

# CITY OF WESTMINSTER

## MINUTES OF PROCEEDINGS

At the Meeting of the Council of the City of Westminster held at 7.00 pm on  
Wednesday 9th December, 2020 at This is a virtual meeting.

### PRESENT

The Lord Mayor, Councillor Jonathan Glanz

### COUNCILLORS

Heather Acton	Elizabeth Hitchcock
Ian Adams	Adam Hug
Barbara Arzymanow	Louise Hyams
Timothy Barnes	Aicha Less
Geoff Barraclough	Pancho Lewis
Richard Beddoe	Andrea Mann
Rita Begum	Patricia McAllister
David Boothroyd	Tim Mitchell
Iain Bott	Gotz Mohindra
Margot Bright	Matt Noble
Susie Burbridge	Emily Payne
Ruth Bush	Papya Qureshi
Nafsika Butler-Thalassis	Robert Rigby
Melvyn Caplan	Rachael Robathan
Maggie Carman	Tim Roca
Danny Chalkley	Ian Rowley
Antonia Cox	Karen Scarborough
Lorraine Dean	Mark Shearer
Tony Devenish	Selina Short
Paul Dimoldenberg	Andrew Smith
Richard Elcho	James Spencer
Christabel Flight	Paul Swaddle, OBE
Murad Gassanly	Shamim Talukder
Jonathan Glanz	Hamza Taouzzale
Jim Glen	Aziz Toki
Matthew Green	Judith Warner
Lindsey Hall	Jacqui Wilkinson
Angela Harvey	

Apologies: Councillors Eoghain Murphy, Peter Freeman, Guthrie McKie and Nickie Aiken.

#### **1 APPOINTMENT OF RELIEF CHAIRMAN**

- 1.1 It was moved by the Lord Mayor and seconded by Councillor Paul Swaddle that Councillor Ian Adams be elected as Relief Chairman.

1.2 Motion put, and on a show of hands, declared **CARRIED**.

## **2 DECLARATIONS OF INTEREST**

2.1 There were no declarations.

## **3 BUSKING AND STREET ENTERTAINMENT POLICY**

3.1 Both the Conservative and Labour parties had selected as their first item for debate the Busking and Street Entertainment Policy.

3.2 Councillor Matt Noble moved and it was seconded by Councillor Pancho Lewis that recommendation 1 in the report of the Executive Director for Environment and City Management be amended as set out in the order paper.

3.3 Following debate, The Lord Mayor put the amendment to recommendation 1 to the vote and following an electronic poll declared the amendment **LOST**.

3.4 The Lord Mayor then put the substantive recommendations as set out in the covering report to the vote and following an electronic poll declared the recommendations **CARRIED**.

### **3.4 RESOLVED:**

That the Council agreed:

(1) A Busking and Street Entertainment Policy for the City of Westminster which includes (as specified in Appendix B to the report):

- the adoption of a city-wide Busking and Street Entertainment Code of Conduct;
- the creation of a dedicated Buskers and Street Entertainers Forum; and
- ongoing seasonal (quarterly) monitoring and an annual review of the policy after one full year of operation.

(2) To adopt Part V (Licensing of Buskers) of the London Local Authorities Act 2000 to apply to all the area of the City of Westminster.

(3) The draft designating resolution for consultation to prohibit busking and street entertainment from all licensed streets save that busking and street entertainment will be permitted under and in accordance with (a) the terms and conditions of designated pitches and (b) the terms and conditions of a busking and street entertainment licence.

(4) The draft designating resolution for consultation contains.

(4.1) the designated streets and areas where busking and street entertainment is to be prohibited – the licensed streets, namely:

Paddington	Soho	Embankment
Mayfair	Leicester Square	Trafalgar Square
Marylebone	Chinatown	Whitehall
Bayswater	Piccadilly	Parliament Square
Oxford Street	Covent Garden	Victoria
Regent Street	The Strand	Knightsbridge
New Bond Street	Charing Cross	Belgravia

- (4.2) the busking and street entertainment pitches where busking and street entertainment will be permitted (under and in accordance with (a) the terms and conditions of designated pitches and (b) the terms and conditions of a busking and street entertainment licence – the busking pitches, namely:

