

## **HIGH PEAK BOROUGH COUNCIL**

### **Licensing Committee**

**23 November 2023**

<b>TITLE:</b>	<b>Code of Conduct Buskers/Street Entertainers/Preachers</b>
<b>EXECUTIVE COUNCILLOR:</b>	<b>Councillor Fiona Sloman - Executive Councillor for Housing and Licensing</b>
<b>CONTACT OFFICER:</b>	<b>Alicia Patterson - Head of Environmental Health</b>
<b>WARDS INVOLVED:</b>	<b>All</b>

### **Appendix A – Code of Conduct (Buskers/Street Entertainers/Preachers)**

- 1. Reason for the Report**
  - 1.1 To consider the introduction of a Code of Conduct (Appendix A) for the Borough.
- 2. Recommendation**
  - 2.1 That the Committee considers and approves the Code of Conduct at Appendix A.
- 3. Executive Summary**
  - 3.1 High Peak Borough Council's Environmental Health and Licensing team has received a number of complaints regarding buskers/street entertainers and preachers who regularly visit the High Peak. Reports have included performers playing music, sometimes all day, often from one location in the street and some repeating a short playlist of songs over and over again. If other performers appeared, on occasions the performer would try to perform close to the other performer increasing the volume of amplification to try and mask the other performer.
  - 3.2 Derbyshire Police initially assumed that responding to such complaints would be a licensing function. However, as detailed in the proposed Code of Conduct (at Appendix A) busking/street performing is often an incidental form of entertainment and is not regarded as a licensable activity under the Licensing Act 2003. In the circumstances, therefore, the Committee is asked to approve the proposed Code of Conduct to confirm the Council's approach to such

activity for the future.

**4. How this report links to Corporate Priorities**

4.1 Supporting our communities to create a healthier and safer High Peak.

**5. Alternative Options**

5.1 That the Council does not introduce a Code of Conduct and deals with issues on an individual basis.

**6. Implications**

6.1 Community Safety - (Crime and Disorder Act 1998)

Introducing a Code of Conduct will assist the Council and Police to deal more effectively with difficult situations and the conflict which may arise from these.

6.2 Workforce

None.

6.3 Equality and Diversity/Equality Impact Assessment

As considered in the drafting of the proposed Code of Conduct.

6.4 Financial Considerations

None.

6.5 Legal

None.

6.6 Climate Change

None.

6.7 Consultation

Consultation has been undertaken with the Police as key stakeholders.

6.8 Risk Assessment

None specifically although the Council will need to review its approach should the proposed actions not prove to be effective.

Mark Trillo  
**Executive Director (Governance & Commissioning)**

**Web Links and  
Background Papers**

**Contact details**

Alicia Patterson  
Head of Environmental Health  
alicia.patterson@highpeak.gov.uk

**7. Detail**

- 7.1 Following receipt of a number of complaints regarding the conduct of buskers/street entertainers and preachers in the Borough the Council's Head of Service for Environmental Health and Licensing has conducted research into the approach which other authorities take to control busking/performing activities. These authorities mainly include within their areas large City Centres, where busking/street entertainment is a common and daily activity. It became apparent following this research that a Code of Conduct seems to be the preferred approach to control and offer advice and guidelines to buskers /street entertainers and also to people who wish to complain about a busking activity.
- 7.2 Some of the shop owners in the Borough have raised concerns to the Licensing and Environmental Health team in relation to buskers/street entertainers outside their premises causing a nuisance to their customers, and on occasions refusing to move away from the premises.
- 7.3 The proposed Code of Conduct at Appendix A will not only allow the Council to manage buskers and street entertainers but will also assist the Police with their duties. It will also support the busker/street entertainers by having a clear and concise Code of Conduct, setting out the Council's approach, which in turn will make High Peak a safe and enjoyable place to live and visit.
- 7.4 If approved the Code of Conduct will be implemented across the Borough and be widely publicised. Buskers and street entertainers will be given a copy of the Code of Conduct and the Environmental Health and Licensing team will ensure its effective implementation following adoption.