



**NOTIFICATION TO ATTEND SPECIAL MEETING OF THE ARTS, CULTURE AND
RECREATION SPC**

TO BE HELD IN THE COUNCIL CHAMBER, CITY HALL, DAME STREET, DUBLIN 2.,

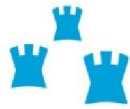
ON MONDAY, 19 JANUARY 2015 AT 9.30 AM

AGENDA

MONDAY, 19 JANUARY 2015

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Dublin City Council

Comhairle Cathrach Bhaile Átha Cliath

DUBLIN CITY COUNCIL

CONTROL OF STREET PERFORMERS

DRAFT BYE - LAWS

Long Title:

The Lord Mayor and Members of Dublin City Council (hereinafter referred to as “The Council”) in exercise of the powers conferred on them by Section 199 of the Local Government Act 2001, hereby make the following Bye-Laws in relation to the Control of Street Performers in the administrative area of Dublin City Council.

Preliminary:

Short Title: These Bye-Laws may be cited as the Control of Street Performers Bye-Laws 2014

Area of Application: These Bye-Laws apply to the administrative area of Dublin City Council.

Commencement Date: These Bye-Laws shall come into effect on the [xxxxx] day of [xxxxx] 2015.

Definitions:

In these Bye-Laws the following words or phrases shall have the meanings hereby expressly given to them that is to say:-

The Act: Means the Local Government Act, 2001

The Council: Means Dublin City Council

Authorised Person: Means a person authorised in writing by the Council pursuant to and for the purposes of Section 204 of the Local Government Act 2001 or a member of An Garda Siochana.

Public Place: Means any street, road, footpath, open space, beach, public park, green space and amenity areas, including the Liffey Boardwalk, and such like places in the charge or ownership of Dublin City Council.

Perform: Means to engage in any type of performance or exhibition and without prejudice to the generality such performance or exhibition shall include playing musical instruments, singing, dancing, acting, pantomiming, puppeteering, juggling, reciting, engaging in magic, circus based skills, human statues, balloon modelling, street theatre, poetry or acts of a similar nature, clowning, pavement art, musical or theatrical performance skills, creating visual art, three dimensional work of art which is created through shaping solid material such as wood, stone, clay, sand or metal by carving, modelling or similar methods, in its entirety, or similar artistic endeavours, sculptures or drawings and paintings, applied to paper, cardboard, canvas, or other similar or technologically equivalent medium through the use of brush, pastel, crayon, pencil, stylus, or other similar object or doing other acts of a similar nature in a public space and any other type of performance or exhibition not specifically listed but which would be similar in character; and the words Performance and to Perform shall be construed accordingly.

Permit Holder: Means a person who holds a Street Performance Permit and/or a Permit to use Amplification

Street Performer: Means a person who performs in a public place.

Group: Means two or more persons performing together in a public place.

Street Performance Permit: Means a Permit to perform in a public place issued under these Bye Laws

Permit to use Amplification: Means a Permit issued to a Street Performer under these Bye-Laws to use amplification.

Prohibited Place: Means any place outside the GPO on O'Connell Street.

Permits:

1. A person may not perform in a public place without an official permit issued by the Council.
1. (a) A person may not perform in a prohibited place with or without an official permit issued by the Council.
2. A person may apply for and be granted a Street Performance Permit by the Council upon completion of the requisite application form for a permit, payment of the fee and on the production of evidence of identity together with two recent photographs of the applicant.
2. (a) The permit granted will be valid for 1 year from the date of issue.
2. (b) The cost of the Street Performance Permit (without amplification) will be €30 per annum.
2. (c) In the case of a performance group one member shall be the person responsible for the organisation and management of the group (i.e. the Permit Holder).
3. A Street Performer will require an additional permit if they wish to use amplification.
3. (a) The cost of a Street Performance Permit for the use of amplification will be €60 per annum.
4. All permits granted will contain a photograph of the permit holder and must be on display at all times during a performance in a public place.
4. (a) The permit holder must be present at all times during a performance and the permit must be on display at all times during a performance in a public place.

Performance Times:

5. A person shall not perform in a public place after 11pm and before 9am on any day **SAVE AND EXCEPT** on Grafton Street where a person may perform up to 1am on Saturday mornings and Sunday mornings only.
6. A person is only allowed to perform in a specific location for a maximum period of two hours. After this two hour period they must re-locate to an alternate location, not within 250 metres of their previous location.
7. A person may not perform twice in the same location within a 24 hour period.
8. A person shall not “reserve” a location/area i.e. arrive prior to performance and wait.

Instruments/Equipment/Properties:

9. A person who wishes to perform in a public place shall be solely responsible for his/her instruments, equipment and props and shall not leave them unattended in a public place and shall remove them from the public place at the end of their performance.
10. A person who wishes to perform in a public place shall not use any instruments / equipments / props in a manner which the noise produced is so loud, so continuous, so repeated or of such duration or pitch or occurring at such times as to give reasonable cause for annoyance to a person in any premises in the vicinity or members of the public in that public place.
11. A person shall not use a knife, sword, flame, axe, saw or other object that can cause serious bodily harm in a performance in a public place.
12. A performer shall not connect to or maintain an electrical connection by way of a cord or wire to an adjacent building or to any mains power source.

Charges:

13. A person shall not charge a fee for a performance in a public place. Members of the public may however leave or give money to a person who performs in a public place.
14. A person who performs in a public place shall not use any measures to solicit donations from the public other than a receptacle for receipt of donations.

Without prejudice to the generality of this bye-law such measures shall include: blocking or impeding the passage, going behind, ahead or alongside a person with the intent to solicit a donation or to intimidate, coerce or threaten, by word or gesture, a person into making a donation.

Obstructions:

15. A person performing in a public place shall not obstruct the public's access to and egress from any premises.
16. A person shall immediately cease performing if the crowd they have attracted is blocking a street.
17. A person shall not perform within 50 metres of another performer.
18. A person shall not perform in a public place within 3 meters of the outer edge of the entrance to any business, including, but not limited to: doors, vestibules, driveways, outdoor dining areas, entries, and emergency exits,

during the hours that the business on the premises is open to the public or to persons having or conducting business in those premises.

