



# Integrated Impact Assessment

The purpose of Aberdeen City Council is to protect the people and the place of Aberdeen from harm, enabling them to prosper and supporting them in the event of harm happening.

The purpose of an Integrated Impact Assessment is to evidence that Aberdeen City Council are making decisions in an informed way, and that the impact of decisions made is understood and accepted. The legislation that is considered within this assessment are:

- Section 2 [Equality Act 2010 protected characteristics](#)
- Section 3 [Socio-Economic](#)
- Section 4 [Human Rights](#)
- Section 5 [Children and Young People's Rights](#)

The term 'policy' is used throughout this document and applies to policies, proposals, strategies, provision, criteria, functions, practice, budget savings and activities that includes delivery of our services.

## 1. About the Policy

<b>1.1 Title</b>
Busking Code of Conduct
<b>1.2 What does this policy seek to achieve?</b>
Our City Centre is a location where people live, work and visit. Busking enhances the cultural vibrancy of our city and provides a platform for artists to share their talents with the public. This code of conduct aims to promote a harmonious and respectful busking environment for all in Aberdeen City Centre.
<b>1.3 Is this a new or existing policy?</b>
New
<b>1.4 Is this report going to a committee?</b>
Yes
<b>1.5 Committee name and date:</b>
Communities Housing and Public Protection Committee – 05 September 2024
<b>1.6 Report no and / or Budget proposal number and / or Business Case reference number:</b>
CORS/24/239
<b>1.7 Function and Cluster:</b>
Governance

## Impacts

This section demonstrates the considerations that have been made in relation to the policy - and that the impact of proposals made is understood and accepted.

### 2: Equality Act 2010 - Protected Characteristics

Aberdeen City Council wants to ensure everyone is treated fairly. This section identifies the [protected characteristics](#) that the policy potentially affects and records the impact and mitigating steps.

2.1 What impact could this policy have on any of the below groups?

Protected Characteristic	What is the impact?				
	Negative			Neutral	Positive
	High	Medium	Low		
<a href="#">Age</a>				✓	
<a href="#">Disability</a>				✓	
<a href="#">Gender Reassignment</a>				✓	
<a href="#">Marriage and Civil Partnership</a>				✓	
<a href="#">Pregnancy and Maternity</a>				✓	
<a href="#">Race</a>				✓	
<a href="#">Religion or Belief</a>				✓	
<a href="#">Sex</a>				✓	
<a href="#">Sexual Orientation</a>				✓	

2.2 In what way will the policy impact people with these protected characteristics?

No impact has been identified.

2.3 What considerations have been made in reaching the above assessment?

#### What internal or external data has been considered? What does this data tell us?

An online public consultation was initiated on 18 March 2024 to 30 June 2024. The consultation was promoted via the council's website, social media, with City Wardens engaging with buskers on street.

#### What consultation and engagement and has been undertaken with officers and partner organisations?

Engagement has taken place with Environmental Health, Events Management and Police Scotland.

#### What consultation and engagement and has been undertaken with people who may be impacted by this policy (e.g. citizens, community groups, or other people/groups)?

An online public consultation was initiated on 18 March 2024 to 30 June 2024. The consultation was promoted via the council's website, social media, with City Wardens engaging with buskers on street.

It was not mandatory to answer all questions on the consultation, of the respondents that did answer specific questions it was noted that approximately:

- 65% of respondents felt busking had a positive impact on the City Centre

- 50% of respondents were positive that the proposed code of conduct would help to create a harmonious and respectful busking environment 14% had neither agreed or disagreed and a further 23% disagreed.
- 50% of respondents were positive the Code of Conduct would protect the rights and interests of buskers, residents, businesses and visitors 11% neither agreed or disagreed and a further 27% disagreed.
- 39% of respondents were positive The Code of Conduct would enhance the cultural vibrancy and attractiveness of the city centre 16% neither agreed or disagreed and 31% disagreed.

