

Preface

Licensing or regulation of street performance is seen by some as an affront to our basic human rights, freedom of speech, freedom to express ourselves and even against common-sense; why should anyone, at any time, have to ask for permission to sing? We must acknowledge, though, that public spaces are complicated, and management of them needs a nuanced approach.

So how do councils manage their public spaces? Why is it that if you choose to walk over to your nearest town center and sing, you may either be welcomed and encouraged, or you may find that action comes with strict, harsh and immediate repercussions?

This research was intended to examine and compare how councils regulate public spaces. We are making no assertions as to what constitutes “good” licensing. But we must accept that different licenses have different impacts on whether street performers can earn a living, and that some are more accepting and encouraging than others.

If you are a member of a council, or perhaps a BID manager, do not look at the methods outlined below, and think “oh, this one works, let’s try that one”; ALL decisions over your public spaces should occur in dialogue with your local street performers and stakeholders. You should always try a non-legislative approach first. There are many examples of where councils and buskers have come together to find solutions that don’t come with criminal records!

We have seen far too many councils create unnecessary, unwieldy, costly and even unenforceable licensing systems that do more harm than good.

Perhaps most tellingly, there are many examples where not only do street performers simply ignore the licensing or regulation, but police officers do as well. No legislation works simply because it looks good on paper.

Covent Garden West Piazza – one of the most iconic busking pitches in the world – is self-governed. So is Trafalgar Square. In Sydney/Melbourne, the people who do the audition to see if you’re safe enough to do fire shows is a busker-run organisation. NOLA is self-managed. Asheville is self-managed. And all of those locations have street performer pitches that are hugely popular with tourists.

Your city could have one of those pitches, if it works towards encouraging one to appear. So, if you’d like to discuss your options, we are available for a call.



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A Note on Accuracy

Every city could have its own research paper on the impact of its busking license. There is a large difference between how a permit looks on paper, how it is practiced on the ground, and how the performers feel they are being treated.

Second, many of the best pitches are not managed by the council, instead being run, permitted or auditioned by private entities (like Business Improvement Districts), so city licensing systems may not apply in the busiest spots. The overall experience of busking in a city may be remarkably different in one location from another, from one “genre” (i.e. music/magic/etc) to another, and may feel nothing like how it was written or intended.

And third, restrictive licenses are hard to enforce, and may be ignored by performers and police alike.

Your experience, therefore, may differ from our analysis below. We did interview performers in each of the cities we reviewed. But, if your experience differs from what we have written below, [we welcome corrections](#).

Thank you

Acknowledgements

The Busking Project is a busker advocacy network that aims to support the busking community, to change public perceptions and to breathe lost creativity back into city life. We would like to thank all of the dedicated team members and volunteers over the last 5 years who have made this all possible, and all of our donors who believed in us enough to keep us going.

With live music firmly embedded in their Irish roots, Tullamore D.E.W. commissioned this report into the health of busking, to celebrate the contribution that buskers make to our towns and cities and to help make busking unbarred worldwide. We would like to thank the lovely people we worked with at Tullamore D.E.W. for funding this research (and not giving us any editorial conditions!).

We would like to thank all of the buskers, researchers and organisations that helped contribute to this study, and all those who have gone before us.

And we would especially like to thank the researchers, busking advocates and placemakers who will use this research for good!!

If you would like to support our work, please go to:

patreon.com/busk (to get music from some of the best street performers worldwide)
busk.co/donate (to make a direct donation)

Thank you

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Overview

Street performers – known as ‘buskers’ in many English-speaking countries – have plied their trade on streets and in town squares for as long as there have been streets and town squares. Ancient Egypt and Ancient Rome had buskers, as did Medieval Britain and Renaissance Italy.

In the 21st century, busking is still practised in every major city around the globe. But as our towns and cities develop, grow and evolve, the environment in which buskers ply their trade and earn a living is also changing.

There is growing interest in the idea that busking can help revitalise city centres, which have been damaged by recessions, out-of-town malls and Internet shopping. The placemaking approach to the management of public spaces advocates the idea that city centres should be pleasant and enjoyable places that people want to visit. Rather than being designed around cars or for purely commercial considerations, public spaces should be designed, managed and used for the wellbeing and good of the people. They should be places where people want to meet. There is evidence that busking can play a part in that approach.

This report asks how the health of busking can be protected into the future. We have researched how buskers feel about the licenses, and how the licences compare on paper, *but a much larger study is needed to assess the actual impact of each type of legislation on the arts, culture, business, tourism and quality of life in cities.*

Below, you will find information on the ways in which 34 cities from around the globe manage busking.

In evaluating how encouraging policy is we rated factors such as whether they have mandatory licenses or auditions, the time and duration limitations, their amplification and equipment terms and whether busking is considered legal or illegal. We evaluated whether the city offered a point-of-contact specifically hired to deal with busking, and what support they offered street performers. We asked which local authority department, if any, was responsible for busking. Was it managed by the culture/arts department, the urban planning department, or was busking the remit of business licensing or noise ordinance?

Based on this evaluation, we have ranked 34 cities from the most encouraging to the least. The cities that have ranked higher in the evaluation present relaxed regulations that allow artists to freely express themselves in public space. The two Australian cities featured, **Melbourne** and **Sydney**, are good examples. Not only do they feature a relaxed managerial approach, they also involve buskers in the policy and decision-making process.

Furthermore, these cities promote busking as an attribute of their creative and cultural identity. While cities in Europe and US develop strategies and policies in order to build an image and branding as Creative Cities, Sydney and Melbourne have already gone there, and balance both the needs of buskers and the authorities.

It could be argued that cities with moderate regulations, but which also offer support and/or promotion to the busking community, should be considered as cities that encourage busking. **Singapore**, in some respects, is such a case: buskers have to go through an audition and (an otherwise unheard of and highly controversial) boot-camp session, but they are also offered promotion and management services from the authorities. There is a golden balance between regulating busking and giving back to the busking community. All of the parties involved benefit in cities that strike the right balance.

Cities that have scored around zero, like **Sofia**, are cities where there are busking regulations, but the enforcement of the law is relaxed. For these cities, the buskers have reported that as long as

an artist respects some common knowledge rules (i.e. being sensitive about sound levels, not blocking the flow of the street etc.) the police will not act against them, even if they might be officially breaking the law. These examples highlight the importance of self-regulation when it comes to busking and how common sense and respect can allow everyone to enjoy the public realm, even if the policies look restrictive on paper.

The evaluation has indicated that cities that feature auditions and strict quality control are most likely to be discouraging for buskers. For example, **Munich** hosts daily auditions for licences that are only valid for a day and offer no benefits in return. Additionally, cities with very strict punishments, the most extreme being imprisonment and in some cases community service, score very low.

It is of great interest, but perhaps not surprising, that cities that are considered to be busking hotspots present restrictive regulations. Cities like **Amsterdam, Madrid, San Francisco, New Orleans, Vancouver** and **Rome**, among others, are not encouraging on paper. We deduce that it is the popularity of these cities among buskers that has led to these cities displaying such a defensive reaction.

A few areas that have a reputation for being busking hotspots, such as **New Orleans, the London Borough of Camden** and **Madrid**, have recently put into practice particularly harsh regimes. It will be interesting to see whether they are still considered busking hotspots in a year, or go the way of **Barcelona**, where only the human statues still stand.

It is clear from our conversations with street performers that all busking regulation (if it is to be respected and adhered to) requires mutual respect. Also, dialogue and interaction between buskers and policy makers will work best if busking is approached, both in language and structure, as an asset to be encouraged rather than a problem to be solved. To get the best busking talent, cities must make the best buskers want to work there.

To achieve this, busking policies and guidelines should be developed in cooperation with the city's busking community. Properly implemented, a best practices guide or code of conduct for busking can be hugely rewarding for all concerned. Buskers can ply their trade, express themselves, perform their art and earn a living, all with the support and encouragement of the city or town in which they work.

When maintaining a happy and self-regulating busking scene, the local authority helps to provide a thriving and culturally rich urban environment for their residents and visitors. Astute authorities will leverage their city's reputation as a busking hotspot in order to boost their cultural capital.

Most importantly, the people who live and work in the city, as well as tourists and other visitors, have the benefit of experiencing a dynamic and artistic street life. A common complaint is that failing city centres are moribund while commercially successful ones are becoming homogenised. A vibrant street performing scene can draw people into city centres and encourage them to spend time there. A lively and diverse busking scene will also be unique to that city. It can demonstrate the culture or character of that city and differentiate it from its competitors.

1. Introduction

1.1. Research Aim

Our research aim is to highlight the bizarre and highly-varying ways that councils manage public spaces regarding street performance, and thus the need for further studies into the impact of various legislative responses to busking.

