

Decision session

19 July 2022

Executive Member for Transport

Report of the Director of Environment, Transport and Planning

Micromobility trial update

Summary

1. This paper provides an update and review of the e-scooter and e-bike trials in York so far, and sets out whether to continue with the trial.
2. The Department for Transport (DfT) have approved an extension of the current e-scooter trials until the 31st May 2024. The extension of the trial by the DfT allows extra time for all trial areas to reach expected capacity of e-scooters and for the DfT to gather additional data to inform future legislation.

Recommendations

3. The Executive Member is asked to approve one of the following options:

Option 1:

- a) Continue with the e-scooter and e-bike trial in line with the Department for Transport (“DfT”) guidance in York until 31st May 2024 and continue contribution of officer time in kind and to delegate authority to the Director of Environment, Transport and Planning in consultation with the Director of Governance and the Chief Finance Officer to explore and extend the current arrangements for the existing operator, if viable. If market engagement and re-procurement is required, a further paper will be brought to a future Executive Member Decision Session to approve arrangements;

Reason:

To further explore environmental and carbon reduction benefits of shared asset schemes and zero emission micromobility (e-bikes and

e-scooters);

This is the recommended option

Option 2:

- b) End the trial in November 2022 at the conclusion of the current arrangement and await further guidance from the DfT on legislation and regulation around e-scooters.

Background

4. The decision for York to participate in the Department for Transport's ("DfT") micromobility (e-scooter) trials was made in September 2020 at the Executive Member for Transport decision session. The trials were designed to support a 'green' restart of local travel and help mitigate the impact of reduced public transport capacity, providing a sustainable mode of transport around the city.
5. The decision to extend the trial to include e-bikes was made in January 2021 at the Executive Member for Transport decision session, and to expand the service area beyond the outer ring road, in May 2021.
6. The e-scooters have been introduced in a phased approach, gradually increasing the service area and number of e-scooters available. The service area includes provision at the University of York, York Hospital, York St John's University, and city centre locations. This has also expanded into other areas of the city including Clifton, South Bank and Hull Road, with plans to continue expansion past the outer ring road, starting initially in Poppleton, Haxby and Wigginton.
7. The DfT approved extensions of the current e-scooter trials to run until the 30th November 2022 and the Council approved the trial in York to continue to this date on the 14th February 2022.
8. In May 2022, in the Queen's speech, it was announced that the Government intends to introduce legislation on the future of transport as part of a Transport Bill. It is anticipated that this will tackle the future of e-scooters and introduce legislation for Local Authorities to manage rental operations for share schemes (bikes, e-bikes, e-scooters).
9. On the 28th June 2022 the Council received a letter from the DfT advising that Ministers has approved an 18 month extension to the trial to gather

further evidence where gaps are identified, building on the findings of the current evaluation.

DfT Micromobility trial update

10. In York the DfT micromobility trial has been successful to date. This has been facilitated by the delivery partner and operator, Tier, who have brought a high quality, safety focused, collaborative, inclusive approach to managing the e-bikes and e-scooters in the City and the measured way in which the trial has been undertaken. Starting with a small number of e-scooters at the University with a limited service area (area in which the e-scooters are permitted to go) and expanding out over time.
11. The initial brief from the Council was to focus on safety including:
 - measures to mitigate the spread of Covid in a shared asset;
 - helmets provided with each e-scooter and e-bike;
 - geo-fenced service areas to ensure the e-scooters cannot operate in prohibited areas and that the maximum speed is reduced in certain areas where there is a risk of conflict with pedestrians;
 - allocated parking areas to reduce street clutter and related risks and to control where e-scooters and e-bikes are parked;
 - having a mechanism to ensure the rider is old enough to use the e-scooter;
 - having a clear way of identifying each individual e-scooter or e-bikes so residents can report issues with usage such as pavement riding and tandem riding and responsible riding can be monitored;

Note: The e-scooters have to pass a series of tests and be of approved specification in order to receive a Vehicle Special Order (“VSO”) under section 44 of the Road Traffic Act 1988 by the Vehicle Certification Agency and be permitted to be used on the public highway.
12. The delivery partner, Tier, have also undertaken a number of safety campaigns (including in person training and guidance and anti-drinking and riding campaigns), have engaged with disability groups to develop the offer in York
13. At the time of writing there are 500 active e-scooters and 80 active e-bikes. Tier, as agreed, are looking at rolling out further e-bikes and e-scooters through the summer (the upper agreed limit is 1000). There are 96 parking bays across the City.

