



Cheshire West & Chester Council

A Guide to Busking in Chester

Cheshire West and Chester Council recognises that **Busking makes a valuable contribution towards the cultural life of the city**, making the streets more vibrant and exciting for visitors, businesses and residents.



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What is Busking?

'Busking' means music, dance, street theatre, performance and art offered live in public spaces for the purposes of entertaining and interacting with members of the public and receiving voluntary contributions. Buskers are not typically paid or hired directly for their performance.

Why is a Guide necessary?

Buskers share the streets and open spaces of Chester with everyone who lives, works, trades and takes their leisure in the city. Inevitably, there is potential for conflict amongst all the different uses that people make of these shared spaces.

This Guide aims to promote positive relationships between buskers and all those with whom they share the public spaces of the city. We are confident that most disputes can be resolved amicably through a culture of community, consideration for others and negotiation. This Guide has been created by Cheshire West and Chester Council, Chester Busker's Association, representatives of Equity and the Musicians Union, the Keep Streets Live Campaign, CH1 Chester BID, business representatives and the busking community.



Building Positive Relationships

Whenever you set out to perform on a street you join an existing community including street traders, shops, businesses, residents and other buskers. Before setting up please anticipate the **impact** that your act will have on other users of that space and the surrounding area.

Wherever possible, please ensure that you introduce yourself to nearby businesses/shops in the vicinity of your performance before you begin. Letting people around you know about your performance in advance will help make complaints less likely.

Ask businesses to speak to you directly if there are any issues and be open to a compromise. Being calm and polite and accepting that people have different views and levels of tolerance will help promote positive relationships on the street, which will help create a thriving atmosphere within the city.

The majority of complaints are caused by intrusive noise; that is noise which includes excessive volume, long duration or repetition and makes the lives of those around it more difficult.

Be mindful that alongside businesses and places of worship, there are also many hotels and residential areas in the city centre. Every time you set up a pitch, anticipate the **impact** your busking act is likely to have on those around you. Always be considerate.

There is no 'one size fits all' approach; an appropriate noise level; a size of crowd; length of performance - all depend on the circumstances on that given day.

Busking Community

Please choose your pitch with consideration towards other buskers.

Be mindful not to set up so close to another busker that it will adversely **impact** their act.

A culture of sharing and swapping pitches with other acts is strongly encouraged in Chester. Cooperation is a great way of building a rapport with other buskers and building community spirit, whilst regular changeovers help to create a vibrant busking atmosphere. If there is a busker performing on a pitch that you wish to play on, you should politely ask when they are playing until and if they would be willing to share or swap the pitch. You can either wait until the pitch becomes available or agree to come back at a given time.

Two hours is suggested as a rough guideline for being on a pitch (including breaks) but you should never set up 'on top' of another performer or put them under pressure to give up the pitch they are on. You are encouraged to negotiate and work together through a culture of dialogue and mutual respect.

The Chester Buskers Association is a voluntary organisation that promotes the benefits of good working practice by buskers. The organisation is run by Street Artists and performers and offers mediation and support to its members as well as being a central contact point between agencies businesses and other organisations.

For further information, please **email:** chesterbuskersassociation@gmail.com

Your Performance

Space

There are no fixed busking pitches in Chester, but you should always take care not to obstruct windows, door entrances or thoroughfares.

Please do not obstruct the highway and take care to allow for plenty of space for people to walk past you and around you. Be aware of the time of day and the nature of the space that you intend to perform in and be prepared to change your location if your act impacts adversely on that space on a given day.

If you perform a circle show (a performance where a crowd is expected to gather and stay until the finale of the show), or an act (like street dance or theatre) that requires a significant amount of space, it is your responsibility to ensure people are able to freely move on the highway.

Again always consider your impact on local businesses and on people trying to navigate through the city.