Respondents were offered the opportunity to make comments and suggestions as part of the consultation. Through the comments section, respondents expressed some mixed sentiments towards busking, with many supporting the cultural vibrancy it brings while advocating for clear guidelines and enforcement to ensure harmony. Reoccurring comments suggested that resident, business and visitor groups found that busking volume to be excessive which included performances during the day and night time periods. Other suggestions included increasing the amount of busking areas in the code of conduct with reoccurring suggestions to include the Green, Union Terrace Gardens and Guild Street. There were also requests to extend the operational time, although there were, however comments from residents regarding the impact of late night noise from busking.

Reflecting on the feedback received as part of the consultation some changes have been made to the Busking Code of Conduct:

- **Locations** – across the respondent groups there is support for an increase in the number of busking areas, Union Terrace Gardens, Guild Street and Belmont Street were frequent suggestions and have now been added to the code of conduct.
- **Times** – residents hold mixed views regarding the busking hours. Conversely, visitors and buskers have expressed a favourable stance towards later performance times. In an effort to address the increased demand during weekends and maintain a balance within the community, the hours have been extended on Fridays and Saturdays until 9pm. This adjustment aims to support the vibrant nighttime economy, while still respecting the earlier weekday times for residents. Therefore, the revised busking schedule will be as follows: Sunday to Thursday from 10am to 8pm, and Friday to Saturday from 10am to 9pm, reflecting a balanced approach that considers the varied interests of all stakeholders.

Around 40% of respondents that noted they disagreed later went on to make a comment/suggestion about changes to the permitted busking times and/or the availability of locations.

## 2.4 What mitigations can be put in place?

What mitigations are there against any negative impacts (if applicable)?	
With mitigations in place, what is the new overall rating of the negative impact(s)?	High
	Medium
	Low
	Negative Impact Removed

### 3: Socio-Economic Impacts

This section is used to consider the impact of the policy on people who might be **unemployed, single parents**, people with lower **education** or **literacy**, **looked after children**, those with **protected characteristics** as examples.

Use this guide to understand more on socio-economic inequalities: [The Fairer Scotland Duty: Guidance for Public Bodies \(www.gov.scot\)](http://www.gov.scot)

#### 3.1 What impact could this policy have on any of the below groups?

Group	Negative			Neutral	Positive
	High	Medium	Low		
Low income / income poverty – those who cannot afford regular bills, food, clothing payments.				✓	
Low and/or no wealth – those who can meet basic living costs but have no savings for unexpected spend or provision for the future				✓	
Material deprivation – those who cannot access basic goods and services, unable to repair/replace broken electrical goods, heat their homes or access to leisure or hobbies				✓	
Area deprivation – consider where people live and where they work (accessibility and cost of transport)				✓	
Socio-economic background – social class, parents' education, employment, income.				✓	

#### 3.2 In what way will the policy impact people in these groups?

The busking code of conduct is not aimed at reducing the earning potential of the busking community. Although there are suggested locations for busking and times this is no intended to restrict the amount of time individuals can busk but rather to ensure a fair rotation of key locations and limits the impact on businesses and residents.

#### 3.3 What considerations have been made in reaching the above assessment?

**What internal or external data has been considered? What does this data tell us?**

Online public consultation held as outlined in section 2.3. City Wardens were also active in engaging with the Buskers to further promote the availability of the consultation.

**What consultation and engagement and has been undertaken with officers and partner organisations?**

Nothing further from what has been outlined in section 2.3.

**What consultation and engagement and has been undertaken with people who may be impacted by this policy? citizens, community groups, or other people/groups impacted by this policy?**

Nothing further from what has been outlined in section 2.3

### 3.4 What mitigations can be put in place?

What mitigations are there against any negative impacts (if applicable)?	
With mitigations in place, what is the new overall rating of the negative impact(s)?	High
	Medium
	Low
	Negative Impact Removed

## 4: Human Rights Impacts

The Human Rights Act 1998 sets out the fundamental rights and freedoms that everyone in the UK is entitled to. It incorporates the rights set out in the European Convention on Human Rights (ECHR) into domestic British law. The Human Rights Act came into force in the UK in October 2000

The Act sets out our human rights in a series of 'Articles'. Each Article deals with a different right.

