



# City of Westminster

## Cabinet Member Report

<b>Meeting or Decision Maker:</b>	The Cabinet Member for City Management and Air Quality
<b>Date:</b>	<b>22/08/2023</b>
<b>Classification:</b>	For General Release
<b>Title:</b>	Proposed scheme for dockless bike parking
<b>Wards Affected:</b>	All Wards
<b>Fairer Westminster</b>	This decision contributes to the Fairer Westminster Delivery Plan by providing a sustainable approach to tackling the problems residents face from dockless bikes. This will provide designated bay parking for dockless bikes and continue to allow for alternative and greener transport modes for people in Westminster. The safety of individuals on our streets is of paramount importance.
<b>Key Decision:</b>	This report is a key decision.
<b>Financial Summary:</b>	The estimated cost of the proposals identified in this report is £693,000. A one-off cost of £540,000 and ongoing costs/losses of income of £150,000 per year. It is expected that these will be fully funded by the operators.
<b>Report of:</b>	Executive Director for Environment, Climate and Public Protection

## **1. Executive Summary**

- 1.1 This report (i) provides the Cabinet Member with an update on the proposed approach to dockless bikes within Westminster, and (ii) seeks approval for the establishment of designated bays, both physical and virtual, for dockless bike parking across the city.
- 1.2 This proposed scheme for dockless bikes will run alongside the rental e-scooter scheme which has been implemented in the borough for 2 years, with the existing trial across England being extended to continue until 31 May 2024.
- 1.3 The e-scooter scheme, administered by Transport for London (TfL) and London Councils, is a pan-London approach which provides a single geography with consistent parking control and procurement of operators, with the leading transport boroughs managing the scheme. Council officers lobbied for dual-mode (e-scooters and dockless bikes) procurement, however the lack of existing legislation limits the ability for TfL to move ahead quickly with a dual-mode contract.
- 1.4 TfL and London Councils were developing a pan-London dockless vehicle byelaw to provide consistent approaches to managing the dockless market to include e-scooters, dockless bikes and other dockless modes which may emerge. This work is no longer being progressed as any byelaw made is expected to be superseded by any new primary regulatory controls introduced.

## **2. Recommendations**

- 2.1 It is recommended that the Cabinet Member approves the proposal by Westminster City Council to establish and designate approximately 220 bays for both dockless bike and e-scooter parking across the city. The recommendation from officers is that all bays are established via Experimental Traffic Orders to allow for flexibility regarding both bay locations and either an increase or decrease in demand.
- 2.2 A percentage use split of selected under-utilised cycle stands is also proposed between dockless bikes and private cycle use to enhance the fleet capacity and coverage for dockless bike parking within this proposal on a temporary basis.
- 2.3 It is recommended that the Cabinet Member delegates authority to the Executive Director for Environment, Climate and Public Protection to agree on final arrangements, and to enter into any formal agreements with dockless bike operators where necessary.

- 2.4 It is also recommended that the Cabinet Member delegates authority to the Executive Director for Environment, Climate and Public Protection to approve any future development or adaptation of the scheme based upon changes in the market or review in demand. Any approved development is expected to be delivered on a cost-neutral basis.

### **3. Options**

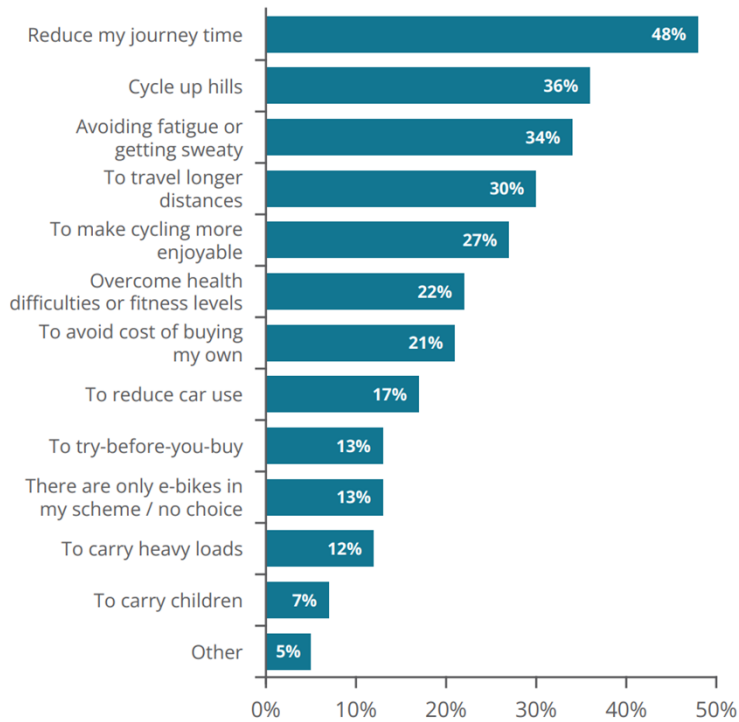
- 3.1 Currently there are 3 dockless bike operators in Westminster: Lime, Forest and TIER. Dott previously operated in London but chose to remove all dockless bikes from the capital due to financial pressures. The proposed scheme would see Westminster City Council enter into formal agreements with the 3 existing operators. The Council would have to remain flexible and adaptable in its approach should any new players enter the dockless bike market and amend and/or expand the scheme where appropriate to do so.
- 3.2 At present, and until any London-wide solution is administered by TfL and London Councils, there are no other viable options at this time to managing dockless bike hire effectively in Westminster and so it is recommended that the Cabinet Member approve the scheme outlined in this paper.
- 3.3 An alternative option would be to continue allowing dockless bike companies to operate a free-floating parking model which requires no parking infrastructure. However, this would not be effective in addressing the issues caused from irresponsible dockless bike parking. It would also not address the safety issues caused for those with mobility and visual impairments. It is therefore advised that a bay-based approach is adopted to control and manage the current situation.
- 3.4 There is no intention to formally procure any dockless bike operator as part of this scheme, but instead provide permission to operators to operate on the highway and allow for their fleets to be parked in designated bays and any allocated cycle stands. This will be set out in a Collaboration Agreement, and via any other necessary means as advised by the Council's Legal and Finance teams.

