

CABINET MEETING – 9 February 2021

EXECUTIVE SUMMARY SHEET – PART I

Title of Report:

Proposed E-Scooter Trial

Author(s):

Executive Director of City Development

Purpose of Report:

This report seeks Cabinet approval in principle to take part in an E-Scooter Trial with an E-Scooter specialist operator (to be confirmed) with the support of the Department for Transport (DfT). The start date of 1st March 2021 has been approved by Ministers and the Trial will run for approximately 8 months until the end of November 2021.

The use of E-Scooters will support the potential for fast, clean and inexpensive travel that can also help ease the burden on transport networks and allow for social distancing. The trial will also assist with Government research and potential decision to legalise the use of E-Scooters.

The trial is to assess the feasibility and potential demand for and to provide capacity and support journeys on key employment and education routes from and within the City Centre for example to the Hospital & University sites. It is envisaged that e-scooters will be used by visitors and tourists for leisure type journeys along the Seafront and linking with the City Centre and Metro stations and will help support first and last mile journeys particularly on routes that have limited public transport.

The route identified will connect with the South Tyneside boundary and allow for a future partnership working, creating a seamless link along the coastal frontage.

Description of Decision:

It is recommended that Cabinet:

Approve in principle to support the E-Scooter Trail to commence 1st March 2021 for approximately 8 months until November 2021. This trial will be operated by (to be confirmed) who are to be appointed following their successful bid during a full procurement exercise.

Is the decision consistent with the Budget/Policy Framework?	Yes
If not, Council approval is required to change the Budget/Policy Framework	
Suggested reason(s) for Decision:	
<p>(i) To support a 'green' restart of local travel and help mitigate reduced public transport capacity, E-scooters offer the potential for fast, clean and inexpensive travel that can also help ease the burden on transport networks and allow for social distancing.</p> <p>(ii) To contribute towards demonstrating a strong positive and continuing commitment to sustainable travel, continuing improvement of the local environment and health.</p> <p>(iii) To assist in the government's decision to legalise E-Scooters and obtain the necessary evidence required for evaluation of use.</p> <p>The trial would provide far reaching access to micromobility solutions to cater for personal, commuting and leisure needs of the community. The scheme aims to: -</p> <ul style="list-style-type: none"> • reduce private car use by 15% over the 8-month trial having acknowledged that 60% of all car trips are between 1 to 3 miles. • Create long term behavioural changes when it comes to choosing the mode of travel. For example, educating communities to continually evaluate the environmental impact of the way they move for short journeys. • Reduce emissions and traffic on the roads to allow for greater space for other road users, such as cyclists and e-scooter riders who produce a tiny fraction of the emissions and congestion. 	
Alternative options to be considered and recommended to be rejected:	
<p>Due to initial government timescales for the trial, a Delegated Decision was made on 19 August 2020 to allow for a direct award to an e-scooter operator to undertake a joint Trial with South Tyneside Council. However, circumstances have now changed, particularly in regard to timescales and the involvement of South Tyneside Council it was considered appropriate to undertake a full procurement exercise, which has been carried out.</p>	
Impacts analysed;	
Equality <input type="checkbox"/>	Privacy <input type="checkbox"/> yes Sustainability <input type="checkbox"/> yes Crime and Disorder <input type="checkbox"/> yes
Is the Decision consistent with the Council's co-operative values? Yes	
Is this a "Key Decision" as defined in the Constitution?	Yes
Is it included in the 28-day Notice of Decisions?	Yes

PROPOSED E-SCOOTER TRIAL

Report of the Executive Director of City Development

1. Purpose of the Report

- 1.1 This report seeks Cabinet approval in principle to take part in an E-Scooter Trial with E-Scooter specialist operator (to be confirmed) with the support of the Department for Transport (DfT). The start date of 1st March 2021 has been approved by Ministers and the Trial will run for approximately 8 months until November 2021.
- 1.2 The use of E-Scooters will support the potential for fast, clean and inexpensive travel that can also help ease the burden on transport networks and allow for social distancing. The trial will also assist with Government research and the potential decision to legalise the use of E-Scooters
- 1.3 The trial is to help provide capacity and support journeys on key employment and education routes from the City Centre for example to the Hospital & University sites. It is envisaged that e-scooters are used by visitors and tourists for leisure type journeys along the Seafront and linking with the City Centre and Metro stations and will help support first and last mile journeys particularly on routes that have capacity limited public transport.
- 1.4 Any data collected from the trial will be fed back to DfT to enable their decision to legalise E-Scooters.
- 1.5 There is the opportunity for Sunderland City Council to work and integrate with an adjacent local Authority to deliver active travel options seamlessly across the two local authority boundaries, the geofenced areas within the trial could join with South Tyneside Council should partnership working be considered in the future.

