

# **NEWENT TOWN COUNCIL**

## **BUSKING**

(Adopted by Council on 27<sup>th</sup> September 2021)

### **TERMS AND CONDCTIONS**

#### **1. Health & Safety**

- 1.1 Each busker should have Public Liability Insurance to a minimum of £2 million. Performers. Two buskers or more may be required to hold a minimum of £5 million (to be determined on a case by case).
- 1.2 All performers should provide a risk assessment for their activity.
- 1.3 Performances should not contain anything that might place a person or property at risk of harm or damage. Performers must consider and take responsibility for public safety at all times when performing.

#### **2. Noise**

- 2.1 The use of PA or other amplified systems associated with a performance is prohibited.
- 2.2 Noise from any street performance should not be greater than reasonable background noise when heard from more than 30 metres from where the performance is taking place.
- 2.3 If the volume is too loud and causing a nuisance the performance must be moderated or stopped immediately if requested by a Council/ Police Officer or Street Warden.

#### **3. Collection of money**

- 3.1 The principle of street entertainment and busking is for the public to voluntarily donate money as part of the performance, therefore under no circumstances must an approach be made to the general public to encourage them to donate money.
- 3.2 If collecting money for charity, a Street Collection licence must be obtained. In no other circumstances should a street entertainer or busker advertise that they are entertaining on behalf of a charity, cause, organisation or group.

#### **4. General**

- 4.1 No busker or street entertainer has the right to any pitch.
- 4.2 Busking for more than 1 hour in any one place is not permitted.
- 4.3 Busking shall not be repeated in that place for the next 2 hours.

- 4.4 Under no circumstances will generators be allowed on site.
- 4.5 Performers must not cause any congestion outside shop frontages or public walkways.
- 4.6 No performances may be given by a performer whilst under the influence of any intoxicating substance.
- 4.7 Performers must ensure that the content of their performance does not cause offence to members of the public, and appeals to a wide range of people including children, families and older generations.
- 4.8 Performers must not sell CDs or other merchandise.
- 4.9 No vehicle will be permitted on site at any time.
- 4.10 There must be sufficient variety in the performance i.e. no repetition of material within an hour set.
- 4.11 There must be an acceptable degree of musical competence i.e. the performance must be melodic and in tune
- 4.12 Single tone rhythmic performances and one piece of music played over and over again are not acceptable.
- 4.13 Performers are required to be skilled and experienced in using the props of their performance. They must have an understanding of, and a commitment to safety for the public, themselves and the environment.
- 4.14 The use of fire in a performance is not permitted e.g. juggling fire eating/breathing.
- 4.15 The Council reserves the right to vary the Code of Conduct at any time.

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### CODE OF PRACTICE

#### Introduction

All forms of street entertainment are viewed as an important part of the musical and cultural heritage of the town, providing a means to new talent, while adding vibrancy and character to an area. Whilst Newent Town Council welcomes street entertainment and feel they add a lot to the street scene, to help buskers avoid complaints we have introduced a Code of Practice. We have also designated busking areas which may change or be suspended as required.

Following the Code of Practice will help you stay on the right side of the law.

**Nuisance** - For those living, working or visiting the town centre, busking can become the source of intrusion and annoyance and, under some circumstances, could lead to a nuisance being caused, which would warrant action by the authorities. This is especially so when amplification is used to support the performances. Police also receive complaints about the volume and sometimes the nature of busking and obstruction to the highway caused by gathering crowds.

**The Law** - The law requires a District Council to take action to abate a noise which is deemed to be a nuisance and prohibit recurrence, which could lead to formal enforcement action to deal with buskers who are not following the code and are causing a nuisance. This may include the confiscation of musical instruments and amplifiers.

#### CODE OF PRACTICE

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

#### DO:

- Only perform within the designated busking areas.
- Entertain only between 10 am – 5 pm.
- Smile, enjoy yourself and entertain others!

## DON'T:

- Use mains or generator power for amplification. Busking must not be intrusive or be a nuisance to nearby premises. Music or voice should not be heard plainly at a distance of 30 metres.
- Busk for more than 1 hour in any one place. Busking shall not be repeated in that place for the next 2 hours.
- Obstruct the highway (road, pavement or pedestrian area) or the flow of pedestrians in the street. In particular sites close to fire exits, cashpoints and shop/business doorways must be avoided.
- Busk within 30 metres of another busker or group of buskers.
- Sell CDs or other merchandise.
- Ask for donations or payment for performing.
- Perform in a manner that is dangerous to yourself or the public.
- Act in a way or say anything that is likely to cause offence.
- Position yourself on a footway or highway in such a way that could be deemed as begging by passers-by or the Police e.g. sitting on the ground or wrapped in a sleeping bag or blanket sitting on the ground.