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OXFORD'S CODE OF  
PRACTICE FOR

# Busking and Street Entertainment



# Oxford welcomes busking and street entertainers, who for many years have been entertaining those who live, work and visit Oxford, and are an important part of the city's vibrant and multicultural atmosphere.



## WHY DO WE NEED A CODE OF PRACTICE?

Buskers and street entertainers share the streets and open spaces with everyone else who live, work, trades or who take time out in the city centre. Inevitably there is potential for conflict amongst all the different uses that people make of the city centre.

These guidelines aim to support a culture of consideration for others, compromise and cooperation between buskers, local businesses, council officers and members of the public engaging in useful discussions.

Complaints about busking tend to apply to a small number of performers and usually relate to noise levels, repetitive performances or obstruction.

## WHAT IS BUSKING?

Busking or street entertainment is the performance of music, dance or street theatre in a public space for the main purpose of receiving donations of money from members of the public. Buskers or street entertainers are not paid or hired directly for their performance.

Most cases can be resolved in a polite way if they are dealt with before they escalate and a formal complaint avoided. Legal powers will only need to be used if there are ongoing problems.

The Code of Practice has been developed by representatives from the busking and business community, Oxford City Council and Thames Valley Police.

**✘ Don't remain on the same pitch for more than one hour.**

If your act has over five members or is likely to last over one hour you will need to apply to the Events Team to book a space. Please note this will incur a cost and requires at least six weeks notice before the event date.

Please refer to [www.oxford.gov.uk/events](http://www.oxford.gov.uk/events) for more details.

## WHERE TO BUSK

Busking and street entertainment is allowed in a set number of fixed pitches in Oxford (see map)

Each spot has its pros and cons and these will change according to the time of day and the season. A limit of one hour per spot has been set to allow all buskers and street entertainers to have the opportunity to play in pitches more suited to their act.

## BEFORE YOU PERFORM

Whenever you set out to perform on a street, you join a community of street traders, shops, businesses, residents, members of the public and other buskers. Before setting up, consider the impact that your act will have on other users of the space.

Sharing public space and cooperating with others is important and a willingness to talk to each other and come to a friendly agreement will usually resolve any problems.

Ask businesses to speak to you directly in the event that they have a problem, or need to ask you to make any changes to your act. This should help create a good, cooperative relationship between you and the people around you. It also makes it more likely that any future exchanges will be good natured.

Always be polite 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 good relationships on the street.



## SELECTING YOUR PITCH

Pitches in Oxford are available between 9 a.m. and 9 p.m.

Take care not to block highways or shop entrances and to allow plenty of space for people to walk past. Be aware of the time of day and the type of the pitch you intend to perform in and change locations if your act is unsuitable for that pitch on a given day.

**✘ Don't cordon off any part of the pavement, for example with a rope, to create a performance area as your crowd is more likely to cause an obstruction and someone might get injured.**

Always choose your pitch with consideration for other buskers and be willing to make changes to your act. Don't use street furniture, for example public seats, lamp posts, railings, or perform in a way that could be dangerous to you or a member of the public.

**✘ Don't busk outside the hours of 9 a.m. and 9 p.m.**

**✘ Don't use street furniture as part of your performance.**

## MANAGING YOUR PITCH

Repeating a limited number of songs/ performance pieces is one of the main causes of complaints.

So moving between pitches after finishing your performance, even if it is within the allotted hour, helps to make complaints less likely.

Using animals as part of your performance is not allowed as this can be dangerous to the animal and members of the public.

**✘ Don't repeat material on the same pitch or return to the pitch within two hours of leaving it.**



**✘ Don't use animals as part of your performance.**

The sharing and swapping of pitches with other buskers is strongly encouraged in Oxford; regular changeovers are part of creating a lively busking atmosphere. You can wait for pitches to become available or agree to come back at a given time, but don't forward "book" more than one pitch in advance.

You are entitled to play for your whole hour even if someone is waiting for your busking pitch. Never set up 'on top' of another performer or put them under pressure to give up the pitch they are on.

If you are 'sitting' on a pitch (i.e. not performing) and another busker wishes to play there, you should let them know when you intend to start performing and they should be free to perform on the pitch until you are ready to start.