We hope to further the discussion between policy makers, academics and the busking community on what approach is best for their own cities. This issue touches on matters of urban planning such as public space revitalisation, regeneration and the quality of public space. It concerns matters of social inclusion, networking and belonging, of urban politics, human rights and freedom of expression as well as cultural identity and education.

1.2. Methodology

In order to answer our research question it was decided that a mixed research design should be followed.

The first step in the methodology was to conduct a literature review, to see how councils approach busking on paper. The Busking Project has reviewed academic sources as well as articles in the mass media (newspapers, magazines, blogs, TV-shows). These sources contained information on licensing systems, public perception of busking and history of busking.

Another source of literal information was the database of testimonials collected by The Busking Project. The personal experiences and thoughts expressed in these testimonials from a variety of contributors are of great qualitative value for the research.

The second step of the methodology is to compare and contrast licensing systems and busking approaches, sourced from city councils' and other responsible authorities' websites in order to review the local strategies and licensing systems on busking.

Additionally, in order to be able to have input from any busker from any city around the world who would like to contribute to our research, an online survey was conducted, where artists gave us information and feedback on their city's busking regulations.

The third level of the methodology is the analysis of the data gathered. It is illuminating to compare and contrast these official policies that each city adopts, against what impact these policies have on the local busking scene. The authors have employed a list of attributes for which each city is evaluated and graded (Table 2, p. 14). The result of this evaluation is a ranking of the cities from the friendliest and most encouraging ones, to the most hostile and discouraging.

2. Why busking? A Placemaking Approach

2.1. The impact of busking on public space revitalization

According to an independent study in Britain, The Portas Review: an independent review into the future of our high streets¹, the UK's town centres are more in need of rebuilding, rethinking and revitalising on a scale not seen since the end of the Second World War. Internet shopping, the recession and out-of-town commercial centres have all contributed to reducing our need or desire to come to town. The importance of the public realm and public life for contemporary cities is increasingly in the foreground of academic and institutional discussion.

There is growing recognition that in order to revitalize the urban space and to entice people to come to town, we need to fill these spaces with life, with culture, with art — in short, to make people want to be there, and not just to shop.

Gehl Architects, one of the most prominent and influential architecture and urban planning agencies in the world, describes a Good City as one that “is characterized by a multitude of optional activities [and] can always be recognised by the fact that many people choose to spend time in its public spaces.... A Good City offers a wide range of necessary as well as attractive, optional activities, and because many people use the city, there are many people to meet, watch and speak to. The city becomes a lively and wonderful city. A people city.”²

In order to draw sustainable strategies for cities of all scales, urbanists are looking towards creative practices in public spaces. Food vending, markets, festivals, murals and statues, pleasant architecture, green areas, fountains and digital apps have all been considered to connect people to the spaces around them. Most require heavy investment, and some are untested, but busking is cheap (often free) and millennia old.

Notions like “placemaking”, and specifically “triangulation in public space”³, refer to a community-driven, creative and inclusive approach to creating “people cities”. Triangulation is a critical factor for a successful public space. It includes the practices and activities of the public realm that create a linkage between people. Or what Whyte would call “that process by which some external stimulus provides a linkage between people and prompts strangers to talk to other strangers as if they knew each other”⁴.

William H Whyte, one of the fathers of the placemaking movement considered busking to be a vital part of the triangulation in public space. For Whyte, “Musicians and entertainers draw people together.... It is not the excellence of the act that is important. It is the fact that it is there that bonds people, and sometimes a really bad act will work even better than a good one.... A virtue of street acts is their unexpectedness. When people form a crowd around an entertainer – it happens very quickly, in 40 or 50 seconds – they look much like children who have come upon a treat; some will be smiling in simple delight. These moments are true recreation, though rarely thought of as such, certainly not by the retailers who try so hard to outlaw them. But there is something of great value here, and it should be fostered. Why not invite entertainers onto a plaza instead of banning them?”⁵

As well as helping to connect people to public spaces, street performers take art to the public. Arts curators are well aware that we are currently living in a two-world system, where some people get

¹ Portas Mary, 2011, The Portas Review: an independent review into the future of our high streets, source: <https://www.gov.uk/government/publications/the-portas-review-the-future-of-our-high-streets>

² (Gehl Architects, 2004, p. 28)

³ As introduced by William H. Whyte and Project for Public Spaces

⁴ (Whyte, City - Rediscovering the Center, 1988, p. 154)

⁵ (Whyte, The Social Life of Small Urban Spaces, 1980, pp. 96-97)

to see and take part in the arts, and others never go to a concert. Arts councils and grant makers are investing heavily in art creators who reach new audiences, mainly minorities and young people. There is an argument to be made that busking, with its ability to reach 100% of the population, should be at the top of the list of supported art forms.

And yet, although these solutions are discussed often by academics and widely applied by communities, authorities and policy-makers tend to be hesitant towards its application. Especially when it comes to busking.

2.2. Busking: rights, regulations and responsibilities

We have reviewed busking policy in 46 cities around the world. Of these, we collated enough information to include 34 of them in the table on page 11. This provides an informative précis of the current state of busking in 34 cities around the world.

The cities are evaluated from the most encouraging, **Melbourne** and **Sydney**, where busking is seen as a valuable contributor to the city's cultural brand, to the least encouraging, **Mexico City**, where busking is illegal and may lead to imprisonment. Given that busking exists in almost every culture, it is remarkable how differently authorities view street performers and try to manage them.

Unfortunately, the history of busking can mainly be seen in the laws enacted against it. In Ancient Rome, unlicensed buskers could be beheaded. In Medieval England they could be whipped for three days. Such draconian measures are no longer in place today, but busking is still illegal in four of the 46 cities studied, while a licence to busk is required in 21 of the sample cities. In five of the 46 cities surveyed, contravening busking laws can result in imprisonment. In nineteen of them, buskers can be fined while ten allow the seizure of busking equipment⁶.

In an increasing numbers of cities, legislation is being introduced to regulate busking and control the way in which public space is used. By its very nature, busking has always been the career choice of itinerants on the fringes of society. Part of its appeal is the unpredictable element, the surprise, the grassroots culture, and the lack of authority. It would be easy to assume that regulation and busking can find no common ground. That would be a mistake.

By examining and grading the conditions for busking in 34 cities around the globe, this report seeks to show that busking is not the enemy of public order. In fact, it is possible to do much more than simply reconcile any conflict of interest between policy makers and street performers. By taking a sensitive, collaborative approach towards busking, this ancient art can help revitalise city centres and enhance their reputations.

⁶ It should be noted that the numbers and statistics stated in this report may change as the research evolves over time.

3. Cases

3.1. Busking related strategies and schemes in cities around the world

In order to measure and compare how encouraging, or otherwise, different cities are in their approach to busking, we assigned negative or positive values to the circumstances and regulations which affect buskers.

For example, in cities where licences are mandatory, those which offer *free* licences score -1 while those where licences must be paid for score -2. Cities that have a manager or contact person specifically for buskers score +2. Other criteria include which government department or branch of the local authority is responsible for regulating buskers; and what, if any, restrictions are placed on the sale of merchandise.

Our system also evaluates the obligations that buskers have within each system and the benefits or support they get in return for adopting the regulations. The full list of criteria and their weighting can be found in Table 2.

According to this grading, the cities that we have investigated present the following scores (from more encouraging to less encouraging policies/approaches):

