Busking and Street Entertainment Policy Consultation

November 2020

City of Westminster
City for All

Greener and Cleaner | Vibrant Communities | Smart City

Introduction

This report presents the quantitative and qualitative data analysis of the Busking and Street Entertainment consultation results, conducted by Westminster City Council from the 25th of September until the 1st of November 2020. This consultation and the proposed licensed areas follow the increase of complaints across the City of Westminster from 2017 and 2020, as reflected on the hotspot map below.

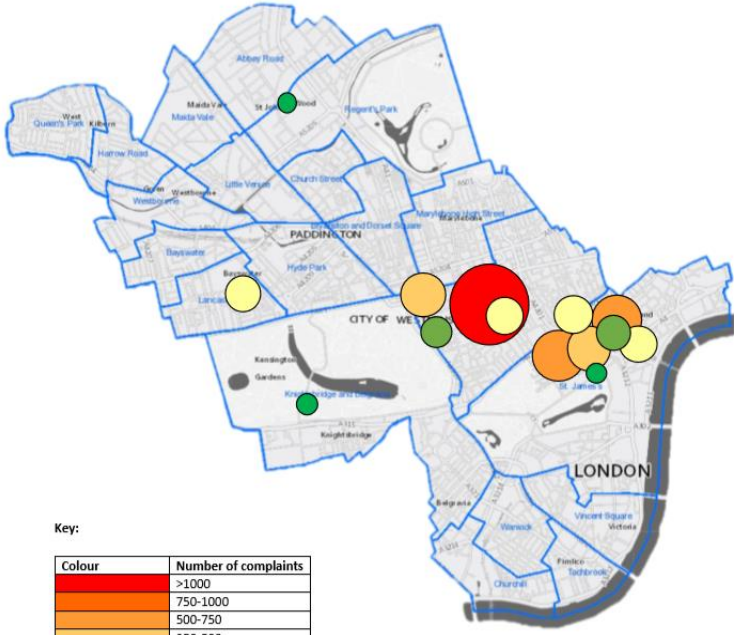
The completion rate was high, at 893 responses, with 181 more responses than the consultation carried out in February:

- **275 (28%) residents**
- **101 (10%) street entertainers**
- **140 (14%) respondents affiliated with a business, amenity society or who work in Westminster**
- **468 (47%) visitors total** (278 visitors from London, 156 visitors from UK, 34 visitors from abroad)

Following the results of the previous consultation, the newly proposed licensed areas are:

1. Oxford Street, Regent Street and New Bond Street – 4 pitches
2. Piccadilly, Chinatown and Leicester Square – 5 pitches
3. Trafalgar Square, Charing Cross, Embankment and The Strand – 11 pitches
4. Soho
5. Covent Garden – 5 pitches
6. Marylebone
7. Paddington
8. Victoria, Knightsbridge and Belgravia
9. Whitehall, Parliament Square and St James

Hotspot map of Busking and Street Entertainment complaints received across the City of Westminster, 2017-2020

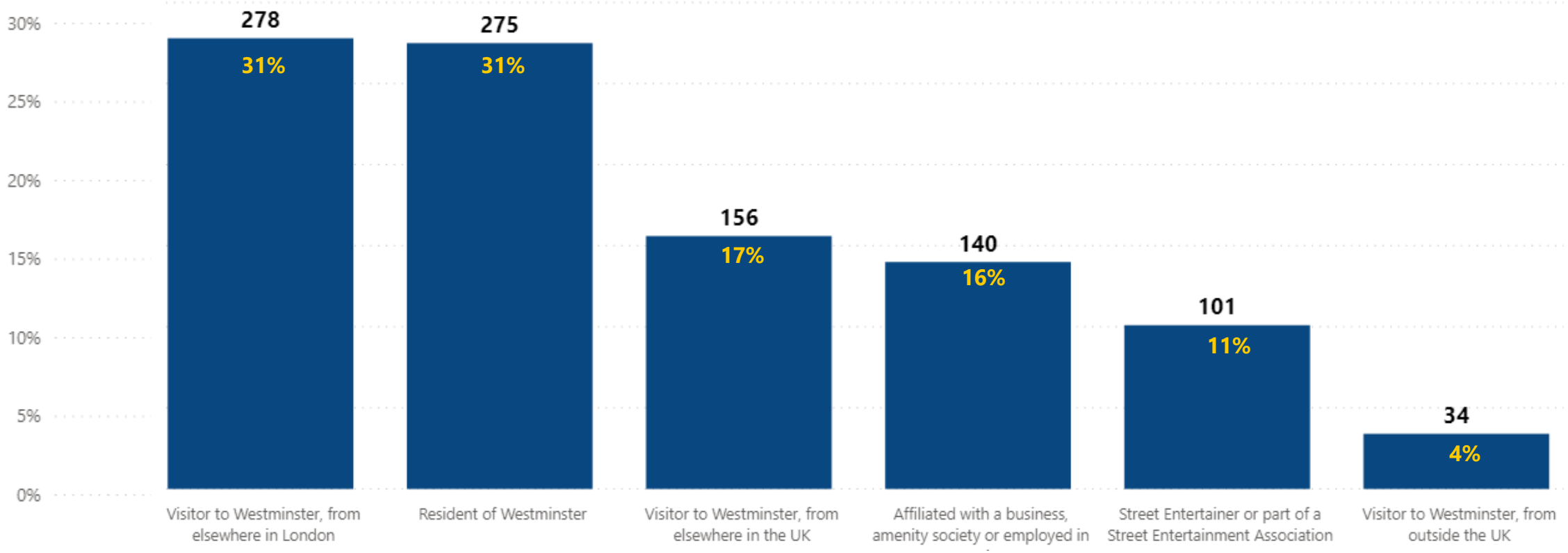


Key:

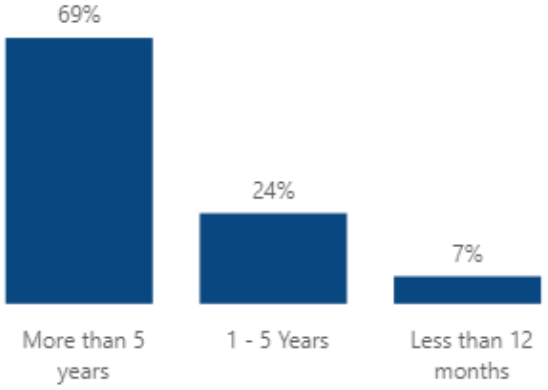
Colour	Number of complaints
	>1000
	750-1000
	500-750
	250-500
	100-250
	50-100
	<50

