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Date: 19th June 2001

Your Ref: SOL 1517/00

Our Ref:

Dear Mr Gunn

KERBS, ARCHES, GRAFFITI AND BONFIRES

Thank you for your letter of 6 June 2001.

At our recent meeting you advised us to draw up policies for handling each of the above issues and disseminate this across Divisions.

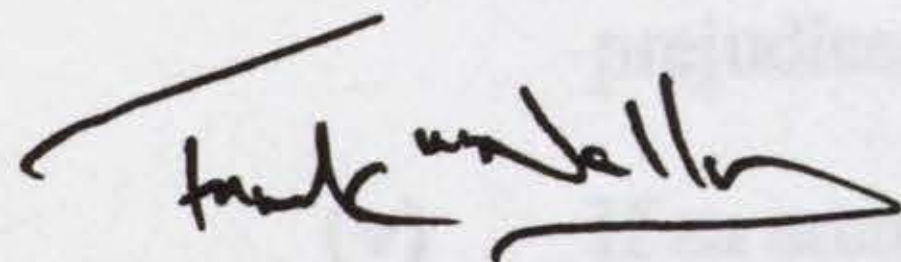
Please see attached copies of current guidelines issued to Divisions. It appears that there is no specific guidance on the bonfire issue, although I understand that similar principals apply.

I would be grateful if you could confirm if these guidelines would be sufficient to resist a challenge.

Our intention is to incorporate these guidelines within the Roads Service Manual and also make them available on the internal intranet site.

I look forward to receiving your advise in due course.

Yours sincerely



F J McNALLY
Policy and Communications Branch

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An Agency within the Department for
Regional Development



INVESTOR IN PEOPLE

23 JUN 2000
3060cc. Mr C James
Mr J Carlisle
Mr V Crawford

TO: Divisional Road Managers

FROM: G P Fraser
Director of Network and Customer Services

DATE: 22 June 2000

INTERIM GUIDELINES FOR DEALING WITH TRADITIONAL ARCHES

1. I refer to Jim Carlisle's minute dated 6 June 2000 which included copies of recent correspondence relating to the erection of orange/traditional arches.
2. As a result of the press notices placed recently by RSHQ informing the public of their responsibilities under article 73 of the Roads (NI) Order 1993, Section Offices may receive a number of consent applications. This raises the question of what action is necessary in the case of arches erected without consent.
3. Following discussion at the Roads Service Board on 20 June 2000, it was agreed
 - (i) RSHQ will arrange to publish appropriate press notices advising that consents should be obtained from Section Offices (already done for this year).
 - (ii) Consents will require that the arch is covered by £5 million Public Liability Insurance and a structural engineers certificate or other appropriate evidence verifying the safety of the arch. The consent shall specify a date for the removal of the arch. (Normally not more than 8 weeks from the agreed date of erection). A permit to open the road may also be required and this would require a refundable deposit to be lodged with the Section Office.
 - (iii) The presence of arches should be recorded in the routine inspection system or as a result of a report from a member of the public. These can be checked against a list of consented arches.
 - (iv) The routine inspection system should indicate where an arch might prejudice the safety or convenience of traffic.
 - (v) If an arch is considered to prejudice the safety or convenience of traffic, advice should be sought from the local police superintendent on the advisability of attempting to dismantle the arch. If the advice is positive, arrangements should be made to have the arch removed.
 - (vi) Where advice indicates that it cannot be safely removed the option of closing the road should be considered.

- (vii) If an arch is not considered to prejudice the safety and convenience of traffic, local staff should seek to establish the name of the person(s) responsible for the erection of the arch. This may be achieved through local knowledge or by writing to the local police Superintendent, the Orange Order, or AOH depending on the circumstances.
- (viii) Before proceeding with prosecutions, where the "ownership" of the illegal arch can be established, consultation should take place with RSHQ.

G P Fraser

G P FRASER

Director of Network & Customer Services

CONSIDERATIONS REGARDING THE POLICY

1. The safety of our own staff and contractors.
2. The likelihood of repeat or worse outbreaks of graffiti.
3. The need to get local involvement in the solution.
4. Resource implications.

IMPLEMENTATION

The current policy has been successfully defended and implemented for some time. As a result, a considerable amount of graffiti has been removed by members of the communities affected and there has been a very significant decrease in the amount of new paint applied this year. It is believed that

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BACKGROUND NOTE

PAINTED KERBSTONES AND SECTARIAN GRAFFITI - EUROPEAN COMPONENTS COMPANY LIMITED

CURRENT POLICY

1. Roads Service has a clear policy on the removal of sectarian graffiti and paint from surfaces which it is responsible for. This policy has been developed over a number of years, taking account of the sensitivities of this issue and the resource implications.
2. Graffiti which results in a complaint from the public or a request for its removal, will be inspected so that its nature can be fully assessed.
3. Any graffiti which could compromise road safety (eg paint over sign faces or stop lines) is treated as a top priority and its removal will be arranged as soon as possible.
4. Graffiti which does not pose a hazard to road users may be treated in 2 ways.
 - a. That which includes text containing offensive language or messages will generally be removed whenever it is judged safe to do so and when it is considered that the likelihood of repainting taking place, has been reduced.
 - b. The removal of paint which does not pose a safety hazard and which does not contain offensive text, is generally treated as a low priority. With the current pressure on Roads Service's budgets and bearing in mind that any expenditure on graffiti removal effectively reduces the amount of money which can be spent on structural maintenance of roads, this policy effectively means that paint will only be removed from kerbs and street lighting columns in exceptional circumstances.
5. In the case of flags or bunting erected on street lighting columns, Roads Service is only likely to take action if the structural integrity of the columns is jeopardised or if the lighting is affected.
6. Roads Service provides advice support and encouragement to others to remove graffiti.

CONSIDERATIONS REGARDING THE POLICY

1. The safety of are own staff and contractors.
2. The likelihood of repeat or worse outbreaks of graffiti.
3. The need to get local involvement in the solution.
4. Resource implications.

IMPLEMENTATION

The current policy has been successfully defended and implemented for some time. As a result, a considerable amount of graffiti has been removed by members of the communities affected and there has been a very significant decrease in the amount of new paint applied this year. It is believed that

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residents are more likely to prevent graffiti being applied if they do not have an expectation that Roads Service will clean it up, at the end of the marching season.

An example of action taken in exceptional circumstances was in Clough in 1997 when we contributed to a Clean Up operation organised by a local committee formed after a murder in the village. Unfortunately this graffiti has returned.

CHANGES TO CURRENT POLICY

The current policy is relatively easy to understand and defend and has low resource implications. Any relaxation is likely to require resources particularly in staff time.

If changes are to take place then a proper review of the current policy should take place.

EUROPEAN COMPONENTS COMPANY LIMITED

Mr G Young's letter to Mr King (DED) was a fair representation of current policy.

I understand that European Components Company Limited are primarily concerned with 2 short lengths of painted kerb amounting to about 30 m at the entrance to their premises.

The circumstances here do not seem to indicate that they are exceptional ie 4b and if we were to remove the paint it would set a precedent for other cases. It is considered more appropriate to use policy point 6 in this case ie European Components Company Limited remove the paint.