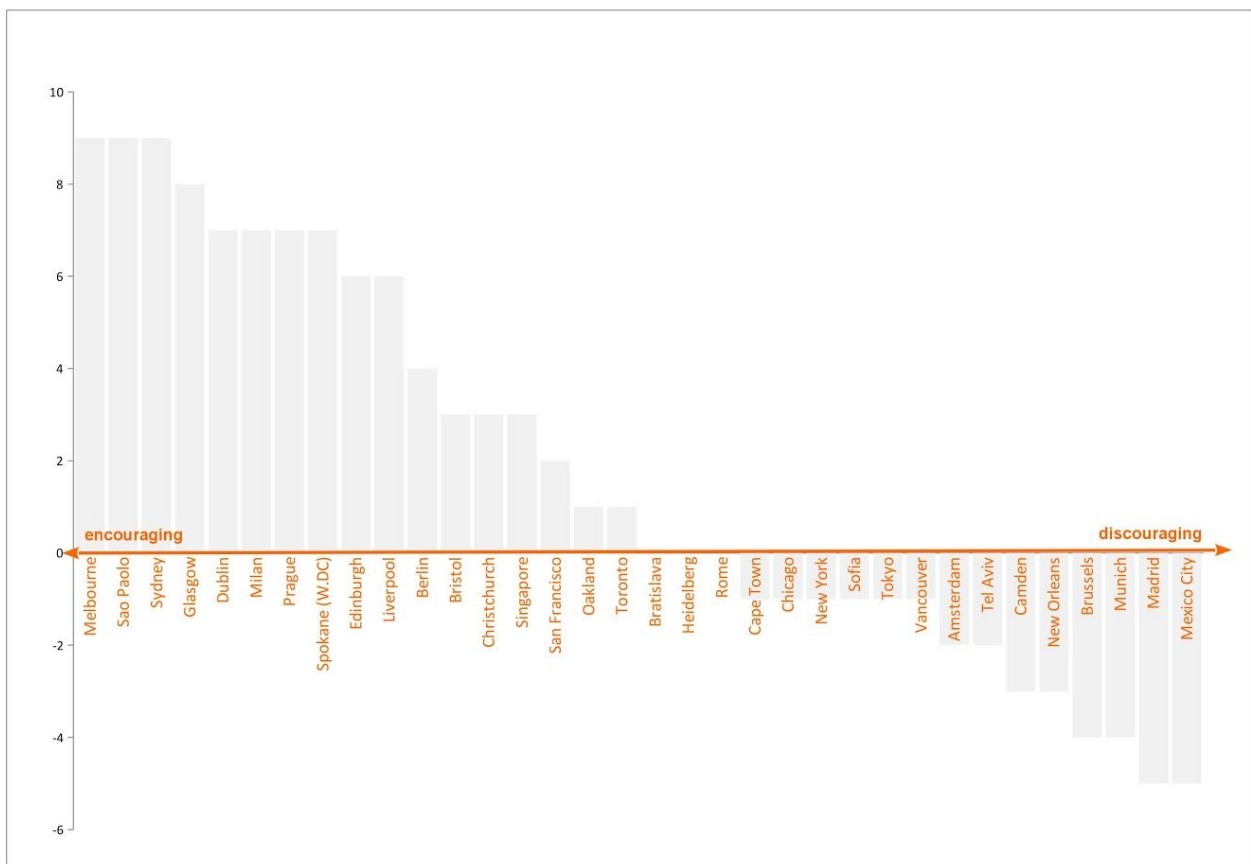


Figure 1: Grading of cities according to the extent to which their policy and approach encourages busking. Source: author's research

3.2. The Beat of the Street in 34 Cities

The table below depicts the variety of approaches, strategies and regulations that cities around the world employ in order to manage street performing, from the creation of new policy to how it is enforced.

Grading	City	Notes
+9	Melbourne	Melbourne features four types of licences, specific to different styles of busking, which makes the terms for each type of licence more fair and appropriate. Melbourne has a very vibrant busking scene, promoted by the city as part of their creative industries. There is a specific busking coordinator to support the community. Part of the licensing (for dangerous acts), a certificate of safety, is given by a peer-reviewed system run by a busker-member organisation. <i>[EDIT, March 2017: Melbourne has recently severely limited musicians on one of its best pitches, Swanston Street. It is unclear whether there will be a compromise found in the near future.]</i>
+9	Sao Paolo	In Sao Paolo, the managing system for buskers is relaxed and allows artists to perform free and self-regulate any issues. However, buskers face the highly-debilitating punishment of equipment seizure. They are currently looking at changing their policy.
+8	Sydney	Sydney's licensing system is relaxed, but artists need to pay a fee in order to get one. There are also limitations on duration and location of performances. However, there is a specific contact person in city hall for buskers; the local busking community participates actively in the policy-making process; part of the licensing (for dangerous acts) has been commissioned to a busker-member organisation, and busking is part of the city's cultural policy and branding. <i>[EDIT, March 2017: Sydney is now looking into changing its busking policies towards street performers, especially its musicians. They recently all-but-banned busking in one hotspot. Watch this space.]</i>
+7	Glasgow	The city's approach is relaxed; they appreciate street performers and a busking code has been launched, with the participation of local buskers, in order to allow artists to self-regulate their presence in public space. However, equipment seizure is possible under these rules.
+7	Dublin	Dublin approaches busking as an expression of culture in the public realm. The local regulations are relaxed, but there are specific areas where some firmer restrictions are in place (mostly relevant to amplification). There are also time, duration and equipment limitations. Dublin has recently been looking into changing its laws. <i>[EDIT, March 2017: Since this report was written, Dublin has cracked down on performers in its best pitches on Grafton Street and in Temple Bar, despite a huge amount of negative press over these actions.]</i>
+7	Milan	In collaboration with a local busker-member organisation, the city has launched a special online platform where anyone can book a pitch within the city and perform. There are time, duration and place limitations, but they aren't as cumbersome as many on this list. Nevertheless, the system is reviled by many buskers on the ground — it has some major flaws. Milan is a great example of how opaque management and little dialogue can make busker relations near-impossible.
+7	Prague	The historical city centre of Prague is considered the perfect scene for street performers and their acts. Indeed, the city of Prague and the central borough has developed a strategy for busking as well as an ordinance in order to support busking, but also to regulate the number of street performers in the centre. This strategy includes a Busker's Ethical Code and the ordinance mainly specifies pitches within the city centre where busking is allowed or not. Buskers do not have to obtain a licence, but they are asked to adhere to the Ethical Code. Due to the large number of street musicians in the city, specific areas have been introduced where loud music is allowed. Authorities seem to work in cooperation with the buskers. There is also a specific platform/website for local buskers that is promoted by the local authorities as a tool/service (with a great domain name) – www.busking.cz
+7	Spokane (W.DC)	Spokane is a small city with a well-functioning management system for buskers. However, busking is viewed as a noise pollution matter and treated as such. Although there are restrictions on busking, no benefits are offered to the buskers in return.
+6	Edinburgh	Edinburgh offers a great landscape for busking and is a hotspot. There is no fee to perform and few other regulations. There is a contact person specifically for buskers. However, it is possible that the government could seize the equipment of buskers who fall foul of the rules.
+6	Liverpool	Liverpool has a rich creative and cultural identity which it continues to forge. Relaxed regulations for buskers are part of this. However, there are specific pitches for buskers, and artists are not allowed to sell their merchandise there.

+4	Berlin	Berlin and its creative community offer a great base for busking to evolve. Local artists believe Berlin has an extraordinary atmosphere for busking. However, on paper, buskers need to obtain and pay for a licence, and face fines for breaking any regulations. Unusually, each borough has a different licensing system (as in the case of London).
+3	Bristol	Bristol is also known for its busking culture. The city features only a few restrictions (mandatory licence, restrictions on duration, and does little to support buskers in return).
+3	Christchurch	Christchurch recognises busking as legal, but there is a mandatory, paid license for the use of amplification. There are areas where artists can perform without a permit. There are some other minor regulations (such as duration limitation), and the city does not offer support or promotion to the artistic community.
+3	Singapore	Buskers are obliged to go through an auditioning and otherwise unheard of "boot camp" procedure in order to be licensed to perform in public. The whole busking scheme is regulated by the national arts council, so busking is approached as a cultural concern (instead of as a police matter). The council promotes and supports participating artists. However, the license also comes with strict quality regulations, specified pitches and shifts, and a ban on international (non-resident) performers.
+2	San Francisco	Though S.F. is considered friendly towards buskers, the regulations are not. There is a mandatory license for amplification, and performers are not allowed to sell merchandise. Also, while specific pitches (like Fisherman's Wharf) have clear regulations, the city's overall policy is vague.
+1	Oakland	Oakland has relaxed regulation for busking. However, the legal implications for breaking the law are quite strict and include a fine, equipment seizure or even arrest and imprisonment.
+1	Toronto	Toronto has a paid licence and prohibits the use of amplification. Busking falls within the department of business and urban economics, which deals with the licensing of business activities in the public space. The city does not seem to offer much support to the busking community. Only artists with a work/residence permit are eligible for licensing and allowed to perform.
0	Bratislava	Bratislava's frankly bizarre licensing system requires buskers to pay for their pitch <i>per square meter of space they take up</i> : €1/m ² (one presumes that double-bassists therefore pay twice as much as violinists). Additionally, amplification is prohibited in specific areas, and there are time, duration and equipment limitations. One positive is that there is a specific contact person for buskers.
0	Heidelberg	Heidelberg is considered to be a cultural centre for Germany, and features a vibrant busking scene. There is no need for a licence, but amplification is prohibited. There are time, duration and equipment limitations, and the city has restricted busking to certain areas (specifically in the historical centre). There is no specialised support or promotion for street performers.
0	Rome	A city of great weather, culture, landscape and tourism, Rome has a vibrant busking scene. Busking falls under the remit of the city's cultural policies, and there are specific contact persons for buskers. There are strict location limitations. Punishment for breaking regulations is quite strict and may involve equipment seizure.
-1	Cape Town	Cape Town was in the news recently for violent police actions towards a busker. Although the city's regulations are not so strict on paper (amplification is not allowed), the police actively discourage buskers from performing. However, the information that we have on Cape Town's legislation is limited.
-1	Chicago	Chicago buskers have to apply for a licence, with or without amplification. The rest of the local policy is relaxed. However, buskers potentially face imprisonment if convicted of contravening the laws. <i>[Edit, Feb 2017: in 2017, Chicago is now looking to make it harder to busk]</i>
-1	New York City	With millions of tourists, relaxed legislation on paper and the subway busking program (MUNY), NYC is considered a top location for certain types of performers, but larger circle shows, other than a few breakdance acts, completely avoid the city. Also, local police do not understand local policy, and buskers who break public space laws face imprisonment. Busking is mainly regulated by local police. Other departments (culture, public art, planning) do not have guidance or support for busking.
-1	Sofia	Though there is no information on the city's website regarding busking, local buskers and researchers informed us that there is a mandatory, paid license (for commercial activity) and they are not allowed to use amplification. However, enforcement seems to be relaxed.
-1	Tokyo	Tokyo runs an auditions program. There are specific pitches where performers are allowed to present their acts, without many restrictions. The auditions suggest that it offers promotion and support to the participating artists (but we could not find evidence of this)
-1	Vancouver	Though Vancouver has busking hotspots, the city requires buskers to pay for a licence, and artists might have their equipment seized. Busking is regulated as a business activity, not a cultural one.

