

Citizen Participation and Public Petitions Committee

17th Meeting, 2022 (Session 6), Wednesday
7 December 2022

PE1960: Formally recognise private hire cars and taxis as modes of public transport

Petitioner	Edward Grice on behalf of the Scottish Private Hire Association (SPHA)
Petition summary	Calling on the Scottish Parliament to urge the Scottish Government to formally recognise private hire cars and taxis as modes of public transport and to enshrine such recognition in law.
Webpage	https://petitions.parliament.scot/petitions/PE1960

Introduction

1. This is a new petition that was lodged on 11 August 2022.
2. A full summary of this petition and its aims can be found at **Annexe A**.
3. A SPICe briefing has been prepared to inform the Committee's consideration of the petition and can be found at **Annexe B**.
4. While not a formal requirement, petitioners have the option to collect signatures on their petition. On this occasion, the petitioner elected to collect this information. 70 signatures have been received.
5. The Committee seeks views from the Scottish Government on all new petitions before they are formally considered. A response has been received from the Scottish Government and is included at **Annexe C** of this paper.

Action

The Committee is invited to consider what action it wishes to take on this petition.

Clerk to the Committee

Annexe A

PE1960: Formally recognise private hire cars and taxis as modes of public transport

Petitioner

Edward Grice on behalf of the Scottish Private Hire Association (SPHA)

Date lodged

11 August 2022

Petition summary

Calling on the Scottish Parliament to urge the Scottish Government to formally recognise private hire cars and taxis as modes of public transport and to enshrine such recognition in law.

Previous action

We have raised and discussed the issue with Jackson Carlaw MSP and with Katy Clark MSP.

Background information

Private hire cars and taxis provide a valuable service to the public and play an important part in local transport. They are used by all social groups for a variety of transit needs. Unlike other forms of transport, such as buses, trams or trains, private hire cars and taxis provide an on-demand service from point-to-point rather than operating to fixed routes or timetables. Although private hire cars and taxis fulfil needs that cannot be met by fixed-service systems, they are often overlooked by planners and policymakers in comparison with other modes of transport. This has sometimes led to the private hire and taxi trade not being included in public transport stakeholder groups and a lack of meaningful engagement, and sometimes consultation, on decisions that affect the services they provide.

Annexe B


 SPICe


 The Information Centre
An t-Ionad Fiosrachaidh

Briefing for the Citizen Participation and Public Petitions Committee on PE1960: Formally recognise private hire cars and taxis as modes of public transport, submitted by Edward Grice on behalf of the Scottish Private Hire Association (SPHA)

Background

There is no statutory definition of “public transport”, although the term “public passenger transport service” is used in statutes including the Transport Act 1985, which defines these as:

“all those services on which members of the public rely for getting from place to place, when not relying on private facilities of their own, including school transport but not—

(i) services provided under permits under section 19 of this Act, other than services provided wholly or mainly to meet the needs of members of the public who are elderly or disabled; or

(ii) excursions or tours”

Permits issued under Section 19 of the Transport Act 1985 allow educational or other bodies to operate buses to carry students/members on a not-for-profit basis without the need to obtain a public service vehicle operator or private hire vehicle licence.

Typically, in Scotland the term “public transport” applies to local bus, coach, rail, tram, and subway services operating on fixed routes and timetables that are available to all members of the public on payment of a pre-defined fare.

Taxis and private hire cars provide a point-to-point, on-demand service. They do not operate to fixed routes or timetables. Passengers effectively hire the vehicle and driver for a self-defined journey.

The UK Government Office for Science commissioned research into [Taxis and private hire vehicles in the UK transport system](#), which sets out details of the role played by taxis and private hire cars in meeting people's transport needs.

Scottish Government Action

The Scottish Government has not previously considered creating a statutory definition of taxis services as public transport.

Scottish Parliament Action

The Scottish Parliament has not previously considered the definition of taxi services as public transport.

Alan Rehfisch

Senior Researcher

16 August 2022

SPICe research specialists are not able to discuss the content of petition briefings with petitioners or other members of the public. However, if you have any comments on any petition briefing you can email us at spice@parliament.scot

Every effort is made to ensure that the information contained in petition briefings is correct at the time of publication. Readers should be aware however that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.

Published by the Scottish Parliament Information Centre (SPICe), an office of the Scottish Parliamentary Corporate Body, The Scottish Parliament, Edinburgh, EH99 1SP

Annexe C

Scottish Government submission of 23 September 2022

PE1960/A – Formally recognise private hire cars and taxis as modes of public transport

The Scottish Government recognises the important role that private hire and taxi drivers play within our local communities. Transport Scotland works closely with both the taxi and private hire industry representatives, and local authorities across a number of areas, including support throughout the pandemic, introduction of Low Emission Zones, and passenger accessibility. Scottish Government Justice Directorate engage regularly with the taxi and Private Hire Vehicles (PHV) industry in matters relating to licensing, with the day to day administration of taxi and PHV licensing undertaken by local authorities.

Many planning decisions are the responsibility of individual local authorities and engagement on such decisions would be for each local authority to decide.

A Scottish Government-led Short Life Working Group is currently reviewing and updating the Scottish Government 'Taxi and Private Hire Car Licensing: Best Practice for Licensing Authorities' guidance document. Members of the working group include Transport Scotland, a number of local authorities, UNITE the Union and representatives of the taxi and private hire trade, including the Scottish Private Hire Association.

There is no universal legal definition of *Public Transport* and each transport mode is subject to specific legislation. There is no obvious legislation that could be amended to enshrine a definition in law and set out the relationship between the different transport sectors and local and national government. We do however consider the provision of taxis as a vital part of the transport system and will continue to engage with representatives as transport policy evolves.

I trust you find this information helpful.