

Busking in Birmingham City Centre - a quick guide.

The full guide can be found at www.birmingham.gov.uk/streetentertainment 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:

- **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, stop and/or disperse your crowd if there are safety 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 around you**, 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 those around you to assist with this.
- **Know your equipment** - some sounds carry more than others, especially in the City Centre. If you use loud instruments like brass, amplifiers or bagpipes it may be reasonable to take more breaks and move pitches more often.
- **Take regular breaks and move between pitches.**
- **Keep it varied** - build your repertoire, vary songs, styles and tempos - repetition can be intrusive.
- **Keep volumes reasonable** - consider using brushes, pads, mutes etc to help with this. Please do not leave any backing tracks running whilst you are not performing.

For everyone:

- **If you have an issue with a busker** the first step, wherever practical should be to wait for a reasonable interval in their act, approach them and politely discuss the issue. Feel free to draw their attention to the guidance.
- **Buskers should be polite and willing to make reasonable adjustments** such as turning down an amp, playing more quietly or making small changes to position or direction.
- Action can only be taken against an inconsiderate busker following a complaint that their behaviour or performance has caused you a negative impact.
- **If you are unable to come to a reasonable compromise** then you can call the City Centre Operations team on **0121 675 3616** during office hours or email publicspaces@birmingham.gov.uk which will be picked up the next working day. 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 compromise. 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

This section is for everyone - buskers, residents, businesses and anyone else using public land.

We aim to empower everyone to solve problems quickly and easily on the street. On those rare occasions where a reasonable compromise cannot be reached we have a simple set of steps to ensure a fair resolution to the problem. Effective enforcement powers are available as a last resort to deal with any individual persistently causing a **negative impact by acting unreasonably**.

Step 1 - Wherever possible you should approach the person involved directly. Please wait for a suitable interval in their activity, politely state what your issue is and attempt to come to a **fair and amicable compromise**.

Feel free to draw their attention to the relevant **Public Space Project Guide** guide, each guide shows the specific process for each activity type. The steps below are for resolving issues with **buskers**.

Step 2 - If a compromise cannot be reached between parties then please call 0121 675 3616 (Mon-Fri 8:45AM - 5:15 PM) or email publicspaces@birmingham.gov.uk which will be picked up the next working day. Where possible on a weekday, an officer will attend that day to **assess impact** and ensure the people involved are aware of this guidance.

Step 3 - If the issue continues, Council officers will assess the situation to **determine any impacts** and whether the busker is at fault, to notify the busker about this guidance and to attempt a fair resolution. **If the busker is found not to be at fault there will be no further action.**

Buskers will be given an opportunity to apply to the dispute resolution panel for advice, arbitration or mediation.

Step 4 - If further issues are raised and the Council believes a busker is continuing to act unreasonably after they are made aware of the issue and have had an **opportunity to seek advice**, 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 formal statements from the complainant, we cannot take this enforcement action.**

Step 5 - 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.

Agree resolution

Enforcement