Pitch 1: Marble Arch	Pitch 14: London Transport Museum
Pitch 2: Old Quebec Street	Pitch 15: St Pauls Church
Pitch 3: Vere Street	Pitch 16: St Martins
Pitch 4: Princes Street	Pitch 17: Trafalgar Square Charing Cross Rd
Pitch 5: Glasshouse Street	Pitch 18: Trafalgar Square North Terrace
Pitch 6: Eros Statue	Pitch 19: Trafalgar Square North Terrace
Pitch 7: Chinatown	Pitch 20: Trafalgar Square North Terrace
Pitch 8: Leicester Square North West	Pitch 21: Trafalgar Square North Terrace
Pitch 9: Leicester Square North East	Pitch 22: Trafalgar Square North Terrace
Pitch 10: Covent Garden James Street	Pitch 23: King Charles Statue
Pitch 11: Covent Garden James Street	Pitch 24: Northumberland Avenue
Pitch 12: Market Square James Street	Pitch 25: Charing Cross Station
Pitch 13: Royal Opera House	Pitch 26: Northumberland/Hungerford Bridge

- (4.3) the terms and conditions that apply for each busking pitch;
- (4.4) the terms and conditions for a busking and street entertainment licence;

- (4,5) the application process (and fee) for a busking and street entertainment licence, including the process for applying for a variation of the standard terms and conditions.
- (5) The following time-table:
  - (5.1) For the city-wide Busking and Street Entertainment Code of Conduct; dedicated Buskers and Street Entertainers Forum; and ongoing seasonal (quarterly) monitoring and an annual review of the policy after one full year of operation to have effect from 5<sup>th</sup> April, 2021.
  - (5.2) Resolution to Adopt Part V of the 2000 Act 9<sup>th</sup> December 2020 coming into operation on the 5<sup>th</sup> April, 2021.
  - (5.3) Consultation upon the draft designating resolution from the 10<sup>th</sup> December 2020 to the 31<sup>st</sup> January 2021 (a seven week period)
  - (5.4) 3<sup>rd</sup> March, 2021 the Full Council may adopt, amend and adopt, or reject the designating resolution; in the event of adoption it shall come into effect on the 5<sup>th</sup> April, 2021.

### **Reason for Decision**

1. On balance busking and street entertainment is and continues to cause adverse impacts despite the good intentions of voluntary approaches. The council continue to receive a high volume of complaints and are challenged by the very low effective use of existing powers to tackle the issue. Appropriate regulation is therefore considered the only option.
2. This policy seeks to balance the interests of buskers and street entertainers with those who live, work and visit our streets and shared public spaces by promoting the best of busking and street entertainment through a voluntary City-Wide Code of Conduct and supporting buskers and street entertainers to integrate into our communities, through membership to the Westminster Busking and Street Entertainment Forum.
3. The policy also recognises that in certain locations within our City, there is good reason to believe that as a result of busking and street entertainment there has been, is being, and will continue to be undue interference with or inconvenience to or risk to safety of persons using a street in that part of their area or other streets within the vicinity of that street; and /or nuisance to the occupiers of property in or in the vicinity of a street in that part of their area. It is therefore proposed to adopt Part V of the London Local Authorities Act 2000 and to further designate licensed streets for the areas listed below so as to prohibit busking in those areas apart from busking that is carried on by licensed buskers within the twenty-six designated busking pitches.

Paddington	Soho	Embankment
Mayfair	Leicester Square	Trafalgar Square
Marylebone	Chinatown	Whitehall
Bayswater	Piccadilly	Parliament Square
Oxford Street	Covent Garden	Victoria
Regent Street	The Strand	Knightsbridge
New Bond Street	Charing Cross	Belgravia

#### **4 LICENSING ACT 2003: ADOPTION OF THE COUNCIL'S REVISED STATEMENT OF LICENSING POLICY**

- 4.1 Both the Conservative and Labour parties had selected as their second item for debate the Revised Council's Statement of Licensing Policy.
- 4.2 Following debate, The Lord Mayor put the recommendations as set out in the covering report to the vote and following an electronic poll declared the recommendations **CARRIED**.
- 4.3 **RESOLVED:**

That the Council approved the revised Statement of Licensing Policy as attached at Appendix 1 to the report in accordance with section 5 of the Licensing Act 2003 so that it can come into effect on 7th January 2021.

The Meeting ended at 8.12 pm

**CHAIRMAN:** \_\_\_\_\_

**DATE** \_\_\_\_\_