Sound in the city

It is not possible to be completely precise about this; there isn't a fixed decibel level that constitutes a negative impact. There are many contributing factors. Our city is full of sounds from many different sources whether it is caused by traffic, music from shops or the noise of crowds. **A busker needs to be heard above the level of ambient street noise for their performance to be effective, but not intrusively so.**

Always show consideration with the sound level of your performance and consider its **impact** on others.

Be prepared to adjust your volume if asked, appreciate that some people may be more sensitive to noise than others – be willing to compromise. Remember that many pitches are surrounded by businesses, hotels, flats and shops.



The people inside can't simply walk away so it's your responsibility to consider the **impact** your performance has on them and take appropriate action, where required.

- **Perform simple sound checks** to gauge responses as you go - If in doubt it may be helpful to call on the support of your fellow buskers or local businesses to help you determine whether your sound level is appropriate.
- **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. Consider using brushes, mutes, pads and volume controls and other accessories to keep noise levels reasonable and appropriate.
- Due to relatively narrow streets and high buildings, **sounds can travel** a surprisingly long way in Chester City Centre. Please be aware of this and 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 make changes such as turning an amplifier down, moving a short distance, or changing the direction that 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.
- **Keep it varied.** The repetition of a small number of songs or performance pieces in the same location has the potential to become quite intrusive and is one of the main sources of complaints. Build your repertoire; vary songs, styles and tempos to keep things interesting for your audience and move pitches when you've finished your repertoire.
- **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.



Length

Two hours on a given pitch (including breaks) is suggested as a rough guideline. However, it should be shorter if your repertoire is limited. The length of performances should be appropriate to the impact that your act has on those around you.

Performances that are particularly loud or limited in terms of repertoire should consider shorter performance times and moving pitches more frequently to make complaints less likely.

Street Trading

If, as a Street Entertainer you wish to sell products linked to your performance such as CDs (of your own music) etc, you will need to obtain a suitable street trading licence/permit in the first instance. Licences/permits can be obtained from Cheshire West and Chester Council. Please note - terms and conditions apply.

For further details relating to a street trading license/permit, please call **0300 123 7737** (option 4) or visit: **www.cheshirewestandchester.gov.uk/business/licensing-and-permits** for more information. Please note - the licence/permit will only permit you to sell products linked to your performance during the period you are busking/entertaining.

Some busking acts include the provision of a tangible good or service as part of the act (eg balloon modelling, portrait artist).

If the provision of goods or a service is part of a busking act it must be offered on a voluntary basis and this must be made clear to members of the public. It must also be a secondary aspect of the busking act which means that people should be able to engage with your act/performance without any obligation to make a donation.

It must be emphasised that any donations made are on a voluntary basis so that the product or service is an extension of the busking act itself and people are not obliged to make any contribution. This should be made clear with an appropriate visible sign.

Where the above guidance is observed, and the provision of goods/services is clearly a secondary aspect of the busking performance, enforcement action under street trading legislation will not be taken. However, random audits will be carried out by the Licensing Authority to ensure compliance with the above conditions on a regular basis.



Considerations Other

Be aware of special events in the city, and note that there are places and times when busking might not be appropriate. A list of upcoming events can be found at www.cheshirewestandchester.gov.uk.

Businesses/Residents

If you feel that a busker is having an adverse **impact** on your place of work or residence, wait for an appropriate moment in their set and make yourself known to them, explaining the issue calmly and politely.

It may be appropriate for you to have a conversation with nearby businesses/residents first to establish whether they are experiencing similar levels of annoyance. In most cases the busker will probably be unaware that they are causing an issue and will want to resolve matters quickly and amicably.

It may be helpful to also draw the busker's attention to this Guide. Cheshire West and Chester Council is happy to make copies of this Guide available to all businesses, residents and other interested parties.

Wherever possible, talking to the performer should be the starting point to resolving any issues. Building a positive rapport with buskers using public space in the vicinity of your place of work or residence can help resolve issues quickly and maintain positive relationships. This is key to us all helping to create a thriving environment in the city centre.

Enforcement

Formal enforcement action will only be taken as a last resort where performers have repeatedly failed to follow this guidance.