19. A person performing in a public place with instruments, equipment or props shall not block, obstruct or interfere with the free and safe movement of pedestrians.

Health and Safety:

20. A Street Performer who performs in a public place shall at all time ensure that no aspect of his/her performance endangers the public safety in his/her use of the public place.

Miscellaneous:

21. The Council may prohibit performances in a specific public place on a temporary basis by Executive Order in order to facilitate the construction, development, maintenance or repair of a public place or part thereof or for other infrastructural work thereon or such work on adjoining private property or for other operational reasons

Exemptions:

22. These Bye-Laws shall not apply to activities taking place in a public place that are organised by the Council or are activities that have received consent from the Council by way of event approval or have received a Public Event Licence under Part XVI of the Planning and Development Act 2000.

Offences:

23. Any person who contravenes any bye-law shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding €1500.
24. A person who obstructs or impedes or refuses to comply with a request of an authorised person acting in the exercise of the functions conferred on an authorised person by the Act or a member of An Garda Síochána shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding €1500.
25. Where an authorised person or a member of An Garda Síochána is of the opinion that a person is committing or has committed an offence under either of the two preceding bye-laws the authorised person or member of An Garda Síochána may demand the name and address of such a person and if that demand is refused or the person gives a name and address

which is false or misleading, that person shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding €1500.

26. Pursuant to Section 204 (3) (d) of the Act where a member of An Garda Síochána is of the opinion that a person is committing or has committed an offence under the preceding three bye-laws, that member may arrest the person without warrant.

Fixed Payment Notice:

27. Where a Bye Law is contravened an authorised person or a member of the Garda Síochána may serve a Fixed Payment Notice in respect of the contravention. The Notice shall specify the name and address of the alleged offender and in general terms the nature of the contravention alleged to have been committed; and the date and place of the alleged contravention. The Notice shall state that if the fixed payment of €75 is paid to the Council within a period of 28 days that no legal proceedings will be instituted against the person in respect of the alleged offence. The Notice shall contain a statement to the effect that the alleged offender is entitled to disregard the Notice and defend a prosecution of the alleged contravention in Court.
28. Any permit issued by the Council may be revoked or not renewed in circumstances where the holder of the permit persistently contravenes or fails to observe these Bye-Laws, whether prosecuted or not for such repeated contraventions; provided however written notice is given to the holder by the Council of each such alleged breach and the applicant is given an opportunity to reply.

**PRESENT WHEN THE CORPORATE SEAL
OF THE DUBLIN CITY COUNCIL
was affixed hereto:**

IN THE PRESENCE OF:-

Chief Executive

**City Council Official
Civic Offices**

Dated the day of , 2015

**Dublin City Council,
Civic Offices,
Wood Quay,
Dublin 8**

**Draft Street Performers Bye-Laws
Report to Strategic Policy Committee**

Background

Street Performance is a time honoured art form in Dublin City Centre which enhances the character of the City and adds to its attractiveness and colour as well as providing a welcome addition to the programming of diverse on-street entertainment. This activity is generally welcomed by the Irish public and by Tourists to the City. Unfortunately, in recent years there has been a significant increase in the number of complaints to the City Council, and to An Garda Síochána from various businesses in the city, from workers/staff in city shops and offices and from the general public. These complaints reflect the fact that more and more Street Performers now use amplification some of which can cause excessive sound levels. In 2012 the City Council agreed that some level of regulation for Street Performance in the city was necessary and initially a Voluntary Code of Conduct was implemented however this exercise did not succeed.

Following this a draft set of Bye Laws was formulated in 2013 and submissions were invited from the public (small number of submissions received). At that stage and following the public consultation process we reached the conclusion that the then draft Bye Laws were quite weak and that they would be very difficult to enforce.

Therefore a new proposal on Bye Laws was developed which is based on a permit system and the revised draft set of bye laws were put out to public consultation in November 2014.

Dublin City Council recognises the need to achieve a balanced approach to ensure that this popular art form is preserved and is cognisant of the potentially negative effect of over regulation.

In considering the proposed draft Bye Laws now before the Strategic Policy Committee the following points are relevant:

- **Up to now there was no regulation at all in place to control Street Performance therefore the City Council and the Gardai had no powers to intervene – The proposed Bye Laws for the first time allows the City Council and the Gardai to regulate this activity.**
- **We are not trying to stop Street Performance, we want to encourage it but some degree of regulation is necessary otherwise quality and vibrant performance on city streets will not survive.**
- **For Bye Laws to be enforceable they have to be practical and simple, the main component of these Bye Laws is the permit, and the power by Dublin City Council to refuse or revoke such a permit. Once a permit is revoked the Gardai will be immediately notified.**
- **In conjunction with the Bye Laws we will formulate a comprehensive Code of Practice which all Street Performers will have to adhere to. Non adherence will result in the revocation of the permit.**
- **The Code of Practice will cover issues such as sound level, complaints from businesses etc. engagement with businesses, consideration of residents, control of audiences etc.**
- **The proposed Bye Laws if approved will be reviewed after 12 months.**
- **Dublin City Council will consider issues around possible Street Performance competitions and the possible designation of specific locations as a Busking ‘stage’ and the general promotion of Street Performance on the city’s public domain.**

At its meeting on 3rd November 2013, Dublin City Council considered the draft Bye Laws, and decided to remove reference to the banning of busking in the Temple Bar area from the draft Bye-Laws and approved the initiation of the public consultation process.

The public consultation for the draft bye laws commenced on 7th November and the closing date for submissions was 19th December 2014.

If the Bye Laws are endorsed (with or without amendment) by this Strategic Policy Committee then they will be submitted to the full City Council at its meeting on 2nd February. If approved by the City Council they will then be enforceable on the following month.

A total of 88 submissions were received.

A document including a copy of all submissions together with an analysis of same has been provided to all members of the Strategic Policy Committee. The main issues identified were excessive noise, times performers could operate, entrances to businesses and residents being obstructed, designated performance areas and the proposed ban on potentially dangerous performances.

Noise (Draft Bye-Laws 3 and 10)

72 submissions (82% of the total received) identified excessive noise as the main issue. Of these 31 (44%) are seeking an outright ban on amplification, 17% want percussion instruments, and other types of loud music banned, 15% want amplification prohibited in certain locations and 17% requested that the volume from amplifiers be restricted.

