



HL Bill 2 of 2023–24

Pedicabs (London) Bill [HL]

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The 2023 King's Speech included a commitment to introduce a bill to regulate unlicensed pedicabs in London. The [Pedicabs \(London\) Bill \[HL\]](#) was introduced into the House of Lords on 8 November 2023 and is due to receive its second reading on 22 November 2023.

Pedicabs, also known as cycle rickshaws, are not currently regulated in London due to a loophole in the legislation used to regulate taxis in the capital, the Metropolitan Public Carriage Act 1869. Outside London, where different legislation applies, pedicabs can be regulated as taxis in England and Wales. Concerns have been expressed for a number of years about potential issues with London pedicabs. As outlined in the [explanatory notes](#) to the bill:

The pedicab industry remains the only form of public transport in London that is unregulated [...] companies operating pedicabs are not licensed; neither drivers nor their vehicles are licensed; there is no requirement for pedicab drivers to undergo criminal record or right to work checks; and there is no fare control. There are concerns that overcharging is common, particularly when pedicabs are hired by tourists, and that the current regime does not ensure the safety of either passengers or other road users.



The Pedicabs (London) Bill would provide Transport for London (TfL) with powers to regulate pedicabs, for example by introducing a licensing regime and standards for operators, drivers and their vehicles.

The government has previously said it would legislate in this area. There have also been several private members' bills on the subject.

The Pedicabs (London) Bill would extend to England and Wales, but only apply in England to pedicabs operated within Greater London.

I. Background

I.1 What are pedicabs?

Pedicabs are defined for the purposes of the bill as “pedal cycles and power-assisted pedal cycles for hire or reward”.¹ They are also known as cycle rickshaws.

There is limited reliable data about the number of pedicabs operating in London. The government has pointed to estimates which vary from around 200 to up to 900 pedicabs which carry passengers.²

Historically, as the transport committee of the London Assembly noted in 2005, pedicabs emerged in London when a company, Bugbugs (established in 1998), took advantage of a legal loophole in

¹ [Explanatory notes](#), p 2.

² As above.

the Metropolitan Public Carriage Act 1869:

The act legislated for the exclusive right of licensed hackney carriages to ply for hire on the streets of London—however this exclusivity did not include “stage carriages”, an omission which permits pedicabs to ply for hire in London. After a series of cases brought to court by the Licensed Taxi Drivers Association (LTDA), this loophole was upheld in 2002 and pedicabs have continued to ply for hire in London, almost exclusively in the West End.³

1.2 How are pedicabs currently regulated?

TfL is the statutory body, created by the Greater London Authority Act 1999, which has the responsibility to implement the London mayor’s transport strategy. In addition, it manages those transport services across the capital for which the mayor is responsible.

Taxis are regulated in London by TfL using the Metropolitan Public Carriage Act 1869. Pedicabs in London are considered stage carriages, as defined in section 4 of the act. However, legislation governing stage carriages is no longer in force. The government has said that “conflicting judicial decisions” on the Metropolitan Public Carriage Act 1869 and whether pedicabs are stage carriages have meant that pedicabs can only be regulated outside London, where

³ London Assembly, [‘London’s rickshaws: The transport committee’s scrutiny into the future of London’s pedicabs’](#), February 2005, p 1.

different legislation applies.⁴ More detail is provided by the Law Commission, which notes:

The archaic category of “stage coaches” adds a further layer of complexity. “Stage coaches” are defined as any vehicle which plies for hire and charges passengers separate fares; they are exempted from taxi licensing. In London, the courts have taken the view that a pedicab is a “stage carriage” and is, therefore, excluded from taxi licensing or any other form of regulation. The opposite view was taken outside London.⁵

This has meant that enforcement efforts on pedicabs have previously been limited to prosecuting noise and nuisance charges. Councillor Aicha Less of Westminster City Council described this situation as city inspectors “trying to combat pedicabs with one hand tied behind their backs”.⁶

In contrast, outside London pedicabs are treated as taxis for the purposes of the Town Police Clauses Act 1847 and part II of the Local Government (Miscellaneous Provisions) Act 1976.