Use this guide to understand more about [Human Rights](#).

### 4.1 What impact could this policy have on Human Rights?

Human Rights Article	Negative	Neutral	Positive
Article 6: <a href="#">Right to a fair trial</a>		✓	
Article 7: <a href="#">No punishment without law</a>		✓	
Article 8: <a href="#">Right to respect for private and family life, home and correspondence</a>		✓	
Article 9: <a href="#">Freedom of thought, belief and religion</a>		✓	
Article 10: <a href="#">Freedom of expression</a>		✓	
Article 11: <a href="#">Freedom of assembly and association</a>		✓	
Article 12: <a href="#">Right to marry and start a family</a>		✓	
Article 14: <a href="#">Protection from discrimination in respect of these rights and freedoms</a>		✓	
Article 1 of Protocol 1: <a href="#">Right to peaceful enjoyment of your property</a>		✓	
Article 2 of Protocol 1: <a href="#">Right to education</a>		✓	
Article 3 of Protocol 1: <a href="#">Right to participate in free elections</a>		✓	

### 4.2 In what way will the policy impact Human Rights?

No negative impacts to human rights have been identified. The code of conduct states "Acts must not include hate speech, offensive content, or any material that promotes discrimination, harassment, or violence." The inclusion of this statement in the code is not to restrict an individual's right to freedom of expression but to prevent harm and ensure public safety. The code aims to strike a balance between allowing buskers to share their art and ensuring that their performances do not negatively impact others in the community.

### 4.3 What mitigations can be put in place?

What mitigations are there against any negative impacts (if applicable)?	
If mitigations are in place, does this remove the negative impact?	No – negative impact remains
	Yes – negative impact reduced

## 5: Children and Young People's Rights Impacts

The United Nations Convention has 54 articles that cover all aspects of a child's life and set out the civil, political, economic, social and cultural rights that all children everywhere are entitled to. It also explains how adults and governments must work together to make sure all children can enjoy all their rights.

Children's rights apply to every child/young person under the age of 18 and to adults still eligible to receive a "children's service" (e.g. care leavers aged 18 – 25 years old).

The Conventions are also known as the "General Principles" and they help to interpret all the other articles and play a fundamental role in realising all the rights in the Convention for all children. They are:

1. Non-discrimination (Article 2)
2. Best interest of the child (Article 3)
3. Right to life survival and development (Article 6)
4. Right to be heard (Article 12)

You can [read the full UN Convention \(pdf\)](#), or [just a summary \(pdf\)](#), to find out more about the rights that are included.

### 5.1 What impact could this policy have on the rights of Children and Young People?

UNCRC and Optional Protocols	Negative	Neutral	Positive
<b>Article 1:</b> definition of the child		✓	
<b>Article 2:</b> non-discrimination		✓	
<b>Article 3:</b> best interests of the child		✓	
<b>Article 4:</b> implementation of the convention		✓	
<b>Article 5:</b> parental guidance and a child's evolving capacities		✓	
<b>Article 6:</b> life, survival and development		✓	
<b>Article 7:</b> birth registration, name, nationality, care		✓	
<b>Article 8:</b> protection and preservation of identity		✓	
<b>Article 9:</b> separation from parents		✓	
<b>Article 10:</b> family reunification		✓	
<b>Article 11:</b> abduction and non-return of children		✓	
<b>Article 12:</b> respect for the views of the child		✓	
<b>Article 13:</b> freedom of expression		✓	
<b>Article 14:</b> freedom of thought, belief and religion		✓	
<b>Article 15:</b> freedom of association		✓	
<b>Article 16:</b> right to privacy		✓	
<b>Article 17:</b> access to information from the media		✓	
<b>Article 18:</b> parental responsibilities and state assistance		✓	
<b>Article 19:</b> protection from violence, abuse and neglect		✓	
<b>Article 20:</b> children unable to live with their family		✓	
<b>Article 21:</b> adoption		✓	
<b>Article 22:</b> refugee children		✓	
<b>Article 23:</b> children with a disability		✓	
<b>Article 24:</b> health and health services		✓	
<b>Article 25:</b> review of treatment in care		✓	
<b>Article 26:</b> social security		✓	

