

Public Spaces Protection Order for busking and street entertainment (PSPO) 2023

Anti-Social Behaviour,
Crime and Policing Act 2014,
Part 4, Section 59



THE ROYAL BOROUGH OF
KENSINGTON
AND CHELSEA

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING

ACT 2014, PART 4, SECTION 59

PUBLIC SPACES PROTECTION ORDER for Busking and Street Entertainment (PSPO) 2023

This Order may be cited as the Public Spaces Protection (Royal Borough of Kensington and Chelsea) Order for Busking and Street Entertainment 2023.

The Royal Borough of Kensington and Chelsea ("the Council") makes this Order, being satisfied on reasonable grounds that the activities set out at section 1 in the locations described in section 2 of this Order have had or are likely to have a detrimental effect on the quality of life of those in the locality, or it is likely that activities will be carried out within that area and have such an effect. The Council is also satisfied that the effect, or likely effect, of the activities is, or is likely to be, of a persistent or continuing nature, and these activities are unreasonable and justify the restrictions imposed by the notice and that it is in all the circumstances expedient to make this Order for the purpose of reducing anti-social behavior in a public place.

This Order comes into force at midnight on 23 June 2023 for a period of 3 years thereafter, unless extended by further orders under the Council's statutory powers.

Section 1

The Royal Borough of Kensington and Chelsea hereby requires by way of this Order that:

Red zone (Zone 1) prohibits:

- Any busking or street entertainment that includes singing, and/or uses any form of musical or percussive device or instrument.
- No more than six performers at any location per performance.

Purple zone (Zone 2) provides the following requirements and restrictions on busking and street entertainment:

- No busking or street entertainment outside the hours of 10:00 and 19:00.
- No use of any amplifiers, loudspeakers, megaphones or any similar equipment in their performance.
- No performance of busking or street entertainment in any location to exceed 45 minutes, with no return to the same location (within 100 meters) on the same day.

- Sound levels from performances **are not to be intrusive**, so that they prevent or hinder normal conversation taking place 10 meters or more away from them.
- Repertoires shall be varied and avoid excessive repetition of any song or piece of music.
- No more than three performers in each location per performance.
- Buskers and street entertainers must have public liability indemnity insurance in place for up to £2 million and must be able to immediately produce evidence of the policy to any person authorised by the Council or the Police or any Police Community Support Officers.
- Buskers and street entertainers shall ensure that their performance does not cause an unreasonable obstruction to other pedestrians and road users.
- Buskers and street entertainers must not sell any goods (such as CD recordings) without the requisite authority from the Council.
- Buskers and street entertainers must act on the reasonable instructions given to them by any person authorised by the Council or the Police or Police Community Support Officers in particular where those instructions are based on their assessment that the busking or street entertainment is having a detrimental effect on the quality of life of those in the locality.

Section 2

(a) The land in relation to which this Order applies is that land within the boundary of the Royal Borough of Kensington and Chelsea as briefly described in the schedule to this Order;

(b) It is an offence for a person without reasonable excuse to engage in an activity that is prohibited by this Order. Enforcement officers can issue a fixed penalty notice of up to £100 for an offence. Where a fixed penalty notice is not paid within the required timescale, the offender can be prosecuted for the offence of failing to comply with the PSPO. A person found to be in breach of this Order is liable on summary conviction before the Magistrates Court to a fine not exceeding level 3 on the standard scale. Enforcement of the offence can be undertaken by either a police officer or an authorised officer of the Council..

Dated: 23th June 2023

SCHEDULE

Including ALL those publicly maintained streets within the boundary of the Royal Borough of Kensington and Chelsea, as referred to and highlighted in the tables and maps below.

