

Pedicabs (London) Bill [HL]

MARSHALLED
LIST OF AMENDMENTS
TO BE MOVED
IN GRAND COMMITTEE

[Amendments marked ★ are new or have been altered]

Amendment
No.

Clause 1

LORD BERKELEY

- 1 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

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

BARONESS ANELAY OF ST JOHNS

- 3 Clause 1, page 1, line 7, after “passengers” insert “including in a cargo box with seating attached to the front of the pedal cycle”

Member's explanatory statement

This amendment is to probe whether Clause 1 omits cargo bikes adapted for passenger use from the scope of the Bill.

BARONESS ANELAY OF ST JOHNS

- 4 Clause 1, page 1, line 7, leave out “or reward”

Member's explanatory statement

This amendment is to probe a) whether “reward” can encompass minor gifts; and b) whether the intent of the Bill is to bring within its remit activity by persons who carry passengers but who do not operate a business in so doing.

LORD BLENCATHRA

5 Clause 1, page 1, line 8, at end insert—

““trailer” does not include a trailer designed for the carriage of babies and small children.”

LORD BERKELEY

6 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

7 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 LIDDLE

8 Clause 1, page 1, line 10, at end insert—

- “(4) A Minister of the Crown may by regulations made by statutory instrument amend the definition of “pedicab” in subsection (2).
- (5) A statutory instrument containing regulations under subsection (4) may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.”

Member's explanatory statement

This is to probe whether the definition of pedicab could be updated.

LORD BERKELEY

9 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.

LORD HUNT OF KINGS HEATH

Lord Hunt of Kings Heath gives notice of his intention to oppose the Question that Clause 1 stand part of the Bill.

Member's explanatory statement

This amendment seeks to probe why e-bikes and e-scooters are not covered in the Clause 1.

Clause 2

LORD BERKELEY

10 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.

BARONESS RANDESON

11 Clause 2, page 1, line 18, leave out subsection (2)

Member's explanatory statement

This amendment seeks to probe why existing legislation is not sufficient to cover immigration status and right to work checks.

LORD LEIGH OF HURLEY

12★ Clause 2, page 2, line 2, at end insert—

“(3A) Transport for London must carry out its licensing functions under this Act with a view to promoting the licensing objectives in section 4 of the Licensing Act 2003.”

LORD BERKELEY

13 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 LIDDLE

14 Clause 2, page 2, line 4, at end insert “or at a level that enables investment in wider transport infrastructure in Greater London”

Member's explanatory statement

This amendment would mean that pedicab licence fees could contribute to investment in transport infrastructure.

LORD LEIGH OF HURLEY

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

LORD LIDDLE
LORD STOREY

16★ Clause 2, page 2, line 11, at end insert “including compulsory enhanced Disclosure and Barring Service checks”

Member's explanatory statement

This is to allow regulations for compulsory enhanced Disclosure and Barring Service checks

BARONESS RANDESON
LORD LIDDLE
BARONESS STOWELL OF BEESTON
LORD STRATHCARRON

17 Clause 2, page 2, line 19, at end insert “including imposing noise restrictions”

Member's explanatory statement

This amendment would allow regulations to impose noise restrictions on pedicab drivers.

LORD BLENCATHRA
BARONESS STOWELL OF BEESTON
LORD LEIGH OF HURLEY
LORD STRATHCARRON

18 Clause 2, page 2, line 19, at end insert –

“(j) the amount of noise which may come from pedicabs or equipment therein.”

LORD BLENCATHRA
LORD STRATHCARRON

19 Clause 2, page 2, line 19, at end insert –

“(j) a prominently displayed registration plate with a distinct number.”

LORD LIDDLE

20 Clause 2, page 2, line 19, at end insert –

“(j) the installation of mirrors.”

Member's explanatory statement

This means pedicab regulations could make provision about the installation of mirrors on pedicabs for safety purposes.

LORD BERKELEY
LORD FOSTER OF BATH
LORD HUNT OF KINGS HEATH
LORD BLENCATHRA

21 Clause 2, page 2, line 19, at end insert –

“(j) the safe charging of power-assisted pedicabs.”