<b>Article 27:</b> adequate standard of living		✓	
<b>Article 28:</b> right to education		✓	
<b>Article 29:</b> goals of education		✓	
<b>Article 30:</b> children from minority or indigenous groups		✓	
<b>Article 31:</b> leisure, play and culture		✓	
<b>Article 32:</b> child labour		✓	
<b>Article 33:</b> drug abuse		✓	
<b>Article 34:</b> sexual exploitation		✓	
<b>Article 35:</b> abduction, sale and trafficking		✓	
<b>Article 36:</b> other forms of exploitation		✓	
<b>Article 37:</b> inhumane treatment and detention		✓	
<b>Article 38:</b> war and armed conflicts		✓	
<b>Article 39:</b> recovery from trauma and reintegration		✓	
<b>Article 40:</b> juvenile justice		✓	
<b>Article 41:</b> respect for higher national standards		✓	
<b>Article 42:</b> knowledge of rights		✓	
<b>Optional Protocol on a Communications Procedure</b>			

5.2 In what way will the policy impact the rights of Children and Young People?

No impact identified

5.3 What mitigations can be put in place?

<b>What mitigations are there against any negative impacts (if applicable)?</b>	
<b>If mitigations are in place, does this remove the negative impact?</b>	No – negative impact remains
	Yes – negative impact reduced
	Yes - negative impact removed

## 6: Sign Off

### Any further positive or negative impacts on individuals or groups that have been considered?

#### Positive

The code of conduct is anticipated to promote a harmonious and respectful busking environment for all in Aberdeen City Centre, which could enhance the cultural vibrancy and attractiveness of the city. Approximately 50% of respondents were positive that the proposed code of conduct would help create this environment. It is expected to protect the rights and interests of buskers, residents, businesses, and visitors, with 50% of respondents agreeing that the code would serve this purpose.

#### Negative

There is a possibility that some individuals or groups might perceive the code as a limitation on their freedom of expression. However, the code is designed to prevent harm and ensure public safety, not to suppress freedom of expression. Some respondents disagreed with the code's ability to enhance cultural vibrancy (31%) or protect rights and interests (27%), indicating a concern that the code might not be universally seen as beneficial.

#### Mitigation

Changes were made following the public consultation process to address concerns raised, aiming to reduce any negative impacts identified. Ongoing monitoring by Police Scotland and City Wardens will continue to assess the on-the-ground impact of the code on the City Centre environment, with a system in place for monitoring members' enquiries, complaints, and feedback from all groups.

### Overall summary of changes made as a result of impact assessment.

Changes were made following the public consultation process, nothing further has been identified as part of the impact assessment.

### Outline of how impact of policy will be monitored.

Police Scotland and City Wardens will continue to monitor the on the ground impact the code of conduct has on the City Centre Environment.

Ongoing monitoring of members enquiries, complaint and feedback from all groups.

### If there are any remaining negative impacts after mitigation, what is the justification for why this policy should proceed.

Despite the potential negative impacts, the policy is justified by its aim to balance the interests of all stakeholders. The positive impacts on cultural vibrancy and community harmony are deemed to outweigh the potential limitations on individual expression, especially considering the mitigations and monitoring in place.

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<b>Date</b>	08/08/2024