c Space Protection Order (PSPO) for Busking and Street Entertainment - Location

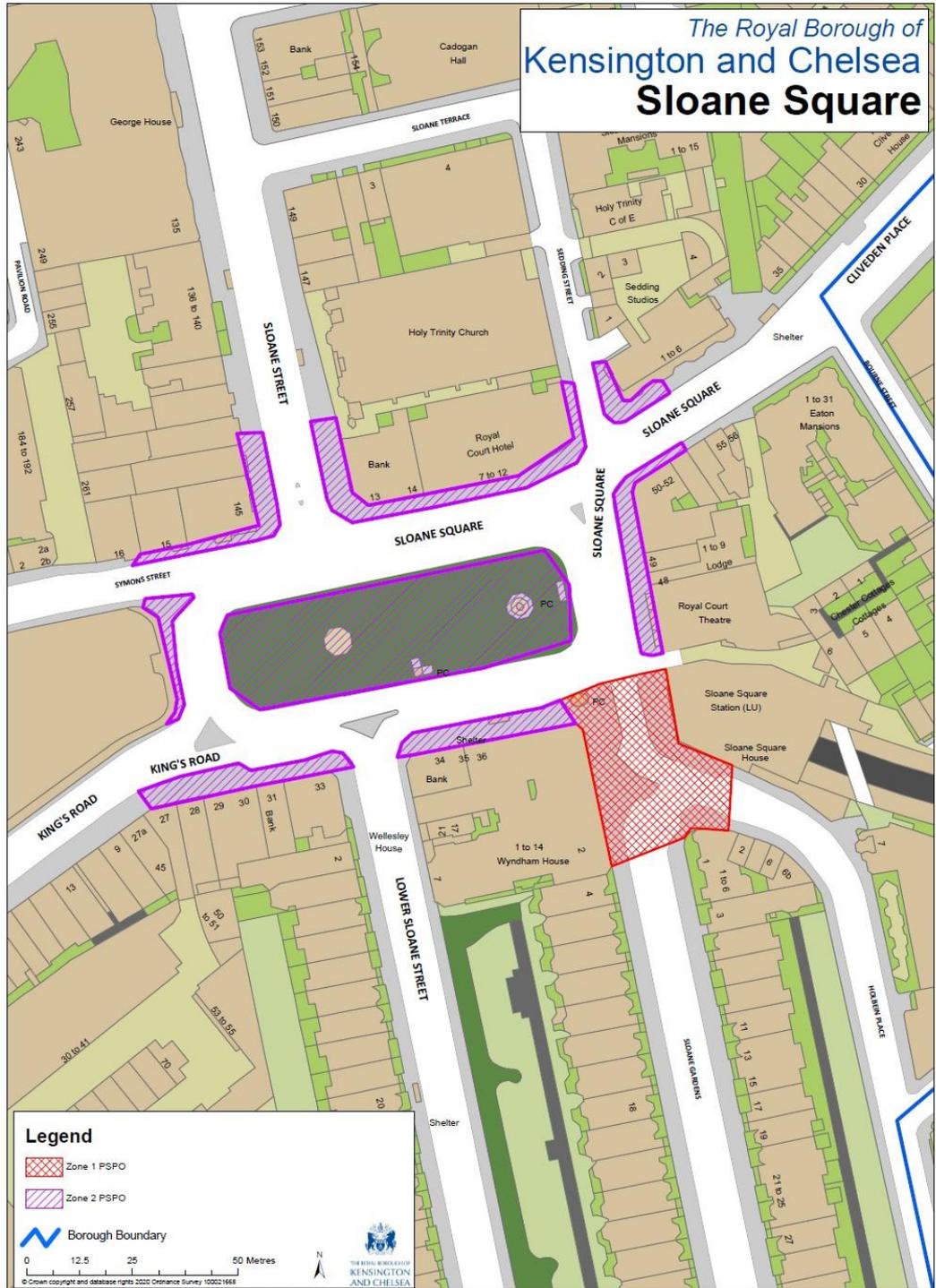
RED ZONE 1

Busking Area	Location Description
Sloane Square	Junction of Sloane Square Station with Sloane Gardens
Hans Crescent, Harrods and Knightsbridge Station	63 to 135 Brompton Road (Odd Numbers) 25 to 19 Hans Crescent junction with Basil Street Hans Crescent
Exhibition Road, South Kensington	Exhibition Road – From Thurloe Street up to Imperial College. Thurloe Street
Kensington High Street	121 to junction with Argyll Road Argyll Road - junction of Kensington High Street to number 17 Argyll Road.

