

LICENSING COMMITTEE (NON LICENSING ACT 2003 FUNCTIONS)

Agenda Item 8

Brighton & Hove City Council

Subject: Horse Drawn Hackney Carriage Vehicle Licences
Date of Meeting: 23 June 2011
Report of: *Head of Planning and Public Protection*
Contact Officer: Name: *Martin Seymour* Tel: 29-6659
E-mail: Martin.seymour@brighton-hove.gov.uk
Wards Affected: All

1. SUMMARY AND POLICY CONTEXT:

- 1.1 To approve the council's policy of not issuing licences to horse drawn vehicles.

2. RECOMMENDATIONS:

- 2.1 That Committee resolves that it will be licensing policy not to issue licences for any applications for horse drawn vehicle licences.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 Section 37 of the Town Police Clauses Act 1847 gives the Council a discretion to license to ply for hire such number of hackney coaches or carriages of any kind or description adapted to the carriage of persons as it thinks fit. As long as the Council exercises the discretion reasonably, which includes taking into account relevant considerations and ignoring irrelevant ones, it would be open to the Council to determine not to issue any hackney carriage licences to horse drawn vehicles.
- 3.2 The council has received a preliminary application enquiry during 2010 to run vehicles on Madeira Drive with intent from the prospective applicant to formally make application in 2011, which is why members are being asked to formally confirm the policy that any application for a hackney carriage licence would not be issued to any horse drawn vehicle.
- 3.3 This proposal is also contrary to the Councils tourism strategy. Inclusion of a horse and cart operator in areas of the city such as on Madeira Drive would add no value to the seafront or tourism offer. VisitBrighton does not believe that horse drawn vehicles would add value to the tourism offer or help with the dispersal of the night time economy by way of taxis. It would also be concerned that it would be in direct competition with the Volks Railway which is an important part of the City's tourism heritage. One of the aims of the Tourism Strategy is that we should

make strides to 'allow our visitors to move around the area easily'. The seafront area is currently one of the busiest areas of the City for pedestrians, bicycles and vehicular traffic and adding to this congestion would not be beneficial or add value to the seafront as our 'shop window'. We would also be concerned with the safety implications of increased congestion. In addition to this, along with the Seafront team, VisitBrighton would have to deal with members of the public who were concerned for the horse's welfare as they would no doubt correspond with us via letter, e-mail or telephone or in person at the Visitor Information Centre. Our experience in other matters shows that our visitors would see us as being responsible in this capacity; however we do not have the resource or expertise to deal with it.

3.4 No significant unmet demand has been identified.

4. CONSULTATION

4.1 The matter has been discussed at the council's Hackney Carriage and Private Hire Consultation Forum, Tourism, Visit Brighton

5. FINANCIAL & OTHER IMPLICATIONS:

5.1 Financial Implications:

There are no direct financial implications associated with the recommendation in this report.

Finance Officer Consulted: Karen Brookshaw Date: 27/05/2011

5.2 Legal Implications:

None directly.

Lawyer Consulted: Rebecca Sidell Date: 17/05/2011

5.3 Equalities Implications:

Brighton and Hove Federation for the Disabled comment that they feel that disabled children and their families would enjoy a ride along the sea front and that this could be quite a tourist attraction; reasonable adjustments could be made to make the carriages be accessible.

5.4 Sustainability Implications:

None

5.5 Crime & Disorder Implications:

Conflict with other seafront uses and competing demand on limited space present a risk.

5.6 Risk and Opportunity Management Implications:

The transport industry should be safe, profitable and be a positive experience for residents and visitors. Officers are concerned over the safety of such an operation on already busy and questionably dangerous stretches of road. Seafront officers witness near misses all the time in Madeira Drive with vehicles stopping suddenly to secure a parking space or reversing into oncoming traffic. Cars and coaches double parking as well as the added dimension of the new cycle lane and ever changing traffic calming arrangements. Adding a horse and carriage would invariably increase the dangers for both passengers and other road users.

5.7 Corporate / Citywide Implications:

This proposal is contrary to tourism strategy. Inclusion of a horse and cart operator on Madeira Drive would add no value to the seafront or tourism offer. See the main body of report.

SUPPORTING DOCUMENTATION

Appendices:

None