The government has stated it does not consider amending the Metropolitan Public Carriage Act 1869 to be appropriate to deal with pedicabs in London. However, it notes that the Pedicabs (London) Bill is modelled on sections 9 and 10 of that 1869 act, which enable TfL

⁴ [Explanatory notes](#), p 2.

⁵ Law Commission, ‘[Taxi and private hire services](#)’, May 2014, p 55. The Law Commission cited the following cases for the situation in London: *Oddy v Bugbugs Ltd* [2003] EWHC 2865 (Admin). This contrasted with the findings of the cases outside of London: *R v Cambridge City Council ex parte Lane* [1999] RTR 182.

⁶ Westminster City Council, ‘[Summer of council enforcement reinforces urgent calls for pedicabs regulation](#)’, 3 October 2023.

to make orders that regulate taxis in London and to attach penalties to contraventions.⁷

1.3 The need for reform?

Statistics from TfL show 24 driver incident reports between 2018 and 30 August 2023 concerning pedicabs, covering incidents such as driver conduct and road obstruction. It also includes six sexual offences. In addition, data from 2019 shows that there were 13 collisions resulting in personal injury, with 12 of these being characterised as slight and one injury as serious.⁸ Media reports also cite numerous examples of tourists being overcharged for short journeys.⁹

As early as 2005, the transport committee of the London Assembly outlined some concerns with the use of pedicabs, such as fares being largely determined by the driver at the time passengers board. In addition, there was no way of identifying a pedicab driver or operator in the event of a crash or if they were found to be obstructing a bus lane or pavement or were parked on a double yellow line.¹⁰ Previous debates in Parliament have drawn attention to concerns regarding the safety of the vehicles themselves and potential risks to women's safety due to a lack of checks of drivers.¹¹

⁷ [Explanatory notes](#), p 2.

⁸ [Delegated powers memorandum](#), para 7.

⁹ See BBC News, '[Tourist charged £450 by London pedicab driver for short ride](#)', 26 July 2023 and '[London pedicab driver charged man £500 for 10-minute trip](#)', 5 August 2022.

¹⁰ London Assembly, '[London's rickshaws: The transport committee's scrutiny into the future of London's pedicabs](#)', February 2005, p 3.

¹¹ [HC Hansard, 16 November 2021, cols 183–90WH](#).

The Licensed Taxi Drivers Association (LTDA) has campaigned for a number of years on the issue, highlighting concerns about the safety of travel and value for money for passengers, and arguing that pedicabs should be banned altogether.¹²

In 2004, it commissioned a safety evaluation of pedicabs which argued that the braking performance of a laden pedicab was significantly lower than that of a car and concluded that the passenger compartment would provide little or no protection in the event of an accident.¹³

Several London councils have also called for change. Westminster City Council has argued that legislation should be introduced to allow TfL to regulate pedicabs. Introducing a licensing system would, it argues, allow the council to protect customers, to cap the number of pedicabs operating in the city and to give them identifiable information, like taxi licenses.¹⁴ In 2012, the then Mayor of London Boris Johnson and TfL called upon the government to give TfL the power to remove pedicabs that do not meet “rigorous safety and licensing standards” from the capital’s roads.¹⁵

In 2011, the Law Commission commenced its eleventh programme of law reform which included a review of the legal framework relating to taxis and private hire vehicles (PHVs) across England and Wales. In its recommendations, published in May 2014, the Law Commission recommended bringing pedicabs clearly within the scope of taxi and private hire regulation.¹⁶

¹² London Assembly, [‘London’s rickshaws: The transport committee’s scrutiny into the future of London’s pedicabs’](#), February 2005, p 3.

¹³ TRL, [‘Pedicab safety evaluation’](#), September 2004, p i.

