



## REVIEW OF THE STREET PERFORMERS BYE-LAWS 2016

### **Background**

Street Performance is a time honoured art form in Dublin which usually enhances the character of the City and can add to the attractiveness and colour enjoyed by the Irish public and many visitors to our City. Unfortunately, in recent years there has been a significant increase in the number of complaints about street performance to the City Council and to An Garda Síochána from various businesses in the city, from workers/staff in city shops and offices, from residents and from the general public.

The Dublin City Council Street Performers Bye-Laws came into effect on 7<sup>th</sup> April 2015.

A review undertaken in October 2015 found that the Bye-Laws had worked reasonably well and had been generally well received. However, while the level of compliance was quite good and the Bye-Laws had made a difference on the streets it was clear that certain amendments and additions would be necessary to address a number of issues that had arisen.

Proposed changes to address these issues were made and draft revised Bye-Laws were presented to the Arts, Culture and Recreation Strategic Policy Committee prior to consideration by the City Council at its meeting on 7<sup>th</sup> December 2015. The Council approved the initiation of a period of public consultation and this commenced on 4<sup>th</sup> January 2016 for a period of six weeks. The closing date for submissions was 12<sup>th</sup> February 2016.

The main issues identified in these submissions were excessive noise, a ban on amplification and backing tracks, duration of performance, and resources for enforcement.

### **Street Performers Forum**

After a discussion at the March 2016 meeting of this Strategic Policy Committee (SPC) it was decided to defer making any recommendation. It was agreed to set up a forum consisting of two representatives from each of the interest groups, i.e. buskers, residents, businesses and including members of the SPC (to consider the report)

The forum met on two occasions and there was very useful dialogue between the interest groups. Broad agreement was reached on most of the contentious issues with the exception of the ongoing problem of amplification.

At the June 2016 SPC meeting draft revised Bye-Laws were presented with a report on the Public Consultation to the Committee prior to the City Council meeting on 4<sup>th</sup> July 2016. It was also decided at this SPC to reconvene the Street Performers Forum later in the year to discuss further the issue of amplification. The revised Bye-Laws were presented to the City Council on 4<sup>th</sup> July 2016 and came into effect from 1<sup>st</sup> August 2016.

## **New Bye-laws introduced Street Performers Byelaws 2016**

### **Permits:**

- 1.(c) A person who holds a Performance Permit issued by the Council may perform in the prohibited place outside the GPO shown coloured pink on Map Index Number SM-2015-0085 between the hours of 7.00pm and 11.00pm Monday to Saturday inclusive and between the hours of 11.00am and 11.00pm on Sundays.

**Review:** There have been no major complaints or issues in this regard

- 1.(d) A person who holds a Performance Permit issued by the Council may perform in the prohibited places in Temple Bar shown coloured pink on Map Index No. SM-2016-347-01 subject to the following strict conditions:
  - The use of Amplification equipment is not permitted under any circumstances.
  - No performance of any kind is permitted in the area coloured pink and hatched green on Map Index number SM 2016-0347-01 comprising Asdill's Row, Bedford Row and that portion of Temple Bar between the junctions of those streets.

**Review:** There have been some complaints from residents around the Temple Bar area with Street Performers ignoring the ByeLaws at certain times particularly after the pubs have closed. There are a number of unlicensed permit holders performing after hours and we have notified Án Garda Síochana of this problem.

- 2.(a) A Street Performance Permit granted by the council will be valid for 1 year from the date of issue but will be subject to a probationary period of 6 weeks during which period any breach of these Bye-Laws may result in revocation of the permit.
3. A Visitor Street Performance Permit granted will be valid for a period of 2 weeks from date of issue. This permit may be renewed once only in a calendar year.
- 3.(a) The cost of a Visitor Street Performance Permit will be €10.
- 4.(b) The cost of a Permit to use amplification for a holder of a Visitor Street Performance Permit will be €20 for the duration of the Visitor Street Performance Permit.

**Review:** The 6 week probationary period has given the Licensing Section a chance to identify problems from new performers at an early stage. The Visitor permit has worked out well for visiting buskers, is very good value and is in full compliance.

### **Performance Times:**

7.(a) A Street Performer is only permitted to perform on Grafton Street as shown pink on Map Index number SM-2016-0310 for a maximum period of one hour. After this period he/she must relocate to a different place not within 100 metres of his/her previous location and may not return to within 100 metres of any previous location until the following day. All performances must commence and end on the hour mark.

**Review:** The 1 hour and on the hour rule is working for the most part on Grafton Street however the feedback from some Street Performers is that the set up and take down time takes too long and can mean the next performer has a shorter period to perform.

### **Special Restrictions – Grafton Street**

10. Dance Acts, Circle Acts and large bands may not perform at any time on Grafton Street between the junction at Nassau Street/Suffolk Street and the junction of St. Stephens Green/South King Street as shown on Map Index Number SM-2016-0310. The performance location at St. Stephens Green/South King Street shall be reserved for use by Dance Acts, Circle Acts and large bands during the hours of 11.00am to 7.00pm.

**Review:** This location is working out really well for larger acts and we have had good feedback from the Stephen's Green Shopping Centre.

### **Amplification**

13. The use of backing tracks is not permitted in any circumstances.

**Review:** There has been positive feedback from businesses and residents who have noticed the streets are quieter.

### **Behaviour and Conduct (New Bye-Law):**

24. A Street Performer must conduct themselves in a safe, professional manner and fully co-operate with other street performers, members of the public, persons authorised by Dublin City Council and An Garda Síochána.

25. A Street Performer must not use lewd, offensive or racist language or conduct (including song lyrics) as part of his/her act.

26. A Street Performer who plays music or sings must have a sufficient repertoire of tunes/songs to play without repetition for at least 30 minutes.

**Review:** There have been no major complaints or issues in this regard.

## **Summary**

Since the introduction of the Dublin City Council Street Performers Bye-Laws 2016 on 1<sup>st</sup> August 2016 the Licensing Section has noticed the streets are quieter, there are less complaints and there are less Street Performers. This is due mainly to the banning of backing tracks and also the ban on amplification in Temple Bar.

Some of the Street Performers feel that the total ban on amplification around Temple Bar Square is excessive and have suggested a curfew of 8pm. Larger acts performing on Temple Bar Square during the summer months created a great atmosphere around the square and there was minimal anti-social behaviour which reduced the impact on residents.

However there is still a small contingent of businesses and residents who feel that the ban on amplification should have happened in all areas and complaints are still being received particularly in the Grafton Street Area regarding noise levels but it is important that these are seen as the exception rather than the norm.

Overall there is a lot more compliance with the ByeLaws and the number of Street Performers who are unlicensed is very low. Obviously the appointment of additional authorised enforcement officers and the co-operation of Án Garda Síochana will have an impact on these Street Performers. Our Enforcement Staff have also been on several walkabouts with Án Garda Síochana in an effort to combat the unlicensed Street Performers.

It is hoped to reconvene the Street Performers Forum shortly in an attempt to reach a solution on the wider issue of amplification in the City.

This report is submitted for the consideration of the Members of the Strategic Policy Committee.

**Declan Wallace**  
**Assistant Chief Executive**  
**14<sup>th</sup> November 2016**

