

Committee(s)	Dated:
Streets and Walkways Sub Committee – For comment Planning and Transportation – For decision	21 May 2018 29 May 2018
Subject: Dockless Cycle Hire Review	Public
Report of: Carolyn Dwyer, Director of the Built Environment	Streets and Walkways – For comment
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Summary

Dockless cycle hire has been operating in London since autumn 2017, with operations based in several boroughs, including three boroughs neighbouring the City. Dockless cycle hire schemes do not require the explicit consent of the City Corporation to operate on City streets, and the City Corporation has no powers to remove bikes unless they are causing an obstruction, danger or nuisance. In October 2017 the City of London Corporation adopted a policy of working with dockless cycle hire companies operating on City streets, with certain conditions agreed with the operators. Two operators - ofo and Mobike have since launched operations in inner London and have been operating on City streets on a six-month trial basis.

The trial period has now expired and is being reviewed. This report sets out the proposal to extend the trial for a further 12 months following the adoption of additional measures to achieve more effective management of the operations. The measures include the identification of preferred locations for parking dockless bikes, and the consideration of making space available on a commercial basis in City Corporation car parks to facilitate the management of the operations. The policy of not allowing operators to place bikes directly on City streets will be continued.

Recommendation(s)

Members are asked to:

- Approve the proposed adoption of additional management measures for dockless cycle hire operations and the continuation of the dockless cycle hire trial for a further 12 months.

Main Report

Background

1. 'Dockless cycle hire' is a generic term for a short-term cycle hire scheme, similar to Santander Cycles, but entirely 'free floating' – with no on street docking infrastructure required. The schemes are commercially operated and do not require any public funding or subsidy. The fact that no on-street docking infrastructure is required represents a real advantage over the Santander Cycles scheme, which often suffers from full docking stations preventing users ending their journey near their destination, or empty stations preventing people from hiring bikes.
2. Two operators (of0 and Mobike) have launched operations in boroughs that neighbour the City of London – Hackney (of0 only), Islington (of0 and Mobike) and Southwark (of0 and Mobike). It is expected that operations will launch in other neighbouring boroughs in the near future. The City Corporation has no powers to prevent the bikes being cycled into the City.
3. In October 2017, Members of the Planning and Transportation Committee agreed to adopt a policy on dockless cycle hire operations within the Square Mile (see Appendix 1 and background papers). The policy recognises that the bikes will be used in the City, and allows dockless cycle hire to operate on City streets subject to conditions. These include adherence to a TfL Code of Practice (Appendix 2) and a requirement to not directly place cycles on City streets.
4. of0 and Mobike have been operating on this basis since November 2017. As the agreed six-month trial period for each operator has now expired, the policy and operation has been reviewed.

City of London powers and current management

5. Under current legislation, the City Corporation has no powers to prevent dockless cycles from being parked by customers on City streets, unless those cycles cause an obstruction, danger or nuisance. Neither do operators require consent or a licence from the local authority as no docking infrastructure is placed on the highway. However, the City Corporation does have a statutory duty to assert and protect the rights of the public to use and enjoy the highway, the network management duty and a duty to secure the convenient and safe movement of traffic (including pedestrian traffic).
6. If a bike is deemed to be causing an obstruction, danger or nuisance, the City Corporation's Street Enforcement Officers manage dockless cycle hire bikes as follows:
 - a. As the owner of the bikes is known, any bike causing a danger or obstruction will be reported to the operator for removal within 90 minutes of notification. After this time bikes will be removed by the City Corporation without further notice.
 - b. The City Corporation as a Highway Authority also has the power to remove bikes that are deemed to be causing a danger (including a danger caused by obstructing the view) to users of the highway without notice (under Highways Act 1980 s149).

7. If a bike is removed then operators will be informed and given the opportunity to recover the bike, with operators liable for all associated costs as set out in TfL's Code of Practice.