7% submit that the 'cause for annoyance' proposed in Bye-Law 10 is too subjective and would be difficult to enforce. Dublin City Council's Noise Pollution Officer agrees that Bye-Law 10 is inappropriate and unenforceable in the case of noise produced by street performers so it is **proposed to remove Bye-Law 10.**

In view of the high number of submissions in relation to noise we consider that it is essential to consider some options to deal with the issue and the following are some of these options:

1. Add a new Bye-Law to prohibit amplification altogether but this may be too extreme.
2. Add a new Bye-Law to prohibit amplification at specific locations, but this may be very difficult to enforce.
3. Add a new Bye-Law to limit the volume from amplifiers by limiting the use of amplification to non-acoustic instruments, again this may be difficult to enforce and unfair to the users of some musical instruments.
4. Introduce a sound limit of **80 decibels** in the immediate vicinity of the street Performer.

We are recommending option number 4 as being a reasonably balanced option.

Performance Times (Bye-Law 5/6/7)

Bye-Law No 5: A person shall not perform in a public place after 11pm and before 9am on any day SAVE AND EXCEPT on Grafton Street where a person may perform up to 1am on Saturday mornings and Sunday mornings only.

Submissions in relation to time ranged from a proposed limit of 6 pm in Temple Bar and 8 pm in Grafton St to making no change. Changes were also proposed to the starting time.

Having given due consideration to all submissions we are **recommending that the deadline for street performance should be 11pm with no exception. It is also recommended that the commencement time is changed to 11am in pedestrianised areas** for Health and Safety reasons (shop deliveries)

Bye-Law No 6: A person is only allowed to perform in a specific location for a maximum period of two hours. After this two hour period they must re-locate to an alternate location, not within 250 metres of their previous location.

The submissions made included a request that Performers should have to relocate to a different street. This seems reasonable and accordingly it is **recommended to remove ‘not within 250 metres of their previous location’ and replace with ‘to a different street’.**

Bye-Law No7: A person may not perform twice in the same location within a 24 hour period.

Several submissions suggested that this Bye Law was unnecessary and would be difficult to enforce. **We are recommending that Bye Law no 7 be removed.**

Obstructions (Bye-Law 18)

Bye-Law No18: A person shall not perform in a public place within 3 meters of the outer edge of the entrance to any business, including, but not limited to: doors, vestibules, driveways, outdoor dining areas, entries, and emergency exits, during the hours that the business on the premises is open to the public or to persons having or conducting business in those premises.

We are recommending that Bye-Law 18 should be edited to read ‘...within 3 meters of the outer edge of the entrance to any business *or residence or premises*’

Ban on use of potentially dangerous props (Bye-Law 11)

The submissions made by performers who use props contend that the equipment they use is not dangerous when used by a skilled performer. They use theatrical props, and the ‘knives’ for example are very light with blunt edges. One street performer group proposed that insurance cover would be a suitable requirement for acts that use potentially dangerous props. **We are recommending that Bye-Law no 11 be amended to allow the use of props and include the requirement for such Street Performers to hold Public Liability Insurance.**

A number of other amendments are recommended as follows:

Temple Bar:

The City Council have already agreed that Street Performance would not be banned in the Temple Bar area but would be subject fully to whatever Bye Laws that are ultimately approved. Notwithstanding this and in light of the submissions from residents in the Temple Bar Area we are now recommending that Street Performance activity not be allowed on the street known as Temple Bar between the junction at Fownes Street and Temple Lane South and on East Essex Street between the junction at Temple Lane South and Eustace Street. This is because footpaths and the street there are very narrow with some residents living over the shops. It will be allowed in all other parts of Temple Bar subject of course to whatever Bye Laws are approved.

Title

- Change title to 'Street Performers Bye-Laws 2015'

Definitions

- **Define 'Amplification'** *Means using electronic device/s to increase the volume of musical instruments*
- **Define 'Circle Act'** *Means street performer/s that have a structured performance or routine that requires the audience to stop, watch and/ or participate. Performances may incorporate elements of street theatre, puppetry, dance, comedy, fire manipulation, juggling and acrobatics and may involve the use of dangerous properties as part of the act.*
- **Define 'Dangerous Properties'** *Means substances that are flammable, toxic or hazardous and items including but not limited to sharp implements or those that pose a risk /capable of causing bodily harm such as swords, knives and axes.*
- **Define 'Non-Acoustic Musical Instrument':** Means a musical instrument that requires electronic amplification to work
- **Edit 'Perform'** definition to include '...with the reasonable expectation or opportunity of receiving donations'
- **Edit 'Prohibited Place'** to remove "on O'Connell Street".

Replace '**Person**' with '**Street Performer**' throughout the Bye-Laws.

Bye-Laws

Bye Law 1, 1(a): Replace “*an official permit*” with “*a Street Performance Permit*”

Bye-Law 13: A Street Performer shall not charge a fee for a performance in a public place. Members of the public may however leave or give money to a person who performs in a public place.

A performer may receive payment from different businesses for performing on the public footpath such as outside nightclubs and this Bye-Law could have a serious impact on his/her ability to earn a living.

We are recommending that Bye-Law 13 be amended to “A Street Performer shall not charge members of the public a fee....”

Three submissions suggested having a clear process in place for revoking permits. A few also noted that the Bye Laws do not make provision for an appeal by an individual performer. It is therefore recommended that a new Bye-Law is included to deal with this matter. The recommended Bye-Law is as follows:

‘Where Dublin City Council decides to refuse to give a permit or revoke an existing permit the affected Street Performer may appeal that decision to the Administrative Officer in charge of the Dublin City Council’s Licensing Section. If still dissatisfied after this appeal he/she can appeal to a Senior Executive Officer in the Culture, Recreation, Amenity and Community Department. No appeal beyond this will be accepted.

Overall the draft Bye-Laws were welcomed through the public consultation process and it was felt that the Council was being proactive on this issue.

This report and recommendations are submitted for the consideration of the Members of the Strategic Policy Committee. The agreed recommendations from this SPC will be incorporated into the draft Bye-Laws which will then be submitted for approval to the next meeting of the City Council (February).