¹⁴ Westminster City Council, [‘Summer of council enforcement reinforces urgent calls for pedicabs regulation’](#), 3 October 2023.

¹⁵ Transport for London, [‘Mayor seeks ban on dangerous pedicabs’](#), 14 December 2012.

¹⁶ Law Commission, [‘Taxi and private hire services’](#), accessed 14 November 2023.

The London Pedicab Operators Association (LPOA), formed in 2004 in order to establish a lobby on behalf of the pedicab industry, has established certain voluntary codes of practice and conduct for London's pedicab operators and riders.¹⁷ The LPOA submission to the Law Commission in 2011 supported the idea of legislation, although it argued it should be “light touch”:

Pedicabs do in our view need some new legislation to overcome the differences in the law applicable in London and the rest of the UK. Nearly all modes of transport are regulated to some degree, and as has been exemplified in London over the years, there does need to be some element of regulation to ensure that basic measures are in place to protect as much as is possible the public. We do not think that these regulations should be overbearing since pedicabs are essentially cycles and do not expose the public to the same potential dangers as motor vehicles or other taxi services.¹⁸

The Task and Finish Group on Taxi and Private Hire Vehicle Licensing was established by the government in September 2017.¹⁹ It was tasked with considering evidence relating to the adequacy of current taxi and PHV licensing authority powers. Members included MPs and stakeholders such as TfL, LTDA and the Local Government Association. The group's remit also included considering whether it would advise the government to accept the recommendations made in the Law Commission's May 2014 report.

¹⁷ London Assembly, '[London's rickshaws: The transport committee's scrutiny into the future of London's pedicabs](#)', February 2005, p 2.

¹⁸ London Pedicab Operators Association, '[Reforming the law of taxi and private hire services: Consultation response](#)', August 2012, p 9.

¹⁹ Task and Finish Group, '[Taxi and private hire vehicle licensing: Steps towards a safer and more robust system](#)', 24 September 2018, p 2.

Reporting in 2018, the group noted that while there was a place for a safe and responsible pedicab trade:

[...] there has been much justified criticism in recent years of rogue pedicab operators taking advantage of tourists with excessive charges and absence of safety checks. It is not acceptable that Transport for London is unable to regulate pedicabs to ensure a safe service; the government announced in 2016 that it would rectify this, and the legislation should be brought forward as soon as possible.²⁰

Responding in February 2019, the government stated that it fully supported the recommendation:

The government has worked with TfL to support the Pedicabs (London) private members' bill brought forward by Paul Scully MP. The objective of the bill has cross party support, and we hope that Parliament will enable this to become statute. Should the Pedicabs (London) Bill not become law, the government will put forward its own legislation when time permits to enable TfL to regulate pedicabs.²¹

The 2022 Queen's speech included a commitment to a Transport Bill for the 2022–23 session, which would enable the licensing of London pedicabs. However, ultimately this bill was never presented to Parliament.

²⁰ As above, p 29.

²¹ Department for Transport, '[Government response: Report of the Task and Finish Group on taxi and private hire vehicle licensing](#)', February 2019, p 14.

1.4 Private members' bills

As noted in the government response to the Task and Finish Group on taxi and private hire vehicle licensing's recommendations, the government has previously supported efforts to introduce the regulation of London pedicabs through private members' bills.

In January 2018, Paul Scully (Conservative MP for Sutton and Cheam) introduced a private member's bill on pedicabs in London. He argued the bill, which would have enabled TfL to develop a regulation system for pedicabs, was supported by TfL, the Department for Transport (DfT) and "members from all three parties represented in London in this place and from members representing London constituencies".²² However, the bill did not progress to second reading.

