

**SUMMARY OF REPRESENTATIONS/SUBMISSIONS RECEIVED ON
DRAFT GALWAY CITY COUNCIL (STREET PERFORMANCE AND BUSKING) BYE-LAWS 2017**

Section of Bye-Law	In Favour /Against	Submission Nos	Main Reasons for Proposing/Against Byelaw
General	Against	<p align="center">General</p> 1,2,3,4,5,6,7,8,9,10, 11, 12, 14, 16, 18, 19, 20, 21, 22, 23, 25, 26, 27, 28, 31, 32, 33, 34, 35, 37, 38, 39, 40, 42, 43, 45, 46, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 71, 72, 73, 74, 76, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300 [Continued on next page]	<ul style="list-style-type: none"> Street Performance and Busking is of high quality, part of the atmosphere and culture of Galway City and what got the City 2020 European City of Culture. Bye-laws are punitive and unfairly target specific members of the street performing community Bye-laws are not in the spirit of Galway 2020 European City of Culture. Drawn up without consultation with the street performers Bye-laws will harm the livelihood of street performers. Bye-laws will prevent dancers dancing to backing tracks. Busking should be handled on a case by case basis and not subject to blanket rules Bye-laws will have an adverse impact of the Street Performing Culture of Galway and Tourism Irish Law already covers any problems to be addressed by the Bye-laws Maintain the existing 8 rules covering street performances Buskers are not a safety risk where there is no vehicular traffic Galway Buskers Community have devised and implemented their own code of conduct, this needs to be endorsed by Galway City Council. Self-regulation should remain Street Performances give the public pleasure and regulating it will removing busking from the streets Believe that the Bye-laws will ban busking from Galway City. Introduction of Busking Bye-Laws in other Cities has resulted in silent streets. Busking and street performing in Galway City allows artist to start-off.

Section of Bye-Law	In Favour /Against	Submission Nos	Main Reasons for Proposing/Against Byelaw
		<p>[in addition to those listed on previous page] 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 361, 362, 363, 365, 366, 367, 368, 369, 370, 371, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403 Total Against = 385</p>	
General	For	13, 15, 29, 30, 36, 41, 47, 70, 75, 77, 88, 233, 360, 364, 372, 392 Total For = 16	<ul style="list-style-type: none"> Necessary for the protection of the public and businesses in the City Necessary as many street performances are repetitive and spend too long in the one location, this is torturous to staff working in shops. Self-regulated system is not working, several performers ignore the "Code of Conduct" on a regular basis.
General	Queries Neither For/Against	17, 24 Total = 2	<ul style="list-style-type: none"> Query regarding the existing status of the Bye-Laws Query regarding application of bye-laws to Christmas Carol singing.
PART 1 INTERPRETATIONS			
4	Against	68	<ul style="list-style-type: none"> Object to the term "Protected Street Scape", implies busking is something that needs protecting against.
4	Against	354	<ul style="list-style-type: none"> Object to the definition of "Battery Powered Amplification" as it is not the size of power of the amplification that matters, but how it is used.
PART 2 - PERMITS			
5	Against	96, 104, 146, 185, 195, 246, 261, 288, 361, 403	<ul style="list-style-type: none"> No need for a permit system. Discourages young musicians Many performers under the age of 18 are unable to play at venues due to a lack of age venues in the region. Busking has offered young people the unique experience to develop their talents.

Section of Bye-Law	In Favour /Against	Submission Nos	Main Reasons for Proposing/Against Byelaw
6	Against	21, 185, 195, 391	<ul style="list-style-type: none"> • It is sufficient to amend the existing bye-laws to include a requirement that young persons under the age of 16 are accompanied by a guardian. • Takes away the rights of young people • Adversely affect young people between the ages of 12 and 16 years • Adequate systems in place to process any child protection concerns through Tusla Child and Family Agency and An Garda Síochána. • Believe that there has been no child protection concerns relating to busking in Galway City. • Permits are overkill for those passing through Galway City short term.
5, 6, 7, 8 & 9	Against	354	<ul style="list-style-type: none"> • Requirement for a legal guardian to be present during the performance by a permit holder under the age of 16 is too extreme / onerous. • Age 16 is a very arbitrary age and is not related to legislation. • Unintended consequence of the permit system is that every school choir/carol singers/musical groups will require individual permits and each child will be accompanied by a parent. This would be impractical and potentially costly for all involved. • Unreasonable to say that a young person under 16 years can only play when the legal guardian who applied for the permit is present as most children have two parents that are legal guardians. • The ad-hoc nature of the performance art means that performers should be able to perform freely as long as they adhere to the guidelines and bye-laws, and any system for permits would be impractical and expensive to administer and enforce.
PART 2 - STREET PERFORMERS & PERFORMANCE TIMES			
10	Against	68, 104, 288, 352, 354	<ul style="list-style-type: none"> • Restriction the times of busking, curtailing the late hours will result in lost earnings for busking • Allowing Silent Acts to be except from the night time restriction, in order to control noise does not take into consideration the possibility of noise from the interaction of crowds gathered with the silent act. • Not practical to enforce