Brendan Kenny

Assistant Chief Executive

Date: 19th January 2015

SUMMARY OF SUBMISSIONS

Dublin City Council

 <p>Comhairle Cathrach Bhaile Átha Cliath Dublin City Council</p>	<p>Street Performers Bye-Laws 2015</p> <p>Submissions</p>
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SUMMARY OF SUBMISSIONS

Eighty eight (88) submissions were received within the six week public consultation period.

The following table summarises the main points raised in the submissions received:-

No	Category	Main Points/Comments
1.	local business	<ul style="list-style-type: none"> • Identifies Henry St as problem area • <i>bye-law 10</i> Ban amplifiers • designate areas for loud bands away from main streets
2.	member of public	<ul style="list-style-type: none"> • <i>Prohibited Place</i> No ban in Temple Bar
3.	local business	<ul style="list-style-type: none"> • Grafton St identified as problem area • Excessive noise identified as problem • <i>bye-law 3, 10</i> Ban amplifiers
4.	street performer	<ul style="list-style-type: none"> • <i>bye-law 6</i> Reduce to 50m • <i>bye-law 8</i> Allow reserving location • <i>bye-law 16</i> Performer should be responsible for controlling crowd • <i>bye-law 17</i> Define distances by bollards and bins • <i>bye-law 18</i> Use drain line as distance • <i>bye-law 21</i> Not necessary to prohibit performances to facilitate construction
5.	local business	<ul style="list-style-type: none"> • Grafton St identified as problem area • Excessive noise identified as problem • <i>bye-law 3, 10</i> Ban amplifiers. Ban backing tracks. Min 30 song repertoire • <i>bye-law 6</i> Limit performance time to 30 mins
6.	member of public	<ul style="list-style-type: none"> • Grafton St identified as problem area • Excessive noise identified as problem • <i>Prohibited Place</i> Designate busking area on Stephen's Green
7.	street performer	<ul style="list-style-type: none"> • <i>bye-law 6</i> Limit performance time to 1 hr • <i>bye-law 7</i> Interval of 30 mins between performances at same pitch
8.	street performer	<ul style="list-style-type: none"> • Excessive noise identified as problem • <i>bye-law 3, 10</i> Ban on petrol generators. Limit amplifiers to 30 watts • <i>bye-law 5</i> 11pm too early. Sometimes paid performances are late

SUMMARY OF SUBMISSIONS

		<p>at night</p> <ul style="list-style-type: none"> • <i>bye-law 11</i> No ban on dangerous props • <i>bye-law 13</i> No ban on charging a fee • Recognise professional performers as different to buskers
9.	street performer	<ul style="list-style-type: none"> • Excessive noise identified as problem • <i>bye-law 6</i> Performers should change where you busk often • <i>bye-law 10</i> Limit output of amplifiers • <i>bye-laws 11</i> No ban on dangerous props • <i>bye-law 15</i> Performers shouldn't cause an obstruction
10.	street performer	<ul style="list-style-type: none"> • <i>bye-law 4</i> Permits should be clearly displayed • <i>bye-law 3, 10</i> limit amplifiers to 6 watts
11.	street performer	<ul style="list-style-type: none"> • Excessive noise identified as problem • <i>Authorised Person</i> Who will be enforcing bye-laws? • <i>Prohibited Place</i> Designate pitches for performing • <i>bye-law 1</i> Limit number of permits issued each year • <i>bye-law 3, 10</i> Limit amplification. Introduce decibel limit • <i>bye-law 11</i> No ban on dangerous props
12.	street performer	<ul style="list-style-type: none"> • Scrap bye-laws. DCC taking right of free expression from performers.
13.	local resident	<ul style="list-style-type: none"> • Excessive noise identified as problem • TempleBar identified as problem area • <i>Prohibited Place</i> Designate busking areas • <i>bye-law 3, 10</i> Ban amplifiers in residential areas
14.	street performer	<ul style="list-style-type: none"> • <i>Prohibited Place</i> Designate busking areas • <i>bye-law 11</i> No ban on dangerous props
15.	local resident	<ul style="list-style-type: none"> • Excessive noise identified as problem • Henry St/Mary St identified as problem areas • <i>bye-law 3, 10</i> Ban amplifiers in residential areas • <i>bye-law 6</i> Limit performance time
16.	member of public	<ul style="list-style-type: none"> • Excessive noise identified as problem • <i>bye-law 3, 10</i> Ban amplifiers
17.	member of public	<ul style="list-style-type: none"> • Excessive noise identified as problem • Grafton St identified as problem area • <i>bye-law 3, 10</i> Ban amplifiers • <i>bye-law 10</i> Ban percussion
18.	local business	<ul style="list-style-type: none"> • Excessive noise identified as problem • Grafton St identified as problem area

SUMMARY OF SUBMISSIONS

		<ul style="list-style-type: none"> Asks consideration be given to the adverse affects excessive and prolonged noise having on the ordinary business of the college
19.	street performer	<ul style="list-style-type: none"> Grafton St identified as problem area <i>bye-law 1</i> Visitors shouldn't require a permit <i>bye-law 3</i> Groups should pay more for amps than solo performers <i>bye-law 6</i> Limit performance time to 1hr <i>bye-law 7</i> 'for the rest of the day' instead of '24hr period' <i>bye-law 8</i> Everyone will want to play the best time (13:30-15:30) <i>bye-law 11</i> No ban on dangerous props (maybe fire) <i>bye-law 26</i> Too easy for Gardaí to make arrest
20.	member of public	<ul style="list-style-type: none"> Excessive noise identified as problem Grafton St identified as problem area <i>Authorised Person</i> Who will be enforcing bye-laws? <i>Prohibited Place</i> Risk assessments should be carried out to check suitability of different locations. Add 'other areas as decided from time to time by DCC' to end of bye-law <i>bye-law 2(b)</i> Suggest €50 fee <i>bye-law 3(a)</i> Suggest €100 fee <i>bye-law 5</i> 1am too late <i>bye-law 6,7,8</i> Difficult to enforce Should performers have insurance? What are DCC's legal obligations? <i>bye-law 10</i> Limit amplification. Introduce decibel limit <i>bye-law 20</i> No reference to access for emergency vehicles
21.	street performer	<ul style="list-style-type: none"> Grafton St identified as problem area <i>Perform</i> Should clarify if this includes somebody in a park practicing <i>bye-law 6,7</i> Make distinction between circle shows and buskers, consider amending to suit circle shows. Reduce 250m to 100m <i>bye-law 8</i> Allow reserving areas <i>bye-law 9</i> No need to include this <i>bye-law 11</i> No ban on dangerous props. Create a test for people using props <i>bye-law 17</i> Reduce distance between performers to 35-40m Vet performers for quality. Host a street theatre busking festival. Bye-laws should be of more benefit to Street Performer
22.	local business	<ul style="list-style-type: none"> Excessive noise identified as problem Beresford Place identified as problem area