A further private member's bill on the subject was introduced by Nickie Aiken (Conservative MP for Cities of London and Westminster) in June 2020. Nickie Aiken stated that the bill was supported by a cross-party group of London MPs as well as stakeholders from across London, including the mayor of London; the LTDA; councils including Westminster and Lambeth; and London Councils, a cross-party organisation representing London boroughs. The bill would have allowed TfL to regulate pedicabs in London. Ms Aiken argued that pedicabs "must be regulated, they must be safe".²³ The bill did not progress to second reading.

Ms Aiken introduced another bill for the same purpose in 2021.²⁴ This bill was also supported by the government, and again sought to

²² [HC Hansard, 23 January 2018, cols 157–60.](#)

²³ [HC Hansard, 9 June 2020, cols 197–9.](#)

²⁴ [HC Hansard, 19 November 2021, cols 880–2.](#)

regulate pedicabs in London through giving powers to TfL. The bill did not progress beyond second reading.

2. Bill provisions

On 7 November 2023, the King's Speech included a commitment to introduce a bill "to deal with the scourge of unlicensed pedicabs in London". The Pedicabs (London) Bill [HL] was introduced into the House of Lords on 8 November 2023 and is due to receive its second reading on 22 November 2023.²⁵

The bill has nine substantive clauses.

Clause 1

Clause 1 would provide TfL with the power to make regulations in order to control pedicabs in public places in London. The clause defines a pedicab as a "a pedal cycle, or a pedal cycle in combination with a trailer, that is constructed or adapted for carrying one or more passengers and is made available with a driver for hire or reward". Subsection 3 of the clause would require TfL to consult "whoever it considers appropriate" before making pedicab regulations.

The government has said that an enabling power of this nature is appropriate as "it would not be proportionate to make provision for

²⁵ UK Parliament, '[Pedicabs \(London\) Bill \[HL\]](#)', accessed 14 November 2023.

the regulation of pedicabs by way of detailed primary legislation”.²⁶ Further, it argues that this method would allow the regulations to be adapted in response to changing circumstances.

Clause 2

Clause 2 outlines what provisions could be included in such pedicab regulations, including conditions of licences; the duration, renewal, variation, suspension and revocation of licences; and the display and production of licences. It would enable TfL to set fees and charge for the administration of licence applications and to introduce certain restrictions on pedicabs, for example on the number in operation at specified times or in specified places.

The clause would also allow TfL to regulate fares for pedicabs and make provisions on issues such as eligibility requirements for pedicab drivers and operators; the standards of pedicabs; safety standards; speed restrictions placed on pedicabs; the working conditions of drivers; and drivers’ conduct. The government argues that this would allow TfL to ensure that drivers and operators were fit and proper persons who have been the subject of appropriate criminal record checks and that pedicabs are insured and roadworthy.²⁷

Subsection 2 of the clause would require regulations about the licensing of drivers and operators of pedicabs to include provisions which correspond to the provisions made by the Private Hire Vehicles (London) Act 1998 in relation to immigration status. This would disqualify a person from being licensed as a pedicab driver or operator if that person was subject to certain immigration controls.

²⁶ [Explanatory notes](#), p 3.

²⁷ As above, p 4.

Subsection 10 would allow TfL to authorise others, such as enforcement officers, to undertake functions on TfL's behalf.

Clause 3

Clause 3 details the way that the regulations would be enforced. Subsection 1 would allow TfL to create offences in relation to a failure to comply with requirements imposed by any regulations or if false or misleading information was provided in connection with licensing applications or decisions.

The clause would require that the offences specified could only be tried in a magistrates' court. In addition, offences would only be punishable by a fine which does not exceed a prescribed statutory maximum, currently £2,500. However, requirements in clause 2 relating to the immigration status of drivers or operators of pedicabs are not subject to these limitations.

The clause would also enable TfL to allow a person charged with an offence under the regulations to discharge their liability for the offence by paying a fixed penalty notice. In addition, it would allow TfL to seize, retain, immobilise or dispose of pedicabs which are in contravention of the regulations.