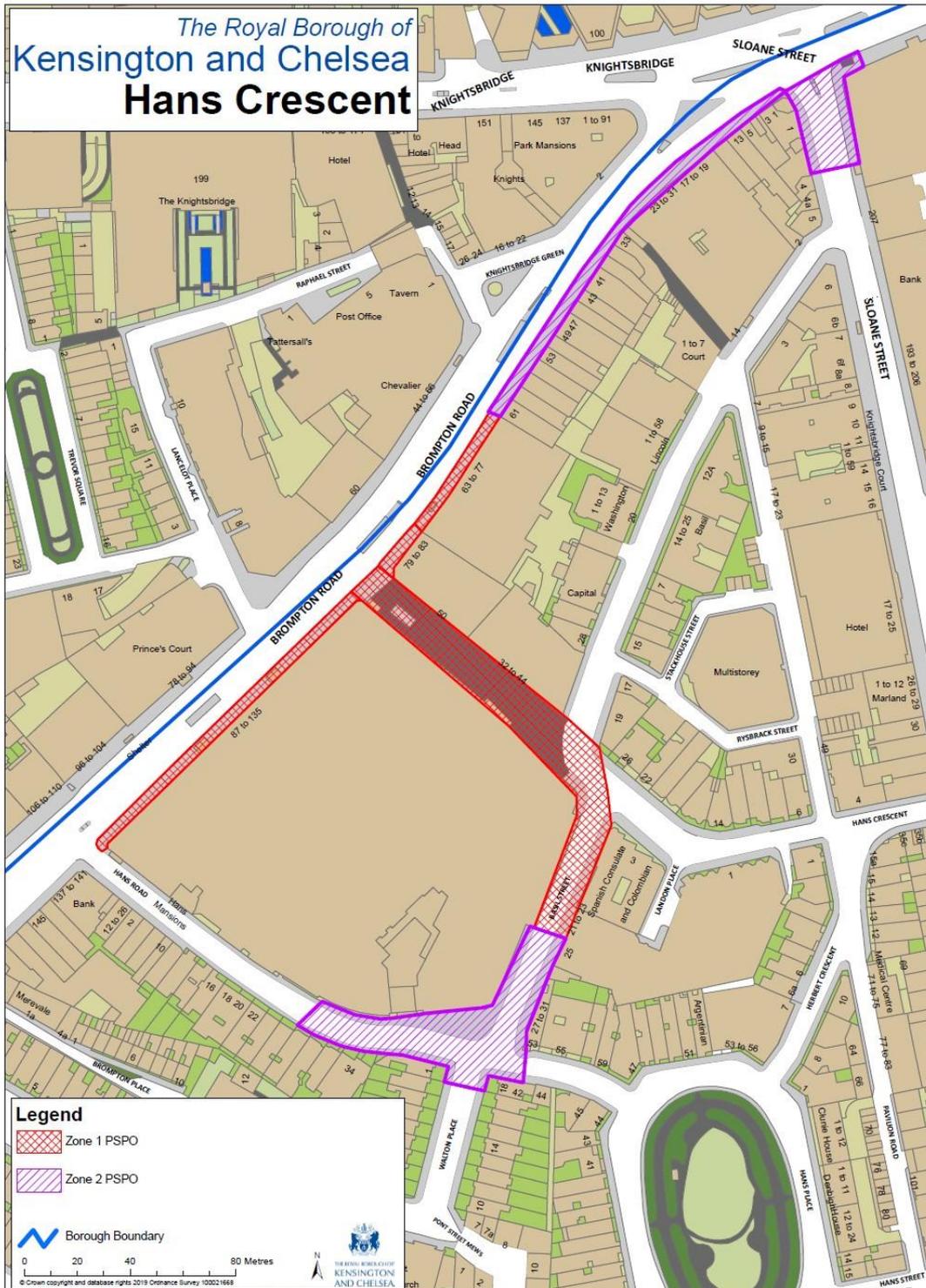
Purple Zone 2

Busking Area	Location Description
Sloane Square	Entire Sloane Square extending 10 meters at each junction, excluding Red Zone 1 area.
Hans Crescent, Harrods and Knightsbridge Station	25 Basil Street up to 28 Hans Road. 81 Brompton Road up to junction with Sloane Street.
Exhibition Road, South Kensington	Thurloe Place, including number 19 Thurloe Place up to the junction with Cromwell Road, including Cromwell Gardens. 1 Cromwell Road to 21 Cromwell Road 14 to 21 Cromwell Place Pelham Street, area surrounding South Kensington Tube Station.
Kensington High Street	High Street Kensington from 130 to 42 (even numbers) and 63 to 97 (odd numbers). Hornton Street up to junction with Philimore Walk.
Gloucester Road	Gloucester Road (side of the station) from Cromwell Road junction to Courtfield Road.
Portobello Road	Entire length of Portobello Road including all Junctions.
Earl's Court Road	216 to 242 West Side 179 – 187 East Side
Notting Hill Gate	Notting Hill Gate from 106 to 58 (North Side)