SUMMARY OF SUBMISSIONS

		<ul style="list-style-type: none"> • <i>bye-law 3</i> Restriction on who will be granted amplification permit • <i>bye-law 6</i> Limit performance time • <i>bye-law 10</i> Ban backing tracks. Ban constant repetition.
23.	local business	<ul style="list-style-type: none"> • Excessive noise identified as problem • Grafton St identified as problem area • <i>Authorised Person</i> Who will be enforcing bye-laws? • <i>bye-law 3,10</i> Limit output of amplifiers. Bye-Law 10 too subjective • <i>bye-law 16</i> 'Blocking the street' needs more clarification.
24.	local business	<ul style="list-style-type: none"> • Excessive noise identified as problem • Grafton St identified as problem area • <i>Bye-law 3,10</i> Ban amplifiers and percussion
25.	statutory body	<ul style="list-style-type: none"> • Excessive noise identified as problem • <i>bye-law 1</i> Would charity performances be required to comply with all aspects of the bye-laws? • <i>Bye-law 3,10</i> Ban amplifiers. This definition of noise pollution not appropriate for busking, will be unenforceable.
26.	street performer	<ul style="list-style-type: none"> • <i>bye-law 11</i> No ban on dangerous props. 'Performers with PL Insurance who have shown a sufficient level of skill, awareness and common sense to use regulation danger props and props that have been correctly modified by blunting etc.'
27.	local business	<ul style="list-style-type: none"> • Excessive noise identified as problem • Grafton St identified as problem area • <i>bye-law 5</i> "save and except on Grafton Street south of its junction with Nassau Street where a person may perform up to 1am"
28.	street performer	<ul style="list-style-type: none"> • All performers should have Public Liability Insurance • <i>bye-law 11</i> No ban on dangerous props with PL Insurance
29.	local business	<ul style="list-style-type: none"> • Excessive noise identified as problem • Grafton St identified as problem area • <i>bye-law 3,10</i> Ban amplifiers and electronic equipment • <i>bye-law 19</i> Performers (inclusive of their audience) should not be allowed to take up width of more than 50% of a pavement or of a pedestrian street or walkway
30.	local business	<ul style="list-style-type: none"> • <i>bye-law 3,10</i> Ban amplifiers or limit to 1 amp per group. Ban drum kits or introduce separate permit system. • <i>bye-law 18</i> Increase from 3m to 4m 'of the outer edge of the entrance...' • <i>bye-law 27</i> Fixed payment notice amount should be increased. €75 too low.

SUMMARY OF SUBMISSIONS

		<ul style="list-style-type: none"> • <i>bye-law 28</i> Bye-law should be clearer that contravening the bye-laws at all will result in permits being revoked • Review period added into Bye-Laws (12-18 months) to ensure they are reviewed in a timely manner
31.	local business	<ul style="list-style-type: none"> • Grafton St identified as problem area • Performers setting up too close to shop, impeding walk ways.
32.	local business	<ul style="list-style-type: none"> • Excessive noise identified as problem • Grafton St identified as problem area • Give consideration to the adverse affects excessive and prolonged noise having on the ordinary business of the college •
33.	local business	<ul style="list-style-type: none"> • Excessive noise identified as problem • <i>bye-law 3,10</i> Limit level of amplification allowed. Suggest one act involving amplification cannot be immediately followed by another act requiring amplification.
34.	local business	<ul style="list-style-type: none"> • Excessive noise identified as problem • Henry St identified as problem area • Access to building restricted
35.	local business	<ul style="list-style-type: none"> • Excessive noise identified as problem • Henry St identified as problem area • <i>Authorised Person</i> Who will be enforcing bye-laws? • <i>bye-law 3,10</i> Ban amplifiers. • Performers should have extensive repertoire.
36.	local resident	<ul style="list-style-type: none"> • Excessive noise identified as problem • <i>Prohibited Place</i> Define GPO area more accurately • Use term 'Street Performance Permit' consistently • <i>bye-law 2(c)</i> Is each member of a group required to hold a permit? What is the max no. of performers in a group? • <i>Bye-law 3,10</i> Ban amplifiers on any street where people live. Set criteria for the grant/refusal of permit. Set db level. Limit no. of amplifiers. Separate rules for amplification permit. • <i>bye-law 14</i> Too broad as would prohibit 'passing the hat'
37.	local resident	<ul style="list-style-type: none"> • Excessive noise identified as problem • Temple Bar identified as problem area • <i>Prohibited Place</i> Designate busking areas • <i>bye-law 2</i> Factor in type of instruments being played before issuing licence • <i>bye-law 3,10</i> Ban amplifiers, bongo drums, drum kits and big brass wind instruments

