

Pedicabs (London) Bill [HL]

AMENDMENTS
TO BE MOVED
IN GRAND COMMITTEE

Clause 1

LORD BERKELEY

Clause 1, page 1, line 2, leave out “Transport for London” and insert “The Secretary of State”

Member's explanatory statement

This and related amendments in the name of Lord Berkeley empower the Secretary of State (rather than Transport for London) to make pedicabs regulations.

LORD LEIGH OF HURLEY

Clause 1, page 1, line 2, leave out “may” and insert “must”

LORD BERKELEY

Clause 1, page 1, line 9, leave out “Transport for London” and insert “the Secretary of State”

Member's explanatory statement

This and related amendments in the name of Lord Berkeley empower the Secretary of State (rather than Transport for London) to make pedicabs regulations.

LORD BERKELEY

Clause 1, page 1, line 10, leave out “whoever it considers appropriate” and insert “–

- (a) representatives of organisations whose interests Transport for London believes may be affected by the regulations;
- (b) other persons who Transport for London considers appropriate.”

Member's explanatory statement

This amendment clarifies that, before making pedicab regulations, Transport for London must consult with representatives of organisations whose interests may, in Transport for London’s opinion, be affected by the regulations.

LORD BERKELEY

Clause 1, page 1, line 10, at end insert –

- “(4) When making pedicab regulations, Transport for London must have regard to the following objectives –
- (a) the benefits to the environment, economic vitality, the health and quality of life that safe and properly regulated pedicab services can provide;
 - (b) the safety of pedicab drivers and passengers;
 - (c) the need to minimise danger, disruption and disturbance to the public;
 - (d) the reasonableness of pedicab fares for the passengers, riders and operators of pedicabs;
 - (e) the need for licencing and other charges or requirements imposed on pedicab riders and operators, and the penalties for contraventions of offences created by pedicab regulations, to be reasonable and proportionate to the risks that pedicabs pose to their riders, passengers and the wider public.”

Member's explanatory statement

This amendment defines the objectives that Transport for London must have regard to when making pedicab regulations, in order that the resulting regulations support safe and responsible pedicab operators and riders, ensuring that pedicabs are safe and that they are operated and ridden safely and responsibly.

Clause 2

LORD BERKELEY

Clause 2, page 1, line 12, leave out “Transport for London” and insert “the Secretary of State”

Member's explanatory statement

This and related amendments in the name of Lord Berkeley empower the Secretary of State (rather than Transport for London) to make pedicabs regulations.

LORD BERKELEY

Clause 2, page 2, line 4, leave out “Transport for London” and insert “the Secretary of State”

Member's explanatory statement

This and related amendments in the name of Lord Berkeley empower the Secretary of State (rather than Transport for London) to make pedicabs regulations.

LORD LEIGH OF HURLEY

Clause 2, page 2, line 10, leave out “may” and insert “must”

LORD BERKELEY

Clause 2, page 2, line 29, leave out “Transport for London” and insert “the Secretary of State”

Member's explanatory statement

This and related amendments in the name of Lord Berkeley empower the Secretary of State (rather than Transport for London) to make pedicabs regulations.

LORD BERKELEY

Clause 2, page 2, line 34, leave out subsection (10)

Member's explanatory statement

This amendment is intended to probe the intended meaning and impact of subsection 2(10).

LORD BERKELEY

Clause 2, page 2, line 35, leave out “Transport for London” and insert “the Secretary of State”

Member's explanatory statement

This and related amendments in the name of Lord Berkeley empower the Secretary of State (rather than Transport for London) to make pedicabs regulations.

LORD BERKELEY

Clause 2, page 2, line 36, leave out “Transport for London” and insert “the Secretary of State”

Member's explanatory statement

This and related amendments in the name of Lord Berkeley empower the Secretary of State (rather than Transport for London) to make pedicabs regulations.

Clause 3

LORD BERKELEY

Clause 3, page 3, line 18, leave out “Transport for London” and insert “the Secretary of State”

Member's explanatory statement

This and related amendments in the name of Lord Berkeley empower the Secretary of State (rather than Transport for London) to make pedicabs regulations.

LORD BERKELEY

Clause 3, page 3, line 21, at end insert “, providing that the offence would be a civil offence if an equivalent offence were committed by the driver or rider of a motor vehicle.”

Member's explanatory statement

To ensure that the power to create civil penalties being used in a way that is consistent with the use of civil penalties for the drivers and riders of motor vehicles.

Clause 4

LORD BERKELEY

Clause 4, page 4, line 10, leave out “Transport for London” and insert “the Secretary of State”

Member's explanatory statement

This and related amendments in the name of Lord Berkeley empower the Secretary of State (rather than Transport for London) to make pedicabs regulations.

Clause 7

LORD BERKELEY

Clause 7, page 4, line 32, at end insert –

““Civil enforcement officer” has the same meaning as in the Traffic Management Act 2004;”

Member's explanatory statement

This and a related amendment in the name of Lord Berkeley ensures that the powers to immobilise and seize pedicabs are assigned to police constables in uniform or to traffic officers duly authorised by local authorities, and that they are proportionate to the powers to immobilise and seize motor vehicles in section 59 of the Police Reform Act 2002.

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