-2	Amsterdam	The city of Amsterdam has a vibrant busking scene, but there have been a lot of changes in the central district's busking regulations. There is now a mandatory, paid license and no amplification is allowed. There are only a few pitches where busking is allowed, and a duration limit of 30 minutes has been set.
-2	Tel Aviv	Tel Aviv <i>could</i> be perfect for busking: great weather, lots of people and a colourful cultural and busking scene. However, the city has few pitches where artists can perform, and only residents can apply for a permit.
-3	Camden	An area with a great and spirited busking culture, Camden's council has recently put strict regulations on busking, within the framework of its noise ordinance. New regulations include a paid licence; time, duration and equipment limitations; a ban on amplification plus the threat of equipment seizure. A panel determines whether or not a busker meets the standards required.
-3	New Orleans	New Orleans is a city highly regarded as a capital of culture, arts and music. We have heard from local performers that in the wake of Katrina, the mayor asked buskers to return and make the streets lively again. However, local authorities have been struggling to bring a balance between busking activities and the need to regulate public space, especially noise pollution. There is an ongoing study and discussion in the city in order to change the previous ordinance and make it – probably – even stricter. This seems to mean lower sound levels, limitations on time and duration and more enforced policing with the possibility of imprisonment for contravening the regulations.
-4	Brussels	Brussels has an auditioning program. The licensed artists are obliged to adhere to limitations related to time, duration, equipment, specific areas or performance and the selling of merchandise. Although the busking policy is part of the city's cultural strategies, the program does not seem to give any further support of promotion to the participating artists.
-4	Munich	Munich has adopted an auditioning process that takes place <i>every morning</i> . There are also restrictions on amplification, time and duration plus equipment used. Though the legal implications are not strict, and the city seems to realise the importance of busking for the local cultural identity, the daily auditioning system is particularly burdensome.
-5	Madrid	Madrid is undergoing a crackdown on busking. In the last months, the city has adopted an auditioning system; banned amplification and defined specific pitches while offering nothing in return to the buskers. This approach has been adopted within the framework of noise and public ordinance.
-5	Mexico City	The city of Mexico is one of the few examples we came across that consider busking to be illegal. If caught, buskers can be fined or have their equipment seized. Despite this, it still has a vibrant busking scene.

Table 1: Ranking of the 34 case-study cities, where the local council's approach and on-paper regulations towards busking management have been evaluated. The table presents also short description of the assets of each strategy. Source: author's research

3.3. What Buskers Have Said About Fifteen Focus Cities

As part of this research, we wanted to highlight the perspective of buskers towards these policies and refer to the difficulties that they face. There is a great deal of variation between the amount of regulation different cities impose on busking, but there is also an important difference in how strictly that regulation is enforced, something that is important in any review of street performance policy.

So, the following assess how strictly the regulations are *applied* in each city, from the point of view of the street performers themselves.

The reports are listed alphabetically. First by country and then by city for those countries in which more than one city is featured. Each city is given a grade or score which is the combined value of the factors and regulations governing busking in that city.

Melbourne - Australia

City management meets buskers' needs through collaboration and support

Grade: +9

- Busking is legal.
- Licence is mandatory, but there are four types of permits according to the performer's act, which makes the terms for each case more fair and appropriate.
- There is an auditioning process only for dangerous acts and for safety reasons. This is conducted by a buskers' association (ACAPTA)
- The licensing system is regarded as fair and flexible from the buskers' perspective.
- Law enforcement is regarded as relaxed from the buskers' perspective and is employed only in cases of complaints.
- Amplification is allowed without any special licence, but sound level is regulated from local police authorities.
- Artists are allowed to present and sell their merchandise with an extra licence fee.
- There are some regulated pitches, but busking is not limited to those only. The pitches tend to work on a first come first served system.
- There is a busking coordinator.
- Melbourne officially recognises busking, presents it as part of the local culture and they incorporate it in the city branding. (Melbourne is considered to be the cultural capital of Australia)
- Buskers are invited to participate in the decision-making process

Sydney - Australia

Busking approached as an asset for the city's branding and creative identity

Grade: +9

- Busking is legal.
- Licence is mandatory, with a fee.
- There is an auditioning process only for dangerous acts and for safety reasons. This is conducted by a busker-membership association (ACAPTA).
- There are specific pitches where artists are allowed to perform. There seems to be a problem with many good pitches being under private management, and thus have stricter regulations.
- There is a busking coordinator in the city hall.
- Busking is part of Sydney's cultural policy and city branding.
- The local busking community participates actively in the policy-making process.

Sofia - Bulgaria

An unclear framework that allows for limited correspondence

Grade: -1

- Busking is legal.
- Licence is mandatory.
- There are specific areas (pitches) where busking is permitted.
- A licence is needed to perform on the waterfront. It costs around 150-200lv (€75-€100) per month – the specific price is calculated by square meter of space used.
- Busking seems to fall under the regulations for commerce and trade in public spaces.
- Local artists do not seem to follow the regulations.
- The law is enforced usually in cases that someone has reported a complaint.
- The procedure in order to get a licence seems to be complicated and bureaucratic.
- Amplification is not permitted, but artists use it mainly in big open spaces such as parks and squares.

Prague - Czech Republic

A first attempt of collaboration and management under the pressure of a busy city center

Grade: +7

- Busking is legal.
- There is a specific strategy for busking as well as an ordinance regulating it.
- A new ordinance restricts busking to some publicly accessible places – there are specific pitches.
- Strategy includes a Code of Conduct.
- Code includes a list of places where busking is prohibited either completely or just for musicians.
- Licence is not mandatory.
- Amplification is allowed without a licence but only where there is a definite need for it.
- There are specified areas for loud music.
- The authorities seem to be interested in supporting busking.
- However, in some ways, busking seems to be viewed as a problem and disturbance in the city centre. For example, the first article of the ordinance says: “Busking in publicly accessible places is an activity that could disturb public order in the City of Prague”.
- Authorities seem to work in cooperation with the buskers.
- There is also a specific platform/website for local buskers that is promoted by the local authorities as a tool/service - www.busking.cz
- The ethical code covers many aspects and possible problems that occur during busking, but it also features interesting expressions when it comes to the behaviour that artists should employ. (i.e. “beyond the limits of decency”, “use common sense”).

Dublin - Ireland

An attempt to co-create a framework while providing promotion and support to the buskers

Grade: +7

- Busking is legal.
- There is no licence.
- Amplification is generally allowed, except in specific amplification-free areas.
- There is a duration limitation only for music performances.
- There is a restriction prohibiting drumming sets.
- Though rarely imposed, potential fines for breaching regulations can reach €1500.
- The city authorities seem to realise the importance of busking and wish to support it.
- The authorities seem to attempt to include the local busking community in decision making.
- In 2012, a code of practice for buskers was suggested. It seemed to work initially, but, in the end, failed to decrease the number of complaints about noise.
- The authorities suggest that in return for adhering to the busking code, they will offer promotion and support to the participating buskers: As taken from the code of practice - “In return they will make every effort to develop future performance opportunities for Dublin’s street performers through the inclusion of street performers on the Artist’s Panel and in the programming of a street performer element at significant cultural events occurring in the city.”

Mexico City - Mexico

A vibrant busking scene, rooted in tradition, contradicts a restrictive busking scheme

Grade: -5

- Busking is considered to be illegal.
- The legal implications for busking are a fine or even equipment seizure.
- Despite the prohibition, there seems to be a busking scene in Mexico City.
- The local busking culture is strongly rooted on national traditions such as Mariachi and organ players.