Subsection 5 would also enable TfL to impose civil penalties in relation to these offences. The government has argued that civil penalties may be a more effective way of enforcing the regulations because they can be imposed more promptly for more minor matters and avoid the requirement to pursue a prosecution in a magistrates'

court.²⁸ Subsection 7 of the clause would allow TfL to enter into arrangements with the Metropolitan Police, similar to those applicable to the enforcement of the taxi licensing regime.

Clause 4

Clause 4 would require that individuals subject to certain regulatory decisions, as outlined in subsection 3, have the right to request that a decision is reconsidered and to appeal to a magistrates' court. Such decisions could include one to refuse to grant, renew or vary a licence; a decision to impose a licence condition; or the decision to impose a civil penalty. The clause would also provide that further rights to request reconsideration or to appeal could be conferred by the regulations.

Subsection 4 of the clause would also enable the regulations to make further provisions about reconsideration or appeals, such as time limits or provisions preventing TfL from taking specified action during the period in which appeals or reconsiderations were occurring.

Clause 5

Clause 5 of the bill would amend section 16 of the Private Hire Vehicles (London) Act 1998 to exclude power-assisted pedicabs from its scope. The government has stated that the amendment is consequential, and its purpose is to ensure these vehicles are not subject to both regulatory regimes.²⁹

²⁸ As above.

²⁹ As above, p 5.

Clause 6

Clause 6 would provide the power to make pedicab regulations by statutory instrument using the negative resolution procedure in Parliament. The government has explained that, although the regulation of taxis by TfL is not currently subject to parliamentary scrutiny, ministers considered it “appropriate that pedicab regulations made by TfL under the bill should be made by statutory instrument”. However, it also argued that the negative rather than affirmative resolution procedure would be more proportionate.³⁰

Clause 7

Clause 7 of the bill includes the definitions of terms used in bill.

Clauses 8, 9 and 10

Clause 8 would specify the commencement date of the bill, which would come into force two months after it received royal assent. Clause 9 would provide that the bill will extend to England and Wales. However, as outlined by the explanatory notes, the bill would apply only to pedicabs operated within Greater London.³¹ Clause 10 would detail the short title of the bill.

3. Reaction to the bill

The announcement of the Pedicabs (London) Bill in the King’s Speech was welcomed by both Paul Scully and Nickie Aitken, the proponents

³⁰ As above.

³¹ As above.

of the previous private members' bills on the subject.³²

The bill was also supported by the Local Government Association.³³ It urged TfL to consult with London boroughs on regulations and ensure licensing authorities have robust safeguarding procedures in place to protect vulnerable passengers.

The bill was welcomed by Westminster City Council. The leader of the council Adam Hug argued that the council had been calling for action to regulate pedicabs “for years”. He noted:

[...] this government has promised action before and not delivered so it is essential that this bill finally becomes law.³⁴

A spokesperson for TfL told the Guardian it supported the bill, arguing:

TfL and the mayor have been lobbying for regulation in this area for many years and we support the introduction of new legislation which will allow pedicabs in London to be regulated to improve safety.³⁵

³² Nickie Aiken, '[Nickie Aiken welcomes new law on the regulation of pedicabs announced in the King's Speech](#)', 7 November 2023; and Paul Scully, '[Personal X account](#)', 7 November 2023.

³³ Local Government Association, '[King's Speech \(7 November 2023\): On-the-day briefing](#)', 7 November 2023, pp 8–9.

³⁴ City of Westminster, '[Leader's statement on pedicab bill in the King's Speech](#)', 10 November 2023.

³⁵ Mabel Banfield-Nwachi, '["It's like a jungle": London's pedicab cyclists welcome licences but not price controls](#)', Guardian, 11 November 2023.

At the time of writing, the LPOA has not responded to the bill, although it has previously indicated support for regulation in the sector.³⁶

³⁶ BBC News, [‘Pedicab operators welcome plans to regulate the industry’](#), 30 April 2022.

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