

Pedicabs (London)

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Motion for leave to bring in a Bill (Standing Order No. 23)

🕒 1.52 pm

Paul Scully (Sutton and Cheam) (Con)

I beg to move,

That leave be given to bring in a Bill to provide for the regulation of the carrying of passengers in Greater London by pedal cycles and power-assisted pedal cycles for hire or reward; and for connected purposes.

I welcome the Under-Secretary of State for Transport, my hon. Friend the Member for Wealden (Ms Ghani), to her place—literally, as I see that she is taking her place now.

I am pleased that enabling the regulation of pedicabs through this Bill has attracted the support of Members from all three parties represented in London in this place and from Members representing London constituencies. Support was so readily given from across the House that I was not even able to accommodate the hon. Member for Ilford North (Wes Streeter), who has done much work in his role as chairman of the all-party group on taxis, on which I also serve. Although we do not always agree on the solutions for taxis and private hire vehicles, we both know that there is much that we can work on together to improve our hail and ride and pre-booked transport services in a way that is both fair to providers and protects customers.

Both Transport for London and the Department for Transport have been keen to see the simple change proposed in my Bill. The current and previous Mayors of London and Westminster Council also support the move. A group of leading businesses and organisations have come together to push for change under the umbrella of the Regulate Pedicabs Coalition, including the London Taxi Drivers' Association, the Mayfair residents group, the Hippodrome Casino, the New West End Company, the London Chinatown Chinese Association, as well as many other residents associations and theatre groups representing interests across the west end, so I hope that I am pushing against an open door.

Pedicabs and pedal rickshaws are currently unregulated in London—and solely in London. As a result, there is no requirement for insurance, fares are not fixed or consistent, and neither vehicle condition nor driver quality are assessed. The behaviour of some pedicab operators causes problems for businesses, as they block highways, harass customers and cause serious risk to visitors and workers. In fact, they are the only form of public transport in the capital that is not regulated in any way.

One provider, London Pedicabs, estimates that there are around 1,400 pedicabs on the roads and pavements of London. It states on its website that it has pushed hard to get pedicabs fully licensed and accountable, so, in my mind, we have a great opportunity to make this happen in the coming months by the leave of this House and the other place.

I have said that pedicabs are not insured and that neither drivers nor their vehicles are regulated. Injuries to passengers have become frequent and lives may be at risk. One man told the *Evening Standard* in 2016 how he had been knocked out and left with a broken cheekbone here in London after being hit by a rickshaw whose driver allegedly spat in the face of a member of staff in Covent Garden before pedalling away in a midnight hit and run.

I am not aware of any deaths of passengers in London as yet, but the fact that an off-duty soldier died after falling out of a pedicab in Edinburgh back in 2010 shows that it is very possible. Of course, accidents can happen whatever regime exists, but even the most basic checks will reduce the likelihood.

London is a global city with a positive international reputation. Some 20 million people come to our capital—my home town—every year. It vies with Bangkok each year to be the most visited city on the planet. Although London has so much to offer visitors, we should not take our tourism industry for granted. Making sure that visitors have a wonderful experience, feel safe, get value for money and have a great time is vital to keeping those figures up and ensuring that people share positive stories about their trips with their friends and keep coming back.

In 2016, an undercover filmmaker revealed examples of rickshaw drivers boasting about charging three Chinese tourists £350 each for a 35-minute ride, and about charging £200 to £300 to go the half mile from Oxford Circus to Piccadilly Circus. Groups of pedicabs frequently block streets, increasing traffic delays and pollution, while disrupting legitimate businesses in the west end. Many play loud music, and their drivers shout and swear and park in doorways and on pavements. Clearly not all do so, but, as on many occasions, there are enough to ruin the reputation of those simply trying to earn a living in a reasonable and conscientious way.

Many cities across the world have looked to regulate pedicabs. Despite different contexts, several themes recur, such as pedicabs' legal status as bicycles, passenger safety concerns and fare transparency. New York and Rome failed in their attempts to introduce a blanket ban, but San Diego successfully introduced comprehensive regulation, which is what I am asking for today. San Diego City Council voted to strengthen regulations on pedicab operators following the death of a tourist in an accident. Pedicab operators there

are required by law to display fares openly, and numbers are capped in high-traffic areas. They are banned from using metered parking spaces and drivers are required to carry proof of insurance and ensure that seatbelts are worn. Operators with criminal convictions are banned.

