

COMMUNITY COMMITTEE

23 September 2020

- Subject:** Graffiti walls
- Director/Head of Service:** Suzi Wakeham, Director of Community Services
- Decision Issues:** These matters are within the authority of the Committee.
- Classification:** This report is open to the public.
- CCC Ward(s):** All
- Summary:** *This report considers the response to a Notice of Motion put to Council in January 2020 asking for a pilot scheme to introduce permission walls. Additionally it sets out a proposed policy statement on graffiti walls.*
- To Resolve:** **That the council agrees to:**
- 1 b) Subject to external funding being available, commission mural projects at suitable locations, including graffiti hotspots and**
 - 2 a) agree a council policy statement on graffiti walls - as proposed in section 3**
- Next stage in process:** To implement the decision

SUPPORTING INFORMATION

1. Introduction

The Council considered the following Notice of Motion at its meeting on 8 January 2020. It was agreed that a full report into the suggestion be considered by Community Committee at a subsequent meeting.

Across the Canterbury district there is a problem with illegal tagging and graffiti for which this Motion puts forward an opportunity for change, one that has proven to work in Bristol where all those involved work together in a positive way and the inspiration of the Mural Arts Philadelphia arts project

The delivery of permission walls around the district will allow graffiti artists to be able to legally paint, whilst at the same time enabling enforcement teams and a group of established graffiti artists and volunteers, to monitor and manage illegal tagging and

graffiti. The permission walls are advertised on a website and can also include places where you are definitely are not allowed to paint, such as existing murals.

MOTION – This Council pilot a scheme to provide permission walls (legal spaces) across the district managed within a framework similar to the model in Bristol and inspired by the Mural Arts Philadelphia project. With an ambition to have walls operating by the summer of 2020.

In a country that respects democracy and expression we need to find a solution that provides a place for people to do this whilst also respecting the rights of others. This Motion seeks to make a start on that solution in a positive and constructive way.

2. Detail

Graffiti takes a number of different forms, some of the most common are:

Juvenile	Various scribbles / markings / words in one colour. Simple communication with peer group. Doesn't include the name, so not directly linked to the individual's public identity
Tagging	The graffiti writer's street name. In one colour. If part of a group of graffiti writers, the tag may include the name or initials of their 'crew'. Overlapping tags shows disrespect.
Throw up	Identifies the graffiti writer's street name / crew. Usually 2-3 colours in bubble writing. Quick to do, easily repeatable.
Wildstyle	Very stylized lettering. Hard for the untrained eye to read. Usually include multiple colours, arrows, spikes and curves. Sometimes 3D.
Blockbuster	A very large throw-up, usually in blocky letters. Aims to cover maximum area in the minimum time. Often designed to cover others' work.
Stencil	Allows the graffiti writer to put up complex pieces in minutes. Catman (Whitstable) and Banksy are obvious examples.
Heaven	Graffiti in a place that's hard to get to - often high up, so difficult to do and difficult to clean off. Gets a lot of respect from peers.
Piece	Short for masterpiece. A detailed graffiti painting which takes a long time to complete. Difficult to do illegally because of the time involved, so gets a lot of respect from peers. Increasingly being commissioned or done with permission.

The motivation for graffiti

An ENCAMS (previously Keep Britain Tidy) research report, Good Graffiti? Bad Graffiti?... (September 2008) states that:

'There is no single causal factor where graffiti is concerned, and writers are

likely to have highly individualised motivations for undertaking it. However, the need to be seen and to achieve respect amongst peers is often central. Other motivations include artistic expression, the influence of popular culture, boredom and bravado.'

The report suggests, perhaps unsurprisingly, that tagging is more likely to be undertaken by teenagers and more advanced pieces by older graffiti writers.

A report of the London Assembly Graffiti Investigative Committee (May 2002) suggests similar reasons:

'People write graffiti for a variety of reasons, the main reason being the achievement of fame and notoriety amongst peers...in some ways, it's like advertising'

Public response

Research undertaken to inform the ENCAMS report explored the public's reaction to the different types of graffiti. Juvenile and tagging were the most unacceptable, and participants wanted to see this graffiti eradicated - as they thought it makes people feel uncomfortable and uneasy and impacts on business. 'Community art' - the more complex graffiti which is installed with permission was in the middle of the spectrum of acceptability. The most popular was Banksy-style stencil work and large colourful tags.

20% of respondents to the council's 2019 residents' survey said that they felt graffiti is a problem. Residents of Barton, Gorrell, Wincheap and Westgate wards are the worst affected.

Canterbury's approach to date

The Canterbury district has clearly seen an increase in graffiti in recent years and the council has increased its resource to tackle the problem. Most of the graffiti in the district is either juvenile or tagging as described above.