Due to the width of the streets in Oxford, there are limited opportunities to perform circular shows (a street performance where a crowd is expected to gather and stay until the finale of the show), or other acts that require a wider area of space for their performance, e.g. street dance. Be aware of your crowd blocking the highway and the effect on the businesses around you.





**If your act requires performance space apply to the Events Team on 01865 249811.**



**Don't leave your belongings unattended or they may be removed.**

## HOW LOUD SHOULD PERFORMANCES BE?

As a guide your level should be just above the level of background street noise, but not intrusively so.

Every pitch has a different acoustic dynamic related to the location, type of sounds, weather, etc. which will all have an effect on the sound quality, travel and volume of your performance.

Where possible, agree a reasonable level with the businesses around you. You should not use mains or generator power for amplification.

Although a busker needs to be heard above the level of background street noise within a certain range for their performance to be effective, often complaints made about busking are about how intrusive a sound is. This is not just about its volume.

For example, performances that are repetitive in nature can seem louder than they actually are and are more likely to cause a disturbance. The location, time of day, duration of performances and crowd density are also important factors for consideration.

Always show consideration with the sound level of your performances and its impact upon other users of shared spaces, including other buskers. Turning up the volume can sometimes cause the sound you make to be distorted and unpleasant, causing annoyance. Be prepared to adjust your volume if asked.

Think carefully about the equipment you use. Instruments and amplifiers that are suited to the stage are not necessarily suited to busking.



**Don't use mains or generator power for amplification. Any noise must not be intrusive.**



Remember that the sound from amplifiers and louder instruments can carry further and potentially generate complaints. This has a lot to do with the way in which they are played so consider adapting your equipment. For example, use brushes and dampen drums, and mutes with brass instruments.

Take regular breaks between performances. Non-stop noise, however pleasant, can be experienced as intrusive. Problems can be avoided by moving between locations and deal respectfully with requests to adjust performances.

Remember that the streets and nearby buildings are often homes and working environments for others who might not be able to move around in the same way that a busker can. If backing music is part of your act it should be secondary and modest. If you're not actually performing, please do not leave a backing track running.



**Don't position yourself on a footway or highway in such a way that could be thought of as begging by passers-by, council officers or the police.**

# RESOLVING ISSUES

## FOR BUSINESSES AND RESIDENTS:

It is in everybody's best interest to have good relationships with the other users of shared public spaces.

If there is a busker near your place of work or residence and they are causing you a disturbance, make yourself known to them and explain the issue politely at a suitable interval in their act. In most cases the busker may not be aware that they have caused you an issue and will want to resolve it quickly and amicably. Could the busker adjust their volume or selection, agree the length for their performance or could they relocate to another pitch if necessary?

Making a formal complaint should not normally be your first step but if an agreement cannot be reached, contact Oxford City Council on 01865 249811 and an officer will aim to help resolve the issue.

The officer will assess the situation as soon as they are able. If appropriate, they will ask the busker to adapt their performance. Or, if they consider that the busker or street entertainer is reasonably obeying this Code of Practice they will let you know this.

 **Do make other buskers aware of this guidance.**

## FOR BUSKERS:

If you are approached by a resident or representative of a business who is disturbed by your performance first consider whether your performance conforms to this Code of Practice. Try to reach an agreement; could you adjust your location, selection and/or volume, or could you both agree the duration of your performance?



If an agreement is not possible and if you are confident that you are abiding by these guidelines, politely inform the complainant of this and that you are not able to make any further adjustment to your performance.

Make a written note for yourself of the exchange and what you said in case you are asked about it later. Consider contacting Oxford City Council on 01865 249811 if you require help.

## ENFORCEMENT

Where this Code of Practice is being observed, enforcement action will not be necessary; however, in the event of a complaint that cannot be resolved between a complainant and a busker, a council or police officer may attend to assess the situation. If they judge that the busker's performance is not in line with these guidelines they will provide the busker with the relevant advice, and ask them to amend their performance. They will also warn of potential future enforcement action.

If the busker refuses to amend their performance or has repeatedly been in breach of the guidelines the officer may issue a legal notice, which may include a fixed penalty notice.

