

Committee(s): Streets and Walkways Sub (Planning and Transportation) Committee	Dated: [Insert date as DD/MM/YYYY}
Subject: Pedicabs (London) Bill 2024	Public
Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?	N/A
Does this proposal require extra revenue and/or capital spending?	N
If so, how much?	£-
What is the source of Funding?	-
Has this Funding Source been agreed with the Chamberlain's Department?	N/A
Report of: Remembrancer	For Information
Report author: Philip Saunders, Parliamentary Affairs Counsel	

Summary

The Bill empowers Transport for London (TfL) to make regulations concerning pedicabs operating in Greater London.

Recommendation(s)

Members are asked to: Note this Report.

Main Report

Background

1. By a quirk of the Victorian legislation on which the regulation of taxis is based, pedicabs in London are considered to be stage carriages. This is because legislation relating to hackney carriages has been modernised and the remaining but nearly redundant law has left a definition of stage carriages as, broadly, modes of conveyance that charge passengers separate fares and that ply for hire in public streets, roads or place in London. The result is that privately hired pedicabs operating in London are unregulated.
2. Cities of London and Westminster MP Nickie Aiken championed the regulation of pedicabs through a Private Member's Bill. The government accepted the merits of regulating pedicabs in London and drafted its own Bill.
3. Westminster City Council, the Local Government Association and Transport for London welcomed the measures.

Current Position

4. The Bill gives TfL powers to regulate pedicabs and licence companies that operate pedicabs. Under the provisions, drivers and their vehicles may be

licensed and pedicab drivers may be required to undergo criminal record or right to work checks. Initially, the Bill required TfL to seek government approval for any regulations it wished to introduce. During the Bill's passage, however, the government removed that requirement with the result that TfL will be able to independently produce regulations. The final position is that pedicab regulation-making will be in line with TfL's taxi and private hire vehicle regulation-making procedures which do not require parliamentary approval.

5. Peers discussed the breadth of potential regulations and were told the scope was wide and could include provisions about drivers making too much noise and protection of children. In the final debate in the Commons, the minister was questioned by MPs concerned that TfL might regulate in a way that prohibited pedicabs from plying for hire (rather than waiting at ranks), but the minister could only say that was a matter for TfL.
6. The Bill states that TfL must have regard to any guidance issued by the Secretary of State.
7. In response to extensive discussions about the definition of 'pedicab', the government altered the Bill to ensure that vehicles that have passenger seating in-front, behind, or at the side will be within the scope the provisions. Pedalled and motor-driven pedicabs will be subject to regulation. Peers expressed some concern that future regulations might capture situations such as carers cycling with children in child seats, but were told that such journeys would not, of themselves, be for private hire or reward.
8. TfL will be able to charge for the administration of licence applications, set fees and make regulations about fares. TfL will have a power to place restrictions on pedicab operations, including the number of pedicabs in operation in specified places or at specified times. For instance, the powers would allow TfL to create pedicab ranks (similar to taxi ranks). Under the Bill, TfL may authorise others to conduct enforcement activities.
9. Punishment for breach of pedicab regulations will be by a fixed penalty notice or prosecution in the magistrates' court. Fines in the magistrates' court will be limited to a maximum £2,500 fine. TfL will have powers of seizure, retention, and disposal.

Conclusion

10. The Act, which applies to pedicabs within Greater London, including the City of London, came into force on 25 April 2024.

Philip Saunders
Parliamentary Affairs Counsel
02073321201
Philip.saunders@cityoflondon.gov.uk