Bratislava: City Center - Slovakia

A hesitant activation on behalf of the city to create a framework that does not correspond to the developing busking scene

Grade: 0

- No specific busking-related strategy.
- Busking is legal.
- There is a licence. The fee for the licence is determined by how much public space the performer takes up and is charged at €1 per m². This licence is compulsory if someone wants to perform for more than seven days per year. We aren't sure quite how this is enforceable.
- Amplification is allowed only in specific areas, as is specific equipment such as fire or drums.
- Music is not at all allowed in Hviezdoslavovo Square.
- Busking seems to be considered more like a begging rather than art.
- The city's authorities seem reluctant to issue permits. According to local reports, they have, at times, actively prevented certain artists from being given permits.
- There is an increase in buskers performing.
- Bratislava is hosting the Bratislava Street Art Festival.
- Police enforcement seems to be relaxed.
- Busking does not seem to be promoted and supported by the authorities.
- The current policy seems to be discouraging for buskers.

City of London - United Kingdom

In general, busking is considered legal in London but individual boroughs have a large degree of autonomy in their approach to street performers. We have featured the borough of **Camden** as well as **Greater London** because Camden's regulatory system has recently become more restrictive.

There is no grading for the City of London (so it was left out of the table above), as the local boroughs are responsible for decisions on busking regulations. At this point, however, we present the strategy that City of London employs and advises the boroughs to adopt.

- Busking is considered legal.
- There is no specific strategy at the moment.
- There is no provision for licensing busking in the City of London.
- Although a licence is not mandatory, individual boroughs have a large say in how they manage busking in their areas.
- A new scheme, "Busk in London", seems to be working hard with local authorities to create safe busking zones, and to clarify the law across the city. The program has had mixed results, but many performers say that busking has never been so accepted in this traditionally difficult city.

City of London: Camden - United Kingdom

A restrictive busking scheme against a dynamic busking community

Grade: -3

- The situation has just changed from no-regulation to a strict regulation scheme.
- Busking is considered legal.
- Licence is mandatory and there is a fee of £19 per year.
- A special busking licence is available for £47 where a performer wants a change in the standard conditions.
- Amplification is prohibited.
- There are restrictions on the allowed equipment (drums, wind instruments).

- There is a fine of up to £1000 for contraventions.
- Seizure of equipment is a possible punishment.
- The regulations have been developed without any participation from the local busking community, who strongly oppose the new rules.

Bristol - United Kingdom

A relaxed busking scheme that allows for self-management

Grade: +3

- Busking is legal.
- There is a no fee for the licence.
- Amplification is allowed without licence.
- The local authority seems to realise the value of busking and wishes to support it.
- A specific policy for busking is being developed.
- It is suggested that buskers give due regard to local residents and businesses and seek their permission when in proximity to any property.
- The system seems to be generally relaxed and welcomed by the local busking community.

Edinburgh - United Kingdom

A strong busking tradition that is supported by a relaxed busking scheme and promoted as a place identity aspect by the city

Grade: +6

- Busking is legal.
- There is no mandate for a licence.
- Amplification is allowed without a licence.
- There are no specific pitches.
- The regulations are considered to be relaxed.
- There is a contact person specifically for buskers.
- However, the equipment seizure is (rare but) possible.
- There seems to be a strong busking tradition that is also supported by the local authorities.
- Busking is a major part of Edinburgh's famous Fringe Festival (the world's biggest buskerfest).

Glasgow - United Kingdom

A city that recognizes the added value of busking and allows for self-regulation and self-management

Grade: +8

- Busking is legal.
- There is no mandatory licence.
- Amplification is allowed, except at night.
- There is a code of ethics for buskers.
- There do not seem to be any restrictions when it comes to equipment.
- There is, however, the chance of equipment seizure as a punishment measure in extreme cases.
- The local authorities seem to realise the importance of busking and wish to support it, especially on the Style Mile.
- The local authorities seem to support a self-regulation approach when it comes to monitoring and managing busking.

New York - USA

A vibrant busking scene that though is relaxed regulated, is not recognised as an asset by the city.

Grade: -1

- Busking is legal.
- There is no mandatory licence, except for parks (although no one seems to get a license for parks).
- There is a mandatory licence for amplification. Again this seems to be widely ignored.
- There is a curfew only for performances with amplification.
- Busking is managed mainly by the NYPD – it is treated as a criminal matter.
- (There is a widely acclaimed program for buskers in the subway, MUNY. They say they are about promoting the buskers of the New York Subway. However, it is no coincidence that the program started the year that busking was forcibly decriminalised in the subway by a federal court. Buskers say that MUNY is an opaque, confusing organisation).

New Orleans - USA

A discussion on how popular busking can become, while preserving the rights of citizens.

Grade: -3

- Busking is legal.
- There is a mandatory licence with a low annual cost.
- Amplification is allowed but must be licensed and remain below 85 db.
- Busking regulations are currently being revised and from now on will fall under the city's sound ordinance.
- Busking is not allowed in specific areas even with a permit.
- Imprisonment is a potential punishment for contravention of the laws.
- There seems to be a conflict with the city authorities and the residents of some central areas on one hand versus street performers and musicians on the other.

San Francisco - USA

A city that celebrates street art, but separates busking from it by not supporting it adequately.

Grade: 2

- Busking is legal.
- There are specific areas that feature special programs (e.g. Fisherman's Wharf) but the city itself does not have any special strategy for busking.
- There is no mandatory licence (though there seems to be some sort of confusion among buskers about the bureaucracy).
- Amplification is allowed with a permit at a very high price (\$498 per year).
- There are no strict regulations when it comes to curfew, duration and equipment used in the performance.
- Interestingly, the city has a well-established program for street artists (painters and crafters) and there is even an organisation taking care of these issues. However, there is limited support and services from the authorities when it comes to busking.

3.4. The impact of busking-related strategies

Towards the harsher end of the scale, **Munich** takes a much more regulatory approach to street performers. To gain a licence, which is valid for only one day, buskers must perform a daily audition. There is no benefit offered in return for jumping through these hoops. As a result, Munich ranks as the third most hostile place for busking among the sample cities. If this was the intended result of their legislation, it seems to be working – several performers have told us they no longer even try to busk in Munich, for the threat of being fined.

At the very bottom of the survey's league table, **Mexico City** is ranked as the least encouraging place for buskers. Unlike **Melbourne** and **Sydney**, the city authorities in **Mexico City** have laws in place to suppress busking rather than trying to make cultural capital from this important artistic resource. In fact, busking is illegal in **Mexico City** and those caught may be fined or have their equipment seized. In spite of this, **Mexico City** still has a vibrant busking scene, showing that bad legislation is not always enforced – even by police officers themselves.

There is a middle path. Cities with moderate regulations, which offer support and/or promotion to the busking community, are likely to be considered as cities that encourage busking. **Melbourne** and **Sydney** are good examples. Here, there are licenses, but the licenses are nuanced, vary on the type of performer, and the safety test for "dangerous" acts is a peer-reviewed system.

There is a balance to be struck between regulating busking and giving back to the busking community. The cities that strike the right balance stand to gain the most. More and more, urban planners are looking for strategies that can help breathe life into stagnating city centres. Busking has the potential to improve a city's reputation as being a culturally vibrant place in which to live, work and visit.

4. Conclusions

4.1 There is no global consensus

For some cities busking is a crime issue, for others it's about safety, or traffic, or arts, or business licensing. Street performers buy liability insurance and a licences in some cities, and are locked up with panhandlers in others. It is clear that there is no consensus on what part busking plays in city life, nor how it should be viewed by lawmakers.

So perhaps it should not be surprising to see that the busking systems in place in major cities vary wildly, from all out bans to every-day auditions, to boot camps, to paying €1/square meter/day, to a complete free-for-all with nothing official on paper.

It is also clear that there seem to be few correlations between the strictness of a busking program, how it is enforced and how the performers react to it. For example, **Singapore's** busking regime could seem to be farcically overbearing, in terms of its mandatory "boot camp" for buskers. However, the performers we spoke to in Singapore seem to think that it's a fair-ish system, that the license is easy to get, that they appreciate being able to apply at any time, that the government is generally supportive, and, anyway, the police tend to turn a blind eye to non-registered buskers.

4.2 There are a lot of theories, but none with proof

You could argue that the lack of a global consensus on what busking is, how best to manage it or which laws to enforce are simply clues that public spaces are complex beasts, that cities are evolving and that no two cities are the same, so of course busking would be a crime here or legal there. We do not, however, agree that this explains the whole truth.

