

**MINUTES of MEETING of PLANNING, PROTECTIVE SERVICES AND LICENSING
COMMITTEE held in the COUNCIL CHAMBERS, KILMORY, LOCHGILPHEAD
on WEDNESDAY, 19 JUNE 2019**

Present: Councillor David Kinniburgh (Chair)

Councillor Rory Colville	Councillor Graham Archibald Hardie
Councillor Robin Currie	Councillor Donald MacMillan
Councillor Lorna Douglas	Councillor Alastair Redman
Councillor Audrey Forrest	Councillor Richard Trail

Attending: Charles Reppke, Head of Governance and Law
Graeme McMillan, Solicitor
James Strachan, Applicant

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Gordon Blair, Mary-Jean Devon, George Freeman, Roderick McCuish, Jean Moffat and Sandy Taylor.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

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

The Chair welcomed everyone to the meeting and introductions were made. He then 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 new owner and operator of Lorn Taxis which, he said, has been in operation for approximately 18 or 19 years. He said that since he has taken it on he has had problems with being able to transport people about who need access to a wheelchair accessible vehicle. He advised that the car he was attempting to licence was a custom built wheelchair accessible vehicle which will be able to carry 4 passengers plus a wheelchair or electric scooter. He said that Mr Young, who operates West Coast Taxis, was going to come along to the hearing today as the vehicle he uses was getting on a bit and on occasion has not been out as it has been in the garage which has led to Mr Young seeking assistance from him. He then advised that the man he took over from had a wheelchair accessible vehicle but as he was now semi-retired he was only coming out when he wanted to. He confirmed that the vehicle he was looking to licence would come from Allied Vehicles in Glasgow and was a 17 plate transit connect van. He advised that this vehicle was really needed for the town as Oban was very lacking in wheelchair accessible vehicles. He referred to there being a lot of old folk's homes and customers requiring transport to and from hospital appointments. He confirmed that was why he was applying for this licence today.

MEMBERS' QUESTIONS

Councillor Kinniburgh asked how many taxis Lorn Taxis operated. Mr Strachan advised that they were owner operators and that there were more than enough saloon cars. He said that they had 12 cars and that he ran three of these and this vehicle would be a fourth one. He said that he has recently employed 3 new drivers. He advised that if he was looking for someone to go out at 6 am it was no use if the semi-retired drivers did not want to go out at that time.

Councillor Kinniburgh asked how many taxi firms there were in Oban. Mr Strachan listed Lorn Taxis, Oban/West Coast/Alba Taxis, Tower Taxis, Etive Taxis and Argyll Taxis.

Councillor Kinniburgh asked why he could not replace one of the three taxis he already had with this new one. Mr Strachan explained that one of the other taxis was a bigger version of this new vehicle and was also wheelchair accessible. He said he needed another one especially when the cruise ships came in. He said that he could not guarantee the bigger vehicle being available in town because of taking people on tours.

Councillor Kinniburgh referred to the Halcrow report and acknowledged that some may feel that this report was outdated. He pointed out that a new survey was currently being undertaken but in the meantime the Halcrow report was the only one the Committee could refer to. He asked Mr Strachan why he could not replace one of the other standard vehicles with this wheelchair accessible vehicle. Mr Strachan advised that he was still paying them up and would lose too much money. He advised that the other saloon cars were quite new and would have too much negative equity. He said that it would be easier for him to bring this new vehicle into the system and then he would have no problems. He advised that he was thinking of keeping this new vehicle in town and now allowing it to be used for trips to Glasgow.

Councillor Kinniburgh asked how often he had hires out with Oban and Mr Strachan advised that he had approximately 4 per day out with the Oban and Lorn area.

SUMMING UP

Mr Strachan referred to the Halcrow report which advised of no unmet demand. He said that as time has gone on unmet demand has grown especially for people of less ability and less able to get in and out of vehicles. He said that he currently drove the large wheelchair accessible vehicle at night and has noticed this a lot. He advised that he hoped the Committee would consider this application as Oban required this type of vehicle. He also advised that he was happy to allow other taxi operators the use of the vehicle as it has been insured for anyone to drive.

Mr Strachan confirmed that he had received a fair hearing.

DEBATE

Councillor Redman advised that he personally felt that Councillors had a duty of care to disabled people in Argyll. He said that he thought there was an increase in demand for these facilities. He commented that hospital visits happened throughout the day and not all at once. He confirmed that he was happy to approve this application.

Councillor Hardie advised that he had been speaking to his colleague Councillor Devon who had advised that she felt there were not enough wheelchair accessible vehicles in Oban. He pointed out that there had been no objections to this application and confirmed that he had no hesitation in approving the application.

Councillor Currie said that he strongly felt there was a need for wheelchair accessible taxis in Oban. He also pointed out that there had been no objections which, he said, was unusual. He confirmed that he agreed that the application should be granted.

Councillor Kinniburgh said that he was reluctant to grant today as he thought there was no unmet demand in Oban for taxis. He referred to only having the Halcrow report to go on as the consultation on the new survey ran till the end of July with the results being reported to the Committee thereafter. He said he was not sure if it would be unfair to wait on that report before making a decision on this application or to go ahead and grant on the basis that it was a wheelchair accessible vehicle which was purpose built as he did think there were too few of these.

Councillor Douglas advised that she did think the Committee were in a bit of a dilemma as the new survey was still being carried out. She pointed out that it was coming into a very busy period in Oban. She said that she did feel there were not enough wheelchair accessible taxis about and that Oban was a very busy place.

Councillor Forrest referred to talk about wheelchair accessible vehicles and said that it was not as straightforward as that. She advised that this sounded like a top of the range model as a person in a wheelchair would be able to remain in their chair while getting into the taxi on their own.

Councillor Trail said there was a difference between adding an operator's licence to an existing business rather than a new operator. He said that he was happy to support this application.

Councillor Colville advised that he felt the Halcrow report, which stated there was no unmet demand, had to be considered and that he recommended that the application should be refused on that basis.

Councillor Kinniburgh confirmed that he had listened to all that had been said. He acknowledged that Mr Strachan had advised he would be happy to let other operators use his vehicle. He advised that this was a positive thing although it was not something the Committee could enforce but he would take Mr Strachan's word on that. He advised that as there seemed to be a limited amount of wheelchair accessible taxis and as Mr Strachan was offering the use of the vehicle to other operators and taking account of the points made by other Members he was happy to approve the application.

DECISION

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

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