### **4. Background**

- 4.1 Dockless bikes can offer a convenient cycle hire option for those that work, live or visit the city. However, there are significant concerns about rider and pedestrian safety, street cluttering of vehicles on the pavements and a lack of consistency in approach across London.

- 4.2 At present, dockless hire schemes do not require parking infrastructure, making them free-floating in nature. The high usage rates of dockless bike hire have resulted in an increase in irresponsible use of some of these dockless vehicles by users who deposit them on the highway in such a manner to constitute either a nuisance or a danger to other users of the highway. The Council has a statutory duty as the Highway's Authority to protect those using the highway and remove any dockless vehicles that present danger or nuisance. As a result, Council officers have enforced against operators by issuing notices under section 149 of the Highways Act 1980 and seizing any vehicles causing a nuisance.
- 4.3 It is important that appropriate regulation is in place to ensure that operators across all forms of micromobility act responsibly. Ongoing discussions are taking place with the Department for Transport, TfL and London Councils on the need to have stronger measures on dockless bike usage, specifically included under the canopy of improving unregulated transport in Westminster, whilst ensuring that the key challenges facing local authorities are addressed via any upcoming legislation.
- 4.4 CoMoUK is the national charity for shared transport, dedicated to the social, economic and environmental benefits of shared transport. In their annual bike share report 2022, a graph was produced that highlighted the key reasons why individuals use an e-bikes and e-cargo bikes. Those reasons included reducing their journey times, making cycling more enjoyable and an increase in health benefits.

Which of the following reasons apply for why you use electric bikes (e-bikes) and electric cargo bikes (e-cargo bikes)?  
(Tick all that apply)



**(Page 17 of ComoUK Annual BikeShare Report 2022)**

4.5 89% of Westminster’s population lives in flats, maisonettes and apartments, with limited secure spare to store a bike indoors. Likewise, 65% of households in Westminster do not have access to a car. These are key factors influencing the high usage rates of dockless bikes seen in the borough and are factors contributing to an increased uptake on micromobility transport modes, particularly e-bikes.

**5. Data analysis**

5.1 Data has been collected and analysed from operating companies on bike usage, fleet size, demand profiles and parking in Westminster to inform the approach in terms of bay coverage and density across the city. Research, our experience with e-scooters and industry best practice was also a key driver in helping to identify the demand hotspots across the borough. This identified the current demand across all operators in terms of the number of users and trips, as well as the spatial hotspots where usage and demand are higher.

**Utilisation**

5.2 On weekdays, the data suggested clear morning and evening commuting patterns. The purpose of hire changed at weekends for more leisure and recreational journeys, with sustained trip levels between 12pm and 6pm.

- 5.3 In the summer months of 2022 (June to September), an average of 167,000 trips took place per month in the borough, with 5567 trips taking place daily. The average trip distance in Westminster is approximately 2-3km, and the average trip duration being around 17-20 minutes.
- 5.4 Usage rates have continued to increase. June 2023 saw the highest number of trips ever, with over 367,000 trips taking place in Westminster alone, and more than 770,000 miles ridden by dockless bike users.

### **Trip patterns**

- 5.5 More than 50% of trips that start in Westminster, finish in the borough, and 25% of all trips that finish in Westminster start in our neighbouring boroughs, demonstrating the importance of Westminster as the hub for dockless bike activity. However, it must be noted that the borough boundary is not a determinant in travel choices and users are often unaware of when they enter or exit different boroughs.
- 5.6 The key trip start and end destinations in Westminster are Soho, the West End and Marylebone – reflective of work/leisure use cases. During weekdays, a higher concentration of trips end in the north of the borough, in area such as Maida Vale and Abbey Road, and to the south of the borough in areas like Pimlico, where there is a higher rate of residential dwellings. However, all wards in the borough do see significant trip usage and will benefit greatly from micromobility bays being implemented.
- 5.7 The wider distribution of trip origins and destinations shows that dockless bikes are much more likely to be used for longer journeys than e-scooters and are more likely to displace car trips and public transport journeys too.

### **Parking and cycle occupancy**

- 5.8 The results from Westminster's parking occupancy survey highlighted the parking areas in the borough that are currently underutilised and bays which may be suitable to be transformed into designated bays for micromobility. Data collection for the parking occupancy survey was completed in two phases to ensure the work was undertaken in neutral months, outside of school holidays. The 2022 survey periods were April to July and early to mid-September.
- 5.9 In total, over 28,000 vehicles were recorded parked on-street within Westminster throughout these periods. The survey results indicated that the overall number of vehicles parked on-street has reduced for all periods since 2018, except for Saturday overnight which increased very slightly. A comprehensive overview of the full results from the parking occupancy survey can be found at Appendix A.

- 5.10 The results from the occupancy survey have been instrumental in ensuring no further parking pressure or stress is unduly placed in certain parts of the city to the best of our ability.
- 5.11 The Council also recently conducted a cycle occupancy survey that highlighted cycle stands in the borough that are under-utilised and can be made available for both dockless bike parking and for use by private cyclists. A comprehensive report on the full findings from the cycle occupancy survey will be published in due course.

