

<b>LONDON BOROUGH OF CAMDEN</b>	<b>WARDS:</b> All
<b>REPORT TITLE:</b> Dockless Bike Hire Scheme – Progress Update and Parking Management	
<b>REPORT OF:</b> Director of Environment and Sustainability	
<b>FOR SUBMISSION TO:</b> Culture and Environment Scrutiny Committee	<b>DATE:</b> 22 <sup>nd</sup> January 2024
<b>SUMMARY OF REPORT</b>	
<p>In May 2023 a Culture and Environment Scrutiny Committee meeting took place in which dockless bike hire parking management in the borough was discussed. The committee requested that the issues raised in this meeting were brought back to scrutiny committee in 6-months' time to report on the actions and progress that had been made during this period.</p> <p>In May 2023, two dockless bike operators, Lime, and Forest, were awarded contracts to operate cycle hire schemes within Camden and this gave the council increased powers under the contract as well as additional measures and targets for performance monitoring.</p> <p>To date the contracts are showing positive outcomes with a rise in dockless bike rentals in the borough and better adherence to parking compliance (with both operator's latest data showing the key performance indicators (KPI) for parking compliance of 90% being achieved), although further work is still required to build upon these improvements. This report outlines the progress made in enhancing the dockless bike hire schemes in Camden and what further actions are planned going forward.</p> <p><b>Local Government Act 1972 – Access to Information</b> No documents that require listing have been used in the preparation of this report.</p> <p><b>Report Author</b> Sarah Slade Principle Transport Planner (Parking Policy, Projects, and Shared Mobility) 5 Pancras Square, London N1C 4AG  Tel: 020 7974 5120</p>	
<b>2. RECOMMENDATIONS</b>	
That the committee notes the content of this report and the actions being taken by officers with respect to Dockless bike Hire operations in the borough.	

Signed:



Richard Bradbury, Director of Environment and Sustainability

Date: 10<sup>th</sup> January 2024

## 1. Purpose of Report

- 1.1. Following a request for a discussion on parking management issues relating to the dockless e-bike hire (DBH) scheme, the paper contained in Appendix A, was submitted to the Culture and Environment Scrutiny meeting on 16 May 2023. The paper discussed the issues raised and mitigation measures being put in place by Lime (the only operators in the borough at the time), and the Council, to help address them.
- 1.2. At that Scrutiny meeting, the Committee expressed the view that it expected better standards asking that the two operators of the DBH Scheme (that had recently been awarded contracts within the borough) improve their operation in the borough particularly, in relation to how it managed the parking of bikes in the appropriate parking bays and asked that an update be brought back to Committee in circa 6 months' time. This report provides that update.

## 2. Background

- 2.1. The provision of a DBH scheme contributes towards achieving various Camden and London -wide objectives relating to sustainable travel by providing convenient and affordable access to bikes. Details on this, including the relevant policy considerations and plans/strategies supporting this work, are contained in the [previous scrutiny report](#).
- 2.2. Data from Transport for London (TfL) shows that more than half of households in Camden do not own their own bike and whilst we have a number of schemes in place to support long-term bike ownership, including cycle loans and secure cycle parking initiatives, access to hire bikes plays an important part of providing opportunities for our residents, and visitors to the borough, to cycle. Access to cycling is particularly important during the cost-of-living crisis as it is one of the more affordable means of travel (alongside walking). There is [evidence](#) that the riding of e-bikes can also have a number of positive benefits in terms of the health of individuals using such bikes.
- 2.3. For these (and other) reasons, it is perhaps therefore not surprising that DBH is proving to be a very popular method of transport for both residents within Camden (see data below), and indeed for those visiting the Borough, contributing mode shift towards cycling which, as set out in the (Camden Transport Strategy) CTS, is one of the Council's priority modes of travel.
- 2.4. There is currently no legal framework in place for the operation of dockless hire bikes, but it is anticipated that new regulations governing the whole micro mobility rental market in London could come into force during 2024 or 2025. In the meantime, TfL has developed a code of practice in collaboration with London boroughs and key stakeholders for operators of the DBH schemes. This code outlines the requirements and recommendations for bike hire operators in the capital and compliments existing laws and regulations that operators must abide by. TfL is also currently working with London Councils on establishing a framework for a future London-wide DBH and e-scooter scheme and Camden officers have been providing feedback on our experience learnt through managing one of the largest DBH schemes in London to assist with shaping these proposals.
- 2.5. In March 2023 the DBH scheme in Camden, moved from being managed under a Memorandum of Understanding (MoU) by Lime Technology Limited (Lime) to being managed under a [contract award](#) with two operators (Forest and Lime). Under this contract, the operators supply the e-bikes, maintain them, and administer their hiring. The new contracts commenced in May 2023 and is for a period of 2 years with the option of two

extensions of a further 1 year each. This replaced the previous Memorandum of Understanding (MoU) arrangements with Lime.