Only streets which have received at least 25 busking complaints during this period are included in the calculations for this map

The respondents



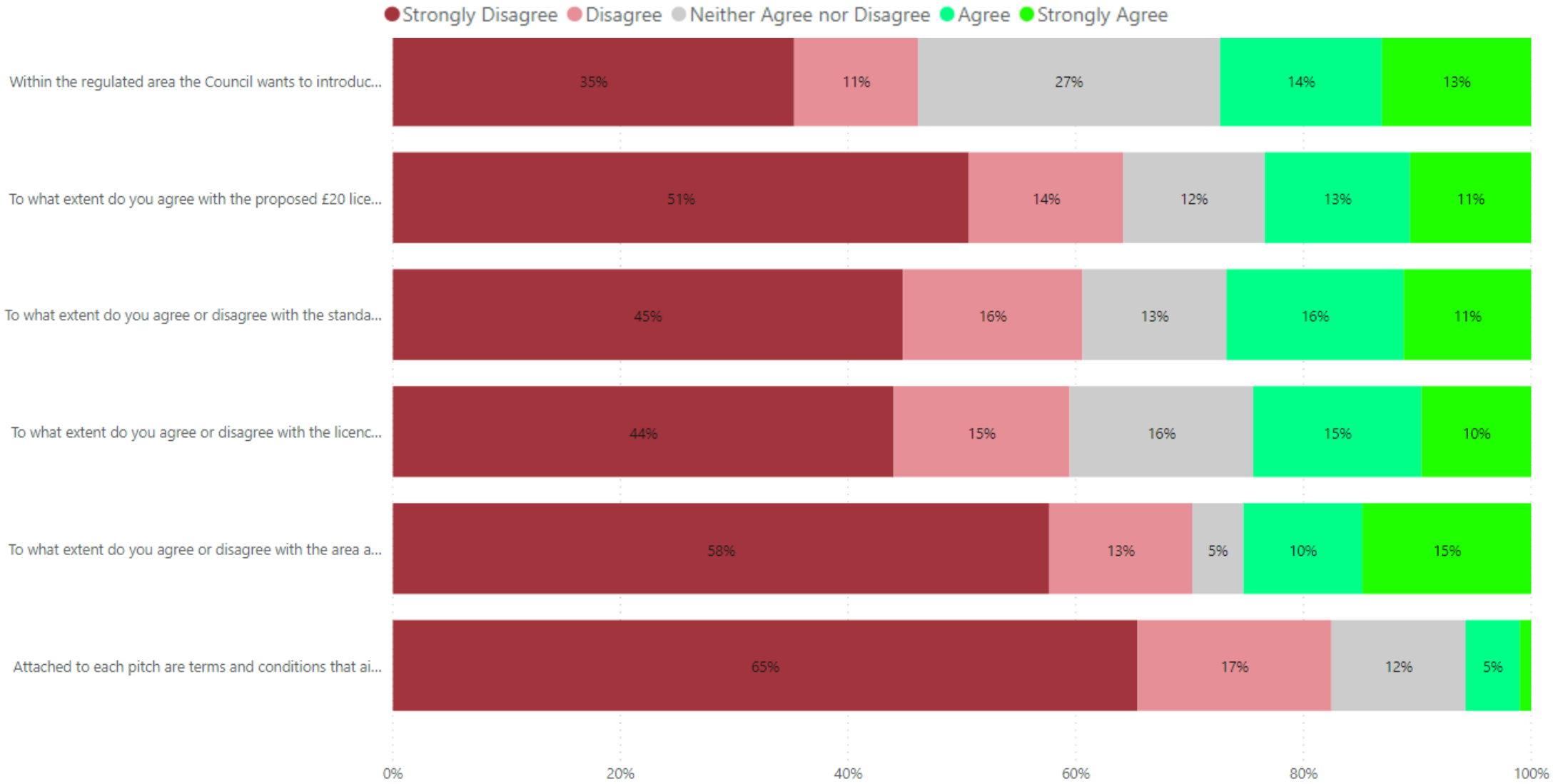
Time in Westminster:



During the consultation, Westminster City Council received 30 written responses from several residents and street performers, businesses, performers associations, BIDs, museums, neighbourhood organisations and housing providers.

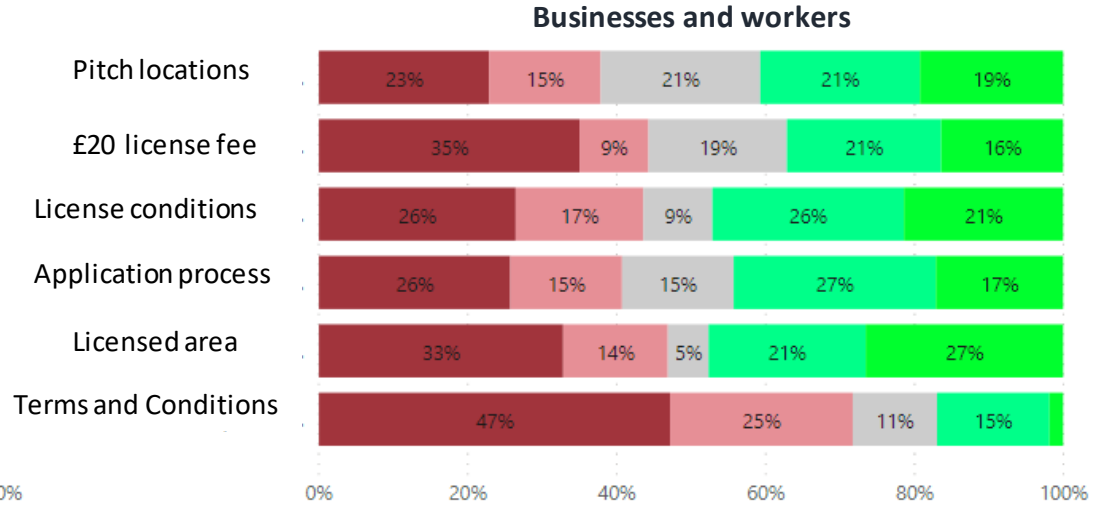
Executive summary and summary of all questions that utilise the scales of Strongly Agree to Strongly Disagree – all respondents