Buskers should be aware of sources of advice that they might go to in order to discuss their performance, for example, the Musicians Union or Equity.

Enforcement action will only be taken as a last resort where performers have failed to follow this guidance, as set out in Oxford City Council's Corporate Enforcement Policy available on the council's website.



## THE LEGAL BACKGROUND:

There is a range of legislation covering noise generated in the street. For example, under the Environmental Protection Act 1990, where a statutory nuisance is being caused, noise abatement notices can be served. Breaching a noise abatement notice can lead to fines and the seizure of musical instruments and other equipment.

Under the Control of Pollution Act 1974 section 62 no amplification is allowed in any public place after 9pm and before 8am.

The Anti-Social Behaviour, Crime and Policing Act 2014, allows council and police officers to issue a Community Protection Notice to people causing a nuisance. Breaching a Community Protection Notice can lead to fines and the removal of musical instruments and other equipment.

## STREET ENTERTAINMENT OR STREET TRADING?

Street entertainment does not involve a formal sales transaction because donations are given to performers by members of the public on a voluntary basis.

If the provision of goods or service is part of your street entertainment 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 your act which means that people should be able to engage with your act/performance without any obligation to make a donation.

It must be highlighted that any donations made are on a voluntary basis so that the product or service is an extension of the act itself and people are not obliged to make any contribution. For example, in some circumstances a member of the public may request a CD without making a donation. This should be made clear with an appropriate sign. We suggest the following wording:

"In order to comply with street trading legislation these CDs (balloons, portraits etc) are not being offered for sale, any contribution you make is voluntary and at your discretion. Suggested contribution £x."

Where the above guidance is observed, and the provision of goods/services is clearly a secondary aspect of the performance, enforcement action under street trading legislation will not be taken; however, random audits will be carried out by council officers to ensure compliance.

**✗ Don't sell CDs or other merchandise. You may ask for a suggested voluntary contribution.**

People wishing to trade on the street, for example in t-shirts, CDs, arts or crafts where the main purpose does not involve a performance can apply for a street trading consent from Oxford City Council or obtain a Pedlars Certificate from their local police force.

Charitable Collections: Requests for donations for charity will require a permit from Oxford City Council, St Aldates Chambers, 109 St Aldates, Oxford, OX11DS

## COMMUNICATION

All the parties responsible for these guidelines will review them from time to time.

The council provide the opportunity for regular meetings with the busking community to share information about events, projects and other developments in the city centre and to consult them about all matters concerning the city centre. The council will use this forum to try to resolve any issues that arise.

## CONTACT DETAILS

All enquiries about these guidelines can be made to our Community Safety Service at [saferoxford@oxford.gov.uk](mailto:saferoxford@oxford.gov.uk)

### USEFUL CONTACTS:

#### THE MUSICIANS' UNION (MU)

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.

**Contact the East and South East England Regional Office on 020 7840 5537 or visit [www.theMU.org](http://www.theMU.org)**

#### EQUITY INCORPORATING THE VARIETY ARTISTES' FEDERATION

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.

**Contact: South East office on 020 7670 0229 or visit [www.equity.org.uk](http://www.equity.org.uk)**

#### EVENTS TEAM

Our Events team is here to encourage, support and enable community, charity and commercial events to take place in Oxford's city centre spaces and parks.

**All of the information you need to make an event application can be found on these pages: [www.oxford.gov.uk/events](http://www.oxford.gov.uk/events) or contact 01865 249811**

**CONTACT THE CITY CENTRE MANAGER ON 01865 252080  
OR EMAIL [citycentre@oxford.gov.uk](mailto:citycentre@oxford.gov.uk)**

# BUSKING AND STREET ENTERTAINMENT LOCATIONS MAP



**A** Cornmarket Street/St Michael's Street (outside AMT)

**B** Cornmarket Street/Market Street (outside Vodafone)

**C** Cornmarket Street/Carfax (Outside HSBC)

**D** Covered Market (11:00 – 15:00 Fridays and Saturdays only)

**E** Bonn Square (when no events taking place - check Events Diary on Oxford City Council Website)

**F** Queen Street (outside M&S)

**G** Penny Farthing Place

**H** Gloucester Green/Old School House

**I** Gloucester Green/Friars Entry