes in place to deal with graffiti. Further investigation is required to allow an assessment of the resources needed to enhance service provision to be carried out, subject to the need being established.

### **3. LINKS TO STRATEGY**

3.1 The relevant links to the Corporate Strategic Objectives are to improve community safety and quality of life by reducing crime, nuisance behaviour and the fear of crime.

3.2 A theme in the Safer Caerphilly Community Safety Partnership's (SCCSP) action plan arising out of its Strategic Assessment is 'Tackling Anti-Social Behaviour and Improving the Street Scene'. The council is a main partner in the SCCSP and is committed to playing its part in helping tackle the SCCSP priorities.

### **4. THE REPORT**

#### **4.1 Definition**

4.1.1 Graffiti may be defined as writing or drawings scribbled, scratched, or sprayed illicitly on a wall or other surface in a public place.

4.1.2 A more complete definition is the illegal or unauthorised defacing of a building, wall or other edifice or object by painting or otherwise marking it with words, pictures or symbols.

#### **4.2 The Law**

4.2.1 There are a number of pieces of legislation that are relevant to the enforcement of graffiti and fly posting, including the Criminal Damage Act 1971, the Highways Act 1980, the Town and Country Planning Act 1990, the Crime and Disorder Act 1998, the Antisocial Behaviour Act 2003, the Clean Neighbourhoods and Environment Act 2005.

- 4.2.2 It should be emphasised that the placing of graffiti is a criminal offence under the Criminal Damage Act 1971.
- 4.2.3 All Community Safety Partnerships are under a duty to consider “enviro-crime” issues as part of their strategic assessments and plans.
- 4.2.4 The use of acceptable behaviour contracts (ABCs) and anti-social behaviour orders (ASBOs) may also be used to protect the public from all anti-social behaviour, including graffiti and fly posting.

### **4.3 Current Provision**

- 4.3.1 Both the council and the SCCSP are involved in graffiti removal. Much of the work is carried out by the so-called ‘Graffiti Removal Scheme’ that involves partnership working between the council’s Public Services Division and Gwent Probation Service with funding from Safer Caerphilly Community Safety Partnership.
- 4.3.2 Various Divisions within Caerphilly CBC have cleansing and maintenance budgets which include graffiti removal. The Graffiti Removal Scheme is used to complement and enhance this.
- 4.3.3 The council’s Public Services Division receives complaints of graffiti and fly posting via the Customer Care line or by email from other departments or Members and provides the link to the Graffiti Removal Service with its staff coordinating and directing the deployment of the graffiti removal teams.

### **4.4 The Way Forward**

- 4.4.1 A report is to be presented to council’s the Living Environment Scrutiny Committee at its meeting on 25th November 2008 outlining current provision and making recommendations with regard to future provision.

## **5. RECOMMENDTION**

- 5.1 That the report be noted.

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