LORD BERKELEY
LORD FOSTER OF BATH
LORD HUNT OF KINGS HEATH
LORD BLENCATHRA

22 Clause 2, page 2, line 19, at end insert –

“(6A) Pedicab regulations must require batteries in power-assisted pedicabs to bear the CE or UKCA mark.”

BARONESS RANDERSON

23 Clause 2, page 2, line 28, at end insert –

“(d) place a limit on the number of licences available.”

Member's explanatory statement

This amendment would allow TfL to place a cap on the total number of pedicabs operating in London to reduce the number of pedicabs in London.

LORD LIDDLE
LORD STRATHCARRON

24 Clause 2, page 2, line 28, at end insert –

“(d) include a prohibition on pedicabs being driven in cycle lanes.”

Member's explanatory statement

This means pedicab regulations could prohibit the driving of pedicabs in cycle lanes due to safety concerns.

LORD BERKELEY

25★ Clause 2, page 2, line 28, at end insert –

“(d) make provision for the designation by traffic authorities of places where pedicabs may stand for hire.”

Member's explanatory statement

This and related amendments in the name of Lord Berkeley allows for the regulations to make provision for the designation by traffic authorities of pedicab stands.

BARONESS RANDERSON

26 Clause 2, page 2, line 28, at end insert –

“(7A) Pedicab regulations may designate a site to be used as a pedicab rank.”

Member's explanatory statement

This amendment would allow Transport for London to create pedicab ranks in order to facilitate the use of pedicabs as an alternative form of transport where other public transport is not available, for example, to cross Hammersmith Bridge.

LORD BERKELEY

- 27 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

- 28 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

- 29 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

- 30 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.

LORD LIDDLE

- 31★ Clause 2, page 2, line 37, at end insert —

(11) Within 90 days of this Act receiving Royal Assent regulations must be made under (6)(a) to the effect that drivers or operators of pedicabs must have enhanced Disclosure and Barring Service checks.”

Member's explanatory statement

This means that drivers or operators of pedicabs must have enhanced Disclosure and Barring Service checks within three months of the passing of this Bill. This amendment is consequential on my other amendment at Clause 2, subsection (6)(a).

Clause 3

BARONESS MCINTOSH OF PICKERING

- 32★ Clause 3, page 3, line 6, at end insert, “subject to subsection (2A)”

LORD LIDDLE

- 33★ Clause 3, page 3, line 10, leave out “4” and insert “5”

Member's explanatory statement

This means that fines can be up to level 5, rather than level 4

LORD LIDDLE

- 34 Clause 3, page 3, line 11, at end insert "and at a level which corresponds to the fares charged by the driver or operator"

Member's explanatory statement

This is to probe whether fines may relate to the fares being charged in order to deter excessive fares.

BARONESS MCINTOSH OF PICKERING

- 35★ Clause 3, page 3, line 11, at end insert –
“(2A) The regulations may make provision for penalties for deaths and injuries caused by careless, dangerous or inconsiderate use of pedicabs to exceed the level in subsection (2).”

BARONESS MCINTOSH OF PICKERING

- 36★ Clause 3, page 3, line 11, at end insert –
“(2A) The Secretary of State must by regulations made by statutory instrument make provision for penalties for an offence of causing death by careless, dangerous or inconsiderate use of pedicabs in Greater London to be punishable by 14 years on indictment.
(2B) The Secretary of State must by regulations made by statutory instrument make provision for causing serious injury by careless, dangerous or inconsiderate use of pedicabs in Greater London to be punishable –
(a) summarily, by 12 months or the statutory maximum or both;

- (b) on indictment, by 5 years or a fine or both.
- (2C) The Secretary of State must by regulations made by statutory instrument make provision for defences for the offences under subsections (2A) and (2B).
- (2D) A statutory instrument containing regulations under this subsections 2A, 2B or 2C may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.”

LORD BERKELEY

- 37 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

- 38 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.

LORD BERKELEY

- 39★ Clause 3, page 3, line 22, leave out from “immobilisation” to end of line 24 and insert “and seizure by a constable in uniform or by a civil enforcement officer of any pedicab that –

- (a) is being used in a manner that is causing, or is likely to cause, alarm, distress or annoyance to members of the public, or
- (b) is being driven in a way that would be in contravention of sections 29 to 32 of the Road Traffic Act 1988 if the driver were on a cycle, or section 35 of the Offences Against the Person Act 1861,

subject to the driver having been given warning on a prior occasion by a constable in uniform or a civil enforcement officer for either of the matters in (a) or (b).”

