

**MINUTES of MEETING of PLANNING, PROTECTIVE SERVICES AND LICENSING
COMMITTEE held BY MICROSOFT TEAMS on WEDNESDAY, 21 AUGUST 2024**

Present: Councillor Kieron Green (Chair)

Councillor John Armour
Councillor Gordon Blair
Councillor Jan Brown

Councillor Fiona Howard
Councillor Andrew Kain
Councillor Liz McCabe

Attending: Shona Barton, Governance Manager
Katie Clanahan, Solicitor
Colin McNeill, Applicant
Paul Cowin, Objector
Morgan Romilly, Objector
Hayley Romilly, Objector

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Audrey Forrest, Daniel Hampsey, Graham Hardie, Mark Irvine, Paul Kennedy, Dougie Philand and Peter Wallace.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. CIVIC GOVERNMENT (SCOTLAND) ACT 1982: APPLICATIONS FOR GRANT OF TAXI CAR LICENCES

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 and Mr McNeill joined the meeting by MS Teams.

Paul Cowin, Objector, opted to proceed by way of audio call and joined the meeting by telephone.

Morgan and Hayley Romilly, Objectors, also-3()8(th)-a1 EL8(t)-3(h)6(e)-3(o)4(p)-3(clara)(ta)-5o

help supplement the other taxis in the area. He advised that a few nursing homes had contacted him about using his company as they were currently using a company outwith Argyll and Bute. He referred to a letter from a nursing home which he said he had sent to the Licensing Team this morning and had asked that this be passed onto the Committee. He referred to the distinction between a private hire car and a taxi. He said that as private hire cars could operate anywhere in Argyll and Bute they may not be available when required in the Helensburgh and Lomond area. He advised that he thought it best to have a taxi car licence so that drivers could supplement their income with private hires by being able to pick up fares on the street and alleviate pressure when taxis were not available after midnight. He said he hoped to help the nursing homes out and the various other locations that required wheelchair accessible taxis.

QUESTIONS FROM OBJECTORS

Mr Romilly commented that he had one of the only wheelchair accessible vehicles

raised had been resolved. He referred to personal attacks and said he felt Mr

of the private hire licences and 4 of the taxi car licences were for wheelchair accessible vehicles.

Councillor Green advised that he had difficulty in finding any reason to refuse this licence and on that basis he was minded to approve application.

Councillor Armour said he agreed that he found this difficult. He commented that he thought there were a lot of underlying issues between the Applicant and Objectors. He said he had no idea what was correct and what was not. He said the Committee had to take the application at face value and that Councillor Green had summed it up that there was nothing in the application that the Committee could go against.

Councillor Green commented that it came down to “he said” “she said”.

Councillor McCabe sought and received confirmation from Ms Clanahan that this vehicle was insured.

DECISION

The Committee agreed to grant a Taxi Car Licence to Glasgow Coach Drivers Limited for a Mercedes Vito registration number LA11 EOU and noted that Mr McNeill would be notified of this in writing within 7 days.

waiting for his question to be answered about whether or not the Councillors had seen the evidence that he had submitted.

Ms Clanahan advised that she considered that all parties had been given the opportunity of putting their points across and she confirmed that everyone had

were approached but had no comment. She said it was not possible to know what their knowledge was about any alleged activities. Police Scotland reported no concerns in relation to this application or in relation to the Applicant. She reminded the Committee that the test was the balance of probability and the evidence before them was there for them to review and make up their own minds in relation to both content and the reliability of that evidence.

Councillor Armour advised that if Police Scotland have not objected then it made it difficult for the Committee to object to something the Police have already looked at. He agreed that the Committee had to deal with the facts in front of them. He acknowledged that there were a lot of unsavoury comments but felt that as they were not acted on by the Police or in any legal way, he could not attribute any great weight to them and so he could see no reason to object to the granting of this licence.

Councillor Green advised that based on what was in front of him he could see no reason to oppose this application. He pointed out that did not mean he condoned any behaviours that may have taken place, but he advised he was not commenting on it as he did not know if anything had been taken further so therefore he was giving it limited weight. He said he was not disregarding the comments, he was only giving them limited weight.

DECISION

The Committee agreed to grant a Taxi Car Licence to Glasgow Coach Drivers Limited for a London Taxi TX4 registration number LM60 0TV and noted that Mr McNeill would be notified of this in writing within 7 days.

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

(c) Glasgow Coach Drivers Limited, Helensburgh (C McNeill) - London Taxi TX4

The Chair invited the Applicant to speak in support of his application

APPLICANT

Mr McNeill advised his presentation was the same as that for the first hearing (at item 3a above) and that he had nothing further to add.

QUESTIONS FROM OBJECTORS

There were no questions from the Objectors.

OBJECTORS

Mr Cowin

Mr Cowin said it was worth pointing out the comments made in Mr Romilly's objection contained within the Agenda pack about Mr McNeill's vehicles having

Mr Romilly

Mr Romilly referred to complaints he had made to the licensing team not being dealt with. He advised that not everything they had complained about would have been a Police Scotland matter.

alleviate demand.

When asked, all parties confirmed that they had received a fair hearing.

DEBATE

Councillor Armour sought and received confirmation that the Committee were dealing with an application for a London Taxi TX4 registration number LO58 JXG.

Councillor Blair said he would be keen not to approve a third licence for the Helensburgh and Lomond area at this time.

Councillor Green agreed that maybe 2 was enough.

Councillor Armour was also in agreement that a third licence should not be issued at this time. He referred to feeling uncomfortable with all the comments that had been made and said he did not know who was telling the truth and who was not.