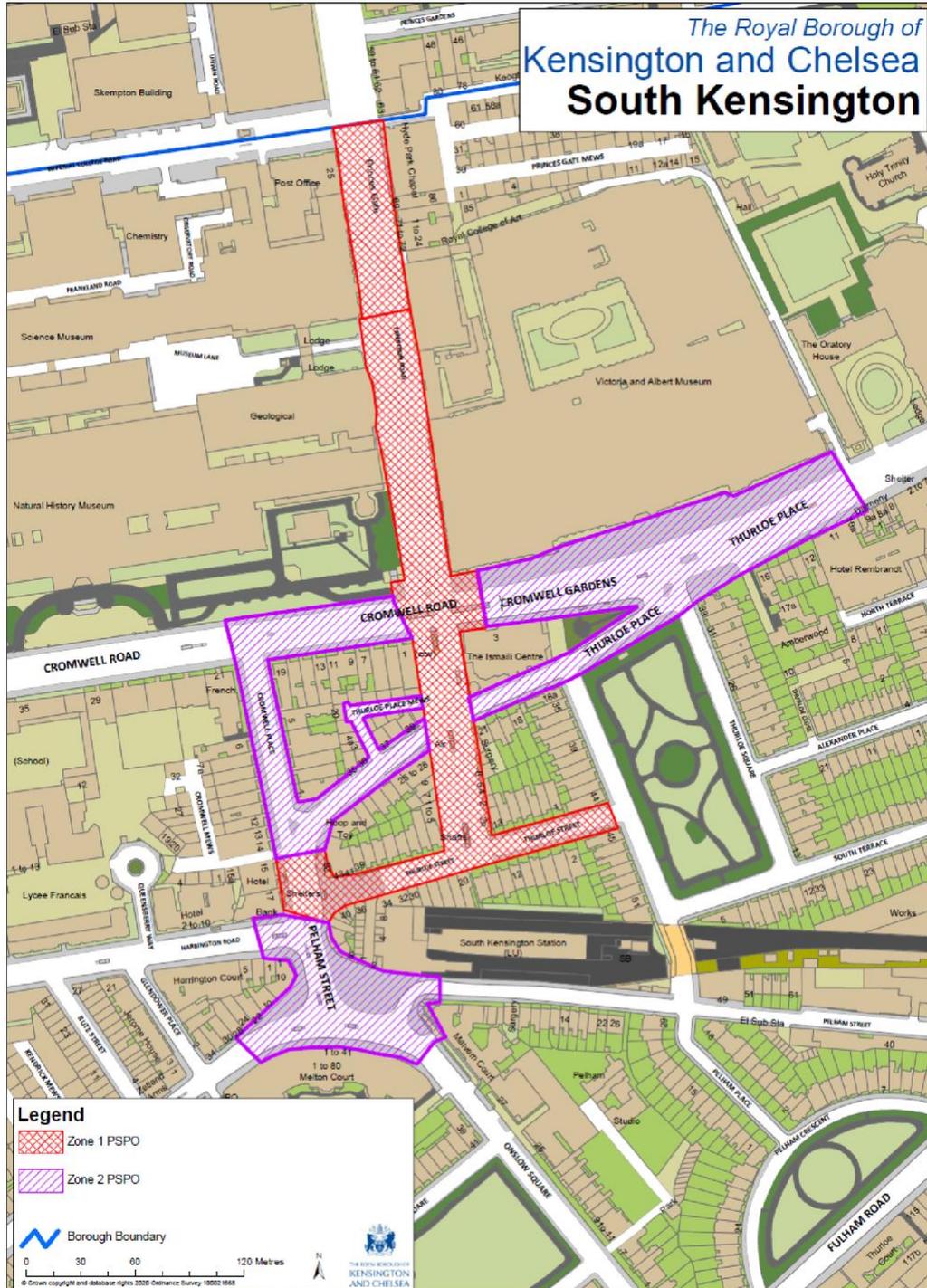
Map 1- Sloane Square