Usage and operational approach

8. Details regarding cycle hire usage, (number of hires, etc) are commercially sensitive and are provided in a separate non-public appendix (Appendix 3).
9. Both dockless cycle hire operations are experiencing growing membership and use both London-wide and in the City – even over the winter months. This includes a significant number of hires that are entirely within the Square Mile. It is expected that use will increase over the summer, especially if more boroughs choose to allow schemes to operate. This means there is a need to ensure that the operations are effectively managed in the future to ensure the schemes operate for the benefit of the City.
10. The ease and accessibility of dockless cycle hire for City workers, residents and visitors gives these schemes particular appeal for short trips within the City or central London, providing an alternative to short taxi, private hire or public transport trips.
11. To date operations have generated relatively few complaints to the City Corporation or to the operators themselves. There have been no complaints to the City Corporation's Contact Centre, and no bikes have been removed by the City's Street Enforcement Officers since the start of the trial.
12. Both ofo and Mobike have a member of staff patrolling the City 24 hours a day who can respond to requests to remove bikes. These staff also reposition bikes to move them alongside cycle stands to avoid obstructing pavements. When necessary, bikes are also redistributed back to a host borough.
13. Requests for bikes to be relocated that have been passed to operators have been dealt with in a timely fashion and within the target time agreed with the City Corporation.

Policy Considerations

14. Dockless cycle hire is a new phenomenon in the UK; but offers a lower-cost and more space-efficient type of cycle hire operation compared with the Santander Cycles scheme. The lack of docking infrastructure means that bikes are much more flexible, and can be ridden directly to the hirer's destination, increasing the appeal to additional users.
15. Usage patterns of dockless cycle hire – presented in appendix 3 – show that the dockless bikes are well used during the day for trips within the City and central London, not just for commuting.

16. The emerging draft Transport Strategy for the City of London is likely to include proposals to increase the use of cycling for short trips within the City. The availability of dockless cycle hire to help enable these short trips is expected to be a significant factor.

Proposals

17. Since the lack of infrastructure required to operate the schemes means that express consent is not required from the highway authority, setting out standards for operation for all operators via the City Corporation's adopted policy statement, TfL's Code of Practice and proposed additional management measures remains an effective way for the City to encourage good management and use.

18. Unless they are causing an obstruction, danger or nuisance, the City Corporation has no powers to remove dockless cycle hire bikes from City streets, so a policy of allowing the bikes to be hired means that bikes are moved by customers relatively frequently rather than awaiting removal by the operator themselves. In several cases where a poorly parked bike has been reported to officers, the bike has been ridden away by a customer before the operator has reached the location.

19. Good availability of affordable cycle hire is now an important part of the transport mix for any modern city, and dockless cycle hire operations are likely to be a feature of cycle hire schemes in the future. The City of London's forthcoming Transport Strategy will set out what part cycle hire can play on City Streets in the next 25 years as part of the wider transport agenda. In addition, City Corporation officers are working proactively with TfL and central London boroughs on establishing longer term solutions for managing cycle hire operations on a London-wide scale.

20. Given the relative lack of powers to manage the dockless cycle hire operations, it is recommended that the current policy of working with operators is continued, with some additional measures to encourage more considerate use of dockless cycles by the public and facilitate good management of the schemes by operators. It is proposed that this be continued on a trial basis for 12 months. The following measures are proposed;

- Both operators have suggested that identifying preferred locations for bikes would improve their management of the scheme. While space on City streets is at a premium, in many cases there is space adjacent to existing cycle parking stands which could accommodate a small number of dockless bikes in places that do not impact on space for people walking. An example is on Silk St (photo 1), where a utility cover means that there is a gap in a row of cycle stands which could be used for parking by dockless bikes.



