

**MINUTES of MEETING of PLANNING, PROTECTIVE SERVICES AND LICENSING  
COMMITTEE held in the COUNCIL CHAMBERS, KILMORY, LOCHGILPHEAD  
on WEDNESDAY, 24 SEPTEMBER 2014**

**Present:** Councillor David Kinniburgh (Chair)

Councillor Rory Colville	Councillor Roderick McCuish
Councillor Robin Currie	Councillor Alex McNaughton
Councillor George Freeman	Councillor James McQueen
Councillor Alistair MacDougall	Councillor Richard Trail
Councillor Robert G MacIntyre	

**Attending:** Charles Reppke, Head of Governance and Law  
Kate Connelly, Trainee Solicitor  
Joy MacGillivray, Applicant  
Jane MacLeod, Applicant's Agent

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Gordon Blair, Mary Jean Devon and Donald MacMillan.

**2. DECLARATIONS OF INTEREST**

There were no declarations of interest intimated.

**3. CIVIC GOVERNMENT (SCOTLAND) ACT 1982: APPLICATION FOR GRANT OF TAXI OPERATORS LICENCE (K J CARS, LOCHGILPHEAD)**

The Chair welcomed all those present to the meeting, outlined the procedure that would be followed during the meeting and introductions were made.

The Chair invited Mrs Jane MacLeod, applicant's agent to speak in support of the application for a taxi operator's licence for K J Cars, Lochgilphead.

Mrs MacLeod advised that K J Cars was a partnership of Mrs Joy MacGillivray and Mr Kenny MacGillivray. She advised that Mr and Mrs MacGillivray had stayed in Mid Argyll for many years and in that time had run 2 hotels; the Kilmartin Hotel and the Argyll Arms Hotel in Ardrishaig; and had also run a guest house. Mr and Mrs MacGillivray had moved from Mid Argyll and Lossiemouth where they had run a further hotel. She advised that they now wished to move back to Mid Argyll to be close to their 3 grandchildren and daughters. Mrs MacLeod told the Committee that Mr MacGillivray currently held a taxi drivers licence for a Mercedes C180 car and also held a taxi drivers licence issued by Moray Council. Mrs MacLeod highlighted that due to their experience Mr and Mrs MacGillivray had a good awareness of both taxi licensing and liquor

licensing law which she believed would be an asset to them as taxi operators. She added that Mr MacGillivray had no history of accidents, convictions or penalty points.

Mrs MacLeod advised the Committee that the intention would be to run a 24 hour taxi service which provided longer runs to places such as Glasgow airport and the hospitals in Glasgow. She added that currently there was no other 24 hour service in Lochgilphead and unmet demand at the taxi stance; there was no taxi service beyond 10pm at night. If granted the service would go towards meeting this unmet demand. Mrs MacLeod informed the Committee that the taxi service would be available by telephone for immediate and pre-bookable pick ups as well as making use of the taxi stance at the front green. She indicated that if the business proved successful then they had advised that they would purchase a larger vehicle with wheelchair access.

Mrs MacLeod concluded by saying that she commended the application and asked that the Committee gave their approval.

The Chair invited Members of the Committee to pose questions to the applicant's agent.

Councillor Freeman questioned why the figures for Lochgilphead in the table at 4.4 in the Halcrow report were all 0. He asked if this was because Lochgilphead had not been included in the survey. Mr Reppke advised that the figures were 0 because during the period the stance in Lochgilphead was observed there were no cars available on the stance. Councillor Freeman asked what the difference was between a private hire and a taxi licence and Mr Reppke replied that private hire were called by telephone and that their cars did not sit on the stance.

Councillor Kinniburgh enquired as to how long it would be before K J Cars looked into the purchase of a wheelchair accessible car. Mrs MacLeod replied that if there was an immediate need then they would look into this immediately but they would not know until the business was up and running whether there would be a demand for the service.

Councillor MacIntyre asked whether the three existing businesses had a wheelchair accessible car to which Mrs MacLeod replied she did not know.

Councillor Colville asked for clarification over why Mr MacGillivray held both a taxi drivers licence in Moray and in Lochgilphead. Mrs MacLeod informed him that Mr and Mrs MacGillivray still had to sell a house in Moray and would allow Mr MacGillivray to work in Moray for another operator if need be. Councillor Colville asked how the 24 hour service would operate with only Mr MacGillivray as the driver. Mrs MacLeod clarified that the 24 hour service meant that the taxi would be pre-bookable over a 24 hour period and that Mr MacGillivray would carry out a job and rest as appropriate. Councillor Colville asked if a private hire licence would be more suitable to which Mrs MacLeod replied that it would not as K J Cars wished to make use of the taxi stance.

Councillor Kinniburgh asked if it was their intention to make use of the rank as a major part of the business to which Mrs MacLeod replied that it would not be a major part of the business but they certainly intended to make use of it.

This concluded the questions by Members and the Chair invited Mrs MacLeod to sum up.

Mrs MacLeod commended the applicants and highlighted their experience running businesses in Mid Argyll. She highlighted that there were only 3 other taxi businesses in Mid Argyll, none of which operated after 10pm; and that there was a demand for a long distance taxi service and for one which served evening functions. She concluded by commending the application and recommending it for approval by the Committee.

The Chair asked Mrs MacLeod if she felt she had received a fair hearing to which she confirmed that she had.

The Chair invited Members to debate the application.

Councillor Currie moved that the application be granted and Councillor Freeman seconded this.

Councillor McCuish stated that demand could not be measured accurately when there was no service there and advised that he agreed with his colleagues.

### **Decision**

The Committee agreed to grant the application for a taxi operator's licence to K J Cars, Lochgilphead on the basis that there appeared to be some latent demand for a 24 hour service in Mid Argyll.

(Reference: Report by Head of Governance and Law dated September 2014, submitted)