In our experience, filming and interviewing hundreds of street performers in 40 cities in 30 countries on 5 continents, we found that city centres felt the same, even looked similar, with the same shops and malls and parks and plazas and pedestrianised streets, and yet time and time again we heard from street performers that they were in a legal grey area, unsure exactly of when the next fine would come their way. Often their fate rested on the disposition of the nearest police officer. So, not only is busking regulated differently from one city to the next, it's also regulated differently from one cop to the next.

We have heard many street performers argue that this is simply a sign of the times, that back in the 70s and 80s you could do anything, anywhere, any time, and that it's only in the last 20 years that cities have cracked down. Some argue that BIDs are to blame, privatising streets and chucking everyone off them, but even publicly managed land can be remarkably strict, depending on the city (note all the new legislation that councils themselves are putting out across the UK at the moment).

Others think it's amplification that's to blame; kids blaring out backing tracks on massive PA systems that annoy everyone until busking gets banned. But noise was the reason why Charles Dickens lobbied the government to ban busking in London back in 1864. And in every city we've seen anti-busking legislation come out, there has already been noise pollution legislation or antisocial behaviour legislation that would cover this behaviour.

Yet others believe that a general increase in the number of street performers has meant that pitches are overused, so noise complaints have gone up. This rise is said to be because it's simply so difficult to earn money from art today. For example, arts funding is down, venues are closing and digital streaming services have destroyed the musicians traditional business plan of "make

music and sell it”, so they’re turning to the streets to get by (*and if that’s the case, perhaps we should not be fining artists seeking to continue creating their art for a living*).

4.3 We need more data

The question “What strategies do cities around the world employ when it comes to busking?” is answered, then, “with various, wildly differing legislative and non-legislative approaches, which may be adhered to or not”. What we *can’t* answer, though, is “why are cities getting more strict in their approach”, nor “what is the impact of this new legislation”.

All this is to say the one really solid conclusion we can take from this research: there simply isn’t enough data out there on busking to inform today’s lawmakers on what is the right approach towards managing art in their public spaces. Nobody knows who’s right. Nobody even researches the impact of their own laws, apart from maybe monitoring the annual number of noise complaints.

This lack of data is surprising; anthropologists, musicologists, sociologists, economists, law students and all the other disciplines have failed to do a single study on the social or economic impact of having a lively busking scene, despite one visibly and loudly existing in the center of almost every major city on the planet...for thousands of years. Is there any other part of the arts industry that is either so ubiquitous or so overlooked?

4.4 Recommendations

The management of general public space depends on a city’s prevailing attitude towards social inclusion, freedom of speech, social networking, accessibility and equal opportunities. Which may not be helpful for the lawmaker, reading this report, looking for guidance on how to manage busking in their city; there is no consensus on how cities should be run, lots of theories to why cities are mismanaged, and a lack of data on the impact of legislation.

But, we believe that it is possible to rectify the lack of data, and to do so at low cost using technology. The tools to do the research are at our fingertips, and millions of potential data points are in place; as you read this, thousands of people all over the world are standing, facing street performers, pointing a smartphone at them.

The performers already have signage displaying URLs. Working with the performers we could get their audiences to respond to surveys online, combining that research with tripadvisor reviews, using surveys on apps and performers’ websites & social media channels.

The outcomes of this investigation could be multiplied in terms of innovation and interest if combined with anthropological, on-the-spot research, or even with the new tools that ‘action research’ allows us to employ, in order to integrate the ‘audience’ perspective. The findings could thereby be compared against the objectives and strategic goals of the UN Habitat Agenda, or other similar frameworks, in order to correlate the impact of busking with aspects of sustainable urban development.

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Appendix

Grading System criteria

In order to assess the policy framework that responds to busking management in each city, we decided to develop a grading system that features some main qualitative attributes that we consider to be of critical importance in order to evaluate a framework either as encouraging or discouraging for performers.

Our grading system allows us to add special weight to attributes that are considered very important for the busking scene. For instance, while we think that the recognition of busking as a legal act is indeed important, we value the recognition of it as illegal as a statement and policy of greater importance. Busking, as an act of freedom of speech, does not have to be claimed legal per se. However, when busking is treated as an illegal action, we see it as a contradiction to the human right of freedom of expression. Therefore, we grade “legal” with 1, while “illegal” with -3.

Policy Aspect	Local Approach		Grading
Legal State of Performing in Public	Legal		1
	Illegal		-3
Licences - Mandatory	Yes	Fee	-2
		No Fee	-1
	No		1
Amplification	Allowed (without licence)		1
	Prohibited		-1
	Licence Needed		0
Auditions	Yes		-2
	No		1
Time Limitation	Yes		0
	No		0
Duration Limitation	Yes	< 45 min	-2
		< 1.5 hour	-1
	No		0
Specified Pitches	Yes		-1
	No		1
Merchandise allowed	Yes		1
	No		-1
Dangerous equipment restrictions (fire, knives, swords etc.)	Yes		0
	No		0
Other equipment restrictions (drumming sets, wind instruments etc.)	Yes		-1
	No		0

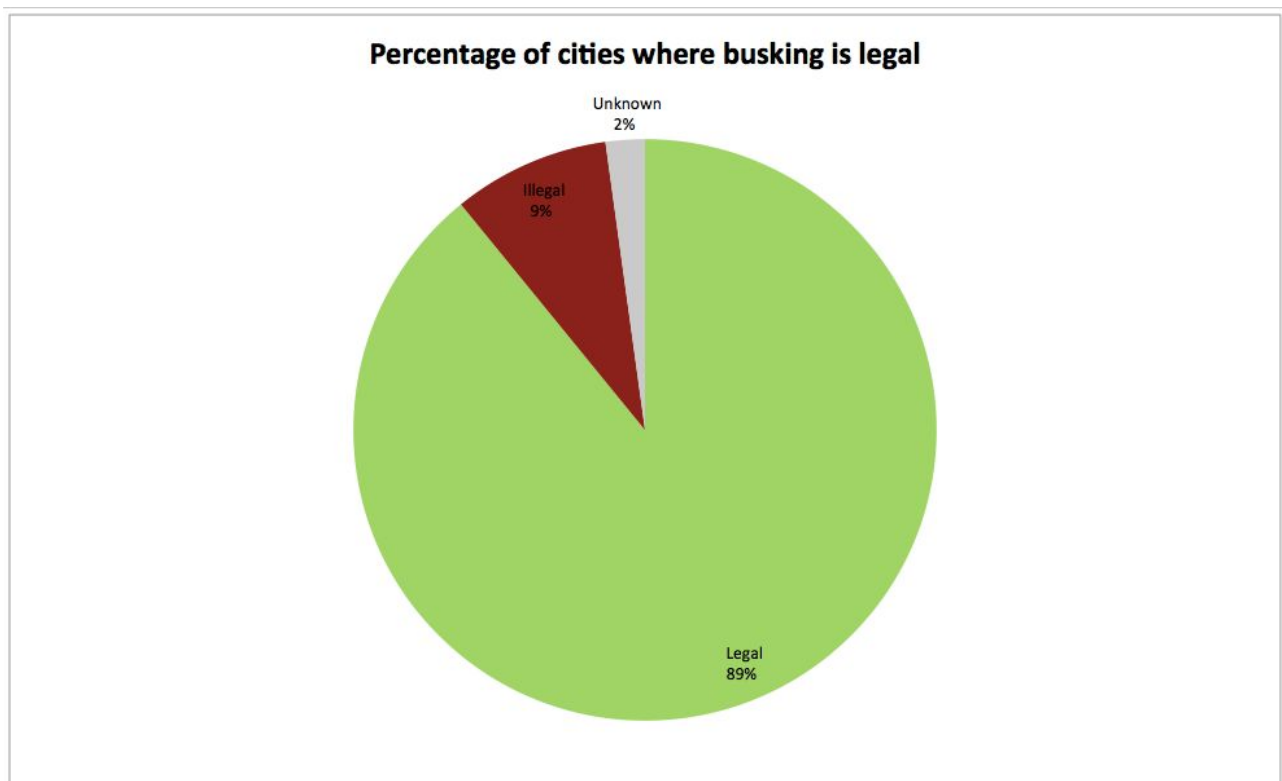
Punishment	Fine	Yes	-1
		No	1
	Licence Seizure	Yes	0
		No	1
	Equipment Seizure	Yes	-2
		No	1
Imprisonment	Yes	-3	
	No	1	
Manager/ Contact Person Specifically for Buskers	Yes		2
	No		0
Specialised Tools	Promotion		2
	Applications / Platform		1
	Nothing		0
Responsible Authority	Dpt. of Culture		1
	Dpt. of Urban Planning		1
	Dpt. of Environment		1
	Dpt. of Public Art		1
	Dpt. of Entertainment/Events		1
	Dpt. of Traffic		0
	Dpt. of Business		0
	Civil Office		0
	Noise/Pollution Ordinance		-1
Police		-2	
Development of Current Policy...	...with the Participation of Cultural Institutions		2
	...with the Participation of Buskers		2
	...without anyone's Participation		-1
Busker's Residency	Only Local Buskers Allowed (work/residence permit)		-1
	International Buskers Allowed		1

