



# FOWEY TOWN COUNCIL

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## Advice for buskers

Anybody may ask a busker to stop if they are disturbed by:

- loud, continued or repeated singing
- playing instruments or amplifiers

***Please note that possession of this flyer does not offer its holder permission to carry on an activity if requested to stop by a police officer or any other lawful authority.***

## Legal

Under the Environment Protection Act 1990, noise in the street from musical instruments may be a statutory nuisance and the local authority is able to take legal action to abate the nuisance and prohibit or restrict its recurrence. This may include the seizure of musical instruments and/or amplification equipment.

Additionally there are byelaws that address the issue of busking and noise. The Police and the council will not normally instigate legal action where the code is observed. However breaches may make an offending person/s liable to prosecution.

1, Entertainment is restricted to a maximum of one hour in any one place and shall not be repeated in that place or within 50 meters of it within one hour.

2, Street trading is not permitted when busking, therefore you are not allowed to sell any recordings of your music or other items when busking.

3, Play at a reasonable level - control the volume so that it is audible only to passers-by in the immediate vicinity, not adjacent shops or office premises. Entertainers must stop performing immediately when requested to do so by a police officer, council officer or a neighbouring shopkeeper or resident.

4, Drumming is not welcome in Fowey because it causes too many complaints.

5, Mains, battery or generator-powered amplification is not permitted.

6, Entertainers shall not obstruct the highway, Entertainers are also responsible for ensuring that the highway is not obstructed by people gathering to listen or to watch the performance. (Highway includes any footpath, pavement or open pedestrian area or place)

7. Entertainers shall not make use of street furniture, such as public seats, lampposts and railings.

8, Pitches chosen shall satisfy the above criteria and must not be within 50 meters of another busker.

9, No sign shall be displayed inviting payment, you should be reminded that begging is a criminal offence.

10, Entertainers shall not perform in a manner which is dangerous to themselves or to the public.

11, Entertainers shall not dress, act or say anything which is likely to cause alarm, distress or offence to a member of the public.

12, Busking should not be conducted by cash point machines or similar area.

13, Any Entertainers who use strong offensive language towards any persons asking buskers to move on or stop will be dealt with by the police.