### Benefits of the contract-managed scheme

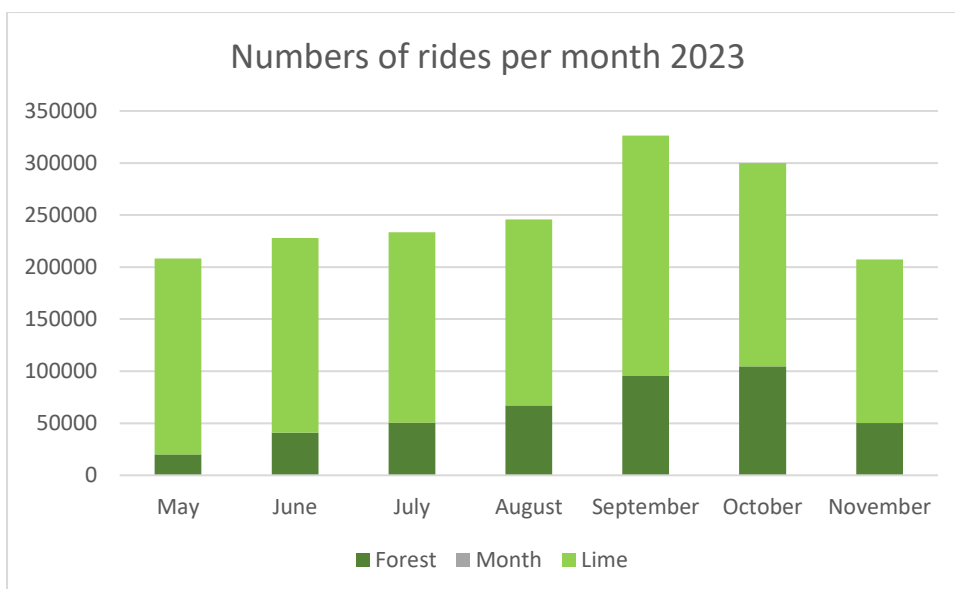
- 2.6. The new contracts allow the council to better manage the DBH scheme in the following ways:
- The Council was able to secure an affordable price for customers in Camden using the system, helping deliver strong growth in trips
  - We are able to stipulate the number of vehicles in the borough
  - Reporting data from operators is shared and monitored by officers
  - A collaborative working relationship with operators to address issues quickly
  - Incorporating lessons learned to continually improve the scheme
  - Legal powers to address other companies trying to operate in the borough
  - Better tools for ensuring parking compliance via KPIs within the contract
  - Financial income which can be used to help expand the parking bay network and monitor compliance
- 2.7. In relation to the parking of dockless hire bikes, the current contracts with operators stipulate the following:
- All bike deployment and all user parking without exception only occurs via the network of dockless vehicle parking bays that have been provided across the borough.
  - To ensure that Dockless Bike Parking Bays are used where provided, ongoing enforcement procedures and fining of riders parking outside of Dockless Bike Parking Bays must be undertaken by the operators. Operators will be required to ensure that out-of-bay parking is discouraged through information and messaging and that users are fined appropriately when parking out-of-bay. Therefore, we expect high-quality GPS technology to be employed to ensure this can be undertaken accurately.
  - The Council will expect the operators to achieve a high level of parking compliance with regard to deployment to bays and their customer parking at the termination of a hire. Parking bay compliance (i.e., hires being ended in designated parking bays in the borough) should always exceed 90% and failure to meet this requirement on a regular basis may have a bearing on decisions to award contract extensions.
- 2.8. Having the above stipulated within the DBH contracts ensures that the operators have a high standard of parking compliance to maintain and provides the Council with contractual powers to enforce this (see sections 4.1-4.8 of this report).
- 2.9. The contracts also provide wide reaching benefits to the residents of Camden and offers customers a great value route to cycle. Forest offers customers a free 10-minute ride for the first trip of the day, while Lime offers a discounted rate for rides that begin and end within the borough boundary.
- 2.10. Both operators have also committed through the contract, to providing additional social value to the borough including for those who may have barriers to cycling such as disabilities or a low income.

2.11. Support for training and education on cycling is also provided which can help to encourage more cycling in the future. Some of the initiatives already underway from both operators are outlined in the table below.

