

# Thame Town Council

## Graffiti Removal Policy

### 1. Definition of Graffiti

- 1.1 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.

### 2. Definition of Offensive Graffiti

- 2.1 Offensive graffiti will be illegal or unauthorised and may contain some or all of the following elements:
- a. Offensive language
  - b. Language of a politically/racially/religiously insulting/inciting nature
  - c. A hate statement
  - d. An image which is graphically explicit
  - e. An image which is visually offensive or textually offensive by the message that it contains.
- 2.2 The Council has the right to consider each report of offensive graffiti on a case-by-case basis and the outcome will be dependent upon investigation.

### 3. Principles of this Policy

- 3.1 Thame Town Council has a responsibility to the general public to keep the town safe and clean and greener according to the Anti-Social Behaviour Act 2003 and the Clean Neighbourhoods and Environment Act 2005.
- 3.2 The Council recognises any kind of graffiti has a negative impact on the environment. The Council will remove graffiti from its property within 10 working days of any sightings or report and will remove offensive graffiti within 2 working days of any sightings or reports.
- 3.3 The ability to remove graffiti and the method used will be assessed on a case by case basis taking the health and safety of the operatives undertaking the work and the potential for damage to property into account.
- 3.4 If the graffiti is on property not owned by the Council the details of the graffiti and its location will be reported to South Oxfordshire District Council.
- 3.5 Other private and public companies have a duty to remove graffiti from their own property, including utility companies such as;

British Telecom - green boxes and telephone boxes

Royal Mail - red post boxes

Oxfordshire County Council – traffic lights, lamp posts, bollards, bus stops, bus shelters and road signage.

South Oxfordshire District Council - public toilets, rubbish bins and street name plates.

#### **4. Responsibilities and Powers**

- 4.1 Responsibilities for the removal of graffiti primarily rests with the owner of the property involved.
- 4.2 South Oxfordshire District Council can remove graffiti from property outside of its ownership. The Anti-Social Behaviour Act 2003 empowers the Authority to issue a 'Graffiti Removal Notice' to an owner requiring the owner to remove graffiti within a stipulated timescale which cannot be less than 28 days. Failure to comply with such a notice may result in the Council carrying out and charging for works in default.

#### **5. Evidence of Graffiti**

- 5.1 The Council will collate and store information including photographic evidence where possible of reported incidents of graffiti.
- 5.2 The Council will liaise with the Police and other agencies in collating evidence of graffiti with a view to prosecuting where possible.

#### **6. Thame Skate Park**

- 6.1 Thame Skate Park Project has adopted their own policy in relation to graffiti in and around the skate park. This relates specifically to the skate park site and should be read in conjunction with this policy.