Enforcement action will only normally be considered by Cheshire West and Chester Council once the following steps have been taken:

- **Step 1** - don't wait until you're irate to speak to a busker. If you feel you are being adversely **impacted**, check with your neighbours and colleagues to see if they are also being affected. Speak to the busker at the earliest opportunity and explain the issue. Wait for a suitable break in the performance - this may be a good opportunity to refer them to this Guide.
 - **Step 2** - If you've spoken to the busker and the issue has not been resolved, you can contact Cheshire West and Chester Council CCTV control room via your Co-Sign Radio in the first instance or **email:** regulatoryservices@cheshirewestandchester.gov.uk to seek a response from a Council Officer or PCSO. An officer will attend as soon as possible and will take a view on whether the busker is causing a negative **impact**. They will talk to the busker and the complainant educating them about the law, this Guide to Busking, and next steps. If there is no negative impact, the complainant will be informed of the officer decision and no further action will be taken at the time.
 - **Step 3** - If it is considered that the busker is at fault, the officer will ask them to take appropriate action to resolve; which may include turning the volume down, moving pitches and engaging with the busking community to seek further advice and mediation.
 - **Step 4** - If the issue persists, formal enforcement action will be considered by Cheshire West and Chester Council, and a formal warning letter may be issued to the busker.
 - **Step 5** - If the issue persists and the busker continues to have a detrimental **impact**, formal enforcement action will be taken as a last resort through the use of a Community Protection Notice (CPN).
- Formal enforcement action will only be taken against those whose behaviour is unreasonable and has had a persistent, detrimental effect on the quality of life of others.
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Sensitive Areas

There are certain pitches in Chester that are particularly sensitive to noise, because of their proximity to places of worship, wedding venues and the way in which sound can carry a long way. These areas include:

- Town Hall Square (the Town Hall is used for weddings and other services)
- Chester Cross (the Cross is located outside St Peters Church and during summer months is the 'home' of our Town Crier)

To avoid ambiguity a red flag system will be in operation outside each of these venues.

Please do not perform at these pitches if a red flag is in place.



Contact Details

Cheshire West and Chester Council

All enquiries regarding this Guide should firstly be directed to the **Chester Locality Team** at Cheshire West and Chester Council.

email: chesterlocality@cheshirewestandchester.gov.uk

Chester Busker's Association

Chester Buskers Association is a group of local performers and buskers. Members of the group are able to offer advice and guidance related to busking in Chester. For further information, please contact chesterbuskersassociation@gmail.com

The Musicians' Union

The Musicians' Union (MU) was established in 1893 and represents over 30,000 musicians working in all genres of music including buskers. As well as negotiating on behalf of its members with all the major employers in the industry MU membership includes a range of services tailored for the self-employed including public liability cover and equipment insurance, providing assistance for professional and student musicians of all ages.

For further information, please contact the North Regional Office on **tel:** 0161 236 1764 or **email:** liveinthnorth@themu.org or visit **www.themu.org**

Keep Streets Live Campaign

The Keep Streets Live Campaign is a non for profit organisation which advocates for public spaces that are open to informal offerings of art and music. It aims to promote positive relationships between local authorities and street performers and to develop policies that support and sustain street culture.

Visit **www.keepstreetslive.com** or **email:** contact@keepstreetslive.com for more information.

Equity incorporating the variety Artistes' Federation

Equity incorporating the variety Artistes' Federation is a trade union representing performers including actors, singers, dancers, street performers, circus artists, comedians and other entertainers along with the theatre creative teams and stage managers.

Established in 1930, Equity has agreements with the major employers across live performance, broadcast and film and has over 40,000 members. All members are covered by a £10 million public liability insurance automatically for their freelance work and there is a top up cover available for fire performance.

Contact the **Northern Office** on **tel:** 0161 244 5995, **email:** mbeckmann@equity.org.uk or visit **www.equity.org.uk** for further details.



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