

**MINUTES of MEETING of PLANNING, PROTECTIVE SERVICES AND LICENSING
COMMITTEE held BY SKYPE
on WEDNESDAY, 17 FEBRUARY 2021**

Present: Councillor David Kinniburgh (Chair)

Councillor Rory Colville	Councillor Donald MacMillan BEM
Councillor Mary-Jean Devon	Councillor Jean Moffat
Councillor Lorna Douglas	Councillor Alastair Redman
Councillor Kieron Green	Councillor Richard Trail
Councillor Graham Hardie	

Attending: Patricia O'Neill, Governance Manager
Sheila MacFadyen, Senior Solicitor
Angela Blazye, Applicant

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Gordon Blair, Audrey Forrest, George Freeman, Roderick McCuish and Sandy Taylor.

2. DECLARATIONS OF INTEREST

Councillor Mary-Jean Devon declared a non-financial interest in this application. She advised that she did not know the Applicant but the vehicle in question was the only vehicle on the island that could take her wheelchair. Councillor Devon left the meeting at this point and took no part in the determination of this application.

3. CIVIC GOVERNMENT (SCOTLAND) ACT 1982: APPLICATION FOR GRANT OF TAXI OPERATOR LICENCE (A BLAZYE, SALEN, ISLE OF MULL)

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 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 her application.

APPLICANT

Mrs Blazye advised that she lived at Glenforsa, Salen on Mull and that she had lived there for 3 years and ran another business in Craignure. She advised this was not a new licence per se but it was new to her. She said that there had already been an established business on the island for many years and the previous owners wished to retire. Mrs Blazye said that she had bought the business and the vehicle. She said she would not be over stretching the availability of taxis on the island. She advised that she would be moving the business from its current base in Tobermory to Glenforsa. She advised that all other taxis on the island were based in Tobermory. She said that by moving this vehicle to Glen Forsa it would be better

placed to serve the east coast of the island and also the Craignure Ferry which did not currently have any taxi serving it. She said that there was an unmarked taxi rank there but it was never used. She explained that it could be very expensive to call a taxi from Tobermory to collect you from Craignure and then travel back to Tobermory. She said that her other business was a café in Craignure and that they had many people coming in to buy one cup of tea and then sit for 2 hours as the ferry and bus timetables did not marry up at all. She advised that foot passengers were often surprised by that and were totally stuck waiting for a bus. She said that in many instances a taxi would come in useful in that respect. She also advised that this taxi was the only one on the island accessible to wheelchairs and that she did know from the previous owner that Councillor Devon was a frequent customer.

MEMBERS' QUESTIONS

Councillor Trail asked who would be driving the taxi. Mrs Blazye said that she would be driving the taxi and that she would also be looking for someone else to be a second driver.

Councillor Trail sought and received confirmation from Mrs Blazye that she did not currently hold a Taxi Driver's Licence. She explained that she had been told to await the outcome of this application first.

Councillor Trail referred to the section on the application form that asked for confirmation of a MOT certificate which Mrs Blazye had indicated was not applicable. He asked why this was the case. Mrs Blazye explained that taxis on the island did not require a MOT as there was a separate inspection run by the Council.

Councillor Kinniburgh sought clarification from the Council's Senior Solicitor on what had been said about taxis not requiring a MOT on Mull. Mrs MacFadyen said she would need to check this out. Councillor Kinniburgh commented that he was aware of West Dunbartonshire Council operating that kind of system and taxis in West Dunbartonshire did not need a MOT as they were inspected by the Council. Mrs MacFadyen confirmed that Argyll and Bute Council did inspections but she thought that a MOT was still required. She agreed to clarify this if the Licence was granted.

Councillor Colville sought and received confirmation from Mrs Blazye that she had described the vehicle as a van on her application form as this was how it was described in the log book. She said it was a Euro taxi, the same vehicle that has been running for a number of years, and that it was fitted out as a taxi and was Covid secure.

Councillor Kinniburgh sought and received confirmation from Mrs Blazye that a lot of the time she would be based at Craignure and in the evenings she would be at Glenforsa Hotel. She confirmed that it was her intention to sit on the rank.

Councillor Kinniburgh sought and received confirmation from Mrs Blazye that her other business was a tea room at Craignure which was located opposite the waiting area for ferry passengers. She explained that she would be looking to employ a second driver so that she could continue to run the café business with her husband. She hoped to do a bit of both. She confirmed that they did have extra staff in the café.

Councillor Kinniburgh asked Mrs Blazye if she had a second driver in mind. Mrs Blazye said this would be new employment for someone and that she had floated the idea past a couple of people who seemed interested. She said that she was waiting for lock down to finish before employing anyone as she would not want them to go to any expense when they were not currently busy. She said she would be employing someone who lived on the island.

Councillor Kinniburgh asked Mrs MacFadyen to confirm if this vehicle was the only wheelchair accessible taxi on the island of Mull. Mrs MacFadyen said the Council did not hold an official list of which taxis were wheelchair accessible or not. She advised that from the information that was held, there were currently 7 vehicles but this was for the whole of the Oban, Lorn and the Isles area and she could not say how many were on Mull.

SUMMING UP

Applicant

Mrs Blazye advised that this has been a successfully run, well established business on the island and that she expected to provide the same service and would not be stepping on anyone else's toes.

Ms Blazye confirmed that she had received a fair hearing.

DEBATE

Councillor Trail said that he would be happy to grant this Licence.

Councillor Moffat advised that Councillor Devon had said this was the only taxi suitable for a wheelchair. She confirmed that she was more than happy to grant the Licence.

Councillor Hardie said he agreed with his fellow Councillors and was happy to grant the Licence.

Councillor Douglas agreed with Councillor Moffat that if as advised this was the only taxi suitable for wheelchair use she would take that as clarification that the other wheelchair accessible taxis were elsewhere and not on Mull.

Councillor Green said this would be really good for the island and the application had his support.

Councillor Redman and Councillor MacMillan also confirmed that they were happy to support the granting of this Licence.

Councillor Kinniburgh said he too thought it would be good for the island. He explained that he had sought clarification from the Legal Team on the number of wheelchair accessible taxis on the island so that the comment made by Councillor Devon could not have been seen as influencing his decision. He advised that he had no reason to doubt what the Applicant had said and would have no hesitation in granting this Licence in this instance.

DECISION

The Committee agreed to grant a Taxi Operator's Licence to Mrs Blazye.

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