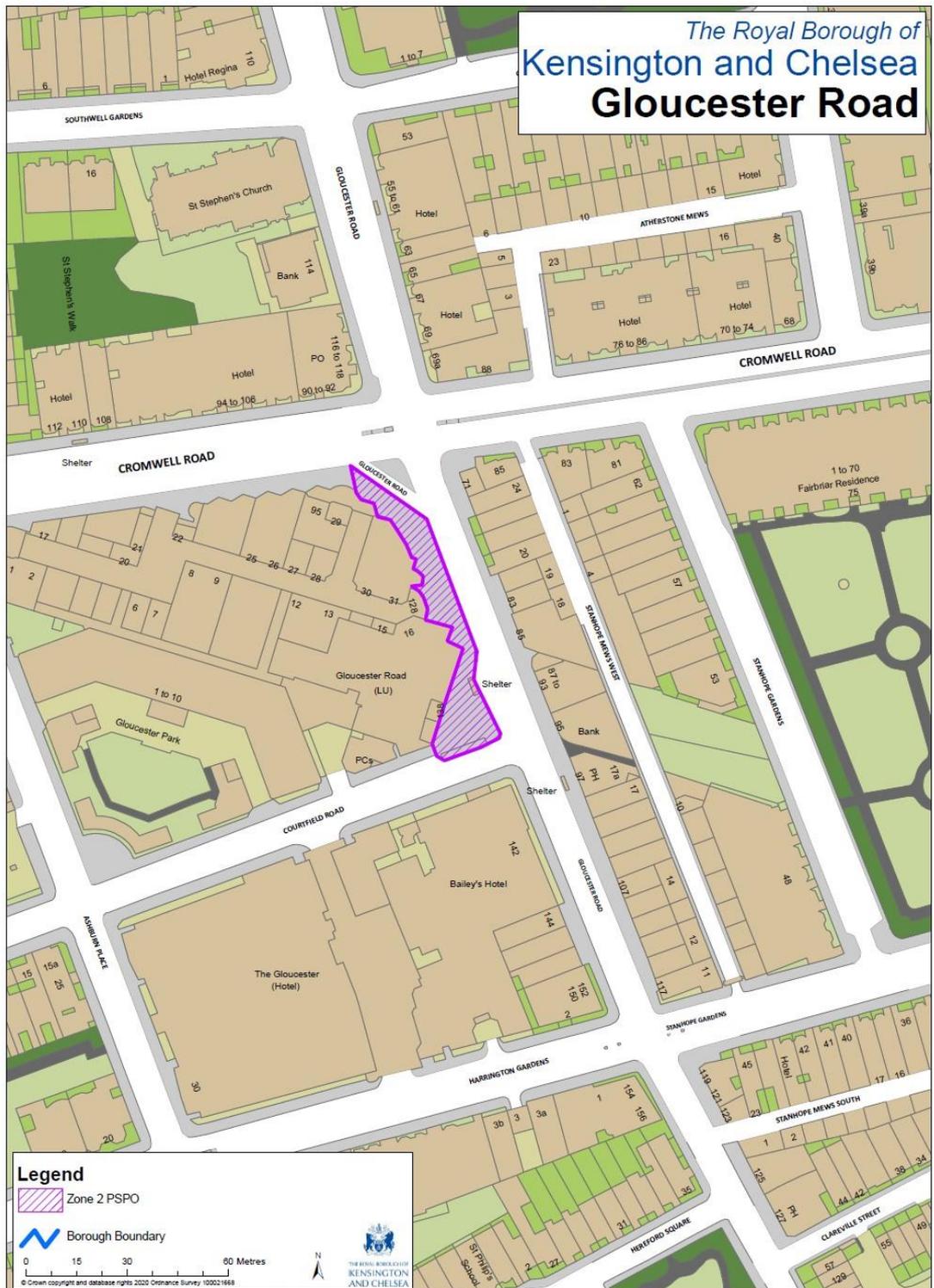
Map 2– Hans Crescent, Harrods and Knightsbridge Station