SUMMARY OF SUBMISSIONS

		<ul style="list-style-type: none"> • <i>bye-law 5</i> No busking after 11pm • <i>bye-law 6</i> Limit performance to 90 mins. • Vet performers for quality
38.	local business	<ul style="list-style-type: none"> • Excessive noise identified as problem • Grafton St identified as problem area • <i>bye-law 3, 10</i> Ban amplifiers
39.	member of public	<ul style="list-style-type: none"> • Excessive noise identified as problem • Grafton St identified as problem area • <i>bye-law 3, 10</i> Ban amplifiers
40.	local business	<ul style="list-style-type: none"> • Excessive noise identified as problem • Grafton St identified as problem area • <i>bye-law 3, 10</i> Ban amplifiers • <i>bye-law 5</i> Suspend busking around Bewleys on Grafton St for the duration of monthly trad music and singing concert 6pm-8pm
41.	member of public	<ul style="list-style-type: none"> • Excessive noise identified as problem • <i>bye-law 3, 10</i> Ban amplifiers
42.	member of public	<ul style="list-style-type: none"> • Excessive noise identified as problem • <i>bye-law 3, 10</i> Ban amplifiers
43.	member of public	<ul style="list-style-type: none"> • Excessive noise identified as problem • <i>Prohibited Place</i> Ban busking on Grafton St. Designate area outside Stephen's Green • <i>bye-law 6</i> Limit performance time to 30 mins • Prohibit 'stage Irish' busking (e.g. dressed up as leprachauns) • <i>bye-law 23</i> Increase Garda presence on streets
44.	member of public	<ul style="list-style-type: none"> • Excessive noise identified as problem • Grafton St identified as problem area • <i>Authorised Person</i> Who will be enforcing bye-laws? • <i>bye-law 6</i> Limit number of performances on street at any one time • <i>bye-law 10</i> Ban amplifiers. Failing this introduce decibel limit • <i>bye-law 23</i> Implement complaints procedure for members of the public
45.	member of public	<ul style="list-style-type: none"> • Excessive noise identified as problem • <i>bye-law 3, 10</i> Ban amplifiers
46.	member of public	<ul style="list-style-type: none"> • Excessive noise identified as problem • <i>bye-law 3, 10</i> Ban amplifiers
47.	street performer	<ul style="list-style-type: none"> • Excessive noise identified as problem • <i>Prohibited Place</i> Designate areas for loud bands away from main streets

SUMMARY OF SUBMISSIONS

		<ul style="list-style-type: none"> • <i>bye-law 2</i> Majority of permits should go to local musicians. Exempt school boys and girls playing trad or classical from fees • <i>bye-law 5</i> All busking should finish at 11pm • <i>bye-law 10</i> Ban miming/backing tracks. Ban amplifiers over 5 watts. Min 2hr repertoire • Prohibit acts like black statues outside Brown Thomas
48.	member of public	<ul style="list-style-type: none"> • Excessive noise identified as problem • Grafton St identified as problem area • <i>bye-law 3, 10</i> Ban amplifiers
49.	local residents	<ul style="list-style-type: none"> • Excessive noise identified as problem • Henry St/Mary St identified as problem area • <i>Prohibited Place</i> Include Mary St from Marks & Spencers to Wolfe Tone St • <i>bye-law 3, 10</i> Ban amplifiers or limit output in Mary St area
50.	local business	<ul style="list-style-type: none"> • Excessive noise identified as problem • Grafton St identified as problem area • <i>bye-law 3, 10</i> Ban amplifiers
51.	statutory body	<ul style="list-style-type: none"> • Grafton St identified as problem area • <i>Authorised Person Powers</i> should be explicitly stated and should include: demand production and inspection of the permit(s), direct a street performer to desist and leave the vicinity where breaches of sections 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 are observed, failure to comply should be an offence as outlined at 24. Powers to seize instruments/equipment where there is a failure to comply with a request to desist/ leave the vicinity. • <i>Bye-law 5</i> No busking on Grafton St prior to 11am as it is still open to vehicles • <i>bye-law 6</i> Amend to read: '...a performer must relocate to a different street..' • Explicitly state in the bye-laws that casual trading is prohibited and a Street Performance Permit and a Casual trading permit should not be operational together. • Similar carriage and storage provisions as under the Casual Trading Regulations should prevail under the Control of Street Performers Bye Laws, in that the charges may apply where there is a cost in the removal and storage of performance equipment.
52.	street performer	<ul style="list-style-type: none"> • <i>bye-law 11</i> No ban on use of fire. Using fire 19 years, never had an accident

SUMMARY OF SUBMISSIONS

53.	local business	<ul style="list-style-type: none"> • Excessive noise identified as problem • <i>bye-law 3,10</i> Ban amplifiers
54.	local business	<ul style="list-style-type: none"> • Excessive noise identified as problem • <i>bye-law 3,10</i> Ban amplifiers
55.	local business	<ul style="list-style-type: none"> • <i>Authorised Person</i> Power to remove, seize and forfeit equipment. How many Authorised Officers will DCC be employing? • <i>bye-law 3,10</i> Ban amplifiers • <i>bye-law 5</i> No busking on Grafton St prior to 11am as it is still open to vehicles • <i>bye-law 6</i> '..a performer must relocate to a different street and not within 500m...' How will movement every 2 hrs be monitored? • <i>bye-law 10</i> Too subjective. What constitutes annoyance? • <i>bye-law 13</i> Prohibit Casual Trading e.g. selling CD's • <i>bye-law 15</i> Amend to include '...or the crowd caused...' • <i>bye-law 18</i> Prohibit blocking shop's display windows • <i>bye-law 19</i> Restrict the area that a performer can clear to perform in. Restrict the size of a group performing • <i>bye-law 27</i> Fixed penalty too low • <i>bye-law 28</i> Introduce gradual response to contraventions e.g. direction to stop, direction to leave area, power to seize equipment, report for summons to court and finally arrest. Introduce escalation of punishment for aggravated or repeated offending • How will enforcement be carried out after normal office hours and at weekends?
56.	local business	<ul style="list-style-type: none"> • Excessive noise identified as problem • Temple Bar identified as problem area • <i>Prohibited Place</i> Include Temple Bar as prohibited Place
57.	local resident	<ul style="list-style-type: none"> • Excessive noise identified as problem • Grafton St identified as problem area • <i>bye-law 3,10</i> Ban amplifiers • <i>bye-law 5</i> No busking after 11pm on Grafton St
58.	local business representative	<ul style="list-style-type: none"> • <i>Authorised Person</i> power to remove, seize and forfeit equipment • <i>Perform</i> Include Stilt walkers and costumed characters • <i>bye-law 3</i> Is amplifier permit (€60) in addition to performance permit (€30) • <i>bye-law 5</i> No busking after 9pm in areas in close proximity to hotels e.g. Grafton St, Stephens Green, Dame St • <i>bye-law 10</i> Too subjective. Clarification needed on how volume

