

**MINUTES of MEETING of PLANNING, PROTECTIVE SERVICES AND LICENSING COMMITTEE
held BY MICROSOFT TEAMS on WEDNESDAY, 22 NOVEMBER 2023**

Present: Councillor Kieron Green (Chair)

Councillor John Armour
Councillor Jan Brown
Councillor Graham Hardie

Councillor Dougie Philand
Councillor Peter Wallace

Attending: Shona Barton, Governance Manager
Fiona Macdonald, Solicitor
Nikolay Petkov, Applicant

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Gordon Blair, Audrey Forrest, Amanda Hampsey, Daniel Hampsey, Mark Irvine, Andrew Kain, Paul Kennedy and Liz McCabe.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. CIVIC GOVERNMENT (SCOTLAND) ACT 1982: APPLICATION FOR GRANT OF TAXI CAR LICENCE (N PETKOV, GARELOCHHEAD)

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 proceeded by way of audio call and joined the meeting by telephone.

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

APPLICANT

Mr Petkov advised that he currently held 2 Private Hire Operator Licences and he was looking to change one of those for a public hire licence. He explained that since Covid business had dropped in terms of phone calls and bookings and that before Covid he had been fairly busy.

He said that he wanted to be able to go out and work on public hire on Friday and Saturday nights and during the day at the weekends. He advised that living further away from Helensburgh there was not the same demand and that he found himself unable to work during these busy times.

He advised that a couple of times when he did have a late night booking he had driven through Helensburgh and had noticed a lot of customers waiting at the taxi rank, which, he said, indicated to him there was the demand for taxis there. He said that as he was a private hire he had no option but to drive by and go home.

He said this was the main reason for applying for this licence and so that he could continue to provide for his family.

MEMBERS' QUESTIONS

Councillor Brown sought and received confirmation from Mr Petkov that he held 2 Private Hire Licences and wanted to change one of these for a public taxi licence.

Councillor Wallace sought and received confirmation from Mr Petkov that there were around a dozen people waiting at the taxi rank next to train station and that it was after midnight on a Friday night. Mr Petkov advised that he had also spoken to other taxi drivers who had indicated there was demand for taxis at this time. He advised that when he first started as a taxi driver he worked with Trident Taxis for several months and it was at these times he mainly worked. When he moved to be independent he received a lot of bookings pre Covid but things had since changed. He said he may receive the odd call around midnight now, but living 20 minutes away from Helensburgh, he could not always be sure the customer would still be there as they were looking for a taxi straightaway.

Councillor Brown sought and received confirmation from Mr Petkov that he proposed to work from Helensburgh as there was no demand in Garelochhead for a public hire. He advised that over the last couple of years 3 more licences have been issued for the Garelochhead area and he said it was a fact that there was not enough work there, with only the odd person wanting to pre book. He said there was no real need for a public hire there so he planned to mainly work from Helensburgh where a lot of work was generated from the Naval Base. He said that apart from any pre bookings, he would mainly operate in Helensburgh where there was more demand.

Councillor Brown sought and received confirmation from Ms Macdonald that there were currently 51 taxi licences in the Helensburgh and Lomond area. She advised that when the LVSA survey was carried out there were 48 taxis and since then 5 have lapsed, 14 have been granted and 6 have been surrendered, bringing the total to 51.

SUMMING UP

Applicant

Mr Petkov commented that he was not sure how relevant the LVSA survey was as he said the circumstances in 2019 were different to 4 years later. In terms of the number of taxis, he said not enough were working when the demand was there. From his personal observation, he said that the majority of taxi drivers worked during the day from early morning to 4.00 or 5.00 pm. He said that the demand was usually from 6.00 pm with quite a high demand later at night. He said he did not think many of the 51 taxis operated at night.

Mr Petkov confirmed that he had received a fair hearing.

DEBATE

Councillor Hardie advised that being on the ground in Helensburgh he was aware that there was a shortage of taxis at night time. He advised that even though there may be a slight over provision, he would be happy to grant this application.

Councillor Armour agreed with Councillor Hardie and advised that if there was a problem there would have been objections to this application.

Councillor Philand was of a similar mind and commented that Councillor Hardie would know best how things were there. He also referred to there being no objections to the application and advised that he would be happy to grant the licence.

Councillor Brown also agreed with her fellow Councillors and advised that she could see no reason not to permit this licence.

Councillor Wallace also agreed that he would be happy to grant the licence.

Councillor Green referred to the LVSA survey being a number of years old. He also commented on the number of taxis in the area not being reflective of the actual number working when there was demand. He said that he would be happy to accept this application.

DECISION

The Committee unanimously agreed to grant a Taxi Car Licence to Mr Petkov and noted that he would receive written confirmation of this within 7 days.

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