2. Description of Decision (Recommendations)

- 2.1 It is recommended that Cabinet:
 - (i) Approve in principle to support the E-Scooter Trail to commence 1st March 2021 for approximately 8 months until November 2021. This trial will be operated by (to be confirmed) who are to be appointed following their successful bid during a full procurement exercise.

3. Introduction/Background

3.1 The Department for Transport announced an E-scooter trial during the summer of 2020 as part of various packages to help the transport system to recover from restrictions arising from the Coronavirus 19 pandemic. The following are among the issues that the trial seeks to address.

- **E-scooter use on the road** - E-scooters are permitted to use the same road space as cycles and EAPCs (electrically assisted pedal cycles). This means e-scooters would be allowed on the road (except motorways) and in cycle lanes and cycle tracks. E-scooters are not permitted on roads with a speed limit of over 50mph. [E-Scooters are not allowed to be driven on footways or footpaths](#)
- **Cycle Lanes** - DfT are making amendments to the Traffic Signs Regulations and General Directions 2016 to include e-scooters within the definition of vehicles permitted to use cycle lanes. To read 'part of a carriageway of a road reserved for pedal cycles and/or electric scooters that is separated from the rest of the carriageway—' or similar. This will permit e-scooters to be used in cycle lanes. It also means that the cycle symbol on signs will apply to e-scooters.
- **Traffic Regulation Order (TRO) Changes** Sunderland City Council will need to amend TROs that apply to cycle lanes to reflect the change in regulations that the cycle lane is for use by pedal cycles or e-scooters. TROs can be amended using the COVID-19 expedited emergency process or through the making of Experimental Traffic Regulation Orders or TTROs.
- **Cycle Tracks** To enable e-scooter use, cycle tracks would need to be re-designated as cycle lanes. This then allows the process above to be used for cycle tracks.

3.2 Rules for e-scooter users: -

There are 2 requirements within primary legislation that will continue to apply to e-scooters:

- E-scooter rental operators need to be covered by a motor vehicle insurance policy that covers the users of the vehicles.
- E-scooter users must hold a valid driving licence, either a full or provisional motorcycle or moped licence, to take part in the trials, and must be aged 16 or over.

3.3 DfT recommends wearing a cycle helmet for e-scooter journeys, but do not propose that wearing helmets would be mandatory. Local areas may wish to include provision of helmets or availability at the point of hire in their agreement with operators.

3.4 DfT Scooter Requirements

- Operators and their e-scooters must meet the essential technical specifications (set out below) for e-scooters along with the monitoring and

evaluation requirements required by the Department for Transport in terms of the e-scooter Trial Scheme.

“An e-scooter will continue to fall within the statutory definition of a motor vehicle. DfT define the sub-category of an e-scooter as being a motor vehicle that”:

- is fitted with no motor other than an electric motor with a maximum continuous power rating of 500W and is not fitted with pedals that are capable of propelling the vehicle
- is designed to carry no more than one person
- has a maximum speed not exceeding 15.5 mph (local requirements maximum speed of 12.5 mph)
- has 2 wheels, 1 front and 1 rear, aligned along the direction of travel
- has a mass including the battery, but excluding the rider, not exceeding 55kg
- has means of directional control via the use of handlebars that are mechanically linked to the steered wheel
- has means of controlling the speed via hand controls and a power control that defaults to the ‘off’ position

3.5 E-Scooter Operator Essential Requirements of the Trial: -

- Operator must have experience of successful e-scooter projects or is taking part in other Authority DfT Trials within the UK.
- The trial must commence on the 1st March 2021.
- No financial contribution is required from the Council to the e-scooter provider for the trial. The only revenue costs for the Council should be in relation to officer time, advertising and associated costs for the making and displaying of the requisite notices for the making of the TROs, which can be met from existing budgets. The provider will be wholly responsible for the supply, rental and maintenance of the e-scooters.
- Operator is responsible for insurance for users and the cover of E-scooters for theft and vandalism. Proposed operating routes as shown on attached maps subject to change within the trial.
- Dockless parking system to be implemented with no charging stations installed at the initial outset. Any future charging infrastructure to be financed by the operator.
- Charging of e-scooters to take place by the swapping of batteries throughout the day as identified on the operator’s system or scooters to be collected, charged overnight and distributed the next day at agreed locations.
- Maintenance Team and other employees to include local staff who are responsible for the daily distribution of e-scooters “Re-balancing” to take place morning, evening and throughout the day as required to replace scooters in demand areas.
- Daily inspections to take place when re-balancing with repairs & replacement of e-scooters to take place as and when required.
- E-Scooters to be cleaned regularly throughout the day by a sanitiser spray and self-cleaning handlebars to be used in light of Covid19 and in line with good practice for helping reduce the spread of the virus between users.

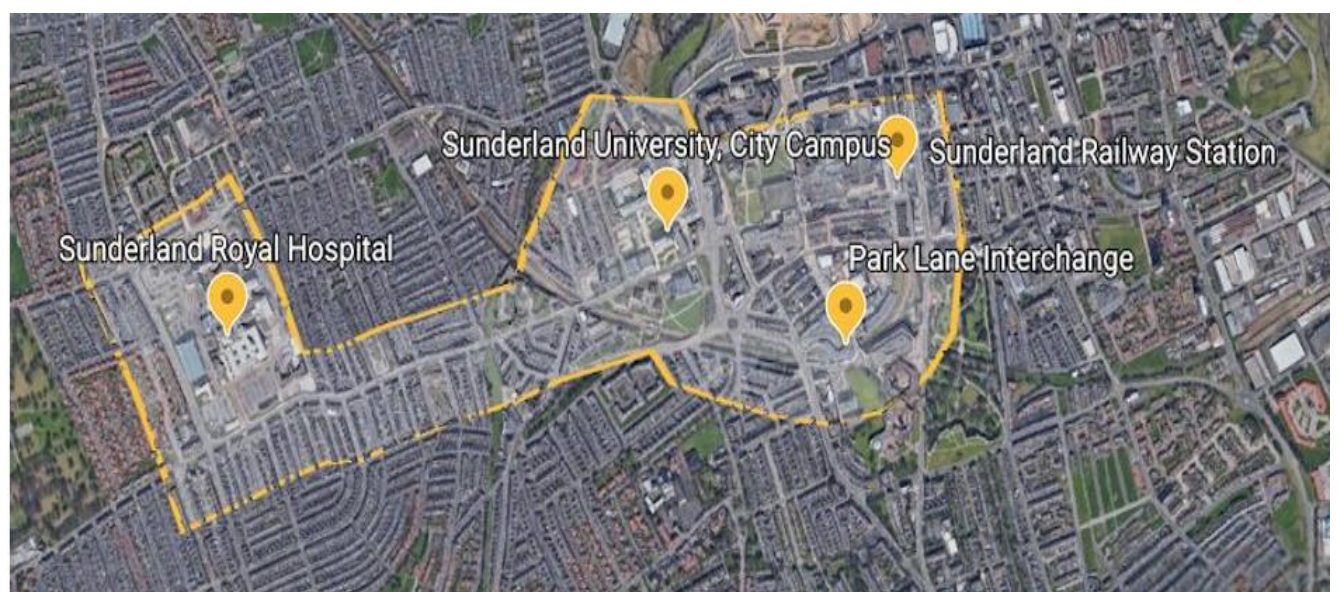
- Curfew hours to eliminate overnight usage.
- GPS Tracking system to be used so the exact location of the e-scooter can be monitored. Appropriate sanctions to be taken by the operator to users when e-scooters are detected on footpaths or other `no-go` areas.
- Geo-fenced system with `no go` zones or areas whereby scooters would sound an alarm, slow down and cut off scooter use outside permitted zones.
- The routes / geofenced areas have been designed to use as much off-road existing cycling infrastructure as possible to prevent the users from riding on the highway.
- Speed restrictions set at a maximum of 12.5 mph and reduced to 5-6 mph in high pedestrianised and sensitive areas.
- An App based system to be used whereby riders download App and register details with the operator before hiring the e-scooter.
- Pick up and parking areas identified on the attached Maps and locations to be shown in the operators "User App", subject to change within the trial.
- QR Scan code system in App to unlock the scooter and end of ride to be confirmed in the App using a designated parking area.
- Regular data feedback from the GPS tracker is required to determine the usage of areas and routes.
- Education and training for users to be the responsibility of the operator, users to complete this process in the User App when registering and before the first hire of a scooter.
- Scooters should be reservable through the User App, which should show how many scooters are at each location along with the battery percentage and scooter ID of each individual vehicle.
- The User App must have driving licence verification for riders to confirm they have a valid driving licence, either a full or provisional motorcycle or moped licence and users must be 16 or over.
- The User App must have security mechanisms to stop a rider unlocking multiple e-scooters at once.
- Lights and identification numbers to be provided on each e-scooter for security reasons.
- The operator to market and promote the scheme by introductory events, advertising via social media and engaging with the Community, at least 2 events throughout the trial are required.
- The contractor must stipulate users to wear a helmet when riding the scooter via their App and offer helmets for use. This is not a mandatory requirement by the DfT, however Sunderland would like to encourage the use of helmets.
- Operators responsible for and to declare the level of insurance for users and the cover of E-scooters for theft and vandalism.
- In relation to Health & Safety Law (criminal law) the main duty holder under the Health & Safety at Work etc. Act 1974 will be the E-Scooter provider.
- Operators are required to engage with key stakeholders and vulnerable groups through promotional events and workshops.
- Local response call-out time to an accident / breakdown / emergency target time must be less than 1 hour for the operator's maintenance team.
- If required, the removal of E-Scooters overnight during events, bad weather or completely removed from problem hotspots, operators should confirm their acceptance of this, subject to suitable notice requirements by the City Council, agreed on appointment at the operator's expense.

- The City Council and the operator to monitor the scheme through the trial by sharing strategic and operational advice and information to secure the responsible operation and maximising E-scooter usage within the operating area. Monthly engagement between operator and Council to discuss continuous improvements.
- Changes to operations throughout the trial may occur in terms of the trial area and number of E-Scooters. Any changes are agreed by both parties and within the agreed limits of the Trial Scheme authorised by the Department for Transport.
- Discounts for students and key workers – to be agreed.
- Pricing to be agreed. Longer term subscription for 1, 3, and 6 months hire to be agreed.
- The operator would have full liability and responsibility of the scheme and scooters, so it is in their best interests to protect their property. Reputational Risk would be managed and primarily the risk would lie with Government and the operator. We are also reliant on users of the E-Scooters to be respectful of their surroundings and other road users.

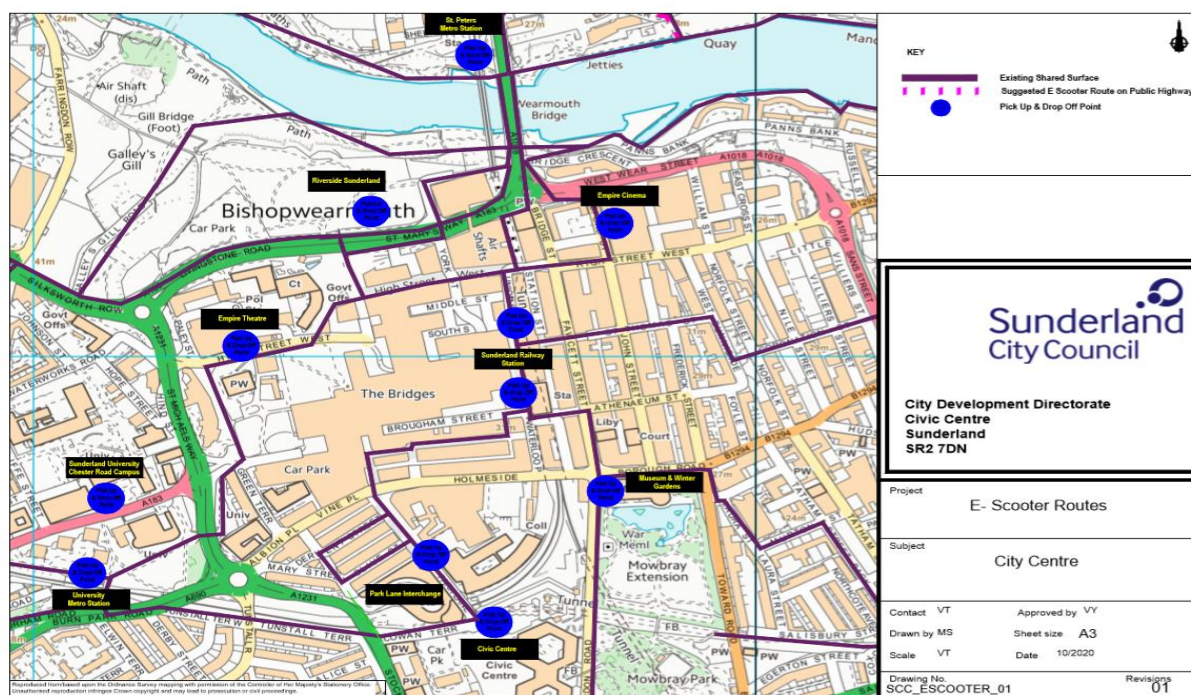
- 3.6 **Routes** - The trial would not necessarily begin with the full 'network' as shown in the plan below and in the attached maps. This would require the view of the operator on the starting scale of the operation (including the numbers of E-scooters provided, coverage of the central area and the number/location of corridors supported) and the potential for scaling up the operation through the trial period and beyond. It should be noted that, as a minimum, the Council would expect at least one corridor to be operational. The preferred route would be the City Centre to Seafront Link.

Normal maintenance regimes are in place with regard to highway surface repairs. Prior to the trial commencing key routes would be investigated with any potential highway faults from road surfacing would be repaired and maintained where necessary.

- 3.7 The routes / geofenced areas have been designed to use as much off-road existing cycling infrastructure as possible to protect the user from needing to ride on the highway.
- 3.8 The trial seeks to encourage the uptake of sustainable transport links to key Education and Employment sites i.e. the Hospital and University campus as well as a leisure route along the coastal frontage with the ability to connect with South Tyneside boundary should a partnership be engaged in the future. As shown on the maps, the yellow areas would indicate the geofenced zones the E-Scooters can be used in. The specific areas of the geofenced zones are yet to be decided and subject to change within the trial, which would be clearly shown in the "User App": -



- 3.9 Geofenced zones shown yellow on the image indicate the areas E-Scooters are permitted to be used within. The specific areas are yet to be decided and subject to change within the trial, they would be clearly identified in the “User App”.
- 3.10 Example of proposed routes using existing cycling infrastructure along with pick up / drop off parking locations which will be identified in the “User App”.



- 3.11 **Drop off & Pick up “Parking Areas”** Riders can only pick up and drop off an E-Scooter at a designated parking area, exact locations are in the process of being identified and subject to change within the trial: -

City Centre	University & Hospital	Seafront
Sunderland Railway Station, Market Square	University – Chester Road Campus	Saint Peter`s Metro Station
Sunderland Railway Station, Union Street	University – Saint Peters Campus	The Glass Centre
Park Lane Interchange	University Metro Station	Roker Marina (lower level)
Civic Centre	Millfield Metro Station	Bungalow Café, Roker Terrace (upper level)
Empire Theatre (may not be included)	Saint Peter`s Metro Station	Marine Walk (lower level)

Empire Cinema (may not be included)	University Accommodation Sites (Russell Street & Clanney House - these sites may not be included)	Roker Park, Roker Terrace
Museum & Winter Gardens	Sunderland Hospital – Kayll Road Staff entrance	Roker Cliffe Park or Seaburn Recreational Ground, Whitburn Road
The Beam		The Stack or Morrisons, Whitburn Road
		Seaburn Metro Station
		South Tyneside boundary, Whitburn Bents Road

3.12 Examples of freestanding parking areas shown below: -



4. Current Position

- 4.1 The Rt. Hon. Rachel Maclean MP as Parliamentary Under Secretary of State for Transport announced the introduction of New regulations allowing trials of rental e-scooters to come into force on Saturday 4 July 2020. Large-scale trials around the country will create and build the evidence necessary to guide final decisions about whether to fully legalise the use of e-scooters.
- 4.2 As we emerge from lockdown, we have a unique opportunity in transport to build back in a greener, more sustainable way that could lead to cleaner air and healthier communities across Great Britain.
- 4.3 E-scooters may offer the potential for convenient, clean and cost-effective travel that may also help ease the burden on the transport network, provide another green alternative to get around and allow for social distancing. The trials will allow us to test whether they do, or have the potential to do, these things.
- 4.4 To support a 'green' restart of local travel and help mitigate reduced public transport capacity due to Covid19, the Department for Transport (DfT) is fast tracking and expanding trials of rental e-scooters. E-scooters offer the potential for fast, clean and inexpensive travel that can also help ease the burden on transport networks and allow for social distancing.

- 4.5 The trials are designed to help understand whether the devices reduce motor traffic, as well as their impacts on safety for their users and others. They will be strictly prohibited on pavements, will be limited to up to 12.5mph and riders are recommended to wear helmets.
- 4.6 To avoid a flood of poor-quality scooters onto the streets, the regulations only cover rental schemes. Individually owned scooters will still be illegal on public roads.
- 4.7 The evidence gathered within the trial would guide final decisions about whether and, if so, how to fully legalise e-scooters. Data collected would contribute to deciding the long-term vision of Active Travel in Sunderland in conjunction with other NECA initiatives.
- 4.8 It is important that Sunderland take part in these trials to help our economy recover from the Coronavirus pandemic by helping residents return to work in a safe manner.
- 4.9 E-Scooters only use a small amount of electricity and don't emit any emissions, which is better for the air quality in our city and for the lungs of our residents. As a reliable, affordable, and eco-friendly way of travelling and an alternative to walking it should be encouraged.

4.10 Data and evidence Government will collect through the Trial: -

- safety outcomes for e-scooter users and what influences this
- interaction with, and effect on, other road users
- public perceptions of e-scooters, including people with disabilities and related groups
- nature of modal shift and new journeys that have been enabled. details of trips made, how far, routes, speed
- characteristics of users, and how uptake and outcomes differ for different groups
- local authority perception of effects on their transport system
- lessons for future rollout
- what a future regulatory system for the future should include, such as speed, vehicle standards or licensing
- any other unexpected outcomes
- overall costs and benefits to society

5. Reasons for the Decision

- (i) To support a 'green' restart of local travel and help mitigate reduced public transport capacity, E-scooters offer the potential for fast, clean and inexpensive travel that can also help ease the burden on transport networks and allow for social distancing.
- (ii) To promote and continue partnership working with neighbouring Local Authorities and to contribute towards a strong and positive statement regarding the Council's continuing commitment to sustainable travel, continuing improvement of the local environment and health.

- (iii) To assist in the government's decision to legalise E-Scooters and obtain the necessary evidence and data required for evaluation of use.

5.1 The trial would provide far reaching access to micromobility solutions to cater for the personal commuting and leisure needs of the community. The scheme aims to:-

- reduce private car use by 15% over the 12-month trial having acknowledged that 60% of all car trips are between 1 to 3 miles.
- Create long term behavioural changes when it comes to choosing the mode of travel. For example, educating communities to continually evaluate the environmental impact of the way they move for short journeys.
- Reduce emissions and traffic on the roads to allow for greater space for other road users, such as cyclists and e-scooter riders who produce a tiny fraction of the overall traffic emissions and congestion.

6. Alternative Options

- 6.1 Due to initial government timescales for the trial, a Delegated Decision dated 19.08.2020 was approved to allow for a direct award to an e-scooter operator to undertake a joint Trial with South Tyneside Council. However, circumstances have now changed, particularly in regard to timescales and the involvement of South Tyneside Council it was considered appropriate to undertake a full procurement exercise, which has been carried out.
- 6.2 The trial is to commence 1st March 2021 for approximately 8 months until November 2021 when e-scooters are scheduled to become available to the public, subject to DfT approval. The option for trials to continue beyond the Trial period would be subject to a future Cabinet report and City of Sunderland's formal procurement process.

7. Impact Analysis

Introduction

The following issues have been considered: -

- (a) **Equalities** – The following vulnerable groups have been consulted regarding the Trial: -

- The Blind Society
- The Deaf Society
- Age Uk

The E-Scooters will allow People of all ages and abilities from 16 upwards, including the elderly and residents with mobility issues can ride E-Scooters flawlessly and get from A to B quicker than walking.

(b) **Privacy Impact Assessment (PIA)** – All information requested in the operator's user App would be GDPR compliant. Terms and conditions would be explained in the "User App".

(c) **Sustainability** - The trial would adhere to sustainable development principles, which would improve social, economic and environmental conditions in Sunderland, and more widely as a regional project, along with supporting national Government trials.

- Reduces carbon emissions compared to average vehicle emissions
- Improves sustainable transport and communications
- Reduces noise pollution
- Improves health & wellbeing
- Reduces congestion on the roads
- Cheaper & quicker alternative than the car
- New fun alternative to travel sustainably

E-Scooters offer low cost, energy efficient, and emission-free transportation which also have positive physical, mental and all-round health benefits.

E-Scooters would benefit families on low income as the cheaper alternative to car transportation and a greener cleaner way to travel around the City.

(d) **Reduction of Crime and Disorder – Community Cohesion / Social Inclusion** - The local Police have been consulted and are aware of the scheme and are in support of the Trial.

the E-Scooter operator would have the following procedures in place to tackle anti-social behaviour and vandalism: -

- Alarm Sounding and motor cut off if taken outside geofenced area
- GPS tracked, exact location of each E-Scooter can be identified
- Curfew between the hours of 10pm-6am at the start of the trial, at weekends or throughout the full trial if required
- Scooters could be removed overnight during events, bad weather or completely removed from problem hotspots
- The operator would have full liability and responsibility of the scheme and scooters, so it is in their best interests to protect their property
- Reputational Risk would be managed and primarily the risk would lie with the Government and the operator. We are also reliant on users of the E-Scooters to be respectful of their surroundings and other road users

8. Other Relevant Considerations / Consultations

- (a) **Co-operative Values** – At Annual Council in May 2015, it was resolved that the following statement be included in the Constitution to reflect the values of the “Co-operative Council”.

“Sunderland City Council is a co-operative council and in being so will act ethically in all its actions while adhering to and actively promoting its co-operative values of self-help, self-responsibility, democracy, equality, equity and solidarity. These values will underpin its decision making and actions.”

- (i) **Financial Implications** – There are no capital costs to the Council and the only revenue costs are in relation to officer time, advertising and associated costs for the making and displaying of the requisite notices for the making of the TROs, which can be met from existing budgets. The set-up operation and maintenance costs of the e-scooters throughout the trial would be the responsibility of the operator.
- (ii) **Risk Analysis** – For this trial the majority of operational risks are borne by the operator. There is a small reputational risk arising from the potential for the trial to fail but this is outweighed by the prestige of taking part in this national trial.

Normal maintenance regimes are in place with regard to highway surface repairs. Prior to the trial commencing key routes would be investigated with any potential highway faults from road surfacing would be repaired and maintained where necessary.

- (iii) **Employee Implications** – None
- (iv) **Legal Implications** – The Assistant Director of Law and Governance have been consulted and an E-scooter Contract has been produced.
- (v) **Policy Implications** – None
- (vi) **Health & Safety Considerations** – Kevin Henderson & Richard Cantle Senior Health & Safety Advisors have been consulted and have provided advice in relation to the operation of E-Scooters for use across the City, via the Government's DfT It was explained that;
- The Council will procure the service from an E-scooter provider, approved by DfT.
 - The provider will be responsible for the supply, rental and maintenance of the E-Scooters.
 - Rental will be via an App, which will provide users with a simple safety demo on safe use and people will only be able to obtain an E-scooter after completing the booking process.

- The user will also have to return the E-scooter to an agreed destination at the agreed time. This will all be under the control and management of the provider.
- E-scooters can be used by someone with a provisional license, with or without a safety helmet (but the requirement to wear a helmet can be specified).

Under the Health & Safety at Work etc. Act 1974 the duty is with the E-Scooter provider to ensure the health and safety of users and any legal liability would rest with the provider.

(vii) Property Implications – None

(viii) Implications for Other Services – None

(ix) The Public / External Bodies –

Stakeholders who have been consulted so far regarding the Trial: -

Sunderland University
Northern Rail
NHS Sunderland Hospital
Nexus
Police
Museum & Winter Gardens
The Beam
National Glass Centre
The Blind Society
Age Uk
The Deaf Society
Sunderland BID

All the current Stakeholders are supportive of the scheme and no formal objections have been received. However, Sunderland & County Durham Royal Society for the Blind made comments in relation to the trial.

(x) Compatibility with European Convention on Human Rights - Not applicable.

(xi) Procurement – A full procurement process has taken place. The operator (to be confirmed) has been awarded to carry out the Trial.

9. Glossary

DfT – Department for Transport.

10. List of Appendices

- Maps identifying the proposed routes

11. Background Papers

- Delegated Decision dated 19.08.2020