

**MINUTES of MEETING of PLANNING, PROTECTIVE SERVICES AND LICENSING
COMMITTEE held BY MICROSOFT TEAMS on WEDNESDAY, 18 SEPTEMBER 2024**

Present: Councillor Kieron Green (Chair)

Councillor John Armour	Councillor Fiona Howard
Councillor Gordon Blair	Councillor Andrew Kain
Councillor Jan Brown	Councillor Dougie Philand
Councillor Graham Hardie	Councillor Peter Wallace

Attending: Stuart Mclean, Committee Manager
Fiona Macdonald, Solicitor
Mohammad Asif Nazir, Applicant

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Audrey Forrest, Amanda Hampsey, Daniel Hampsey, Mark Irvine, 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 A TAXI CAR LICENCE (M A NAZIR, ROCHDALE)**

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 Mr Nazir joined the meeting by telephone.

The Objector, Mr George Finlay, had advised that he would not be attending the hearing. He had asked that the Committee take into consideration his comments which were contained within the Agenda pack for this meeting and these were duly noted during the deliberations.

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

APPLICANT

Mr Nazir said he was grateful for the opportunity to discuss his application. He advised that the reason he was relocating was to be closer to his family. He said that his mother had passed away and that his Aunt lived in Cardross. He said that he wanted to live near his Aunt to give her emotional support and allow them to become closer as a family.

He said that he and his wife were truly captivated by the area which had left a lasting impression on them. He said that the neighbourhood was very welcoming and friendly towards them and supportive of their position.

He advised that he had a cousin in Cardross who was a taxi driver and that he could see the demand was there for more drivers in the area. As part of his transition, he needed to

work and was looking for employment opportunities that would support his skills and education. He advised that he has worked as a private hire driver around Manchester for almost 10 years and that he planned to continue this profession as he enjoyed being a taxi driver and providing a sense of positivity to the community. He said that he enjoyed the flexibility of the work and the opportunity to connect with different people on a daily basis.

He said that he was positive that this move would benefit him both personally and professionally.

He referred to the objection made to this application and advised that he totally understood this. He acknowledged there were a number of new taxis since the survey was carried out. He pointed out that demand was growing in the area and he expected it to continue to rise. He said that more people were returning to offices. He advised that customers wanted the convenience of time efficient transport which taxis provided.

MEMBERS' QUESTIONS

Councillor Green sought and received confirmation from the Council's Solicitor that there were currently 49 taxis in the Helensburgh and Lomond area.

SUMMING UP

Applicant

Mr Nazir said he looked forward to becoming an active and positive member of the transport sector and he confirmed that he had received a fair hearing.

DEBATE

Councillor Brown said she had noted what Ms McDonald said about the current number of taxis in Helensburgh and Lomond area not changing since last month. She referred to a hearing held in August when the Committee agreed to refuse a taxi car licence application as it was felt that there was enough taxis in Helensburgh and to wait until the new survey was carried out. She asked if the Committee would be justified in allowing this one or would they have to wait until the new survey was done before issuing anymore licences. She said that she thought Mr Nazir sounded like a great person and that she had no issue with his application. She sought clarification on whether this application would have to be refused because the Committee had already taken a decision that there were enough taxis.

Ms McDonald advised that she was not in attendance at the last hearing Councillor Brown was referring to. She pointed out that a decision was made by the Committee back in March to disregard the LVSA survey until a new survey was undertaken. She said that every case should be considered on its own facts and circumstances. She advised that the survey was not going to be carried out any time soon. She confirmed that the advice she would give the Committee today would be to consider the application on its own facts and circumstances and decide whether to grant or not.

Councillor Howard sought and received confirmation from Ms McDonald that no timescale had been set for when a new survey would be carried out and that this was largely down to capacity. Ms McDonald advised that she would be concerned if the Committee agreed not to issue any more taxi car licences until the survey was undertaken.

Councillor Green said that he believed the decision taken at the previous hearing was in regard to that particular application.

Councillor Hardie said that he would be happy to grant the application due to the expanding nature of Helensburgh and the likely expansion of Faslane Naval Base.

Councillor Howard sought and received confirmation from Mr Nazir that he would be working as an independent driver.

Councillor Green advised that, taking account of the previous decision made, he had been minded to refuse this application. However, taking account of comments from Councillor Hardie and Councillor Howard he thought there was a case for granting this application.

Councillor Armour confirmed that he supported what Councillor Hardie had said and that he would be happy to grant the application.

Councillor Wallace asked if it would be better not to include the LVSA survey in future agenda packs if the Committee have agreed not to take it into account. Ms McDonald said she would not disagree with that. She said if Members wanted to move forward and not have it included in future packs this may aid in any ongoing confusion around the survey. She said she would have no difficulty with having it removed.

Councillor Wallace said it would be more useful to have it removed until such times as there was a new document. Councillor Green advised that he was minded to agree and was sure that Officers would note that.

DECISION

The Committee unanimously agreed to grant a taxi car licence to Mr Nazir and noted that he would receive written confirmation of this within 7 days.

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