Section of Bye-Law	In Favour /Against	Submission Nos	Main Reasons for Proposing/Against Byelaw
11	Against	2	<ul style="list-style-type: none"> • Bye-laws should include the sale of CDs by Street Performers, including the fraudulent sale of CDs.
12	Against	84, 88, 96, 104, 161, 195, 207, 288, 334, 352, 354, 382, 391	<ul style="list-style-type: none"> • Opposed on the basis that it denies the right to free speech under the constitution • Opposed to the use of the term “cause offence”, restricts the content of street performance and is a form of censorship. • Prevents the formation of Crowds
13	For	41	
13	Against	68, 84, 104, 288, 352, 354, 360	<ul style="list-style-type: none"> • Crowds indicate that the street performance is good quality. • Restricting the formation of crowds means that the city is rejecting good quality performances. • Circle Acts require crowds to form. Restricting the formation of crowds means that the city is rejecting Circle Acts. • Busker’s Code of Conduct deals with the dispersal of crowds between acts. • This rule unfairly discriminates against buskers/street performers as many other persons can impede the passage of pedestrians but will not face a penalty or sanction. • Immediately ceasing a performance once any sort of crowd gathers will not only greatly diminish the performers ability to earn a living, it will also potentially disappoint and possibly anger the many tourists that come to Galway specifically due to Galway City’s famed street performers.
14	Against	21, 288	<ul style="list-style-type: none"> • Performers reserving spots is an organic process and works well between the street performers. Current performers at a spot often mind the instruments and equipment of those that are to follow and have reserved the spot. • Reservation of spots is covered under the Code of Conduct.
PART 2 - RESTRICTIONS ON CIRCLE ACTS & AMPLIFICATION			
15	Against	5, 7, 21, 62, 68, 104, 288, 354, 361, 382	<ul style="list-style-type: none"> • Restricting crowds and times for circle acts will make it impossible for Circle Acts to work.

Section of Bye-Law	In Favour /Against	Submission Nos	Main Reasons for Proposing/Against Byelaw
			<ul style="list-style-type: none"> • There is no reason to restrict Circle Shows until after 6pm. • Circle Acts are already restricted to where they can perform as a matter of function • 6pm restriction would effectively ban street theatre/ puppet shoes for children and families.
15	Against	1, 13, 15, 29, 30, 36, 47	<ul style="list-style-type: none"> • Musical groups of 3 or more be included in the definition of Circle Acts
16	Against	11, 12, 19, 21, 51, 53, 54, 63, 65, 68, 195, 207, 261, 288, 354, 382, 387, 388, 389	<ul style="list-style-type: none"> • Many instruments are very loud without amplification. • Limitation on Amplification cannot be managed/enforced • Limiting amplification will prevent dancers dancing to backing tracks • Banning backing tracks will have prevent dancing on the street by making it financially unviable due to the added cost of hiring local musicians. • Objection to banning amplifiers after 6pm. • Objection to limiting amplification to that defined in the draft bye-laws “Battery Powered Portable Amplification” as larger amplifiers have better tonal quality and can be used at a moderate level and can be used as for seating for busking. • Batteries in amplifiers are heavy and the weight to dimension ratio specified in the bye-laws are not realistic. • Music from shops, Musical instruments (bagpipes) and vocal performances can be louder than amplification.
16	Against	88, 96, 161, 195, 271, 288, 354	<ul style="list-style-type: none"> • Opposed to the ban on Drum Kits. Replace with more appropriate restrictions on times or sound limits for Drum Kits.
16	Against	207, 391	<ul style="list-style-type: none"> • Define Drum Kit, Percussion takes many forms, this is vague language, which needs to be clearly defined what is a drum kit.
PART 2 - DEROGATIONS			
17	Against	207, 288	<ul style="list-style-type: none"> • No mechanism for the Chief Executive of Galway City Council to communicate a derogation of the law to the busking community. • Derogations will be issued to large commercial ventures organising events and not to buskers.

Section of Bye-Law	In Favour /Against /Against For	Submission Nos	Main Reasons for Proposing/Against Byelaw
17	For	364	<ul style="list-style-type: none"> Appreciated that a derogation has been included.
PART 3 - SANCTIONS			
18, 19, 20	Against	3, 12, 96, 207, 288	<ul style="list-style-type: none"> Fines are punitive. Enforcement of the bye-laws cannot be achieved. Attempts to enforce the bye-laws will have an adverse impact on the reputation of Galway City. There is no transparent process set out for the revoking of permits.
Amendments Proposed			
4	Less Restriction	354, 364	<ul style="list-style-type: none"> Change Definition of "Battery Powered Amplification" to "Battery Powered Portable Amplification" means any battery-powered Amplifier of any size, wattage or shape.
5 & 6	Less Restriction	185	<ul style="list-style-type: none"> If a permit system is to be put in place, then the applicable age should be lowered to the age of criminal responsibility: 12 years & under.
5, 6, 7, 8, and 9	Less Restriction	360	<ul style="list-style-type: none"> An organisation involving Young People in street performance should require 1 permit for the organisation rather than individual permits for each young person. Organisations can deal with supervision and consent from guardians.
10	Less Restriction	104, 288, 354	<ul style="list-style-type: none"> Extend times for street performance on weekends and in summer months up to midnight. Extend times from 11pm to midnight and 10pm to 11pm
12	--	88, 195, 354	<ul style="list-style-type: none"> Omit the wording "Offence" Remove this section entirely
13 & 15	--	354	<ul style="list-style-type: none"> Change text to read "Street Performers shall, to the best of their ability, manage any crowd or audience that gathers to watch their show, endeavouring to ensure that the street is passible, and shops are accessible during their performance. If a crowd gathers that is unmanageable, a performer shall stop their performance temporarily, to allow for the crowd to disperse" If the above change was fairly enforced, with additional text change above, this would render Section 15 unnecessary and should be