We recognise that there isn't a single way of fixing the problem, so the council is simultaneously tackling this in a number of ways.

Reporting

New online reporting arrangements were introduced in January 2019 - there have been 1,615 reports since then.

Press releases from the council have encouraged the public to provide information about taggers, with a £500 reward on offer.

Cleaning

- Serco remove graffiti from council grounds and from other property with explicit permission (waivers) from the property owner. 703 tags were removed by Serco in 2019.
- Additionally, a specialist contractor was brought in via the Serco contract to do three deep cleans in 2019, including Greyfriars Garden, Toddlers Cove and multiple other sites across the district
- The council has also employed its own graffiti enforcement officer, who has focused on tracking down property owners to get waivers and has himself cleaned off over 1,700 tags since starting his role in October 2018.
- Community Payback are being engaged so that offenders who are discharging their community service sentence can play a role in regular cleaning, this is likely to be in subways

- A new council-employed team is due to start in the near future. They'll be able to deal with bigger areas, and the council will adopt a risk-based approach - cleaning without a waiver if necessary and prioritising the most public sites.

Enforcement

Graffiti writers are notoriously difficult to catch. However, a total of five offenders have been caught by police in the last year as a result of the help of our CCTV operators.

The council works very closely with the police to try to tackle graffiti - as although our work means we gather intelligence about graffiti, the responsibility for investigating and prosecuting offenders sits with the police.

Police awareness of the problem with graffiti has been heightened by us introducing this as a partnership issue requiring a joint approach. They are prepared to investigate offences that might lead to the identification of an offender. We routinely share information with them and have a joint monthly specific meeting on the subject covering ongoing issues and initiatives.

However, the police are restricted in the action they can take on offenders by the processes in place categorising crime. For example, if damage can be rectified by cleaning or repair or if the cost of this is below a certain threshold, it cannot be classified as a criminal act. Home Office and CPS rules set down that offenders caught for one offence will either be cautioned or be subject to restorative justice as a sanction.

Property owners

Property owners are required to remove graffiti on their buildings / assets. The council offers to do this free up to four times a year on private property and twice on businesses.

As a last resort, the council can take action against property owners who do not remove graffiti from their premises. It's time consuming, but the threat of legal action has delivered results.

- In the last six months of 2019, five warning letters were issued, resulting in the properties being cleaned.
- A further nine Community Protection Warnings were issued, five of which resulted in the tags being cleaned off
- Four cases progressed to Community Protection Notices being issued, all were resolved and the graffiti cleaned off before reaching court.

Prevention / design out

A new community safety officer was tackling graffiti from another angle. Her role includes:

- working with property owners to design out graffiti where it's a recurring problem - for example using spiky planting, anti-graffiti paint and heavily patterned vinyls, which deter taggers
- partnering with the BID, Police, community groups, and schools to engage them in cleaning, reporting, designing out and helping to identify offenders
- delivering projects which aim to tackle repeated graffiti on council property

She has subsequently left her post and this work will now be picked up by other members of the team

Permission walls (legal spaces) vs murals / commissioned graffiti pieces

There's a significant difference between a live permission wall, which allows ongoing graffiti throughout the year - and a commissioned graffiti piece or mural, where ongoing graffiti is clearly not welcomed.

Bristol and Philadelphia

Bristol City Council started to explore the idea of a legal 'permission wall' - however this has been put on hold due to lack of evidence that they work.

We recently received an email from their project manager, which highlights the debate:

'Bristol does not have any permission walls and is currently suffering from a significant epidemic of tagging. Therefore our stance towards criminal damage has hardened considerably since this work (a project looking at legal walls) was paused.'

'Although we put in a lot of work to define permission walls and figure out how they could work, internally it was not possible to demonstrate conclusively to key decision makers that introducing permission walls would lead to a reduction in the amount of tagging in Bristol so permission walls were not progressed.'

The Mural Arts Philadelphia project sits at the other end of the scale. Rather than a live graffiti wall which is open for people to use, the project engages local communities in installing murals in public places.

The project was originally designed to *'[reach] out to graffiti writers in order to redirect their energies into constructive public art projects'* (www.muralarts.org). It is now hugely successful as a cultural wellbeing and rehabilitation project, delivering 50-100 public art projects a year at an average cost of \$25,000-\$30,000 per mural - working with offenders, vulnerable communities and 2,000 students. See appendix 1 for more information on the project.

It is not clear, however, whether the Philadelphia project has had any impact on the prevalence of graffiti, as it has evolved significantly over the last 35 years and tackling graffiti is not now a primary purpose of the initiative.

Experience from elsewhere in the UK

The ENCAMS report mentioned above looks at the option of using graffiti walls to help tackle the problem, with case studies from around the country demonstrating different experiences.

