

Busking in Birmingham - a quick guide.

The full guide can be found at www.birmingham.gov.uk/busking This is intended as a summary only - if in doubt, please refer to the full guide.

Birmingham City Council believes that busking (this includes other street entertainment such as dance, theatre, performance and art) brings vibrancy to our streets and public spaces. Busking does not require a licence and is welcome on public land. This guide is to promote harmony in our public spaces and reduce complaints surrounding the potential impact from these activities.

Note that shopping centres, churchyards and the areas in and around stations are generally private land, requiring the landowners' permission to perform.

For buskers:

Before you start performing:

- **Children of compulsory school age are not permitted to busk in Birmingham**, whether or not money is collected. This can be an offence under Birmingham's child employment by laws.
- **Be aware of who and what are around you** - don't set up near other performers, your last pitch or other users of public space. Be aware of nearby businesses and residents and choose your pitch accordingly. Take extra care with evening performances. Use of loudspeakers on the street between 9pm and 8am without formal consent from the Council is an offence.
- **Maintain safety and access** - make sure people can move past your performance easily. Manage your audience, or stop performing if there are safety or access concerns.
- **A culture of swapping and sharing pitches is strongly encouraged** - we recommend a rough guideline of 2 hours on a pitch. Talk with other buskers and agree pitch swaps. Don't agree more than 1 pitch in advance. Don't pressurise anyone to give up a pitch.
- **Where practical introduce yourself to those working near your pitch**, encourage them to talk with you if there is an issue.

Your performance:

- **Any sound should not intrude into the lives of those around you**. Perform simple sound checks, you can ask others to assist you. **If the sound can be heard clearly inside a shop, it is probably too loud.**
- **Know your equipment** - some sounds carry more than others, especially in the City Centre. If you use loud instruments like percussion, brass, amplifiers or bagpipes it may be reasonable to take more breaks and move pitches more often. Consider using brushes, pads, mutes etc to help with volume.
- **Take regular breaks and move between pitches.**
- **Keep it varied** - build your repertoire, vary songs, styles and tempos - repetition can be intrusive.

For everyone:

- **If you have an issue with a busker** things can often be resolved by waiting for a reasonable interval in the act, approaching the busker and politely discussing the issue. Feel free to draw attention to this guidance.
- **Buskers should be polite and willing to make reasonable adjustments** such as turning down an amp, playing more quietly or making simple changes to position or direction.
- Formal action can only be taken against an inconsiderate busker following a complaint that their behaviour or performance has negatively affected your work or home life.
- **If you have an unresolved busking issue** then you should report it at www.birmingham.gov.uk/busking You can also call the City Centre Operations team on **0121 675 3616** during office hours if the problem is going on at the time of the call. In either case where possible an officer will attend that day.
- If the busker is found not to be at fault, there will be no further action, if the busker is at fault then we will make every effort to find a reasonable solution. Enforcement action will be taken as a last resort against those who persistently make the lives of those around them difficult. **See overleaf.**

Resolving Issues

Most issues can be resolved with a polite conversation, but effective enforcement powers are available as a last resort to deal with any individual persistently causing a **negative impact by acting unreasonably**.

Most issues can be resolved informally - Wait for a suitable interval in the act, politely explain what your issue is and attempt to come to a **fair solution**. Buskers should be open to making reasonable changes to resolve the issue. Feel free to draw attention to the this document. **See overleaf**.

If this isn't practical or does not work please see below.

Seeking Resolution

Step 1 - Please report unresolved busking issues at www.birmingham.gov.uk/busking. Where possible, an officer will attend that day to **help to find a fair resolution** and ensure the people involved are aware of this guidance.



Step 2 - If the issue continues, Council officers will assess the situation to **determine any impacts** and see whether the busker is at fault. **If the busker is found not to be at fault there will be no further action.**

If the busker is at fault we will write to them to make them aware that they are causing an issue and suggest ways to resolve the situation.

In this letter buskers will be given an opportunity to apply to a dispute resolution panel for advice, arbitration or mediation.



Enforcement

Step 3 - If further issues are raised and the Council believes a busker is continuing to act unreasonably, then we will collect and assess evidence from the affected people and issue a formal warning letter to the busker when appropriate.

The letter will outline the **negative impacts** and the steps that must be taken to secure an improvement. **Without a formal statement from a complainant, we cannot take this enforcement action.**



Step 4 - If the issue is not resolved at this stage, as a last resort, legal action will be considered. Breach of legal notices served may lead to fixed penalty notices, prosecution and confiscation of equipment.