SUMMARY OF SUBMISSIONS

		<p>levels will be monitored</p> <ul style="list-style-type: none"> • <i>bye-law 13</i> Make reference to requirement to hold CT licence to sell merchandise • <i>bye-law 28</i> Clarification is sought on whether a written notice will be served for all violations, the means of recording violations and the threshold for repeated violations • Phone number provided to ensure violations can be promptly reported to DCC
59.	performer	<ul style="list-style-type: none"> • Against bye-laws. DCC should designate areas for buskers, space to store their equipment, awards based on their skills
60.	local resident	<ul style="list-style-type: none"> • Excessive noise identified as problem • Temple Bar identified as problem area • <i>bye-law 3,10</i> Ban amplifiers and drums in residential areas
61.	local resident	<ul style="list-style-type: none"> • Excessive noise identified as problem • Grafton St identified as problem area • <i>bye-law 5</i> No busking after 8pm • <i>bye-law 18</i> 100m from the entrance to a private residence
62.	local business	<ul style="list-style-type: none"> • Excessive noise identified as problem • Henry Street identified as problem area • <i>bye-law 3,10</i> Ban amplifiers on Henry Street
63.	local business	<ul style="list-style-type: none"> • Excessive noise identified as problem • Henry Street identified as problem area
64.	local business	<ul style="list-style-type: none"> • Excessive noise identified as problem • Grafton Street identified as problem area • <i>Prohibited Place</i> Designated pitches clearly identified on a street plan and issued to performers as part of the permit • <i>bye-law 3,10</i> Limit level of amplification allowed • <i>bye-law 15</i> Include crowd gathering area in street plan • <i>bye-law 16</i> Concerns over how this will be enforced
65.	local resident group	<ul style="list-style-type: none"> • Excessive noise identified as problem • Grafton Street identified as problem area • <i>bye-law 5</i> No busking after 8pm • <i>bye-law 18</i> 100m from the entrance to a private residence
66.	local resident	<ul style="list-style-type: none"> • Excessive noise identified as problem • Temple Bar identified as problem area • <i>bye-law 3,10</i> Ban amplifiers

SUMMARY OF SUBMISSIONS

67.	local resident	<ul style="list-style-type: none"> • Excessive noise identified as problem • Temple Bar identified as problem area • <i>bye-law 3,10</i> Ban amplifiers in Temple Bar
68.	local resident	<ul style="list-style-type: none"> • Excessive noise identified as problem • Grafton St identified as problem area • <i>bye-law 5</i> No busking after 8pm • <i>bye-law 18</i> 100m from the entrance to a private residence
69.	local resident	<ul style="list-style-type: none"> • Excessive noise identified as problem • Temple Bar identified as problem area • <i>bye-law 2(a)</i> Edit to include 'unless revoked earlier' • <i>bye-law 3,10</i> Ban amplifiers in residential areas • <i>bye-law 5</i> 6pm Sunday to Thursday, 8pm Friday and Saturday in reside • <i>bye-law 20</i> Edit to include '...should disturb the peaceful enjoyment of his or her home by any resident, and shall, if so requested by a resident, immediately move to a location where that disturbance shall not be caused'
70.	performer organisation	<ul style="list-style-type: none"> • <i>bye-law 1</i> Include more detailed guidelines for issue of permits • Change title to 'Facilitation of Street Performance'. Preamble added acknowledging a) The positive role of street performers in the city's cultural life b) That the intent of the bye-laws is to accommodate the rights and responsibilities of all stakeholders, including street performers.
71.	local resident	<ul style="list-style-type: none"> • <i>bye-law 3,10</i> Ban amplifiers. Ban backing tracks.
72.	local resident	<ul style="list-style-type: none"> • Excessive noise identified as problem • Temple Bar identified as problem area • <i>bye-law 3,10</i> Ban amplifiers in residential areas
73.	performer organisation	<ul style="list-style-type: none"> • <i>Perform</i> Definition edited to include reasonable expectation of payment and an opportunity for same • <i>Prohibited Place, bye-law 6</i> Limited number of designated pitches identified on a map timetabled by Authorised Person • <i>bye-law 2</i> More detailed application and appeal guidelines. Right of appeal to an independent body including a rep from ISACS What is the cost of re-issue e.g. lost/stolen. What if the permit holder works with different groups? • <i>bye-law 3</i> More details on regulations of licence. Limit db level of amplification allowed • <i>bye-law 9</i> Edit removing the word 'solely'

SUMMARY OF SUBMISSIONS

		<ul style="list-style-type: none"> • <i>bye-law 10</i> db and pitch limits that can be measured • <i>bye-law 11</i> No ban on dangerous props with insurance • <i>bye-law 16</i> Remove this bye-law entirely • <i>bye-law 19</i> edit to include '...outside of their required performance space, as defined by health and safety requirements' • <i>bye-law 27</i> More details around issuing of Fixed Payment Notice • Council keep records of all applications, refusals and licences for 6 years and make them available for public viewing • For new performers and international travelling performers, the council give itself the authority to designate free pitches, performance time 45 mins no licence required
74.	local residents	<ul style="list-style-type: none"> • Excessive noise identified as problem • Grafton St identified as problem area • <i>bye-law 3</i> Higher fee for use of amplification • <i>bye-law 5</i> No busking after 11pm on Grafton Street
75.	member of public	<ul style="list-style-type: none"> • Excessive noise identified as problem • Temple Bar identified as problem area • <i>bye-law 3, 10</i> Ban amplifiers in Temple Bar
76.	street performer	<ul style="list-style-type: none"> • <i>bye-law 2</i> No fee for permit. One day permit for international visitors • <i>bye-law 3, 10</i> Ban amplifiers over 5 watts • <i>bye-law 10</i> Minimum 2 hour repertoire
77.	local resident	<ul style="list-style-type: none"> • Excessive noise identified as problem • Grafton St identified as problem area • <i>bye-law 5</i> No busking after 8pm • <i>bye-law 18</i> 100m from the entrance to a private residence
78.	local resident	<ul style="list-style-type: none"> • Excessive noise identified as problem • Temple Bar identified as problem area • <i>bye-law 5</i> No amplifiers after 9/10pm • <i>bye-law 18</i> Edit to 5m and include residences
79.	local resident	<ul style="list-style-type: none"> • Excessive noise identified as problem • Temple Bar identified as problem area • <i>Prohibited Place</i> Designate pitches in Temple Bar • <i>Bye-law 3, 10</i> Ban amplifiers
80.	local residents group	<ul style="list-style-type: none"> • Excessive noise identified as problem • Temple Bar identified as problem area • <i>Prohibited Place</i> Designate pitches in Temple Bar (agreed with residents and businesses)

