



Leicester

City Council

Busking and Street Entertainment in Leicester - Code of Practice

Busking and Street Entertainment

This code of practice covers busking and Street Entertainment in the Leicester City Centre. Busking or Street Entertainment includes performance of music, song, dance, art or street theatre in a public place for the main purpose of attracting donations of money from members of the public.

Busking and Street Entertainment requires those involved to share public space with shoppers, workers, businesses, residents and others. This code of practice sets out expectations designed to ensure that public space in the city centre is used and shared responsibly

The Code of Practice has been developed following consultation with the Musician's Union and Buskers and street entertainers.

The Code will be advertised/ published on Leicester City Council website so that everyone is clear about our expectations.

The Code of Practice also sets out expectations of behaviour between individual seeking to busk or provide street entertainment in Leicester

Buskers and street entertainers should be aware of special events taking place in the city centre. On these occasions, we expect you to respect the event and not perform nearby. A list of the events can be found on Leicester City Council's website at; <https://www.leicester.gov.uk/leisure-and-culture/festivals-and-events/>

Aim of this Code of Practice

This Code aims to provide a means of positive and considerate relationships with all those who share the public space in the city centre and avoid confrontational situations. The code sets out the steps that will be taken against those whose behaviour or performance causes a negative impact.

What causes the majority of complaints?

In Leicester City Centre, the majority of the complaints we receive relate to:

- Music played at intrusive noise levels – either through excessive volume, long duration or repetition

- Blocking and obstruction of entrances and doorways to businesses, emergency access ways and the free flow of pedestrian traffic

Busking and Street Entertainment in the City Centre – Our Expectations

1. Before choosing the public space/area for your performance considers the potential economic impacts. The City Centre is a vital to the economy of Leicester and you should aim to perform without causing a disruption to businesses, shoppers and residents. We expect you to respect any concerns raised with you regarding a disruption and if appropriate take actions such as reducing sound levels or relocating. Please be aware that inconsiderate behaviour could drive businesses and customers away from the City Centre.

When choosing a location to perform, be aware of who and what is around you. We expect you to set up a reasonable distance away from other performers, street preachers, or users who have paid to use the public space e.g. charities. We expect you to choose your pitch/space carefully and to be sensitive to nearby businesses, offices and residences.

We expect you to be aware of the timing of your performance – this is especially important early in the day and in the evenings. This is because the background sound levels are likely to be lower than at other times. Please note that it is an offence to use a loudspeaker or amplification in the street between 9pm and 8am without our permission. You must make an application to us if you wish to use a loudspeaker or amplification during these hours (requires ownership and a business action to be set up)

2. We expect you to maintain public safety and access – you must make sure that people can move past your performance easily and it is your responsibility to ensure that your crowd is well managed. If at any point there are any access or safety concerns we expect you to stop your performance until the issue is resolved, dispersing your crowd if necessary.
3. We expect buskers and street entertainers not to block or obstruct doorways and entrances to shops and businesses. We expect you not to obstruct the free flow of pedestrian traffic and access ways, cycle stands, bus stops etc. We do not permit performers to use street furniture belonging to us. This includes lamp posts, benches, railing etc.
4. We expect buskers and street entertainers to share and swap popular performance spaces with each other. We expect you to cooperate with each other and agree changeovers without argument. We recommend that you can work on a rough guide line of 2 hours' performance time, but this can be less during busy

or popular periods. We would expect you take a 10/15 minute break per 45 Minutes of performance. Before recommencing you should consider whether it is reasonable to continue in the same space or whether you should move elsewhere.

5. We expect buskers and street entertainers not to perform near a space or pitch in respect of which the City Council has accepted a booking and the organiser has paid to use the public space in question. You can check whether a public space has been booked by visiting <https://www.leicester.gov.uk/leisure-and-culture/festivals-and-events/>
6. We expect performers not to erect any marquees tents gazebo, tables or use any other type of structure to support their performance.
7. We expect performers not to sell merchandise unless they have obtained a valid Street Trading Licence.
8. We expect performers not to hand out leaflets, CD's, USB stick and other 'freebies' without a valid 'distribution of Free Printed Matter Consent' from the City Council.
9. We expect performers not to display signs on the pavement (except where a collection or charity has been authorised by the Council or Charity Commission).

Expectations regarding Performance Sound levels

We expect the following:

- Performers need to be heard above the level of background noise but we expect the volume of the performance to be no higher than it needs to be and the sound produced should not be intrusive. Performers should carry out a simple sound check before commencing their act. Performers should be aware that some sounds can be more intrusive and can carry further than others, for example, brass instruments, amplifiers, bagpipes and percussion instruments. Backing tracks must not be left running whilst not performing. Performers should consider the use of brushes, mutes, pads and other accessories to keep volumes reasonable.
- Performers should have a varied repertoire and vary songs, styles and tempos. Repetition of small number of pieces is likely to cause annoyance.
- Performers should cooperate with reasonable request made by businesses and residents to turn down the volume of any instrument or sound equipment.

- Performers must comply with any directions issued to them by the Police or Leicester City Council Officers

Public Liability Insurance

We recommend that all performers have suitable Public Liability Insurance. This is offered by Insurance Companies or brokers and is included as part of the membership of the Musicians Union and Equity.

Conflict Resolution

Our expectations are that complaints are resolved between individuals informally in a respectful and amicable manner.

We will invoke our enforcement powers where there is a serious breach of the expectations set out in this Code of Practice. We may also use our enforcement powers if there is a repeated breach of one or more of the expectations set out in this code.

Performers must comply with any directions issued to them by Police and Leicester City Council Officers.

If informal resolution has not worked – a formal complaint can be made to;

- Leicester City Council through MyAccount: <https://my.leicester.gov.uk/> ; providing details of the complaint. This will then be referred to a service manager from the city warden service for investigation and action.

Or

- Complaints to Leicestershire Police should be made by following the instructions on the Force's webpages: <https://leics.police.uk/contact-us/give-feedback-or-make-complaint/make-complaint>

Representatives from the Musicians' Union or Equity may at any time during the conflict resolution process make representation on behalf of their members. In these cases, the City Council may hold off taking enforcement action whilst attempts are made to reach an amicable/acceptable solution.

On receipt of a complaint, we will assess the impact and decide what action, if any, is necessary. We will attempt to resolve a complaint by negotiation however where the impact of behaviour is serious or repetitious in nature we will take the followings steps:

Step 1

We will issue a Warning Letter. This will identify the negative impact(s) of the behaviour complained of and the action needed to be undertaken to stop, change or minimise the impact. Before issuing the warning notice we will undertake appropriate

investigations to establish the facts and we would expect all those involved to cooperate with us. Complainants should be prepared to give formal statements if requested. We may not be able take action if statements are not provided.

Step 2

If the Busker or Street entertainer fails to comply with the terms of the Warning Letter we may, if we have sufficient evidence, issue a Community Protection Notice. If a busker or street entertainer fails, without reasonable cause, to comply with the requirements this may lead Penalty Notice being issued or a prosecution being undertaken and confiscation of equipment.

Exceptional Cases

We reserve the right to abandon/forgo the steps set out above and use other enforcement powers available to us in cases where the behaviour complained of includes violence, threats of violence or if the impact of the behaviour or performance is such that, in the opinion of the Council, immediate steps need to be taken to stop or reduce the negative impact on others.

Useful Contacts

Police 101

Leicester City Council 0116 4541001