

## **CONSULTATION ON A DRAFT CODE OF PRACTICE FOR BUSKING IN ST PETER'S STREET**

### **BACKGROUND**

The Licensing & Regulatory Committee considered a report at a meeting on 23<sup>rd</sup> January 2018. The purpose the report was to provide a draft code of practice on busking for consideration, before public consultation. The Committee was invited to consider the draft code of practice, and make any changes to the draft code of practice at the meeting. There will then be a public consultation on the draft code of practice.

Members discussed the draft code of practice, the byelaw and the report. It was recognised that the definition of 'busking' needed to be fairly broad, as laid out within the report, however this definition could be varied before finalising the code of practice depending on feedback from any public consultation.

The Committee heard that a consultation period of 8-12 weeks was the norm, and Members were keen that officers ensured that the public were consulted as widely as possible. This would include local businesses based on St Peter's Street who were often affected by busking, and those who busked in St Peter's Street.

Several Members were of the opinion that the proposal to restrict buskers from occupying a pitch for longer than an hour was unreasonable, taking into consideration the time it takes to set up and vacate a pitch. The Committee agreed that the following should be removed from the draft Code of Practice:

"Buskers shall not:

- Occupy any pitch for more than one hour at a time
- Occupy a second pitch that is less than 50 metres away from their first pitch
- Return to their same pitch again on the same day"

### **RESOLVED**

That, subject to the removal of the above terms, the draft Busking Code of Practice be accepted and that officers consult the public on the document and report back the findings to a further meeting of the Committee. The suggested draft Byelaw would not be subject to consultation at this stage.

### **CONSULTATION**

The consultation will take place for 12 weeks and will close on 12<sup>th</sup> June 2018.

Attached at Appendix 1 is the draft Code of Practice and a response form is attached below at Appendix 2. Please feel free to record any additional comments on a separate sheet. All responses should be e-mailed to [licensing@stalbans.gov.uk](mailto:licensing@stalbans.gov.uk) or alternatively, posted to the Council Office, St Albans District Council, Civic Centre, St Peter's Street, St Albans, Herts AL1 3JE.

# Appendix 1 - DRAFT

## Busking Code of Practice

This code is intended to set out a standard which should enable busking to continue whilst protecting businesses and residents from excessive noise or prolonged exposure to the same performances.

### Buskers shall not:

- have music or voice amplified to a level that can be heard beyond a distance of 30 metres *[or play at a level just above the ambient street noise]*
- Set up a pitch within 50 metres of another busker „
- Obstruct the flow of pedestrians in the street. [NOTE: The Police might regard this as obstruction and take action].
- Set up pitch close to fire exits, cashpoints or doorways  
Sell merchandise (e.g. CDs, posters, etc.)
- Solicit contributions from the public. [NOTE: This would be regarded as begging and could result in arrest and prosecution.]
- Make use of street furniture such as public seating, lampposts, planters, railings etc.
- Use amplification or drums, trumpets or other loud instruments or otherwise cause noise nuisance to residents or businesses;
- Perform in a manner that could be considered dangerous and/or inappropriate

### Buskers shall:

- Reduce the volume of music/singing/shouting if asked to do so by an authorized officer by reducing any amplification or playing quieter tunes.
  - Take regular breaks in order to allow crowds to disperse,
  - Comply with any reasonable request made by an authorized officer or a police officer.
- Ensure a responsible adult accompanies any busker under [18]

## Appendix 2

### Busking Code of Practice - Response Form

<b>Name:</b>	<b>Address:</b>
<b>E-mail:</b>	<b>Tel:</b>
<b>Comments on behalf of:</b> E.g. organisation, business, busker	

**Q 1. Do you agree/disagree that the Council should try and control busking?**

**Q 2. Do you agree/disagree with the proposed Code of Practice?**

**Q 3. Do you have any suggested additional measures that should be added to the Code of Practice?**

**Q4. Is there anything in the Draft Code of Practice that should be removed?**

**Q 5. The definition of Busking has been left fairly broad in the Code. Busking is defined in the Oxford English Dictionary as playing music in the street or other public place for voluntary donations. Do you agree or disagree with this definition? If you disagree what changes do you propose?**