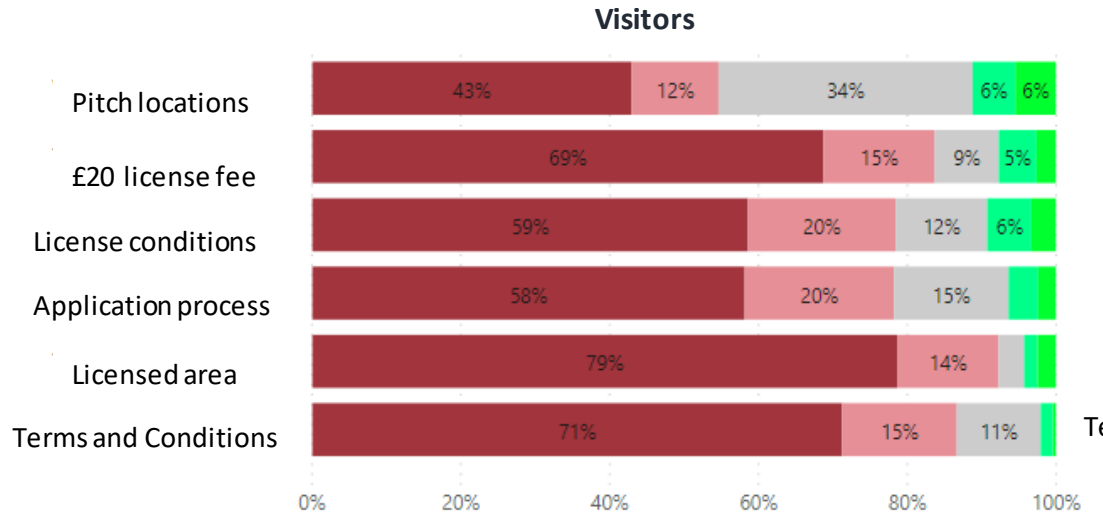
Generally, there is strong opposition for all measures proposed, which is largely due to the large numbers of visitors who responded to the consultation in support for street performers. Breakdowns by respondent type can be found in the next slide.

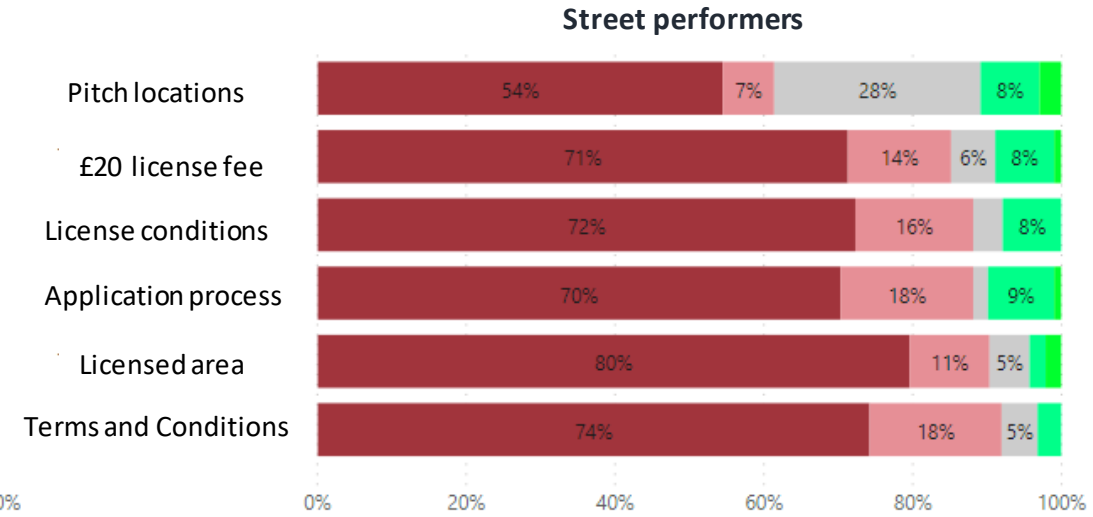


Breakdown of all questions that utilise the scales of Strongly Agree to Strongly Disagree by respondent type

When splitting responses by the respondent groups, the division between performers and visitors on one side, and residents and businesses on the other is clear. The first group tends to strongly oppose all proposals, while the second mostly agrees.







Analysis methodology

The consultation survey began on the 25th September 2020 and ran until the 1st November 2020.

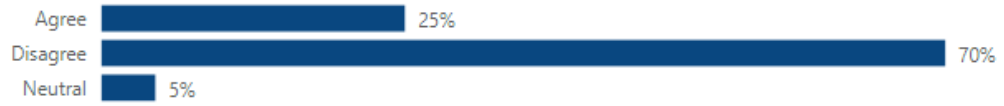
Some of the questions in the consultation questionnaire allowed the respondent to tick multiple answers. Therefore, in some of the analysis the sum of the response to a question may be higher than 100%. In other cases, the total response to a single answer question may add up to slightly over 100% due to rounding of decimal points. Questions are based on the total number of respondents per question, as not all respondents answered every question. Charts have been made for all questions, both compulsory and non-compulsory.

There was one open-ended questions, while all questions that asked the respondent to provide a reason for their opinion also had an Other option, so that additional reasons and comments could be made. A thematic analysis was done individually for each question, because of the different nature of the questions. The open-ended questions in the consultation were coded into themes and their frequency was quantitatively used for analysis; this encompassed reading every response to these questions and creation of a code frame. The selected quotes illustrate the most relevant themes.

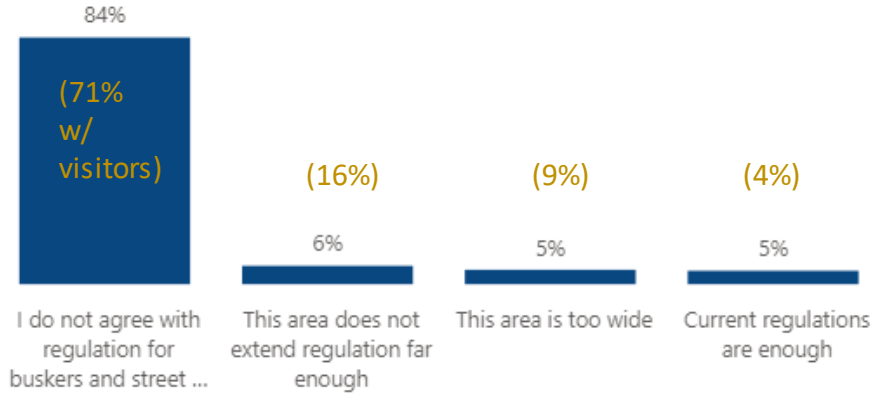
Questions 4 and 5
Regulated area

Overall, 70% of respondents disagree with the area and streets the proposal covers, however this decreases to 50% when looking only at residents, performer and businesses' responses. Their reasons are the same as the overall responses, but the weight given to each changes: 71% disagree with regulation, 16% believe the regulated area isn't large enough, 9% that it is too wide and 4% that current regulations are enough.

