

**MINUTES of MEETING of PLANNING, PROTECTIVE SERVICES AND LICENSING COMMITTEE
held BY MICROSOFT TEAMS on WEDNESDAY, 17 NOVEMBER 2021**

Present: Councillor David Kinniburgh (Chair)

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| Councillor Rory Colville | Councillor Roderick McCuish |
| Councillor George Freeman | Councillor Jean Moffat |
| Councillor Kieron Green | Councillor Alastair Redman |
| Councillor Graham Hardie | Councillor Richard Trail |

Attending: Shona Barton, Committee Manager
Graeme McMillan, Solicitor
James Strachan, Applicant

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mary-Jean Devon, Audrey Forrest, Donald MacMillan and Sandy Taylor.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. CIVIC GOVERNMENT (SCOTLAND) ACT 1982: APPLICATION FOR GRANT OF TAXI CAR LICENCE (J STRACHAN, OBAN)

The Chair welcomed everyone to the meeting. In line with recent legislation for Civic Government Hearings, the parties (and any representatives) were given the options for participating in the meeting today. The options available were by Video Call, by Audio Call or by written submission. For this hearing the Applicant opted to proceed by way of Video Call, however due to technical difficulties, he proceeded by way of Audio Call and joined the meeting by phone.

The Chair outlined the procedure that would be followed and invited the Applicant to speak in support of his application.

APPLICANT

Mr Strachan advised that he was the owner of Lorn Taxis in Oban and that the taxi trade across the whole of Argyll and Bute had experienced a difficult couple of years, especially during the pandemic. He pointed out that when the taxi plates were recently up for renewal, Lorn Taxis had lost 3 owner operators as they had decided to retire and also 2 independent drivers had passed way, so these plates had all been returned to the Council, as far as he was aware. He said that the retiral of one of the operators had resulted in the loss of a 7 seater vehicle. He indicated that he was seeking to replace this vehicle, like-for-like, so there would be no detrimental impact on the taxi rank with this vehicle. He advised that his vehicle was brand new and custom built by Allied Vehicles who specialised in Wheelchair Accessible Vehicles (WAVs). He explained that there was a shortage of WAVs in Oban as most taxis were saloon cars. He advised that for a lot of people coming into town by bus, there was no direct link on a bus to the hospital. He said he needed another vehicle on the rank to assist with transporting passengers with wheelchairs to the hospital. He said that Tuesdays, Thursdays and Saturdays were

particularly busy. He also advised that if he was granted a plate for this vehicle he hoped to provide employment opportunities 2 or 3 people to drive it and that they would be trained in the use of the vehicle.

He indicated that over the last couple of months visitor numbers to Oban had shot up dramatically, with a lot of staycationers in town requiring movement with a vehicle of this type. He said that unfortunately his small vehicle could not cover all of this as he could not be in two places at once. He said that there was a need for another WAV to be visible down at the taxi rank in Oban. He advised that he hoped that the Committee would consider granting his application.

MEMBERS' QUESTIONS

Councillor Trail sought and received confirmation from Mr Strachan that it was his understanding that taxi plates in Oban had reduced by 5.

Councillor Colville referred to the Committee agreeing to go out to consultation on WAVs. He asked Mr Strachan how accessible his vehicle would be. Mr Strachan explained that it was a long based vehicle, accessible to manual and electric scooters/wheelchairs of all shapes and sizes. The ramp was extremely wide and folded into the back of the van. There were also 8 locking points to secure the wheelchairs and scooters.

Councillor Freeman sought and received confirmation from Mr McMillan that there had been a reduction of 6 taxi licences over the course of the summer during the renewal period. Mr McMillan advised that when the survey on taxi and private hire vehicles was carried out by LVSA there were 52 licensed vehicles and the current number was 46.

Councillor Moffat commented that she thought this gentleman should be commended and that she saw no reason not to support his application.

Councillor Kinniburgh sought and received confirmation from Mr Strachan that his vehicle would be capable of taking a wheelchair with a person sitting in it. Mr Strachan confirmed that the seats folded away at the press of a button and could carry 5 passengers in addition to a person in a wheelchair. The wheelchair user could also turn the chair round in the vehicle. Without a wheelchair the vehicle could accommodate 7 passengers.

Councillor Kinniburgh advised that he had been made aware of a case where a person had been unable to access a WAV as they had been unable to bend one of their legs. He asked Mr Strachan if his vehicle would be able to accommodate someone unable to bend their legs. Mr Strachan confirmed that it could. He said that his small vehicle would also be able to accommodate someone requiring to keep both legs extended. He said this was a maxi cab, long wheeled Ford Transit Van that could accommodate wheelchairs.

SUMMING UP

Applicant

Mr Strachan said that he only hoped that the Committee would grant a licence for this vehicle as he would like to provide a vehicle that was suitable for anybody. He explained that the reason for putting a plate on it was so that it would be visible at the rank. He said that these specialised vehicles were expensive to buy and insure and without the public hire plate it would not be viable to continue with the vehicle. He advised that it needed to generate enough money to keep it going and if this licence was granted today it would be

able to do so. He thanked the Committee for hearing him today and apologised for not being able to attend by video as he would have been able to give the Committee a tour of the vehicle.

Mr Strachan confirmed that he had received a fair hearing.

DEBATE

Councillor Hardie said this was a suitable application that should be approved. He commented on Oban expanding and there being no objections. He confirmed that he would have no trouble approving this application.

Councillor McCuish confirmed that he was happy to support the application. He commented on the loss of 6 vehicles in the Oban area and the considerable investment that Mr Strachan had made.

Councillor Freeman advised that given the confirmation received that the number of licensed vehicles had decreased, he would be happy to support the application.

Councillor Green confirmed that he would be happy to support this application.

Councillor Colville also confirmed that he would support this application.

Councillor Redman said that Mr Strachan obviously knew his own business and that there was clearly a demand with Oban town growing. He confirmed that he was minded to approve the application.

Councillor Kinniburgh advised that he was grateful to Mr McMillan for being able to confirm the number of licensed taxis as this took away any concerns about over provision or unmet demand at this time. He said he was sorry that Mr Strachan was unable to join by video call as it sounded like he had a very impressive vehicle and it would have been good to have seen what it could do. He confirmed that he would have no hesitation in approving the application.

DECISION

The Committee unanimously agreed to grant a Taxi Operator Licence to Mr Strachan.

(Reference: Report by Head of Legal and Regulatory Support, submitted)