Photo 1 – example of where dockless cycle hire parking could be accommodated

- It is proposed that officers identify spaces adjacent to existing cycle parking stands where a small number of dockless cycles may be clustered, to be agreed by the Transportation and Public Realm Director. Users will be encouraged to drop bikes in these locations where possible, and operators will be required to relocate any bikes left anywhere in the City to one of these preferred locations or outside the City boundary to a borough where placing bikes is permitted within an agreed timeframe. In each location, a maximum number of bikes will be specified with the operators. If that maximum number is reached, operators will be required to move bikes outside the City boundary. All street-based City officers will be briefed to proactively report bikes parked outside the preferred locations to the relevant operator so that they can be quickly relocated.
- Dockless cycle hire operators will be reminded of the City of London's Street Obstructions policy, which states that obstructions will not be tolerated;
 - on footways which are narrower than two metres wide
 - on footpaths identified as having a high footfall (such as transport hubs, stations and related pedestrian routes)
 - where they interrupt safe pedestrian movement (regardless of the width of the pavement)
- Officers will proactively work with operators to encourage considerate parking practices, including exploring 'geofencing' (whereby the bikes built-in GPS might be able to stop bikes being parked outside designated areas), reward mechanisms for parking in preferred areas and penalties for inconsiderate parking. The potential for setting more challenging targets for relocating poorly parked bikes will be explored.
- Officers will explore the possibility of making space in under-utilised City-owned car parks available on a commercial basis to dockless cycle hire operators for storage of bikes to allow more effective operation and removal of

bikes from streets. The decision to reallocate car park space in this way would be subject to Planning and Transportation committee approval.

- The policies of not permitting operators to directly place dockless cycle hire bikes on City streets, and the requirement to adhere to the London-wide Code of Practice will be continued.

Corporate & Strategic Implications

21. The proposals support the Corporate Plan aims to Contribute to a Flourishing Society – particularly promoting good health and wellbeing – and to Shape Outstanding Environments by enhancing the physical connectivity of the City.
22. The proposals support the emerging Draft Transport Strategy outcome to promote a relaxing cycling experience in the City.
23. There is a reputational risk that the City Corporation may be seen as unsupportive of a scheme to encourage cycling if neighbouring authorities permit dockless cycle hire schemes, but the City does not allow their operation within our boundaries.

Legal Implications and Enforcement

24. Legal Implications - The City Corporation has no powers to remove bikes that are parked on City streets unless they are causing an obstruction, nuisance or danger to the public, and operators do not require consent or a licence from the local authority as no infrastructure is placed on the highway. However, setting out standards for managing the schemes is consistent with the City Corporation's duties referred to in paragraph 5.
25. Financial Implications - Accommodating a dockless cycle hire scheme has no direct cost to the City Corporation. Costs may be incurred if the City Corporation had to remove bikes deemed to be causing a danger, nuisance or obstruction from the streets in default of the operator removing them. Storage costs would be incurred in these circumstances. No bikes have been removed under these powers during the trial. Instances of removals will continue to be monitored and inform reviews of the City's position. Costs will be sought from operators in all instances where they are liable.

Health Implications

26. The proposals would support cycle hire facilities in the City. This will encourage active travel within central London, and particularly shift journeys from short bus, taxi and tube trips, with potential benefits to air quality and public health.

Equality Implications

27. The City Corporation's management of schemes to encourage considerate use/ parking of bikes which helps protect vulnerable road users (e.g. visually impaired) is consistent with the public sector equality duty.

Conclusion

28. Dockless cycle hire operations launched in London in the latter part of 2017, and have steadily increased their presence in inner London boroughs, now operating in Hackney, Islington and Southwark. More boroughs are expected to launch schemes in the coming months.

29. Given that the City Corporation's express consent to operate dockless cycle hire schemes in the City is not required, the continuation of the trial for a further 12 months on the basis of the adopted Policy Statement and additional measures to support the considerate use and management of dockless cycle hire bikes is recommended.

Appendices

- Appendix 1 – City of London Dockless Cycle Hire Policy Statement
- Appendix 2 – TfL Dockless Cycle Hire Code of Practice
- Appendix 3 – NON-PUBLIC – Dockless Cycle Hire Usage

Background Papers

Dockless Cycle Hire – Report to Planning and Transportation Committee 3 October 2017.

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