To what extent do you agree or disagree with the area and streets where we are proposing to regulate busking and street entertainment?



Reasons for disagreeing (more than 10 mentions):



Excluding visitors:

To what extent do you agree or disagree with the area and streets where we are proposing to regulate busking and street entertainment?

Residents:

Businesses, amenity societies and workers:

Street entertainers, affiliates and members of an association:

All visitors:

Questions 6, 7 and 8
Locations of the pitches

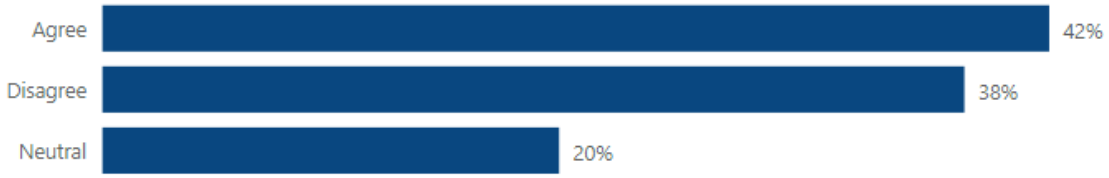
All groups disagree with the same pitch locations, except for businesses who put Pitch 9 Leicester Square at the top, with 7%. Likewise, within each respondent type, the reasons for disagreeing with pitch locations are the same, simply vary in importance – for example, 41% of residents disagreed with regulation while 95% of visitors feel the same.

When excluding visitors, there is a 42% of agreement for the locations. Reasons for disagreement remain the same and in the same order, although with 62% (vs 80% with visitors) stating that they do not agree with regulation for busking, the other reasons increase in importance.

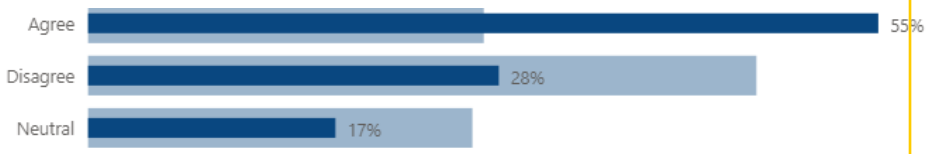
To what extent do you agree or disagree with the pitch locations?

Excluding visitors:

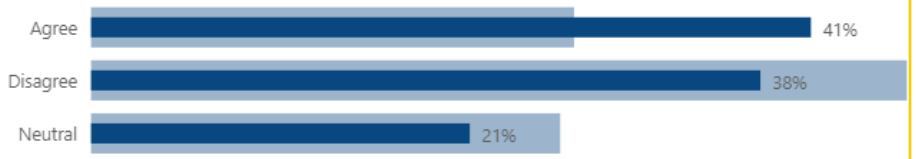
To what extent do you agree or disagree with the pitch locations?



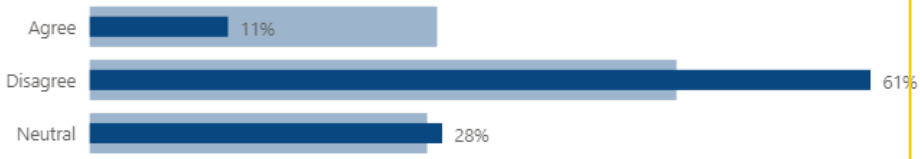
Residents:



Businesses, amenity societies and workers:



Street entertainers, affiliates and members of an association:



All visitors:

Which pitch locations do you disagree with?

(For the full list, click here)
1. Pitches 10, 11 and 12
2. Pitch 9 (n1 when excluding visitors)
3. Pitch 8

Reasons for disagreeing (more than 10 mentions):

1. I do not agree with regulation **(80% vs 62% w/ visitors)**
2. The area is too busy to accommodate a pitch **(9% vs 19%)**
Top: pitches 9, 8, 7 and 3
3. Busking should not be permitted (in this pitch) **(8% vs 16%)**
Top: pitches 1, 6 and 2
4. This pitch is outside my residence or business **(8% vs 15%)**
Top: pitches 25, 3, 9, 8, 4 and 2
5. There aren't enough pitches **(3% vs 4%)**

Quotes and suggestions around the licenced area and pitch locations

*I agree with regulation in highly residential areas or where there are offices for example in a lot of oxford street especially during business house. But not somewhere like **Covent Garden** for example or **Leicester Square** where footfall and loud noise is high regardless of buskers (Street Entertainer)*

*I would [like to] see a more distributed area, ex. allow buskers on other pedestrian streets around **Pimlico** and elsewhere... not only in the tourist areas but for locals to enjoy on weekends (Resident)*

*There are areas such as **Oxford Street**, which should not be regulated, because it is naturally a noisy and busy area, in which artists do not disturb or make things worse (Street Entertainer)*

*I don't understand why the **amplified busking pitches are on one side** - away from the restaurants and places where people may want to watch. Even a rotation system would be fairer is **Leicester Square**. Finally, the **pitch by Lego store is heavily congested and a H&S issue**. (Business/Worker)*

*We strongly object to the **Vere St** proposed location. [...] Woodstock St is a residential street and no busking whatsoever should be allowed in its near proximity. (Resident)*

*Breaches DoT's guidance on **space for wheelchairs**: "A clear width of 2000mm allows two wheelchairs to pass one another comfortably. This should be regarded as the minimum under normal circumstances. Where this is not possible because of physical constraints 1500mm could be regarded as the minimum acceptable under most circumstances, giving sufficient space for a wheelchair user and a walker to pass one another." A busking pitch on **Villiers Street** is not a necessary service or utility so space for wheelchair users should not be reduced. I submitted an objection before but wanted to add this comment. (Resident)*

*Location 7 at the western end of **Gerrard Street/junction with Wardour Street** is in a very busy and congested location. It should be moved to the **open plaza in Newport Place at the other end of Gerrard Street** (Resident)*

It is NOT clear what policy applies to locations in the Regulated Area outside the 4 specific mapped zones, e.g. Victoria, Paddington, Soho. (Visitor)

***James Street** is too congested with pedestrians, buskers and statues. Only one should be permitted. The **north side of Trafalgar Sq** gets too congested [...] (Resident)*

The addition to the policy of Covent Garden directly breaks a promise made to buskers. Licensing has the potential to cut buskers earnings by around a third according to recent estimates [...] I urge the council to think again, work with street performers and use their existing powers effectively to curb genuinely anti-social buskers without penalising everyone else. (Street Entertainer)

*The street environment and character of Chinatown has changed significantly since the start of the Covid-19 pandemic and the introduction of legislation under the Business & Planning Act 2020. [...] This has reduced the available space on **Wardour Street** for Street Entertainment as well as tables and chairs and social distancing. The council should review this location in the light of this change. It may be that the al fresco dining approach persists after the pandemic has eased and social distancing requirements reduce. (Business/Worker)*

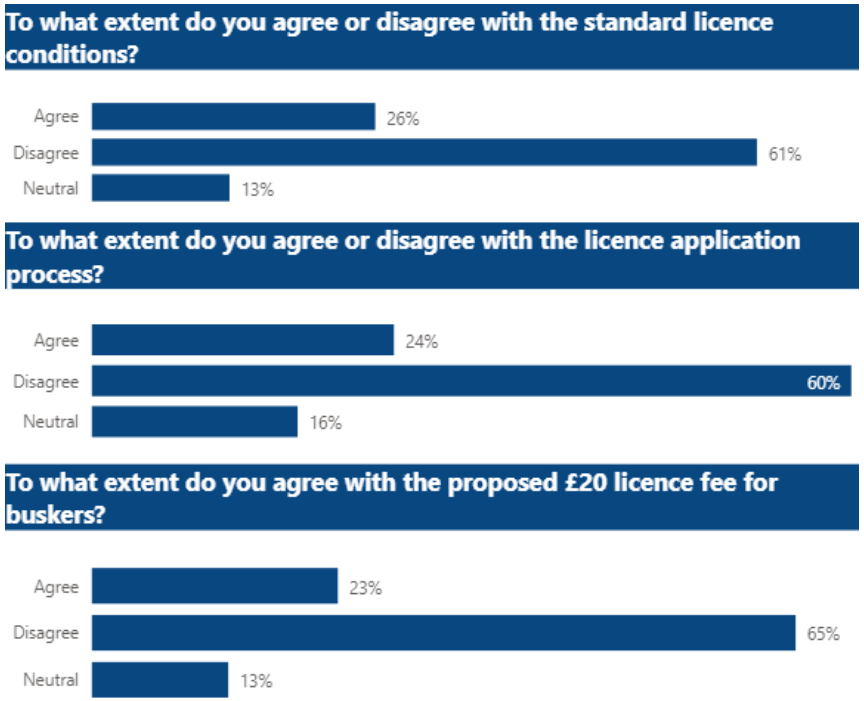
*We strongly think that this [Pitch 25] is just not the right spot. It is a mere 30m away from Kipling House (43 Villiers St, where I live) and even without amplifier, the noise from busking WILL be clearly heard inside my flat even with window closed! And to have this for 11 hours a day, 365 days a year.....I'm afraid is unacceptable. We have the right to peace and quiet in our own flats. However, we want to be constructive and propose **alternative locations in the area like: Northumberland Avenue outside Charing Cross Theatre** (Resident)*

Allowing amplification at site 9 has resulted in incredibly loud performances [...] Often the "performances" are just playing very loud pre-recorded popular music (Business)

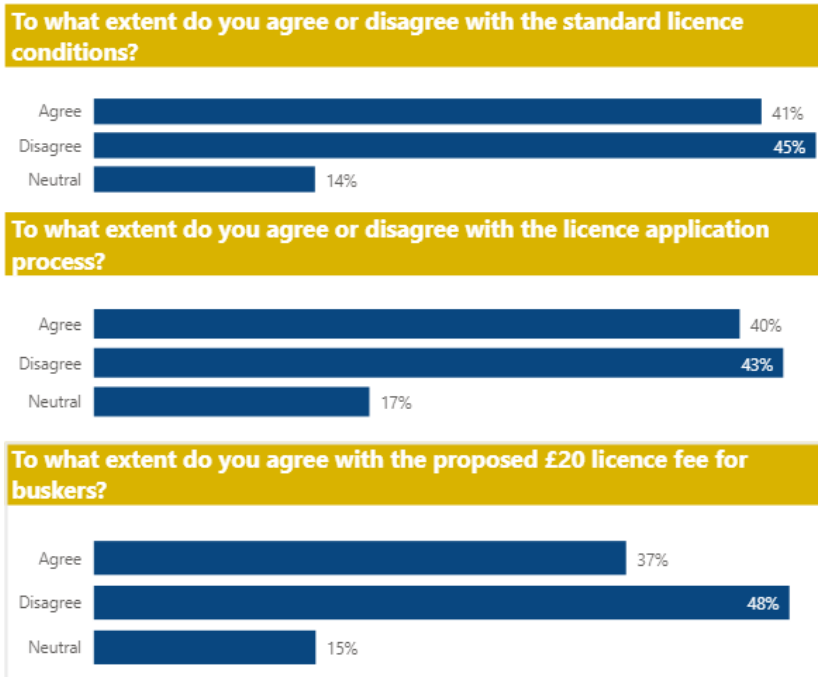
Pitches 16-21 should not be used with any form of amplification. I also believe that the character of different areas of the City should be respected. For example, Leicester Square is dedicated to entertainment and so can support a wide variety of buskers, but Trafalgar Square and the Parliament Square [...] should retain appropriate dignity and calm (Business/Worker)

Questions 12, 13 and 14
License: conditions, application process and fee

In terms of the license, there are clear differences between groups. Performers and visitors together overwhelmingly reject all three proposals, with 80%, 80% and 84% of disagreement, respectively. On the contrary, residents and businesses together mostly agree with: 50%, 48% and 44% agreement. The £20 fee is the least supported aspect.



Excluding visitors:



> *My concern is that some of the **conditions are too stringent** […] The **Public Liability insurance should be included in the Licence fee**. (Resident)*

> ***Forum membership** - if buskers are to join, then residents should be part of the Forum in a least equal numbers (not just amenity societies), and meetings should be minuted, with minutes available to the public. (Resident)*

> *Would it not make more sense and reduce the burden of admin for the Council if the limited street trading permission was included in the busking licence (Visitor)*

> *I'm extremely concerned that the requirement for £2m worth of **insurance** and the **passport/driving licence** requirement will **exclude talented younger buskers** from less well-off backgrounds. It's important not to exacerbate inequality […] Whilst a £20 fee is likely to be achievable for most, the additional expenses will put busking out of reach for many. (Visitor from London)*

Quotes and suggestions around terms and conditions, licensing conditions, process and fee

*[…] the proposed 6-month licence duration with a £20 fee is unnecessary bureaucracy, especially **with a 21-day response - in effect meaning someone is able to perform for 5 months**. […] There is no information on who the **licensing managers** will be - again it seems any professional knowledge of the sector, its employment patterns and development is not included. It seems even more short sighted in the current climate where **outdoor performances will be allowed much sooner than indoor shows** […]* (Visitor)

*My concern is that some of the **conditions are too stringent**, especially for our young people. They might not have a passport, driving licence or NI number. The **Public Liability insurance should be included in the Licence fee**. This consultation started in January I think and now comes at a terrible time when musicians can't play in orchestras or groups due to Covid. (Resident)*

*I think that the streets should be open to anybody who wants to perform on them. I see this as the council trying to introduce **quality control** and be selective on who receives a permit to perform […] (Visitor)*

*1. Licence conditions - the £2m public liability insurance requirement seems **unnecessary** for music performers unless the council provides it **within the application fee**. 2. Code of conduct - The separation of **"3 car lengths (50 feet)"** between performers seems far too little. (Resident)*

*Two points to mention: 1. Amplification should be allowed on all pitches, but with the provison that **no amplified instrument is any louder than the average unplugged acoustic guitar**. Example: I play Acoustic guitar as half of a Duo and my other half plays electric Bass, an **instrument that by definition must be plugged** into an amplifier (Even a Small one) in order to be audible at all! (Street Entertainer)*

*Couldn't the Council establish **two fee structures**, with or without insurance so that less organised, real individuals can have access to a regulated pitch. (Resident)*

*Is the **fee sufficient** to fund the required enforcement activity? Is there a possibility of providing **short term licences** for visiting buskers for a lower fee? What is the mechanism for **complaining if enforcement is not effective**? […] What is the expected **response time** between a complaint about loud or out of hours street entertainment and an enforcement officer attending? How will this policy be coordinated with **Camden** in areas where busking pitches are cross-border, e.g. around Centre Point. (Resident)*

I agree fixed pitches can work very well, as they do most excellently in Stratford Upon Avon for example […] With regards the use of amps a fairer approach (albeit more complicated) wd be to distinguish between naturally quieter instruments that need it eg. nylon string guitars & those that maybe don't eg violin. […] Finally I can agree to the principle of licences at the proposed fee as long as the whole vetting process is fair, non-political & importantly transparent (Street Entertainer)

*'The fee and licence process should be **annual not 6 x monthly**. You should introduce a **group licence** for groups so that this does not become a cost disincentive to small choirs, bands with limited funds. 40 minutes is too short and **break could be 10 minutes**. Should be 1 hour and then cannot return for 1 day. **Exceptions** should be added for **ad hoc events** (famous songwriter walks past and joins in - does happen in London - should not lead to fear of licence being revoked for person busking. (Resident)*

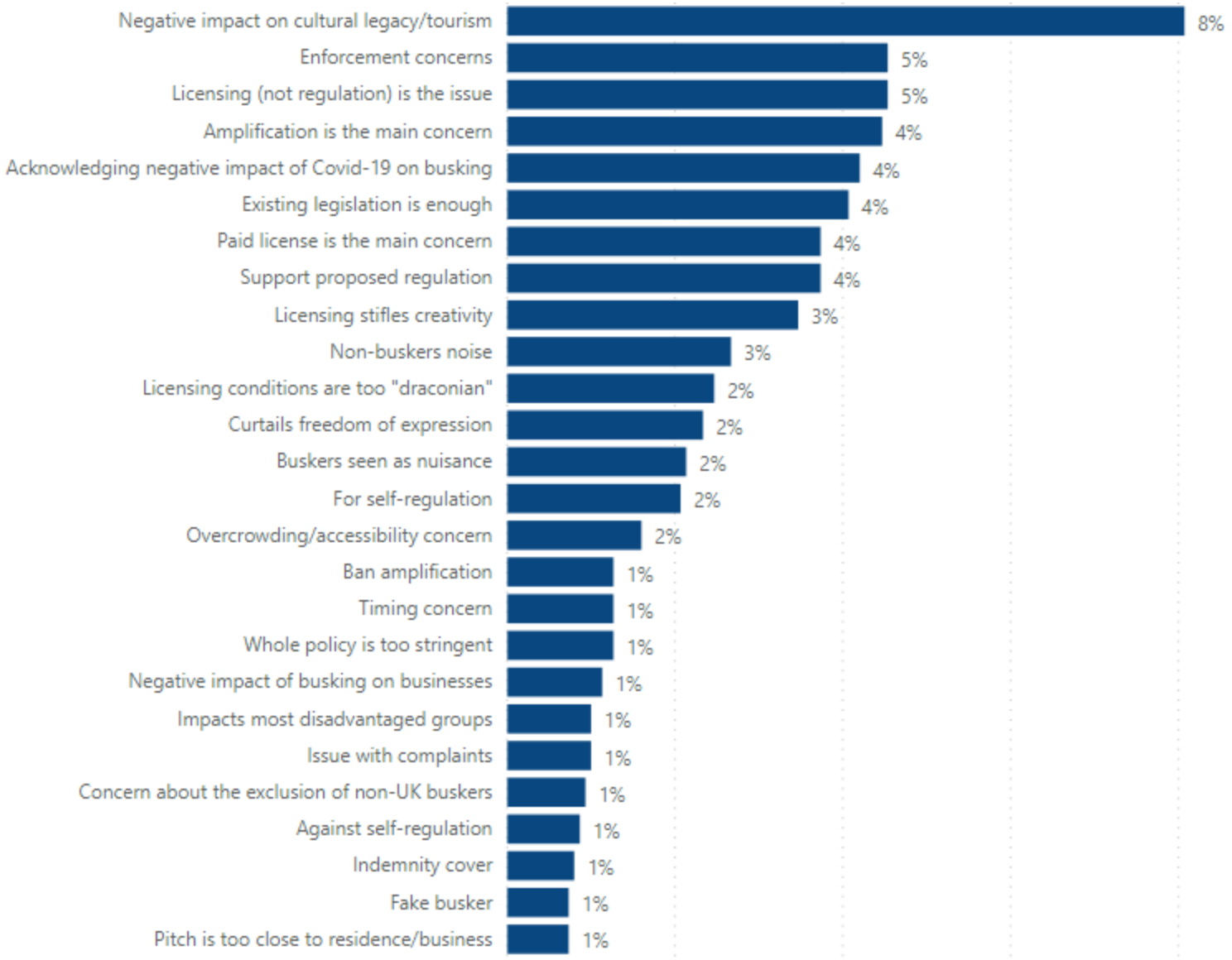
I don't think the license should only be allowed for people who have the right to work in the UK. For some people who are waiting on visa applications, etc, it could be a useful source of income, as they are not allowed to work otherwise. (Resident)

I feel serious, passionate artists like myself would happily pay over £100 for a license. **£20 is far too cheap** and will encourage exactly the kind you do not want (the kind that have enabled this very intervention) (Street Entertainer)

*I am not against Licensing of Street Performers however I am against your imposing of a licensing system onto area that already has a successful license without following **Procedural Fairness** - this will leave you open to legal challenge (Business)*

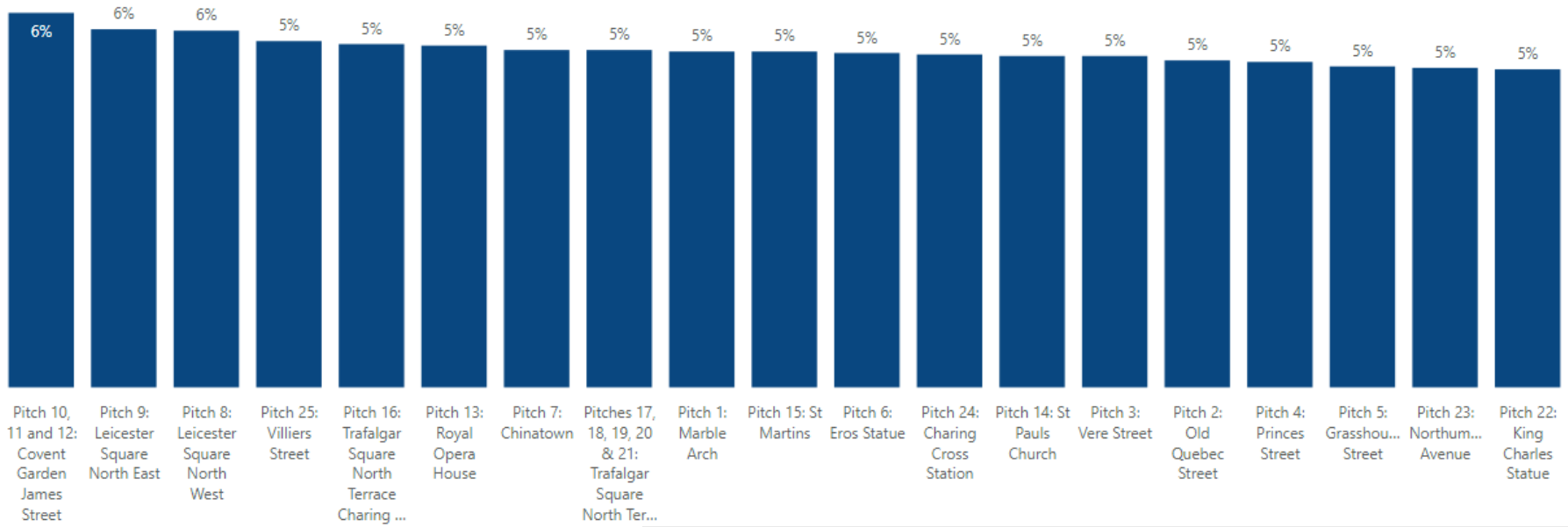
***Forum membership** - if buskers are to join, then residents should be part of the Forum in a least equal numbers (not just amenity societies), and meetings should be minuted, with minutes available to the public. (Resident)*

Top themes that arose from the general open-ended question



Disagreement with pitches' locations – all respondents and excluding visitors (yellow header)

Which pitch locations do you disagree with?



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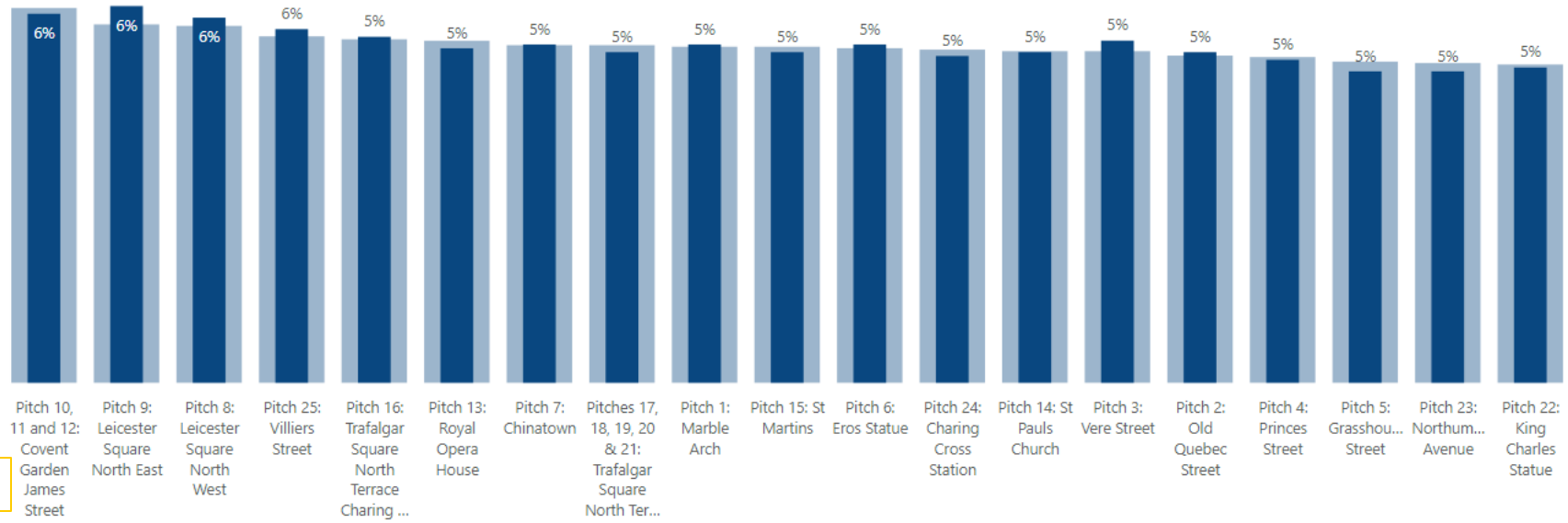
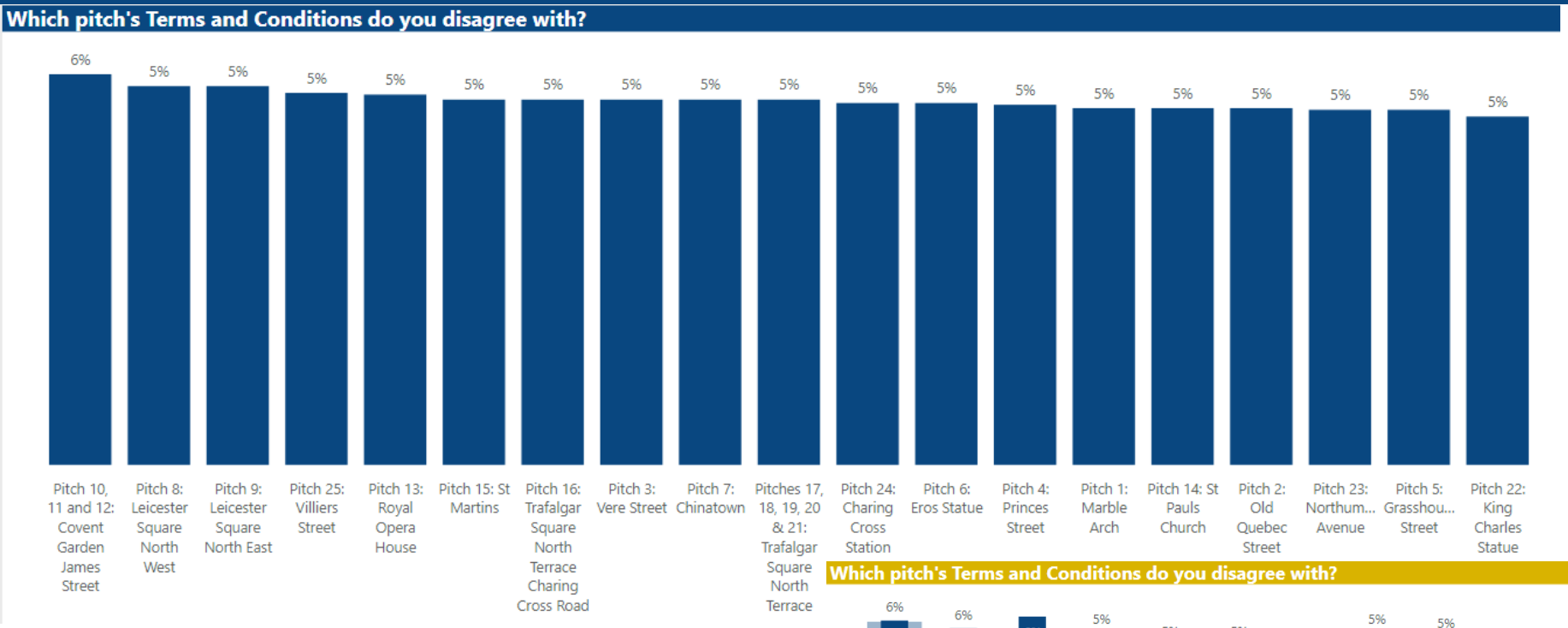
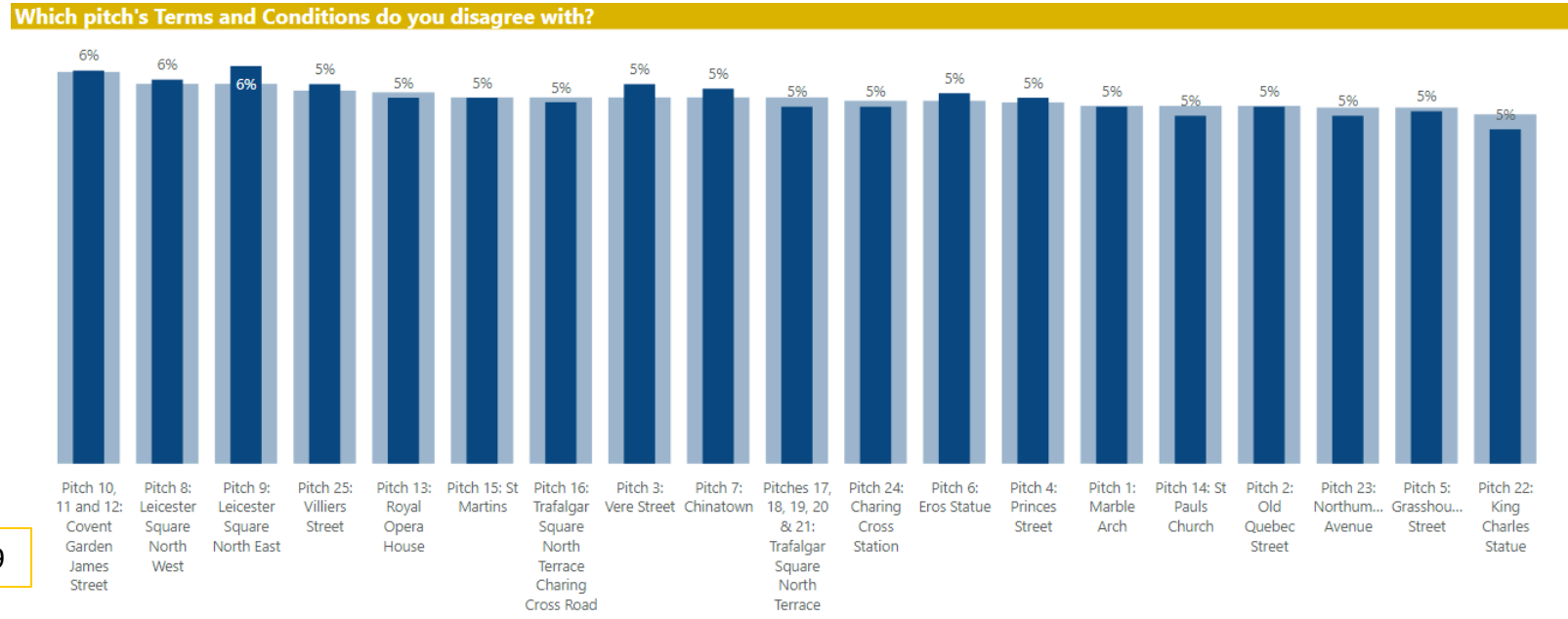


Businesses disagree the most with Pitch 9

Disagreement with pitches' Terms and Conditions – all respondents and excluding visitors (yellow header)





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