Table 2: Grading system for the evaluation of the degree of encouragement towards buskers from cities' policies and approaches. Source: author's research

Graphs

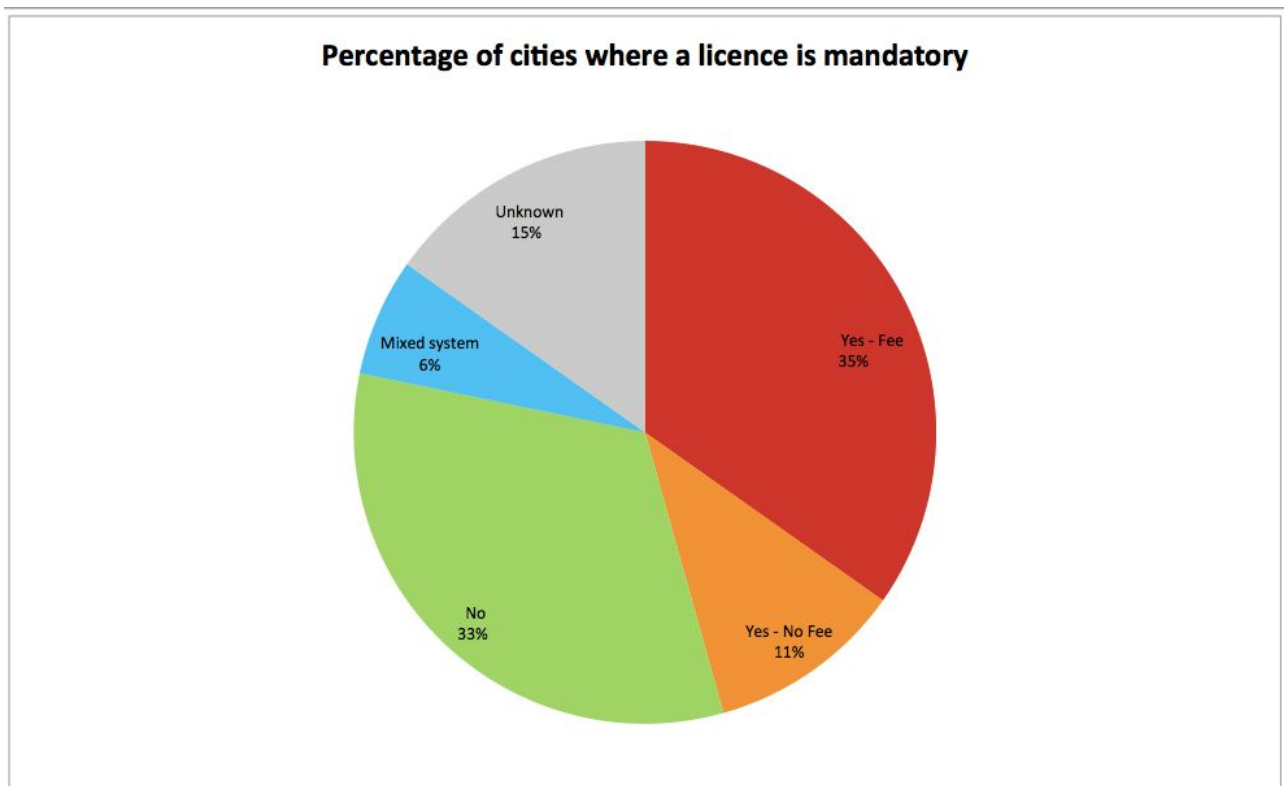
The following graphs are based on laws and policies that are often ill-defined, and often interpreted differently by different authorities within a city (which is, of course, part of the motivation for our study in the first place). In **New York**, for example, local police may insist that all busking requires a permit and fine non-licensed buskers, and yet no such permit exists (unless you want to be amplified on the subway). It is also important to note that these graphs are based on data taken from a small sampling of cities, and can't be said to be representative of the world as a whole. We should also point out that the laws regarding busking are in a state of flux in many cities and subject to change.

Legality of Busking



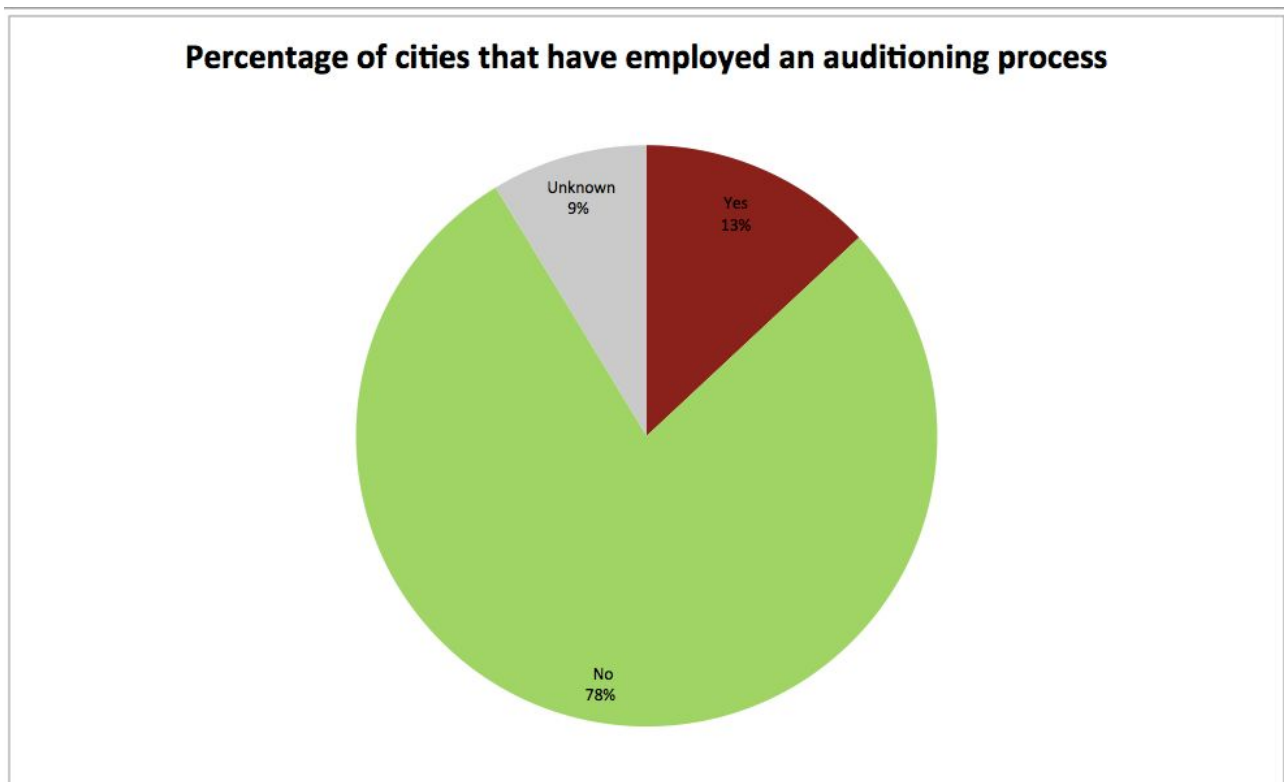
Graph 1: Percentage of cities where busking is legal