SUMMARY OF SUBMISSIONS

		<ul style="list-style-type: none"> • <i>bye-law 2</i> Outline criteria for granting/refusing permits • <i>bye-law 3, 10</i> Ban amplifiers and drums in Temple Bar. Limit on brass instruments • <i>bye-law 5</i> Performance times 12pm to 10pm • <i>bye-law 6</i> Limit performance time to 90 mins • Protocol for reporting complaints
81.	local business group	<ul style="list-style-type: none"> • Excessive noise identified as problem • Grafton Street identified as problem area • <i>bye-law 3, 10</i> Ban amplifiers
82.	local business	<ul style="list-style-type: none"> • Excessive noise identified as problem • Grafton Street identified as problem area • <i>bye-law 3, 10</i> Ban amplifiers
83.	local business	<ul style="list-style-type: none"> • Excessive noise identified as problem • Henry Street identified as problem area • <i>bye-law 5</i> Special consideration given to buildings opening on to more than one street • <i>bye-law 18</i> 3m not enough
84.	member of public	<ul style="list-style-type: none"> • <i>bye-law 2, 3</i> No permit fee for young people
85.	local business group	<ul style="list-style-type: none"> • Excessive noise identified as problem • Temple Bar identified as problem area • <i>Prohibited Place</i> Designate areas in Temple Bar • <i>bye-law 2</i> Separate permit for percussion/brass instruments • <i>bye-law 3</i> One amp permit per group or each member? • <i>bye-law 10</i> Introduce decibel limit • <i>bye-law 5</i> Temple Bar 10am to 10pm • <i>bye-law 13</i> Enforce Casual Trading bye-laws where CD's are being sold
86.	member of public	<ul style="list-style-type: none"> • Excessive noise identified as problem • Grafton Street identified as problem area • <i>bye-law 3, 10</i> Ban amplifiers
87.	street performer	<ul style="list-style-type: none"> • Permit fee only apply to those who wish to make financial gain • <i>bye-law 5</i> time restrictions should only apply to those who make noise • <i>bye-law 6</i> No limit on length of performance • <i>bye-law 7</i> Potentially limiting performance artworks and protest • <i>bye-law 8</i> Remove this bye-law (allow reserving a location)

SUMMARY OF SUBMISSIONS

		<ul style="list-style-type: none"> • <i>bye-law 16</i> Crowd control should not be responsibility of performer • <i>bye-law 17</i> Too restrictive (performers should be allowed within 50m of each other) • <i>bye-law 18</i> Edit to include '...during the hours that the business on the premises is open to the public or to persons having or conducting business in those premises'
88.	local business	<ul style="list-style-type: none"> • <i>bye-law 5</i> In area around Westbury no amplified busking after 9pm. No busking after 10pm (including junction of Harry St/ Balfe St and south end of Clarendon St) • <i>bye-law 18</i> Edit to 5m • <i>bye-law 28</i> Gardaí and Authorised Persons should have powers to terminate performance and confiscate equipment

SUMMARY OF SUBMISSIONS

Submission Summary	
Authorised Persons	14
How many/Who will enforce bye-laws?	6
Include power to remove, seize and forfeit equipment	3
Stricter controls for Authorised Persons	4
How will enforcement be carried out outside normal working hours	1
Perform	3
Perform Definition should exclude someone practicing in a park	1
Perform Definition should include stilt walkers and costumed characters	1
Perform Definition edited to include reasonable expectation of payment and an opportunity for same	1
Prohibited Place	17
Designate areas for street performing	13
Extend prohibited places	4
Permits	12
Increase cost of permit	3
Issuing decision process	5
Limit/reduce cost of permit	4
Performance Times	37
Further limit on performance times	19
Further limit on length of performance	10
Distance from previous location	5
Allow reserving locations	5
Instruments/Equipment/Properties	85
Public Liability Insurance for performers	3

SUMMARY OF SUBMISSIONS

Prohibit amplification	30
Prohibit amplification at certain locations (e.g. residential areas, Grafton St.)	11
Limit output of amplifiers (e.g. limit wattage or introduce decibel limit)	12
Prohibit use of percussion, electronics, brass instrument, miming/backing tracks	12
annoyance definition too subjective	5
No ban on dangerous props	10
Prohibit certain types of acts	2
Charges	24
no ban on charging fee for performing in public domain	1
Prohibit Casual Trading (e.g. selling CD's)	4
No ban on 'passing the hat'	1
Obstructions	18
Obstructing Public Access	4
Crowd control responsibility of performer	3
Crowd control not responsibility of performer	2
50m between performers unreasonably restrictive	3
increase distance from entrances from 3m	6
Offences	7
Too easy for Gardaí to make arrests	1
Increase amount of fixed payment notice from €75	2
Clarification on enforcement	4
Miscellaneous	
Fundamentally against bye-laws	2
Vet performers for quality	2
Enforcement protocol	5

SUMMARY OF SUBMISSIONS

Submissions by location	submissions received	Grafton St	Henry St	Temple Bar	Beresford Pl	not specified
Residents/Residents Group	20	6	2	10	0	2
Business/Business Group	31	17	6	2	1	5
Performers/Performers Groups	19	2	0	0	0	17
Members of Public	16	8	0	2	0	6
Statutory Bodies	2	1	0	0	0	1
	88	34	8	14	1	31

Submissions by issues raised	submissions received	Noise	performance times	dangerous props	obstructions	designate performance areas
Residents/Residents Group	20	20	10	0	5	4
Business/Business Group	31	30	6	0	9	3
Performers/Performers Groups	19	8	3	10	5	5
Members of Public	16	13	1	0	1	2
Statutory Bodies	2	1	1	0	0	0
	88	72	21	10	20	14

SUMMARY OF SUBMISSIONS