**Enforcement & complaints data**

- 5.12 The absence of legislation makes enforcement against dockless bike operators extremely challenging. What may be deemed as a nuisance or obstruction by those making a complaint, may not meet the threshold set out in the Highways Act 1980, making it difficult to fully investigate all complaints made to the council. The transient nature of dockless bikes also means that often the nuisance vehicle has been re-hired by another user which makes investigating any complaint even more difficult.
- 5.13 Between April to July 2023, over 490 official complaints were made to the Council regarding dockless bikes and a break down per operator can be found below.

	<b>Complaints</b>	<b>Seizures</b>
<b>April 2023</b>	118	0
<b>May 2023</b>	158	0
<b>June 2023</b>	143	1
<b>July 2023</b>	79	6
	<b>498</b>	<b>7</b>

- 5.14 The figures above only relate to complaints made through Report It and Fix My Street and do not include any complaints made via social media channels. The current levels of irresponsible parking on Westminster’s streets creates a significant pressure on the Council’s enforcement teams. As part of any agreements made with operating companies, all operators will be required to have a sufficient and noticeable presence in the borough throughout the course of any agreement to be able to advise their users on how to park compliantly and to respond to any potential issues to alleviate the pressures on the Council.
- 5.15 Furthermore, should the Council have to seize vehicles causing a nuisance or dangerous obstruction, the time, cost and resources needed to enforce successfully against operators will be charged back to operators and it can often incur costs of over £260 to seize just 1 vehicle.

## **6. Current e-scooter trial**

- 6.1 The London-wide rental e-scooter trial was led by Transport for London and launched in June 2021. Westminster City Council joined the originally anticipated twelve-month trial in August 2021. Current providers of the scheme (Dott, Voi and Lime) have had contracts approved until 31 May 2024. Forest do not currently offer an e-scooter service. There are currently 67 bays dedicated for e-scooter parking only in the borough, all of which are proposed to be converted to dual use as part of this scheme.
- 6.2 In the new contracts for the e-scooter trial administered by TfL, due to commence in September 2023, a minimum of 6 e-scooters must be permitted per bay to allow for the borough to be able to receive payments for a bay that contribute towards the implementation and maintenance costs of the parking bays. By doing so, the Council would be entitled to increased revenue from the e-scooter trial than it currently does due to additional provision. More detail on this can be found at section 11 of the report.

## **7. Dockless bike parking network: Scheme proposal**

- 7.1 The key objectives of this scheme are to:
- Provide our residents, businesses and tourists access to on demand dockless bike hire within Westminster;
  - Increase the uptake of e-bike usage in the borough to support our environmental objectives set out in the Fairer Westminster strategy and reduce reliance on private car and capacity restricted public transport;
  - Promote responsible and safe dockless bike usage, including responsible parking of the vehicles; and to
  - Provide a designated bay network for e-bike users that encourages growth across all user groups and accessibility in all areas across the city.
- 7.2 Dockless bikes impact on the public realm as they increase street clutter and cause highway obstructions if parking is left unregulated and free-floating. After engaging with key stakeholders, such as the Department for Transport, London Councils and TfL, it is apparent that a bay-based network is the favoured approach to managing dockless bikes in the Capital. The Local Authority can choose to designate parking bays for micromobility uses on both the footway and carriageway, whichever is deemed to be appropriate to meet local requirements.
- 7.3 There are two key considerations when developing a bay-based parking network: coverage and density. Coverage reflects the scale of the operating areas which needs to be sufficient to facilitate a useful range of trips. Density is



important as bay provision needs to be sufficient to minimise walking distances from a parking bay to a user's final destination to encourage user compliance.

- 7.4 The scheme proposed for Westminster is built upon the provision of at least 1 parking bay per 300m radius (to the best of our ability) across the entire city, and in higher demand areas, 1 parking bay per 150-200m radius. The scheme aims to minimise any difference in provision of, and access to, dockless bikes in the city that may impact upon an individual's ability to use more sustainable travel.
- 7.5 In total, the proposal is for approximately 220 micromobility bays to be established in Westminster for both dockless bike and e-scooter parking. The 67 existing e-scooter bays at present are proposed to be converted to dual use.
- 7.6 All bays will be clearly demarcated as micromobility bays, with any necessary and relevant signage. Carriageway parking minimises the impact on footway accessibility and reduces the likelihood of footway riding for users arriving or exiting a bay. However, footway bays have also been incorporated on certain sections of public footway or paved areas that are not on a pedestrian desired line and thus considered to be 'dead space'. Any footway bays that have been identified are located within reasonable distances of dropped kerbs to facilitate access to the carriageway.
- 7.7 Identifying suitable bay locations in the city for the bays has been an intensive process that has included desktop analysis, site visits and internal consultation. A set of criteria was established to help outline the appropriate approach to take. This criteria included things such as:
- Parking occupancy;
  - Pedestrian safety/movement;
  - Integration with public transport and existing cycle routes;
  - Access to site for users; and
  - Satisfying the objectives of the 15 Minute City in terms of having a good mix of origin and destinations served by the network of micromobility bays.
- 7.8 Appendix B outlines the stepped approach that was taken when identifying final parking bay locations.
- 7.9 Appendix C outlines the anticipated parking impact on road users from the selection of footway and carriageway bays.

- 7.10 Appendix D provides a list and map of the proposed locations for designated parking bays.
- 7.11 The proposed borough-wide scheme amounts to 0.3% of the Council's total parking and waiting kerbside spaces.
- 7.12 In total, the bay network proposed will offer approximately 3,000 parking spaces for both e-scooter and dockless bike parking, with the e-scooter capacity likely to increase from 850 to 1,200. The total fleet size for dockless bikes in the borough is proposed at 1800 vehicles in designated bays. No dual use bay will permit more than 6 e-scooters to maximise capacity for dockless bikes.
- 7.13 Permitted fleet sizes per operator are set lower than actual maximum capacity to allow for a buffer of vehicles entering and exiting the borough. This is set at around 10% with TfL under the e-scooter trial and is applied to the fleet size proposed above.
- 7.14 In order to maximise the fleet capacity for dockless bikes in the city, the scheme also proposes to temporarily permit a percentage use of existing under-utilised cycle stands between dockless bikes and private cyclists in the city to enhance the fleet capacity and coverage for dockless bikes. This is suggested as an interim measure only until further physical bay locations can be identified for use. Should operators seek additional fleet, an additional payment will be required from operators to help support the provision of that infrastructure for available use. The allocated cycle stands would be operated as 'virtual bays' which would be required to be geofenced accordingly so that users will park compliantly.
- 7.15 It is proposed that all operators will have access to any additional parking locations made available via cycle stands to reduce the likelihood of any user confusion on where to park. However, operators would be limited to the maximum fleet sizes agreed with the local authority in terms of overall fleet in both the bays provided and additional cycle stands.
- 7.16 The Council will monitor the use of cycle stands very closely and use its powers to enforce against any operators if, and when, appropriate to do so.
- 7.17 It is recommended that this scheme is trialled on an 18-month basis, with a potential extension based upon performance and compliance until a TfL/London Councils led scheme is established. Further information on scheme success can be found at section 9 of this report.
- 7.18 It is proposed that the entire city will be subject to mandatory parking via designated bays and any allocated cycle stands. Save for these, the remainder

of the city will be designated as a no-parking zone and operators will be required to use geofencing technology to achieve this. Operators will be required to remove the possibility for their users to end trips outside of designated parking locations. Council monitoring of dockless bikes is resource intensive and so the use of geofencing technology would enable the scheme to be self-regulating to reduce the financial burden on the Council of monitoring non-compliance.

- 7.19 Any Traffic Order changes will be executed through Experimental Traffic Orders (ETOs). The implementation of carriageway bays under ETOs allows officers to install and remove micromobility bays without a Formal Traffic Management Order (TMO). The ETOs are permitted for an 18-month duration before a decision is required to make such changes permanent.
- 7.20 Enforcement action from the Council is expected to be low given the implementation of geofencing, however there will still be a requirement under this scheme to enforce against operators and seize bikes if they are causing a danger or obstruction should they not be responded to within the required time frame by the operators. It is proposed that operators respond to vehicles causing a nuisance within 2 hours of receipt of notification, and immediately upon receipt of notification for any bikes causing a danger.
- 7.21 The management of this dockless bike hire scheme, as well as the existing e-scooter trial, will be undertaken within existing staff resources in the City Highways Team.

## **8. Collaboration Agreement**

- 8.1 To enable the use of the designated parking bays, dockless bike operators will be required to sign a Collaboration Agreement, or any such other legally binding document. As a legally binding document, a Collaboration Agreement with operators is an effective way of setting key objectives and deliverables that operators are required to adhere to and comply with.
- 8.2 In accordance with the number of bays and potential use of cycle stands set out above, the Collaboration Agreement will set out the maximum permitted fleet size of dockless bikes per operator to ensure that the borough and parking locations do not become over saturated and are geofenced accordingly.
- 8.3 The Collaboration Agreement also establishes the service management agreement that operators must comply with such as the monitoring of dockless bike usage and parking via geofencing technology. This includes the need to effectively manage abandoned vehicles as a result of users abandoning their journeys outside of designated parking locations and the timeframes agreed with operators to appropriately deal with such instances. All operators employ

staff to manage the redeployment or removal of any obstructive or irresponsibly parked bikes and any such activity is expected to be reported back to the Council. Operators will be required to frequently report back how effectively they are adhering to the requirements set out in the Collaboration Agreement as part of a monthly feedback process.

- 8.4 Where elements in the Collaboration Agreement are not monitored or complied with effectively, the agreement will enable the council to remove the permission for operators to use the designated parking locations provided. However, it must be noted that due to the lack of legislation and regulation, the Council cannot prohibit an operator from providing a dockless bike service in Westminster should they fail to adhere to the principles set out.
- 8.5 In the absence of any regulatory control on this market, a successful scheme is reliant on a compliant market which can be variable in our experience to date. It must be acknowledged that compliance rates are fully reliant on operators complying with the terms and conditions set out in any agreements made and are not something the Council are able to control.

## **9. Scheme review and success**

- 9.1 As part of the Collaboration Agreement, the operators will be required to provide frequent updates on the operation of the scheme to enable the Council to review the success and effectiveness of the parking bay network.
- 9.2 Operators will be required to provide information on:
- Bike deployment rate;
  - Miles ridden per month;
  - Average distance per trip;
  - Total number of trips;
  - Trip duration;
  - Utilisation rates of parking bays;
  - Reported accidents or incidents from a road safety perspective;
  - Number of abandoned trips; and
  - Number of complaints received and fines issued.

- 9.3 A review of the success of the scheme and the performance of each operator will be conducted after the first 6 months of implementation to inform the approach to be taken after the initial 18 months of this scheme.

## **10. Engagement and Consultation**

- 10.1 Council officers have remained engaged with all dockless bike operators since the beginning of their operation in the borough. Officers have frequently met

with operators to discuss concerns over irresponsible parking and enforcement, as well as the intentions of the proposed scheme and the potential funding of the bays.

- 10.2 Several walkabouts have also been completed with the operators, the Cabinet Member and relevant ward councillors in the most problematic and high demand areas to talk through the key challenges facing the Council – specifically in providing a dense network of bays in certain areas of the borough where the street landscape is so unique, and both road and pedestrian traffic are so high. These conversations have been successful and resulted in certain streets in Soho and the West End already being geofenced as no-parking zones.
- 10.3 Officers have also been highly engaged with the London-wide micromobility working group, chaired by London Councils, whose aim is to create a more consistent approach across all boroughs to managing dockless bikes and the challenges they cause. As previously outlined, it is anticipated that TfL and London Councils will take the lead in establishing a single contract across London for dockless bike operations but there is no date on when that is likely to be developed as it is still in early scoping stages.
- 10.4 It is essential that there is a consistent approach across London boroughs, but particularly with those that neighbour Westminster. Throughout the scheme development, officers have worked closely with representatives across a variety of local authorities to ensure that there is sufficient parking provision at the borough boundaries and a consistency in approach when dealing with operators and developing a parking network.
- 10.5 Individual ward members have been informed on the proposed parking locations and have provided feedback where it was deemed necessary. Formal consultation will take place once the network is established and the ETOs become enforceable.
- 10.6 Meetings have been held with numerous representatives from our Business Improvement Districts who are supportive of the scheme proposed in this paper and will be heavily engaged with when the network is implemented to ensure as smooth a roll-out as possible.
- 10.7 There is the possibility of a reputational risk to the Council if residents and businesses do not favour the location of certain designated parking bays. Accordingly it is proposed to implement bays via ETOs which will enable officers to review the scheme and suggest any necessary changes before the use of any bays becomes a permanent change. The teams will work closely with the

Council's Communities Team to ensure consultation with residents and businesses is as effective as possible.

- 10.8 The Council will also engage with private cyclists who may be impacted by the use of cycle stands as part of this scheme from dockless bike users to alleviate any concerns raised.

## 11. Financial implications

- 11.1 It is anticipated that the proposed scheme would have an estimated one-off cost of **£540,000** to enable repurposing, road safety audits, Traffic Order drafting/drawing preparation, and infrastructure and survey costs. Additionally, ongoing annual costs/loss of income of £153,000 as set out below.

- 11.2 The Council is currently in commercial discussions with the dockless bike operators to negotiate full recovery of costs and loss of income associated with this project to ensure this is cost neutral to the Council. The discussions are still ongoing and existing operators have expressed their intention to enter into a formal commercial agreement with the Council to achieve this. However, in the unlikely event that an agreement is not reached there is a risk that the initial one-off costs will fall on the Council and will need to be funded.

- 11.3 This one-off cost is broken down into:

Repurposing costs, including desktop road safety audits, development of drawings for construction/consultation and traffic management costs	<b>£387,600</b>
Project risk allowance & contingency provision	<b>£152,400</b>  *Allows for any unforeseen issues arising/or removal of any sites found to be causing issues or controversy.

- 11.4 There is anticipated to be an estimated annual cost impact of **£153,000** which accounts for the loss in parking revenue, as well as maintenance and staff costs to manage and enforce the scheme.

- 11.5 This annual cost is broken down into:

Loss of parking revenue	<b>£61,000 p.a.</b>
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Maintenance cost per year	<b>£15,000 p.a.</b>
Staff cost including continued monitoring, contract management and enforcements.	<b>£77,000 p.a.</b>

- 11.6 The annual cost estimated above is based upon the network of parking locations being proposed in this report. It should be noted that this may be subject to change as the scheme develops and more bays are implemented, as well as any increase in maintenance and staff costs. Therefore, the above annual cost should be treated as an indicative estimate which will most likely increase in line with the number of parking locations provided.
- 11.7 As previously outlined, by permitting 6 e-scooters per bay, the Council would be entitled to increased revenue from the e-scooter trial administered by TfL due to additional provision under the new e-scooter contracts. These contracts come into effect in September 2023 and are reflective of the number of bays provided for e-scooter parking in the borough. As a result, a one-off payment to the Council of approximately £100,000 is estimated as part of the e-scooter trial for the additional bays proposed. After the first year, the Council would also be entitled to an annual payment as part of the trial. The exact income to be provided to the Council under the e-scooter trial will not be confirmed until a finalised proposal is submitted to TfL who govern the scheme.

## **12. Legal implications**

- 12.1 This Cabinet Member Report does not directly authorise the operation of dockless bikes within Westminster, rather the establishment of designated locations for dockless bike parking in the borough. Should a decision be made to not proceed with the implementation of a parking network, dockless bike operators would still be entitled to provide a service within Westminster and continue to operate their current free-floating model.
- 12.2 Furthermore, as we have seen with dockless bike operators leaving the market in London, it must be noted that any new dockless operators can launch in the borough without notice and without complying with the mandatory parking scheme implemented by the Council. This could potentially add more street clutter of dumped bikes on the footways and public open spaces. This proposal is based upon all 3 existing operators entering into a joint scheme with Westminster City Council. Should any new operator enter the market, the Council would need to remain flexible and adaptable in its approach to working

with new operators in a similar way to how it has approached this proposed scheme.

- 12.3 An experimental traffic order (ETO) is a traffic order which regulates, restricts or prohibits the use of a road or any part of a road by vehicular traffic or pedestrians (s9 Road Traffic Regulation Act 1984 ('RTRA 1984')). An ETO can be imposed without consultation but once it is in place there is a statutory six-month period within which objections must be considered and within 18 months a decision must be made on whether to make the changes permanent. Without a decision, the ETO lapses and the changes must be reverted.
- 12.4 Westminster City Council, as the local highway authority, must continue to exercise its existing powers of removal and seizure of non-compliant dockless bike parking under the Highways Act 1980.
- 12.5 There are no procurement implications as the Council is not purchasing or commissioning a service or product; rather it proposes a permissive use of the Council's highway and cycle stands for mandatory parking.

### **13. Timelines for implementation**

- 13.1 It is proposed that the implementation of this parking bay network is phased and takes place in two tranches.
- 13.2 Tranche one, which would cover Parking Zones G, E, F and D (West End, St James's, Marylebone and Victoria area), is estimated for implementation in September 2023.
- 13.3 Tranche two, which would cover Parking Zones A, B and C, is estimated for implementation by late October 2023.
- 13.4 Appendix E outlines the delivery areas in relation to wards.

### **14. Equalities Impact Assessment**

- 14.1 Under the Equalities Act 2010 the council has a "public sector equality duty". This means that in taking decisions and carrying out its functions it must have due regard to the need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the 2010 Act;
  - To advance equality of opportunity between persons who share a relevant protected characteristic (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and



- To foster good relations between persons who share a relevant protected characteristic and those who do not share it.

14.2 The council is also required to have due regard to the need to take steps to take account of disabled persons' disabilities even when that involves more favourable treatment; to promote more positive attitudes toward disabled persons; and to encourage participation by disabled persons in public life. The 2010 Act states that "having due regard" to the need to promote equality of opportunity involves having regard to:

- The need to remove or minimise disadvantages suffered by persons sharing a protected characteristic;
- Take steps to meet the needs of persons sharing a protected characteristic that are connected with it;
- Take steps to meet the needs of persons who share a protected characteristic that are different from those who do not; and
- Encourage persons with a protected characteristic to participate in public life or any other activity in which participation by such persons is disproportionately low.

14.3 The courts have held that "due regard" in this context requires an analysis of the issue under consideration with the specific requirements set out above in mind. It does not require that considerations raised in the analysis should be decisive. It is for the decision-maker to decide what weight should be given to the equalities implications of the decision.

14.4 Given the number of concerns raised by individual as a result of irresponsible dockless bike parking, especially by pedestrians and those with additional mobility needs, this recommended way forward means that officers will continue to monitor any future concerns and raise these with identified operators who will be required to rectify such obstructions within the specified timeframes.

## **15. Carbon Impact Assessment**

15.1 A carbon impact assessment has not been completed. However, it is expected the carbon impact of this scheme will be minimal. The conversion of existing bays mostly required redesigning and minor works on road-marking.

15.2 The scheme should encourage mode shift from car use to more sustainable methods of transport which will have a positive impact in improving air quality and reducing road congestion. Therefore, it is expected the proposed scheme will be carbon positive.

**If you have any queries about this Report or wish to inspect any of the Background Papers please contact: Daisy Gadd on 07816 218390 or email: [dgadd@westminster.gov.uk](mailto:dgadd@westminster.gov.uk)**

**BACKGROUND PAPERS:**

Westminster's City Plan

<https://www.westminster.gov.uk/media/document/city-plan-2019-2040>

Fairer Westminster Strategy

**APPENDICES:**

**Appendix A** – Westminster Parking Occupancy Survey Results

**Appendix B** – Site Criteria

**Appendix C** – Parking Impact

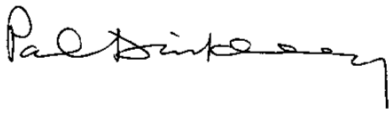
**Appendix D** – Proposed Bay Locations

**Appendix E** – Delivery Areas Per Ward

For completion by the **Cabinet Member for City Management & Air Quality**,

**Declaration of Interest**

I have <no interest to declare / to declare an interest> in respect of this report

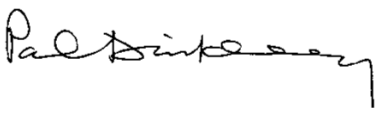
Signed:  Date: 22/08/2023  
NAME: Councillor Paul Dimoldenberg

State nature of interest if any

.....  
.....

*(N.B: If you have an interest you should seek advice as to whether it is appropriate to make a decision in relation to this matter)*

For the reasons set out above, I agree the recommendation(s) in the report entitled **Dockless Bike Scheme** and reject any alternative options which are referred to but not recommended.

Signed:   
Cabinet Member for City Management and Air Quality  
Date: 22/08/2023

If you have any additional comment which you would want actioned in connection with your decision you should discuss this with the report author and then set out your comment below before the report and this pro-forma is returned to the Secretariat for processing.

Additional comment:  
.....  
.....  
.....  
.....

If you do not wish to approve the recommendations, or wish to make an alternative decision, it is important that you consult the report author, the Director of Law , Chief Operating Officer and, if there are resources implications, the Director of Human Resources (or their representatives) so that (1) you can be made aware of any further relevant considerations that you should take into account before making the decision and (2) your reasons for the decision can be properly identified and recorded, as required by law.

Note to Cabinet Members: Your decision will now be published and copied to the Members of the relevant Policy & Scrutiny Committee. If the decision falls within the criteria for call-in, it will not be implemented until five working days have elapsed from publication to allow the Policy and Scrutiny Committee to decide whether it wishes to call the matter in.

## **Other Implications**

### **1. Resource Implications**

1.1 There are no additional resource implications arising from this report.

### **2. Business Plan Implications**

2.1 There are no known Business Plan implications arising from this report.

### **3. Risk Management Implications**

3.1 The risks outlined with this scheme have been identified in this report.

### **4. Health and Wellbeing Impact Assessment including Health and Safety Implications**

4.1 There are no known Health and Wellbeing Impact Assessment including Health and Safety implications arising from this report.

### **5. Crime and Disorder Implications**

5.1 Regulated dockless parking should help reduce anti-social behaviour and incidents.

### **6. Staffing Implications**

6.1 There are no additional staffing implications arising from this report.

### **7. Human Rights Implications**

7.1 There are no human rights implications arising from this report.

### **8. Energy Measure Implications**

8.1 There are no energy measure implications arising from this report.

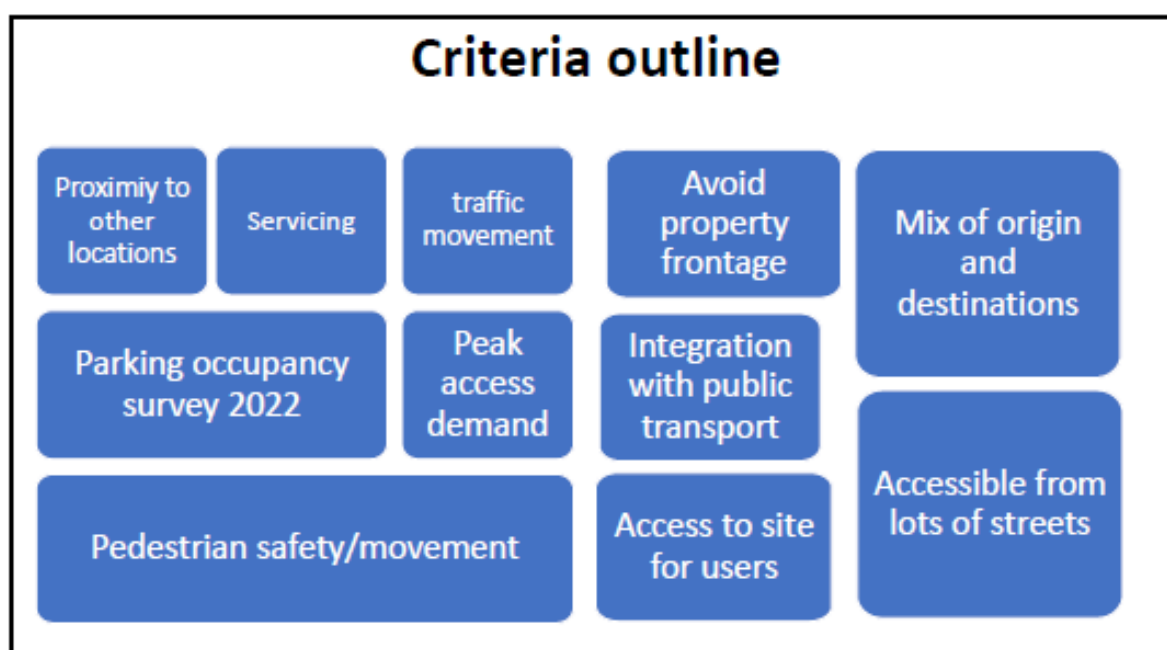
### **9. Communications Implications**

9.1 Communication with Cabinet Member for City Management & Air Quality and other key stakeholders will continue throughout the future stages of this dockless bike parking scheme.

**Appendix A**

Attached separately.

**Parking Survey Results**



### Criteria Detail

Item	Requirement	Exceptions
Parking occupancy survey 2022 (resident bays and shared use bays)	<65% considered unless there is an exception	Special Interest. High res occupancy in day is not reflected in over night survey (ONS)%
Parking occupancy survey 2022 (pay & display/pay by phone bays)	<35% considered	High over night survey (ONS)% in residential bays
Parking occupancy survey 2022 (disabled user white badge)	redundant bays only	None
Parking occupancy survey 2022 (motorcycle bays)	<30% considered	None considered in the central activity zone
Proximity to other locations	Density is approximately <300m for outer zone, <150m in central activity zone	Can be closer where the walking route is indirect and requires higher density.
Servicing (Single Yellow Lines SYL or Double Yellow Lines DYL)	Must provide min 12m where required	None
Traffic movement	Must provide min 12m where required	Dependent on consultation
Avoid property frontage	Prioritise flank walls where possible	Underutilised motorcycle bays, redundant white badge disabled bays or SYL, DYL.

## Appendix C

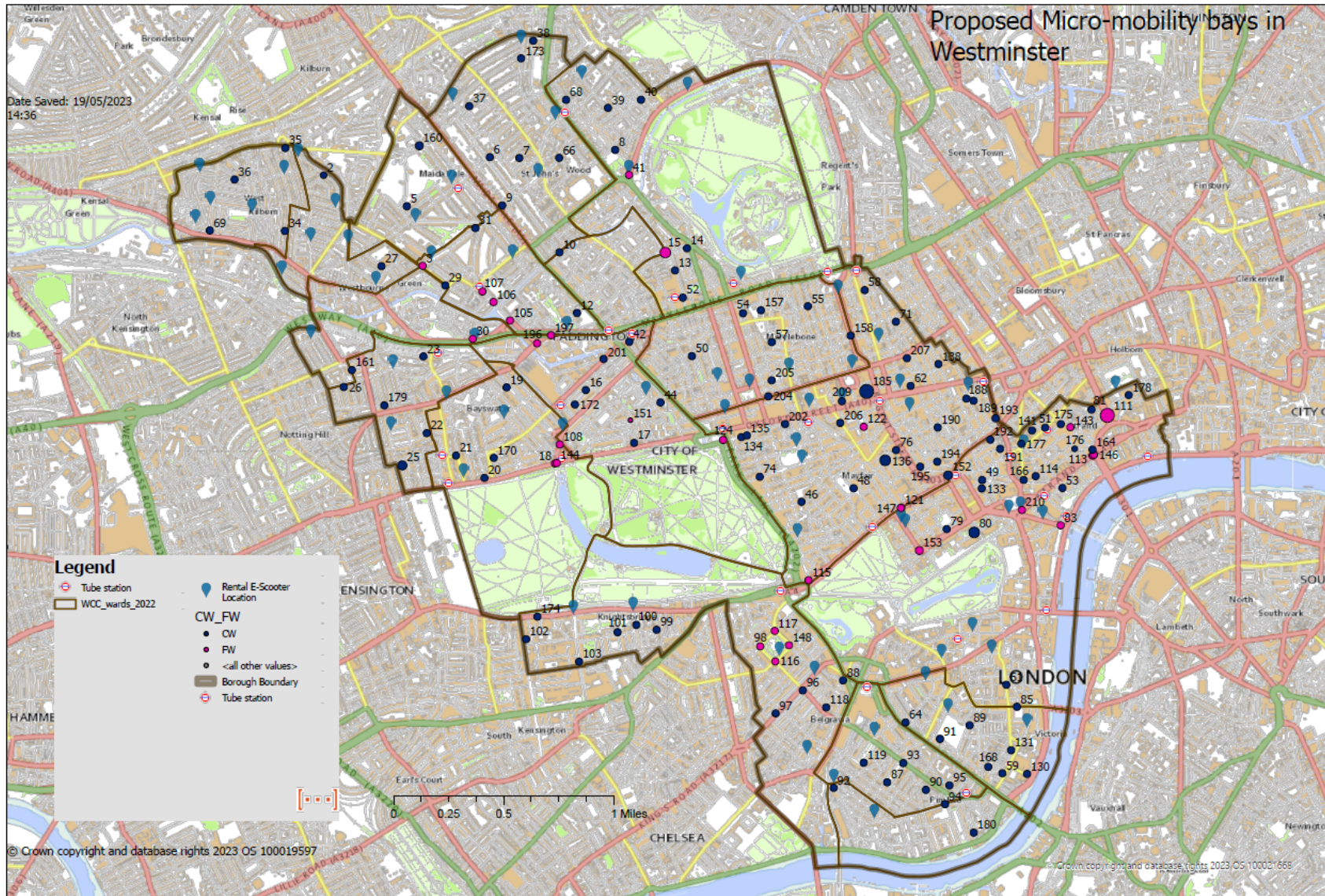
## Parking Impact

Order of selection	Footway/c carriageway type	Road user types and impact									
		Pedestrian/wheelchair/pushchair users	Blue-badge holders	Servicing (businesses)	Motorcycles users (visitors)	Motorcycle users (residents)	General motor vehicle users (visitors)	General motor vehicle users (residents)	Taxi/Private Hire	Emergency vehicles	
1	Footway deadspace identified first (on traffic island dead space only)	Low - as such footway deadspace on traffic island are not typically accessed by pedestrian or in any desired walking lines, controlled and uncontrolled crossing points	None	None	None	None	None	None	Low - as such footway deadspace on traffic island are not typically accessed by pedestrian or in any desired walking lines, controlled and uncontrolled crossing points	None	None
2	Carriageway deadspace (i.e. hatching etc)	None	None	None	None	None	None	None	None	None	Low
3	Redundant bays (disabled, police that are no longer in use)	None	None	None	None	None	None	None	None	None	Low
4	SYL/DYL (if not impacting servicing requirements)	None	Moderate - parking capacity reduced	Low	Moderate	Moderate	Moderate	Moderate	Low - slight reduction in pick up/drop off opportunities	None	Low
5	Anomalies kerbside (generally, resident bays that do not total to factor of 5m, where 5m is a standard size vehicle bay, e.g. an existing 6m resident bay will be repurposed and 5m retained to be resident bay, and 1m of the resident bay will be repurposed without impacting parking capacity)	None	None	None	None	None	Low - slight reduction in parking in resident bays	None	None - no impact on overall parking capacity	None	Low
6	Underutilised resident bay (under 65% occupancy)	None	Low - slight reduction in resident parking bays	Low	None	Low - slight reduction in resident parking bays	None	None	Low - slight reduction in resident parking bays	None	Low
7	Underutilised shared bay (under 65% occupancy)	None	Low - slight reduction in shared-use parking bays	Low	Low - slight reduction in shared-use parking bays	Low - slight reduction in shared-use parking bays	None	Low - slight reduction in shared-use parking bays	Low - slight reduction in shared-use parking bays	None	Low
8	Underutilised Pay to Park bay (under 35% occupancy)	None	Low - slight reduction in pay to park parking bays	Low	Low - slight reduction in pay to park parking bays	Low	Low - slight reduction in pay to park parking bays	Low	Low - slight reduction in pay to park parking bays	None	Low



# Appendix D

# Proposed Bay Locations



**Appendix E**

**Delivery Areas Per Ward**

