**Graffiti Management Policy**

**What is Graffiti?**

Graffiti is defined as any unauthorised writing or other marking made to walls, buildings or

other surfaces. It does NOT include street art, etc which is located by permission of the

landowner, and with any relevant consents (e.g. planning, etc).

Graffiti can be treated as the common law crime of malicious mischief or the statutory

offence of vandalism and if prosecuted the offender could face a fine or even

imprisonment. The police can also issue fixed penalty fines for these offences.

Additionally, under 16's are not permitted to buy aerosol paint cans under the Anti-Social

Behaviour Scotland Act 2004.

**Removal of graffiti**

The removal of graffiti from buildings and other structures is the responsibility of the owner.

In certain circumstances the Council may be able to help.

**Council Premises or Property**

We will aim to remove graffiti as soon as possible, usually within the following timescales.

These are not statutory targets and it may be necessary to extend these timescales for

operational, financial or other reasons.

We will aim to remove offensive graffiti more quickly. Graffiti is deemed to be offensive if it

is threatening, obscene, racist, homophobic or otherwise constitutes an attack on people

protected under equalities legislation.

Offensive graffiti: 24 hours

Other graffiti: 10 days

Third Party Premises or Property

Where the graffiti is on either premises or property which does NOT belong to the Council,

removal of this will be the responsibility of the landowner.

Where the graffiti is offensive, the Council can help you if you provide permission to do so.

There is a charge for this service.

The Council can also assist in the removal of other graffiti but will levy a charge for doing

so. We recommend that you also seek further quotes for this work as well as a method

statement.

In certain circumstances, and in compliance with relevant legislation, we may take

enforcement action to require graffiti removal.

**Historic Monuments**

In some cases, if the structure is a historic monument or structure the Council may not be

able to remove graffiti or may have to agree a specialised programme with Historic

Environment Scotland or other statutory bodies as appropriate. In those circumstances it

may be necessary to extend the normal timelines for the removal of graffiti.

**Prevention**

Where practicable we will work with landowners to encourage the use of preventative

measures such as surface treatments which may reduce graffiti, or areas or locations such

as graffiti walls, or murals/street art which are set aside for the purpose of graffiti.