

# Buskers and Street Musicians



**The Environmental Protection Act 1990, Part III, as amended by the Noise and Statutory Nuisance Act 1993, extends the powers of Boston Borough Council to deal with noise nuisance arising from vehicles, machinery and equipment in the street.**



The pedestrianised areas of the Town Centre have become a desirable venue for street entertainers of all types. However, whilst being popular with some shoppers and passers-by, some buskers and street musicians are the subject of complaints of noise nuisance from workers and residents in offices, shops and dwellings in the vicinity.

If officers from the Environmental Health have had complaints about a busker or street musician and are of the opinion that the player is causing a Noise Nuisance, that person will be served with a Noise Abatement Notice under Section 80 of the Environmental Protection Act 1990. Failure to comply with the requirements of the Notice is a criminal offence and it is Council policy to pursue such matters vigorously. This may result in equipment (for example musical instruments, amplifiers and microphones) being temporarily confiscated in order to secure compliance. Offenders also risk prosecution and a substantial fine of up to £5000.

If you are a street entertainer whose act can be heard as well as seen, please consider the following advice:

- Don't outstay your welcome! Do not stay in the same place for too long - you should aim to move on to an entirely different location at least every 60 minutes;
- The indiscriminate use of amplifiers is actively discouraged - if you use an amplifier, you must control the volume so that it is audible only to passers-by in the immediate vicinity, not in adjacent shop or office premises;
- Make sure that you do not cause an obstruction in the street - keep clear of doorways, street furniture and telephone boxes, and leave space for wheelchairs and pushchairs to pass.
- The selling of Compact Disc's is strictly forbidden unless authorised by a street trading consent. Failure to comply is an offence.

If you adhere to this advice, the likelihood of complaints being made about you is greatly reduced. Any complaints which are made will be investigated individually and action, formal or otherwise, will be taken accordingly.

PLEASE NOTE THAT THIS GUIDANCE NOTE DEALS ONLY WITH THE ISSUE OF NOISE NUISANCE. FOLLOWING THE ADVICE GIVEN THEREIN DOES NOT IMPLY COUNCIL PERMISSION OR LICENCE TO PERFORM.\*

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