In 2016, the Government stated that they were concerned about passenger safety. They wanted to take dangerous pedicabs off the road and regulate pedicab drivers so that they are allowed to charge only reasonable fares and must meet minimum safety standards. They proposed that Transport for London would be responsible for creating detailed rules, such as setting out what is a reasonable amount to charge for a short journey, and that the licensing scheme would operate in a similar way to the rules for taxis and private hire vehicles. In setting out the approach that TfL would take, the Mayor of London said:

“Every Londoner and visitor to our city deserves a world-class service, whatever mode of transport they use. And this move will allow us to ensure that pedicabs must make big improvements to the way they operate. They are going to need to match up to important safety standards and we will be able to crack down on any attempts to charge rip-off fares.”

I happily disagree with Sadiq Khan on many issues, but he is absolutely on the money on this one.

The Bill would enable TfL to develop a regulation system, but does not prescribe what that system should be. However, there is every indication that TfL will conduct a background check of the driver and a safety inspection of vehicles, which are usually bought or rented from a few providers; place a cap on fares or rates charged; and set out sensible rules as to where and how drivers can park and tout for business.

Under the current law, pedicabs can be licensed as hackney carriages in every part of England and Wales apart from London. In a legal anomaly, pedicabs are treated as stage carriages in London, rather than licensed hackney carriages, under section 4 of the Metropolitan Public Carriage Act 1869. The leading court case about pedicabs in London reaches the opposite conclusion to case law relating to the rest of England and Wales, and Mr Justice Pitchford, in *Oddy v. Bugbugs Ltd*, commented that, in his view,

“primary legislation will probably be required.”

That case was in 2003. The Greater London Assembly looked at the pedicab business as long ago as 2005. The 2014 Law Commission inquiry into taxi and private hire services made clear recommendations that pedicabs should be brought into a revised regulatory regime.

It is 15 years since the court case that brought this anomaly to our attention, and successive Governments have not found a suitable Bill to which to attach the proposed change, nor have we been able to get it through the private Members’ Bill maze. I am only too aware that Members can vote this Bill down, shout “Object”, or talk it out of time, but I hope that colleagues will understand that it simply irons out an anomaly and that it is supported across the political divide at every level of government. It will allow Transport for London to give consumers, whether they are Londoners or visitors, protection against excessive fares and safety protection through driver and vehicle checks, and to give others, including pedestrians, local businesses and nearby residents, some peace through reasonable and proportionate regulation. Before they pipe up at any stage with any objection, however principled, I ask Members to consider the ordinary Londoner, who may scratch their head at the glacial progress we have made on a simple point that has near-unanimous agreement.

Some people want to ban pedicabs entirely, but looking around London in the open air on a rickshaw gives people a chance to see the city in a way that few other modes of transport allow—although the weather needs to be better than it is at present. Instead, we can help reputable pedicab drivers to develop a good, popular and sustainable business through sensible regulation.

Some Government Members may be concerned that it is a Labour Mayor who would oversee the design and implementation of the regulatory system, but I caution against taking a partisan view. London has a mature system of regulation for public and private hire, an experienced team to enforce transgression through fixed penalty notices and, in the most serious cases, an operating ban. We also have the London Assembly to scrutinise Transport for London and the Mayor, and all of its members are accountable to Londoners through the ballot box.

I hope that I can count on the support of this House to tidy up the law in scrapping this legal anomaly, and to tidy up London’s west end by ensuring that responsible rickshaw drivers ply for business by offering a safe and reasonably priced service that does not obstruct others from going about their business. I commend this Bill to the House.

Question put and agreed to.

Ordered,

That Paul Scully, Julia Lopez, Stephen Hammond, Bob Blackman, Robert Neill, Dr Matthew Offord, Zac Goldsmith, Tom Brake, Mike Gapes, Jim Fitzpatrick, Ms Karen Buck and Mr Virendra Sharma present the Bill.

Paul Scully accordingly presented the Bill.

Bill read the First time; to be read a Second time on Friday 16 March, and to be printed (Bill 154).