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.

LORD BLENCATHRA

40 Clause 3, page 3, line 24, at end insert –

“(6A) The powers above may be exercised by Transport for London, local authorities in London, the Metropolitan Police Service and others authorised to exercise them.”

Clause 4

LORD BERKELEY

41 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 5

LORD LIDDLE

42 Clause 5, page 4, line 18, after “trailer” insert “or an affixed carriage”

Member's explanatory statement

This ensures that the definition of “power-assisted pedicab” includes those where passengers sit in carriages to the side, or in front of cycle, rather than only those which are behind the cycle.

LORD DAVIES OF GOWER

43 Clause 5, page 4, line 19, at end insert “(and for this purpose “trailer” has the same meaning as in the Pedicabs (London) Act 2024 (see section 7 of that Act))”

Member's explanatory statement

This is consequential on my amendment to clause 7.

Clause 6

LORD DAVIES OF GOWER

44 Clause 6, page 4, line 20, at end insert –

“(A1) Transport for London must obtain the approval of the Secretary of State before making pedicab regulations.”

Member's explanatory statement

This amendment requires Transport for London to obtain the approval of the Secretary of State before making pedicab regulations.

LORD LIDDLE

- 45★ Clause 6, page 4, line 21, leave out subsections (1) and (2) and insert –
- “(1) The power to make pedicab regulations is exercisable by Order.
 - (2) An Order containing pedicab regulations may only be exercised by Transport for London.”

LORD DAVIES OF GOWER

- 46 Clause 6, page 4, line 23, at end insert –
- “(2A) Transport for London must, immediately after making pedicab regulations, send the statutory instrument containing them to the Secretary of State for laying before Parliament.”

Member's explanatory statement

This amendment makes it explicit that, after making pedicab regulations, Transport for London must send the regulations to the Secretary of State to lay before Parliament.

BARONESS RANDERSON

Baroness Randerson gives notice of her intention to oppose the Question that Clause 6 stand part of the Bill.

Member's explanatory statement

This amendment seeks to probe why scrutiny of regulations made by TfL is undertaken by Parliament and not the London Assembly.

After Clause 6

LORD BERKELEY

- 47 After Clause 6, insert the following new Clause –
- “Consultation: safety of power-assisted pedicabs**
- Within six months of the day on which this Act is passed, Transport for London must consult such persons as they consider to have an interest in this matter on whether to prohibit, or place conditions on, the use of power-assisted pedicabs in Greater London on grounds of safety.”

BARONESS RANDERSON

48★ After Clause 6, insert the following new Clause—

“Review of the impact of pedicabs regulations

- (1) Within twelve months of the day on which this Act is passed the Secretary of State must lay before Parliament a review of the impact of this Act on the safety of passengers of pedicabs and pedestrians in London.
- (2) The review must make a recommendation as to whether further regulations are needed to ensure the effectiveness of the pedicabs regulations.”

Member's explanatory statement

This amendment would require the Government to review the impact of pedicabs regulations.

Clause 7

LORD BERKELEY

49 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.

LORD DAVIES OF GOWER

50 Clause 7, page 5, line 2, at end insert—

““trailer”, in relation to a pedal cycle, includes a sidecar or a vehicle pushed by a pedal cycle.”

Member's explanatory statement

“Pedicab” is defined by clause 1 to mean a pedal cycle, or a pedal cycle in combination with a trailer, that is constructed or adapted for carrying one or more passengers etc. This amendment provides that “trailer” includes sidecars or vehicles pushed by pedal cycles.

LORD BERKELEY

51★ Clause 7, page 5, line 2, at end insert—

““traffic authority” has the same meaning as in section 121A (1A)(2) of the Road Traffic Regulation Act 1984.”

Member's explanatory statement

This and related amendments in the name of Lord Berkeley allows for the regulations to make provision for the designation by traffic authorities of pedicab stands.

Clause 8

LORD LIDDLE

- 52** Clause 8, page 5, line 15, leave out “at the end of the period of two months beginning with” and insert “on”

Member's explanatory statement

This brings forward the commencement from two months after to immediately on Royal Assent.

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