Mandate for licence



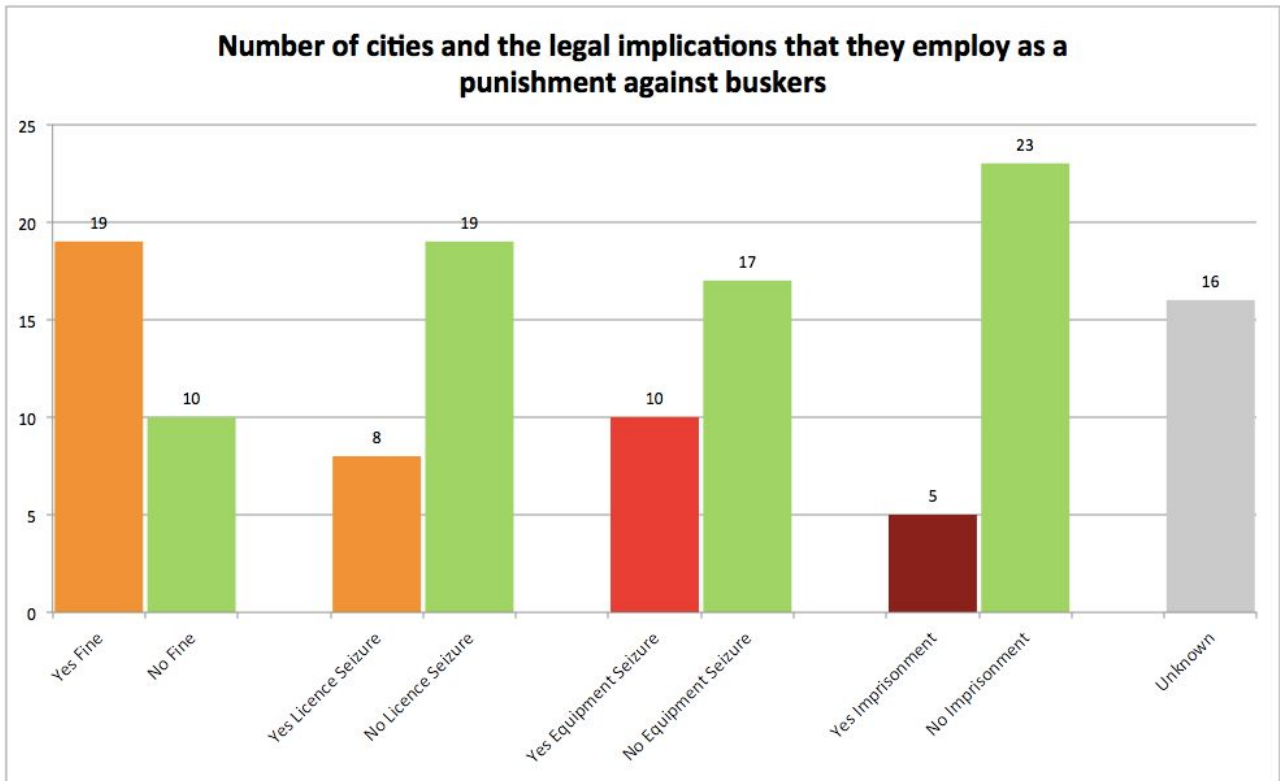
Graph 2: Percentage of cities where a licence is mandatory

Auditions



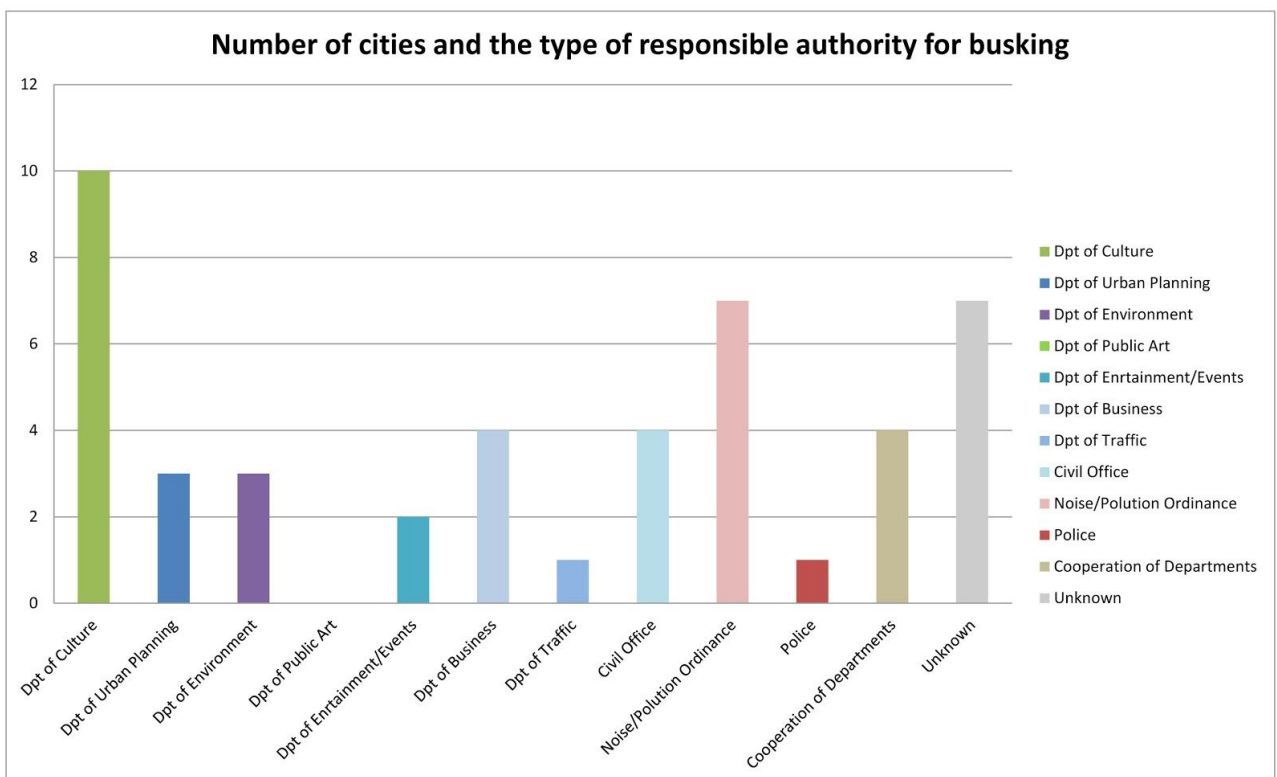
Graph 3: Percentage of cities that have employed an auditioning process

Legal implications/punishment



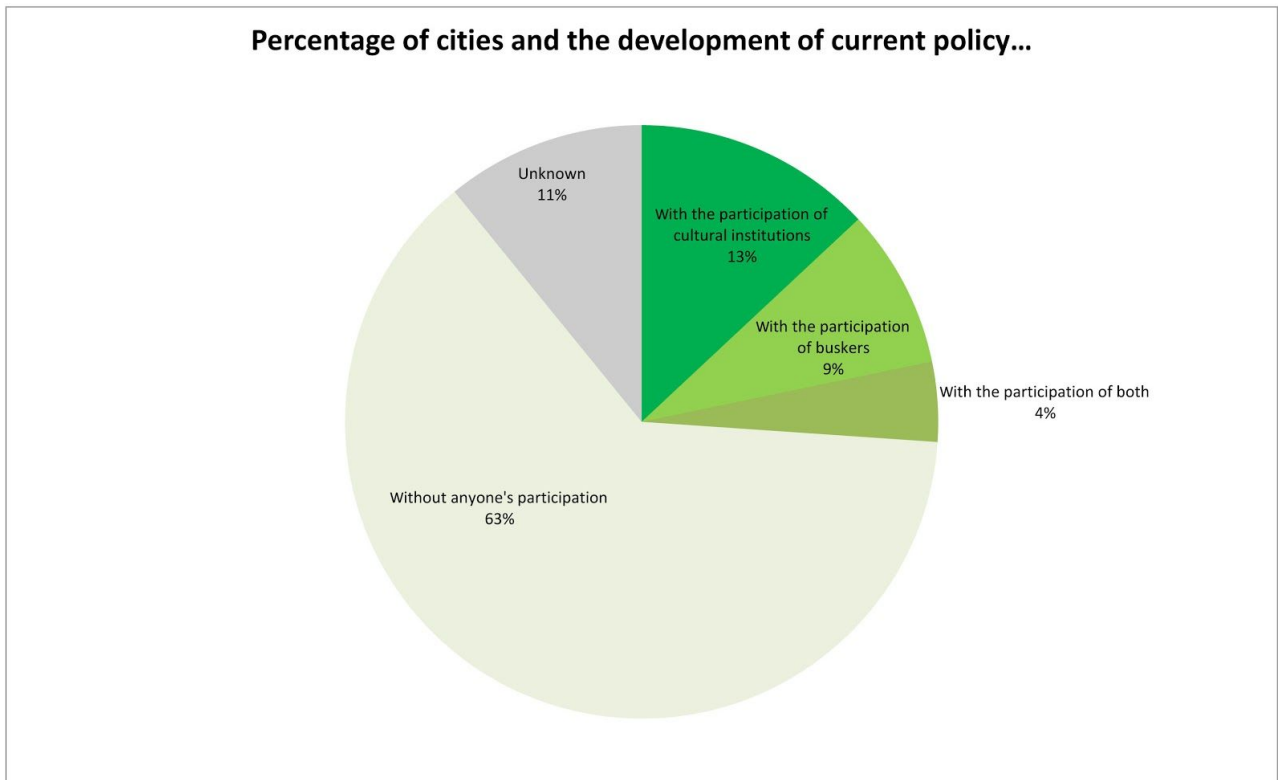
Graph 4: Number of cities and the legal implications that they employ as a punishment against buskers

Responsible authority



Graph 5: Number of cities and the type of responsible authority for busking

Development of current policy



Graph 6: Percentage of cities and the development of current policy...