Map 3 Exhibition Road



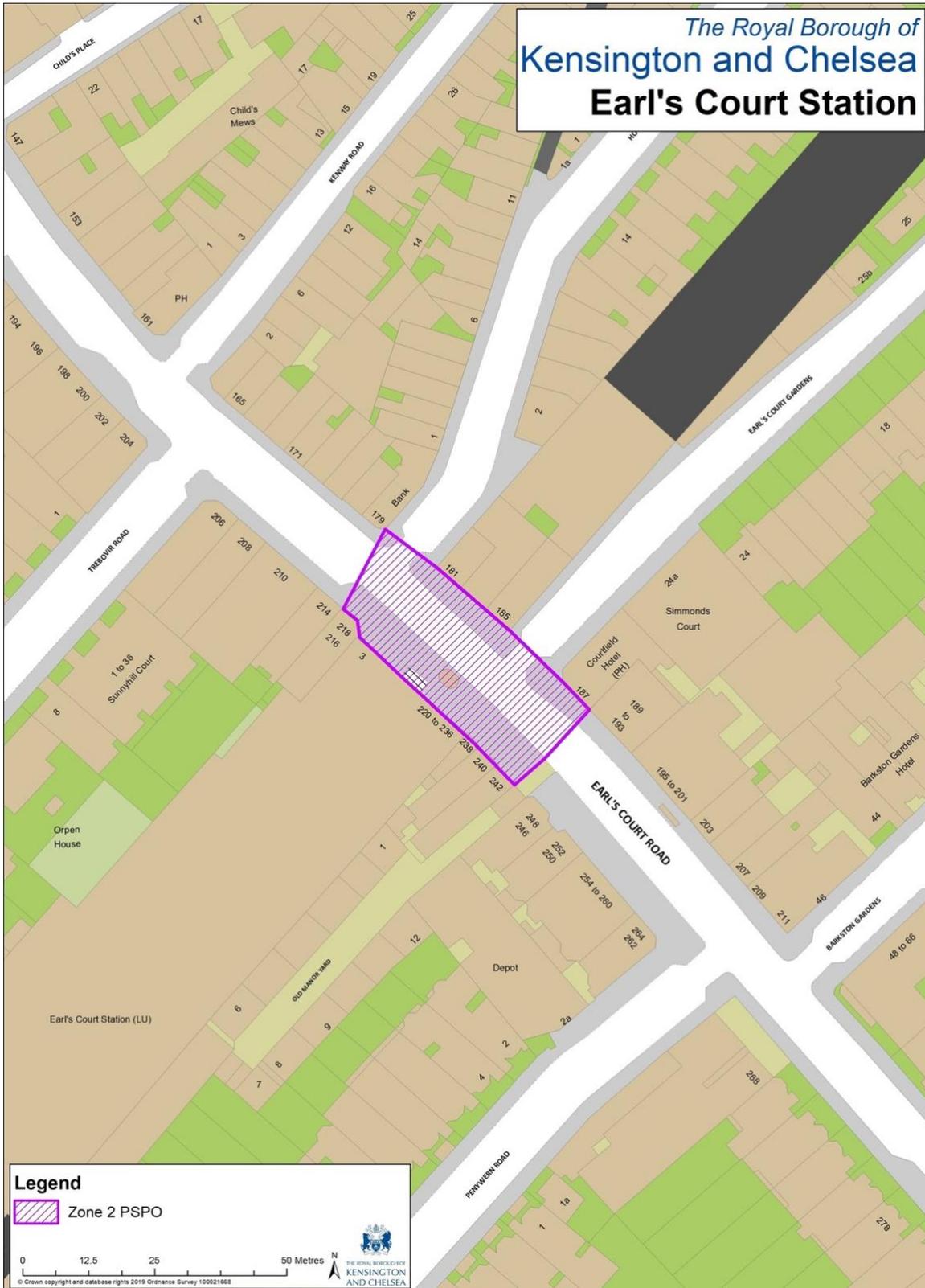
Map 5- Gloucester Road



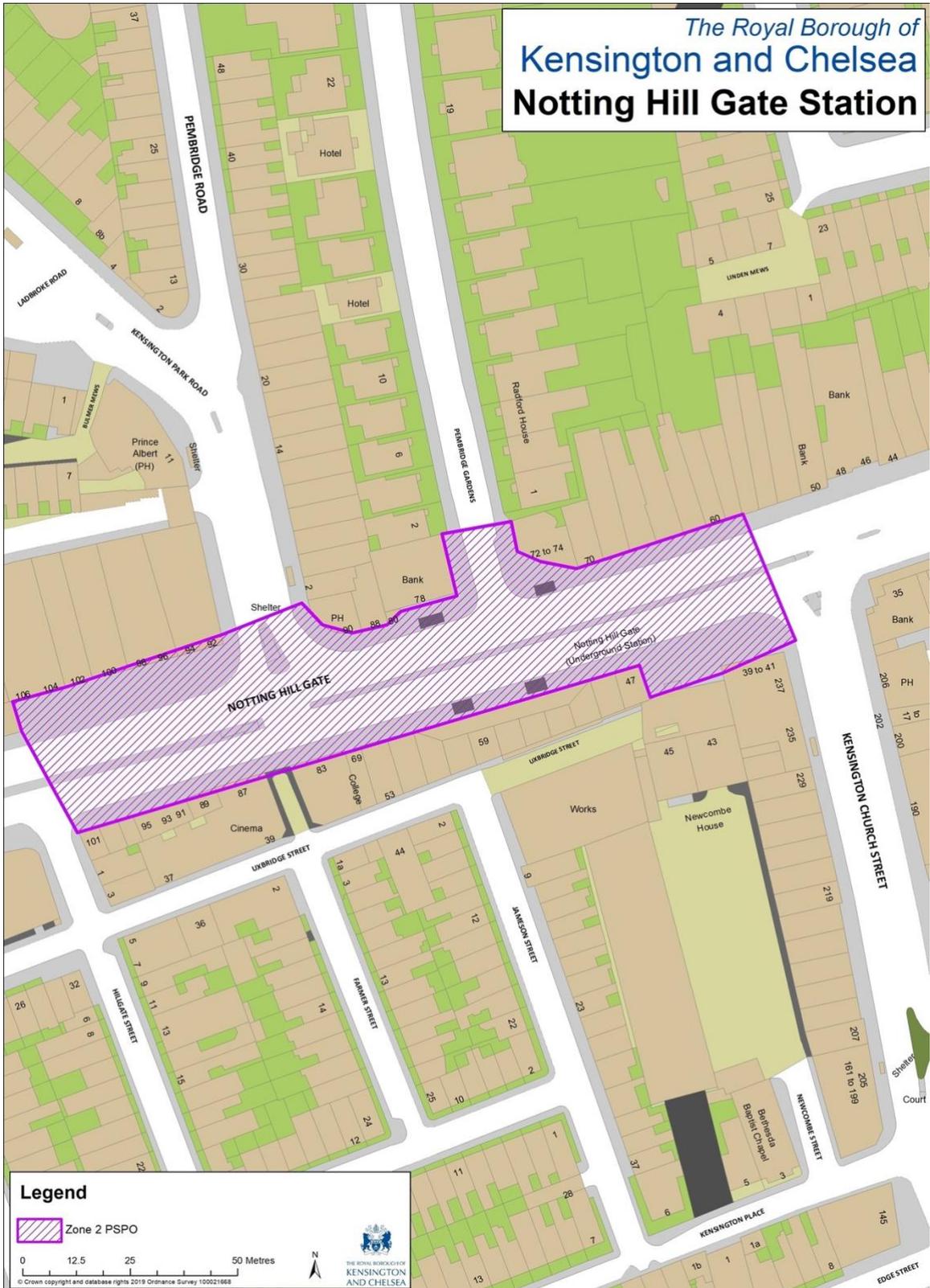
Map 6 – Portobello Road



Map 7 – Earl's Court Tube



Map 8 – Notting Hill Gate Tube



CHALLENGING THE VALIDITY OF ORDERS

An Interested person may apply to the High Court to question the validity of-

- a) This Order, or
- b) A future variation of this Order.

“Interested Person” means an individual who lives in the restricted area or who regularly works in or visits that area.

An Interested person may apply to the High Court within six weeks from the date in which the Order is made, on the grounds that:

- a) The Council did not have the power to make the Order or variation, or to include the particular prohibitions or requirements imposed by the Order (or by the Order as varied).
- b) a requirement under Chapter 2 of the Anti-Social Behaviour, Crime and Policing Act 2014 was not complied with in relation to the Order or variation