Forest	Lime
<ul style="list-style-type: none"> <li>• Free 60-minute ride code for everyone taking part in cycle training in the borough</li> <li>• Apprenticeship placement for Camden young person (18 months)</li> <li>• Working with school teams to offer work experience placements</li> <li>• Free 60-minute ride code for Camden job seekers to attend interviews</li> <li>• Friends of Forest scheme (discounted rides for students, NHS, and emergency service workers)</li> <li>• Free 60-minute ride code for parents attending Great Ormond Street Hospital</li> </ul>	<ul style="list-style-type: none"> <li>• Apprenticeship placement for Camden young person (18 months)</li> <li>• Donating to Wheels for Wellbeing (charity to help remove barriers for those with a disability to cycle)</li> <li>• Working with school teams to offer work experience placements</li> <li>• Lime Access program (reduced ride costs for those that qualify)</li> <li>• Providing Bikes for Camden Cycle campaign- mental health rides</li> <li>• Lime Hero – allows riders to round up the cost of their ride and donation is matched by Lime</li> <li>• Staff volunteering at local charities.</li> </ul>

Usage

2.12. The graph below shows the numbers of DBH rides starting in Camden per month since the last scrutiny / beginning of the contracts in May 2023. The graph shows that numbers of hire cycle trips have been steadily growing, reaching a peak of over 320,000 in September 2023. It is worth noting that these figures do not include trips that start outside of the borough and end in Camden or trips that ride through Camden without stopping meaning that the total number of rides in the borough is likely much higher than this.



2.13. These figures have been generally rising over the past 7 months (with an expected tail off in November due to seasonal factors) in part, in response to the expansion of our network of bays across the borough which makes it easier for users to hire and park a bike close to their desired destination. There are approximately 1750 dockless bikes in operation in Camden at any given time. We now have a network of over 200 parking bays spread

across the Borough to facilitate ride hires/end of trips for the DBH operators, as well as the 3 e-scooter operators (currently operating under a central TfL contract, as a trial).

- 2.14. Most parts of Camden also have a dense public network of transport links with many tube, bus, and mainline train stations within the borough. The provision of DBH is crucial for facilitating access and connections to this public transport network and enabling more people to incorporate cycling into their journeys, as well as providing additional mobility options in parts of the Borough (such as parts of Hampstead and Highgate) where the Public Transport Accessibility Level (PTAL) is lower.
- 2.15. The rise in popularity of DBH schemes has meant that there are many more bikes on the carriageway across Camden and this has inevitably led to an increase in reports that the Council has received of issues relating to the use of these bikes and their parking.

### **3. Issues around DBH in Camden**

- 3.1. Although the DBH schemes have proven very popular in the borough, as with many new schemes/transport modes in their infancy, there has been some issues that will require continued efforts to resolve. The majority of these relate to e-bikes not being parked inside of bays and indeed these are the issues that were raised at the last Scrutiny Committee meeting. The main causes of this are as set out below.

#### Overspill of vehicles in some locations

- 3.2. Due to the popularity of certain destinations and attractions within the borough, there are some bays within Camden that have at times become oversaturated with DBH (and e-scooters) vehicles which have caused overspill of the bays. This has led to complaints and has been noted as a particular issue at certain times and days which can exacerbate the issue. These factors can include bays near parks on warm and sunny days or bays close to night-time attractions such as in the south of the borough and/or Camden Town.

#### Rides being allowed to end outside of bays

- 3.3. When dockless hire bikes first appeared in Camden in August 2019, DBH companies were initially able to operate in a “free-floating” way (i.e., not confined to specific parking bays). This was replaced in 2020 by the dedicated parking bay model in operation today in which all dockless hire bike rides were expected to begin and end within designated parking bays. Although this requirement has been strengthened by the new contracts (as set out in paragraphs 2.6 and 2.7), we are still experiencing some instances where riders are still able to finish rides outside of bays, perhaps as a legacy from this former arrangement, and because some other Boroughs continue to operate a “free floating” model. However, as the data below sets out, this issue is being resolved and the KPI (90% parking bay compliance) is now being met by both operators. The difference in approaches by Boroughs is one reason why TfL are currently co-ordinating a centralised contract, due to come into effect by 2025, to manage dockless bike hire operations on a pan-London basis similar to the current e-scooter trial.
- 3.4. The causes of this can include zoning issues where the technology may not function as expected for example in some areas of Camden where there is a dense volume of tall buildings, which can impact on the GPS signalling. Another factor in rides ending outside of bays is the zoning technology that operators use. It is officers’ opinion that the best option to ensure non-compliant parking is minimised, is that the borough as a whole, is marked as a no parking zone on operators in-app maps with the network of designated parking bays being the only exception to this.

### User behaviour

- 3.5. User knowledge and education is also a consideration in non-compliant parking as it may be that users are unfamiliar with the rules and requirements of parking dockless bikes in Camden, and it is recognised that it may take time for users to become accustomed with the correct parking procedures. This relates to the point about different approaches in different Boroughs set out above.

### