

The Stratford-upon-Avon Busker's Policy

Updated June 2018

"We want every busker to have a positive experience"

This policy remains in place throughout the year to ensure performers are treated fairly and to enable them to make a positive contribution to the life of Stratford.

We try and ensure this policy is followed by every busker, but we rely on the goodwill and professionalism of all our performers, as well as that of residents, businesses and visitors in the town to ensure that things run smoothly and for everyone's benefit.

This policy is subject to change, and in the event of any changes being made, an up to date copy of the policy will be available on line at www.stratforward.co.uk.

IMPORTANT: The Busker's policy should be read in conjunction with the Busker's Map which shows 'busk pitches' you should perform at, the noise sensitive locations, and those that are non-musical busk stops etc.

The Policy at Glance:

- > There are designated busk stop pitches throughout the town - Please keep to these designated busk pitches.
- > Busking Performances are recommended to last two (2) hours with breaks.
- > Please be sensitive to the impact of instruments and vocals on surrounding premises.
- > Busking spots cannot be 'saved' by leaving equipment.
- > Reasonable amplification is allowed.
- > Please adhere to the Town Hosts advice.
- > Performance times are between the hours 9am until 8pm only.
- > Breaches of the policy by street performers can be dealt with formally through the Community Notice Protection (CPN) as detailed later on. *CPNs can be issued if the impact is negative, persistent and unreasonable.*

Busking

'Busking' means music, dance, street theatre, performance and art offered live in public spaces for the purposes of entertaining, interacting with members of the public, and receiving voluntary contributions. We in Stratford-upon-Avon believe busking brings vibrancy to our streets and public spaces.

Whenever a busker sets out to perform on a street, they join an existing community which can include street traders, shops, businesses, residents, members of the public, as well as other buskers. Before setting up, it is vital to anticipate the impact that your act will have on other users of shared spaces, and, where possible, make yourself known to those in your vicinity.

Sharing public space and co-operating with others is important when busking. A willingness to compromise and to engage in constructive dialogue will go a long way to resolving any issues.

This policy guidance aims to provide a means to promote positive and considerate relationships with all those who share the public space and avoid confrontational situations.

Buskers Voluntary Registration Scheme

When you arrive in the town, or if you are intending to come here, you are free to register with the Town Host team on 01789 268291 or the duty mobile 07879 361735. This enables us to keep in contact with you about any changes, or to invite you back for events when we or others run them.

For Buskers:

Before you start:

We aim to be as inclusive as possible for buskers and encourage variety. If you have any special requirements (for example if you have any particular accessibility needs) please do not hesitate to let us know. We will do everything we can to try to help you perform in Stratford. The Town Hosts will be only too happy to give on the ground assistance to you.

We ask that you are always courteous to members of the public, members of the local business community and public officials in the event that someone needs to speak to you. Being calm and polite will go a long way and help promote positive relationships in the street.

It is often beneficial to introduce yourself to nearby businesses, traders and other users of shared public spaces near to where you intend to perform. Encourage people to approach you if they have any issues. This simple step is extremely effective at reducing complaints.

Ask businesses to speak to you directly in the event that they have a problem, or if they need to ask you to make any adjustments to your act.

Action will only be taken against a busker following a complaint that their behaviour or

performance has caused a negative impact.

What causes the majority of complaints?

The majority of complaints are caused by intrusive noise, noise that whether through excessive volume, long duration or repetition, makes the lives of nearby businesses or residents more difficult.

By speaking with one another politely and directly we can prevent problems before they start - being open to reasonable compromise and sharing space fairly goes a long way.

Things to consider:

Please consider the potential economic impacts - Please bear in mind that inconsiderate busking can lead to meetings being disrupted, rooms having to be taken out of use, and customers choosing to take their business elsewhere.

Please be aware of who and what is around you – there are some very noise sensitive pitches in town and this is why we have our ‘busk stops’.

Maintain safety and access - make sure that people can move past your performance easily, it is your responsibility to make sure that your crowd is well managed. If at any point there are any access or safety concerns you must stop your performance until the issue is resolved, dispersing your spectators if necessary.

We recommend a performance period of two (2) hours with a 15 minute break per hour, including your set up time, and to regularly move between pitches during the day.

Be aware of special events in town, and note that there are places and times when busking might not be appropriate. A list of events can be found at www.stratforward.co.uk

Your Performance

You may place a case or similar in front of you for people to make a contribution. Please remember that these contributions cannot be solicited as this constitutes begging, for which you may be prosecuted.

A musical busker needs to be heard above the level of background noise, but the volume of a performance should be no higher than it needs to be and the sound produced should not be intrusive into the lives of others living or working nearby.

There are no specific rules on decibel levels or on use of amplification, however it is expected that your performance is **reasonable** and has a positive effect on your surroundings rather than a **negative** one.

Perform simple sound checks to assist you to gauge responses as you go - you should ask your audience, other buskers or nearby businesses to assist where necessary.

Know your equipment - certain sounds carry more than others, and some sounds have the potential to be more intrusive than others, for example brass instruments, amplifiers, bagpipes and percussion instruments. It may be reasonable to take more breaks and move pitches more often in these circumstances. If there is a negative impact we will be required to act upon them.

Keep it varied - very similar pieces one after another have the potential to become quite intrusive. Build your repertoire, vary songs, styles and tempos to keep things interesting for your audience! Remember that nearby buildings are working environments for others who may not be able to move around in the same way that a busker can.

If you use backing tracks, please make sure these are not left running when you are not performing. Please think about the positioning of any amplifiers/loudspeakers.

The relatively narrow streets and tall buildings in Stratford-upon-Avon means that sounds can travel a surprisingly long way, especially in the Town Centre; please be aware of this. It is not uncommon for Stratforward to receive complaints about loud town centre buskers from residents and businesses on the Shipston Road – a distance of over 500m.

Please don't be offended if someone asks you to make a reasonable change to your performance.

Be willing to compromise - if someone is negatively affected by your performance, be open to making reasonable changes such as turning an amplifier down, moving, or changing the direction you're facing.

Excessive volume can cause distortion which many find uncomfortable, turning down the volume can enhance your performance for more people to enjoy.

Noise levels in smaller or quieter places should be lower.

Locations

The locations for busk pitches are marked on the Buskers Map appended to the policy.

Stratforward, in conjunction with partners, reserve the right to suspend busk pitches periodically for reasons such as (but not limited to) events, and safety & security.

Bell Court

Bell Court does not have any designated busk pitches. It is not included within the Buskers Code. Busking or Performance is by invitation of the owners/managing agents only.

Noise Sensitive Locations

Please use the busk pitches identified by the BID programme - a map is available from Stratforward BID at www.stratforward.co.uk/busking.

Specific Noise Sensitive busk pitches: There are areas that are noise sensitive at certain times – the Fireman’s Memorial is one of those because of performances at The Attic Theatre. Buskers are asked to liaise with Town Hosts or The Attic Theatre and use discretion when busking.

The pitch outside of the library on Henley Street is a NON Musical pitch only.

Saving Busking Pitches

Buskers are reminded that Busking Pitches **cannot** be “saved” by leaving equipment in place or by extending set-up times. It is unfair to other buskers and we will encourage active buskers to take over the pitch. Leaving equipment can also cause other security issues. We ask that unless your entertainment is part of an organised festival, all street entertainment in the town should cease by 8pm.

Sale of Goods

No sale of any merchandise is allowed, **unless you have made your own arrangements with Stratford District Council for a Street Trading Permit**. Without a Street Trading Permit, you may only ask for a (suggested) contributions for CDs, but cannot actively sell.

Animals

The use of animals as part of any entertainment is only permitted if the correct Animal Performance License has been obtained from Warwickshire County Council. **We strongly advise against bringing any animal with you while you perform**. We liaise directly with the RSPCA on all matters of animal welfare.

For Local Authorities, Businesses and residents:

It is in everyone’s interest to have a positive relationship with other users of shared spaces.

If there is a busker in the vicinity of your place of work or residence and they are causing you a disturbance, you are advised to make yourself known to them and calmly and politely explain the issue. In the majority of cases they may not be aware that they have caused you an issue and will want to resolve it quickly and amicably. This could include adjusting their volume or relocating to another pitch if necessary.

When approaching a busker to discuss their work, it is important to wait for a suitable interval in the performance before introducing yourself to them. Interrupting performances is likely

to make things worse. In the event that the busker is uncooperative then please call the duty mobile on 07879 - 361735.

Resolving Issues

This section is for everyone - buskers, residents, businesses and anyone else using public land. We aim to empower everyone to solve problems quickly and easily on the street. Effective enforcement powers are available as a last resort to deal with any individual persistently causing a negative impact by acting unreasonably.

It is hoped that there will be no need to go beyond informal negotiation but sadly experience tells us that there will be issues that require more formal intervention.

Step 1 - If it is safe and practical you should approach the busker directly. Please wait for a suitable interval in their activity, politely state what your issue is and attempt to come to a fair and amicable compromise. Feel free to draw their attention to this policy guidance

Step 2 - If a compromise cannot be reached then please call 01789 268291 (07879 361735) Town Host (Mon-Fri 9AM - 5:00 PM) or email townhosts@stratforward.co.uk which will be picked up the next working day. Where possible on a weekday, an officer will attend that day to attempt to find a fair resolution and ensure the people involved are aware of this policy guidance.

Step 3 - If the issue continues, Town Hosts will assess the situation to determine any impacts and whether the busker is at fault. If the busker is found not to be at fault there will be no further action. If the busker is at fault they will be formally issued with the guidance and given advice on how to busk more considerately.

Buskers will be given an opportunity to apply to a dispute resolution panel for advice, arbitration or mediation.

Step 4 - If further issues are raised and the Town Hosts/Council believes a busker is continuing to act unreasonably then we will collect and assess evidence from the affected people and issue a formal warning letter to the busker when appropriate.

The letter will outline the negative impacts and the steps that must be taken to secure an improvement.

Without formal statements from those affected, we cannot take this enforcement action.

Step 5 - If the issue is not resolved at this stage, as a last resort, legal action may be taken. Breach of legal notices served may lead to fixed penalty notices, prosecution and confiscation of equipment.

Breaches of the policy and continued, persistent non-compliance will be enforced through **Community Protection Notices (CPN)** and will be enforced by Stratford District Council.

Any incidents that result in crime or disorder eg: public order, confrontations, assaults will be dealt with by Warwickshire Police.

Street Entertainment at Events

The Voluntary Busker Registration Scheme allows us to maintain a register of musicians and street entertainers who we could ask to join street entertainment programmes or events during the year. There are many events which we are aiming to invite high quality street entertainers to and you will also be included on an artist's database which will be available to local businesses.

For everyone's peace of mind, we recommend that you hold public liability insurance for busking. The entertainment unions listed below do provide these services for their members.

Contact details

- > For all enquiries about this guidance please contact the Stratforward Town Host Team on 01789 268291, 07879 361735, or townhosts@stratforward.co.uk
- > Musicians Union - The MU was established in 1893 and represents over 30,000 musicians in all genres including buskers. www.musiciansunion.org.uk
- > Equity - Equity was founded in 1930 and is the Trade Union for performing artists including actors, entertainers, variety artists and musicians.