



Busking Guidelines

in conjunction with City of York Council
Neighbourhood Enforcement and Make It York

MakeItYork



Busking

We categorise 'busking' as any performance in public for the purpose of receiving voluntary contributions from members of the public. Busking is an important part of creating a vibrant, exciting and cosmopolitan atmosphere for residents, visitors and businesses in York. As a city we encourage busking and we want to welcome buskers from across the county and beyond. However the city is receiving an increasing number of complaints, often regarding amplified busking, repetitive busking and/or obstructions to highways/access points. These busking guidelines are to be used as a reminder of what the city considers reasonable and neighbourly behaviour. Any behaviour which is deemed to be unreasonable will be investigated and may result in enforcement action.

Considerations

No busking pitches are fixed in York City Centre and we expect all buskers to take care in their judgement when selecting a pitch in which to perform. Working closely with each other within the busking community regarding the swapping/sharing of any pitches is key.

There are also no fixed times or durations for busking performances. However, please note there can be no amplification between the hours of 9pm and 8am. Material should not be repeated in the same pitch, and any more than 2 hours in one pitch would be considered unreasonable.

There are no fixed levels for volume, and we would ask all buskers to make an assessment of the pitch location and adjust volume accordingly so that it is just above the level of ambient street noise. If your volume is loud enough to be heard inside buildings in the surrounding area or from the opposite side of a street, it is likely this is too loud and would be considered unreasonable. Wind and percussion instruments will likely need dampers and brushes. Using amplified, piercing or repetitive noise will require buskers to move pitches more regularly to prevent disturbance.

Making a reasonable judgement is key to busking in York city centre. If your act disturbs the regular day to day lives of any neighbouring resident/visitor or business, it is likely a complaint will be received. If you receive a warning due to complaints being received about your act and fail to respond appropriately (e.g. reduce volume), it is likely enforcement action will be taken.

All buskers must be courteous to those around them and must be prepared to make adjustments out of consideration to others when necessary. Making the appropriate adjustments following a complaint means enforcement would not be necessary.

If you require assistance in relation to a complaint please contact the Make It York city centre office on 01904 551355 and a representative will assist.

Parliament Street (in front of Shambles Market)

The area in front of the Shambles Market entrance is a key thoroughfare and performances must be positioned to one side to allow free access across Parliament Street.

King's Square

King's Square is a popular location for street entertainers and circle shows. It is key to work in conjunction with other buskers to ensure there are regular breaks between performances to allow for access to nearby buildings/businesses.

St Helen's Square/Mansion House

Please note that no busking is allowed on the steps up to the Mansion House.

Please busk from the centre of the square, not against business windows.

Stonegate, Petergate and The Minster area, St Helen's Square

These areas are surrounded by businesses, residences and places of worship and therefore have greater potential for busking disturbances.

Coppergate and Davygate Churchyard

These areas are private, and permission would be required from the land owner to busk here.



Advice for residents and businesses

When issues arise the first step should always be to speak directly with the busker regarding your concerns – explain the impact their busking is having on you, and politely request they turn volume down etc, or move on to another pitch. You may draw their attention to this guidance at any point. If this does not resolve the matter please contact the Make It York city centre office on 01904 551355 and a member of the Make It York city centre and markets team will assist.

Enforcement

Once a warning notice has been issued to a busker, any further reports will be investigated by a City of York Council Neighbourhood Enforcement Officer and a decision will be made as to whether enforcement action will be necessary under the following legislation:

- A York byelaw states that once a busker is informed they are causing annoyance/disturbance, if they fail to make the appropriate changes there is a potential of prosecution.
- The Anti-Social Behaviour Crime and Policing Act 2014 states that unreasonable and persistent/continuing behaviour which has a detrimental impact can be dealt with by way of a warning, notice, fixed penalty and a prosecution in the magistrate's court.
- The Control of Pollution Act 1974 states that under no circumstances should amplifiers be operated in the street for any purpose between the hours of 9pm and 8am. Failure to comply can result in prosecution in the magistrate's court.
- Children under 14 are not allowed to busk by law.

Formal action will only be taken as a last resort where buskers have repeatedly failed to follow this guidance.

Goods/Services

If you wish to offer goods/services as part of your act then you must do so on a voluntary basis. If you are selling goods/ services then you will require street trading consent which is available from the City of York Council.

The Licensing Authority can carry out random spot checks to ensure buskers are complying with all guidelines, and enforcement action will follow when necessary.

Further information

Full guidance, copies of the byelaws and/or further contacts for buskers are all available to view online at:

www.york.gov.uk/busking.



Contacts

Any enquiries following this guidance can be made to the Make It York city centre office at york-markets@makeityork.com or 01904 551355.

Any enquiries regarding licensing can be made to City of York Council at licensing@york.gov.uk or 01904 552422.

Enquiries regarding enforcement can be made to City of York Council Neighbourhood Enforcement team at neo@york.gov.uk or 01904 551555.

Do you have a brilliant act or are you a musician keen to busk in York?

If you feel you can add something special to York's street scene and would like advice on where to perform, please don't hesitate to get in touch with the team at Make It York at york-markets@makeityork.com and we'll be delighted to help advise you.