Section of Bye-Law	In Favour /Against	Submission Nos	Main Reasons for Proposing/Against Byelaw
13	--	364	<ul style="list-style-type: none"> omitted. " A Street Performer shall not obstruct the Public's access to and egress from any premises and a Street Performer must encourage the crowd to form in a way that allows for free movement of Pedestrians, or to leave a right of passage either through or around the performance"
14	--	334	<ul style="list-style-type: none"> Implement a busker registered booking system for 4 hour slots that each act has to register and book their time & location each day.
15	For Further Restrictions	1, 13, 15, 29, 30, 36, 47, 360	<ul style="list-style-type: none"> Restrictions on Circle Acts need to be extended to include Bands of greater than 3 people. Number of people in an act to be limited to 2 to 3 people and restrictions on their equipment. Eyre Square/Spanish Arch can be designated area for Circle Acts.
15	Against Further Restrictions Proposed	68	<ul style="list-style-type: none"> Eyre Square and Spanish Arch are not suitable alternatives for street theatre without redesign
15	--	21, 334, 364	<ul style="list-style-type: none"> Designate areas for Circle Acts on the protected streetscape
15	--	195	<ul style="list-style-type: none"> Replace 2.15 Circle Acts with a specification that circle acts should perform only in areas where there is adequate space to ensure the safety of their audience. Designate areas for set out for different size of acts. Narrower areas limited to 2-3, larger designated areas to hold bands.
16	For Further Restrictions	1, 13, 15, 29, 30, 36, 47, 52, 70, 360	<ul style="list-style-type: none"> Restrict/Ban all Amplification
16	--	233	<ul style="list-style-type: none"> Increase the weight of the amplifier in the definition to 7.5kg to 8kg.
16	--	96, 104, 195, 312, 352, 354, 360, 364, 388, 389	<ul style="list-style-type: none"> Specify a decibel limit rather than or in the absence of a ban on amplification Use recommendation in acoustic's expert report commissioned by Galway City Council of hearing the act from 35m. Suggested limits included

Section of Bye-Law	In Favour /Against	Submission Nos	Main Reasons for Proposing/Against Byelaw
			<ol style="list-style-type: none"> 1. maximum 80db at 5m away from the source. that operated in Dublin. 2. maximum 90db at 0.10m away from the source.
16	--	352	<ul style="list-style-type: none"> • Drum Kits should be permitted with a certain licence.
16	--	334	<ul style="list-style-type: none"> • Designate areas for acts with amplification.
16	--	380	<ul style="list-style-type: none"> • Provide an educational sheet to equalise and position amp to reduce noise nuisance.
18	Less Restrictive	288	<ul style="list-style-type: none"> • An initial verbal warning to be given before issuing a fixed charge notice.
18	--	354	<ul style="list-style-type: none"> • Include a clear system of 1) request or inform the busker of the alleged infraction, 2) Warning of Fine/Cease busking warning, and 3) fine/ticker be implemented
18	--	364	<ul style="list-style-type: none"> • That a clear system of procedures are put in place in advance of the serving of a fixed charge notice. This could include the following:- <ol style="list-style-type: none"> 1. Inform the Busker of the alleged contravention of the Bye-Laws. 2. Adequate opportunity to redress the issue. 3. Warning of Fine/Cease Busking Warning. 4. Fine/Ticket to be implemented 5. Right of Appeal for street performer/busker in the event of a dispute, 6. Length of time that a permit may be revoked for in the event of withdrawal and the right of appeal of a permit holder for same. • That in the events of appeal, that an appeals board is established to oversee same. That the Irish Street Arts Circus and Spectacle Network should hold a seat on the Appeals Board, along with the Galway City Arts Officer.
NEW	--	354, 364	<ul style="list-style-type: none"> • Bye-laws be subject to annual review by all relevant parties, including but not limited to, the Galway City Council, The Galway Buskers' Community, ISACS Network and various Galway City Businesses and Associations.

Section of Bye-Law	In Favour /Against	Submission Nos	Main Reasons for Proposing/Against Byelaw
NEW	--	361, 364	<ul style="list-style-type: none"> • Galway City Council Arts office to oversee issue of permits and involved in dispute resolution. • Opportunity to establish a specific award scheme to reward artists who contribute positively to the fabric of Galway City's culture and atmosphere.
NEW	--	392	<ul style="list-style-type: none"> • Copy of Jersey Island's regulations for street artists 2000 submitted for consideration.