14. Tier have seen a healthy take up of the e-scooters and e-bikes during the trial. As of June 2022, there have been 227,000 total trips and 32,000 total users. A total of 870,000 km have been ridden.
15. A key element is that Tier have calculated that the e-bike and e-scooters trips have replaced around 32,000 car trips. This is critical when looking at alternative modes and shared asset schemes.
16. The number of incidents and accidents has been relatively low. There have been 15 accidents during the trial (November 2020 to June 2022) of which 12 resulted in injuries.
17. The reception from residents and visitors has been positive and there is support from City partners to extend the trial as per the latest guidance from the DfT.

Options for the future

18. **Option 1:** Continue with the e-scooter and e-bike trial in line with the Department for Transport (“DfT”) guidance in York until 31st May 2024 and continue contribution of officer time in kind and delegate authority to the Director of Environment, Transport and Planning in consultation with the Director of Governance and the Chief Finance Officer to explore and extend the current arrangements for the existing operator, if viable. If market engagement and re-procurement is required, a further paper will be brought to a future Executive Member Decision Session to approve arrangements;

Reason: To further explore environmental and carbon reduction benefits of shared asset schemes and zero emission micromobility (e-bikes and e-scooters).

This is the recommended option

19. **Option 2:** End the trial in November 2022 at the conclusion of the current arrangement and await further guidance from the DfT on legislation and regulation around e-scooters.

Analysis

20. The trial to date has shown a successful introduction of both a new mode and the appetite across the City for shared asset schemes, which have shown positive results in terms of modal shift. It is therefore recommended that the trial is continued in York beyond November to the 31st May 2024 as per the DfT guidance.
21. In the event that the Executive Member agrees that the trial should continue, a review of the arrangements with the current provider will be undertaken to ensure they continue to be in accordance with the Council's obligations in respect of procurement under the Public Contracts Regulations 2015 and the Contract Procedure Rules.

Council Plan

22. Considering this matter contributes to the Council Plan in the following areas:
 - Getting around sustainably

Implications

Financial

23. The continuation of the trial will not incur any additional cost to the council. Any staff time required is met from within existing resources.

Human Resources (HR)

24. There are no implications around the decisions in this report.

Legal

25. TIER entered into a concessionary arrangement with the Council to deliver the trial under which the Council entrusted the delivery of the e-scooter and e-bike hire service to TIER. Legal Services will undertake a review of the arrangements with the current provider to ensure they continue to be in accordance with the Council's obligations in respect of procurement under the Public Contracts Regulations 2015 and the Contract Procedure Rules.
26. The contractual arrangements with TIER ensure that product liability insurance is in place that covers injury and damage as a result of defective

scooters and have third-party liability insurance to cover damage and injury to third parties caused by scooters ridden by their customers.

Equalities

27. The Council recognises its Public Sector Equality Duty under Section 149 of the Equality Act 2010 (to have due regard to the need to eliminate discrimination, harassment, victimisation and any other prohibited conduct; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations between persons who share a relevant protected characteristic and persons who do not share it in the exercise of a public authority's functions. The latest version of the Equalities Impact Assessment is attached.

Crime and Disorder

28. There are no implications around the decisions in this report.

Information Technology (IT)

29. There are no implications around the decisions in this report.

Property

30. There are no implications around the decisions in this report.

Other

31. There are no other implications identified.

Risk Management

32. The trials risks and issues are recorded within CYC and TIER risk registers and managed by the CYC transport team and TIER respectively.

Contact Details

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Director of Transport, Planning and
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Report **Date** 11/07/2022
Approved y

Specialist Implications Officer(s) List information for all

Financial Implications
Jayne Close
Principal Accountant

Legal Implications
Cathryn Moore
Corporate Business Partner (Legal)

Wards Affected: All wards

All

For further information please contact the author of the report

Background Papers: N/A

Abbreviations:

DfT – Department for Transport

Annex A: Equalities Impact Assessment