Barking and Dagenham - mural designed by high profile graffiti artist, helped by young people. Not for ongoing graffiti - so effectively a commissioned piece. The artist is paid to keep it clean. The local authority reports increased tagging in the area.

Additionally, local residents are currently speaking with businesses and getting approval to do artwork on walls in areas which look run down. Again, these are not being introduced as live graffiti walls.

Calderdale - an agreed area in a skate park for young people to graffiti. Tagging spills out into the children's play area but young people police the wall themselves.

Felt to have contributed to a reduction in the graffiti reported to the authority.

Selly Oak - A voluntary youth project was established in 1984 to work with graffiti artists and oversee a live permission wall. It hasn't been actively managed since 1994 and residents report tagging 'spread to every available surface in the park'.

Since then, Solihull council have commissioned a mural to be painted across the underside of a canal bridge which was previously a hot spot for graffiti. The council enlisted the services of a one-time tagger, who is now involved in art workshops with young people to produce the murals. The feedback from local residents has so far been very positive so the council will look at more graffiti hotspots where this can take place.

Northbrooke Park - removed a 30m long permission wall. There was no patrolling or supervision in the park. Discarded spray cans were a problem and tagging spread throughout the park.

Bellingham Green - a permission wall in a housing estate in Catford. Partly self-policed as all users are known within the very local community - though also very closely monitored and controlled by CCTV and community support staff. Few reports of overspill.

Kent Police view

As Kent Police are our key partner in dealing with graffiti, Inspector Guy Thompson was asked for his view:

'Kent Police uses evidenced based problem solving when looking at issues. Graffiti, if permanent, is criminal damage and therefore a crime.'

I am not aware of any evidence base that supports a graffiti wall to allow those involved to deface a location with implied permission.

There are a number of serial "taggers" that aim to get their work seen by many people. This is especially so in Transport hubs. Recently we have prosecuted offenders and they are not local to Canterbury.

There are some studies (Canter 1984) and (Neman 1972) about graffiti in Australia. The term "defensible space" is often referred to in graffiti areas. That is where residents are proud of their surroundings where there is ownership and in some cases where there is a mural on key locations where graffiti is problematic. This makes the "tagger" think before tagging and prefer not to deface similar art.

The idea of a "graffiti wall" would raise a number of concerns such as :

- 1. Those "taggers" would be more attracted to the city and therefore there would be a potential increase the damage to non-designated locations.*
- 2. The taggers would have an excuse with regards to offences under Section 3 of the Criminal Damage Act 1971 (Possessing Anything with Intent to Destroy or Damage Property)*
- 3. Having a general graffiti wall will also add to the feeling of poor image, lack of ownership and encourage tagging.*

Having a mural that is organised and supported by the tagging community via an approved art project could be an option to divert those involved and increase ownership of the wider public realm and community areas to prevent tagging

elsewhere.'

Conclusions from the research

The research suggests that there are risks in installing an unsupervised permission wall which anyone can graffiti at any time. Tagging spilling out beyond the permission walls appears to be a recurring problem - and the Northbrooke Park example also highlights the potential for increased littering associated with the walls. Kent Police's view echoes this, along with their concern about giving taggers an excuse for carrying spray cans.

A permission wall might be more manageable at, for example, an existing youth work venue which is not widely open to the public and where there is ongoing supervision. This could provide some outlet for graffiti. To minimise the issues highlighted about spillover tagging and the impact on the police's ability to stop and search, participants would have to be prevented from bringing their own equipment, but use paint provided by the youth club. However, there is no evidence that this would reduce the amount of tagging currently taking place in the district.

The council has previously provided advice along these lines to Whitstable Umbrella as they were considering running a permission wall.

Overall, the most positive experiences seem to be commissioned murals - whether these are graffiti 'pieces' as described above, or other forms of art. The council is a partner in a current example of this on hoardings at the Kingsmead field site, in partnership with Coombs, Friends of Kingsmead Field and local street artist Liam Dowd. <https://news.canterbury.gov.uk/news/article/144/building-site-hoarding-transformed-into-vision-of-nature-s-wonder>

As the aim is to reduce tagging, that would suggest that commissioned murals could be used as a solution at particular sites where ongoing tagging is a problem - though there is obviously no guarantee that it would not displace the problem.

It is suggested that the council formally agrees its approach to graffiti walls in light of this information.

3. Proposed council policy statement on graffiti walls

We recognise that graffiti takes many forms and that, in general terms, tagging is considered offensive by the vast majority of the public. There are mixed views about other, more creative forms of graffiti such as stencilling and 'pieces' and much debate about what is, or isn't, 'art'.

However, it is clear that any form of graffiti which is painted, sprayed or etched on property without the owner's permission is a criminal offence and as such is unacceptable.

Permission walls

Defined as 'live' graffiti walls that anyone can use at any time.

Due to concerns about tagging spreading to the surrounding area, the potential for increased littering, attracting out-of-area taggers and giving them an excuse for carrying spray cans, unsupervised permission walls in public places are not supported by the council.

Permission walls within controlled environments are a matter for the organisation running them. The council will provide advice for organisations interested in this type of project, to help ensure that they are properly managed and do not compound the existing graffiti problems in the district.

Commissioned murals

Defined as artworks which are installed with the property owner's permission. Not designed to provide legal space for ongoing graffiti.

We recognise that commissioning community murals has a number of potential benefits - including reducing tagging as the design can make tags difficult to see, the ability to enhance the look of an area, and the opportunity to involve the community in its design.

Subject to external funding being available, the council is interested in exploring options for well designed murals, including graffiti art / pieces, particularly at sites where repeated tagging is a problem.

4. Relevant Council Policy/Strategies/Budgetary Documents

Corporate Plan:

5. Inspiring people through a wide range of cultural activities and opportunities
7. Keeping our district clean.

Public Art Policy

5. Consultation planned or undertaken

Kent Police have been consulted on their views on graffiti walls and their response is included in the main report.

6. Options available with reasons for suitability

1 a) Pilot a scheme to provide permission walls across the district

While these walls provide an outlet for graffiti writers to use legally, experiences elsewhere suggest that they carry a significant risk of overspill tagging and littering, and there is also little evidence of their impact in reducing graffiti.

Police concerns echo this as well as highlighting the risk that it gives taggers an excuse for carrying spray cans and that it could attract more graffiti from outside the district.

1 b) Subject to external funding being available, commission mural projects at suitable locations, including graffiti hotspots

This could help tackle the problem of repeated tagging - a patterned, colourful wall would deter taggers as the tags are much less visible.

If there was the appetite to commission a graffiti artist to design a 'piece', this would be a new approach for the district and give an opportunity for the artist to engage with young people in the local community in its design.

As already stated, tagging might be displaced to other locations - the extent of this could be monitored as part of the commissioned project implementation.

It is recognised that not every site where there is repeated tagging would be suitable for a mural - such as heritage buildings. Funding would need to be sought to meet the costs of the project.

2 a) Agree a council policy statement on graffiti walls - as set out in section 3

Agreeing the council's approach clarifies the council's position, giving us a clear way forward.

It rules out public, unsupervised permission walls due to the concerns about the risk of increased tagging and increased littering - as well as police concerns which also include attracting taggers from outside the district and giving them an excuse for carrying spray cans.

However, by actively commissioning murals, it allows the council to engage both (graffiti and other) artists and the community in designing out tagging at specific locations.

2 b) Not to agree a council policy statement on graffiti walls

This would not clarify the council's position.

7. Reasons for supporting option recommended, with risk assessment

1b). Subject to external funding being available, commission mural projects at suitable locations, including graffiti hotspots

The graffiti officers could identify problem sites, this approach could help tackle repeated tagging at a particular location - as a patterned, colourful wall means the tags do not show up. Commissioning a graffiti artist to design a 'piece' would be a new approach for the district and give an opportunity for the artist to engage with the local community in its design.

As already stated, tagging might be displaced to other locations - this could be monitored as part of the project implementation.

2 a) Agree a council policy statement on graffiti walls - as set out in section 3

Agreeing the council's approach clarifies the council's position on this topic, giving us a clear way forward.

8. Implications

(a) Financial

There is a potential cost of commissioning murals, as yet unquantified.

Funding or sponsorship would need to be sought.

(b) Legal

The property owner's permission would be required if a mural is commissioned for a wall which is not on a CCC building.

(c) Equalities

None.

(d) Environmental including carbon emissions and biodiversity

See attached CCIA

Other implications [delete as appropriate]

(e) Staffing resource

Within existing resources. Graffiti officer to advise on suitable locations and monitor ongoing impacts. Commissioned services to lead on co-ordinating funding and commissioning.

(f) Planning including building regulations

Unless it is an advert, a mural wouldn't need planning permission. In the unlikely event that it was a listed building it would need Listed Building Consent

(g) Crime and disorder

The project would aim to tackle a crime and disorder issue.

8. Conclusions

The research, feedback from the police and experiences of other authorities raise significant concerns about the impact of permission walls. Actively commissioning murals to deter taggers at graffiti hotspots, however, could be a positive way of engaging both the community and local artists.

We recognise that this approach doesn't provide a legal space for graffiti on an ongoing basis, but they could be involved in the design and delivery of mural projects.

Contact Officer: Suzi Wakeham
Job Title Director of Community Services
Telephone: 01227 862057

Appendices

1. Philadelphia Mural Project press pack
2. CCIA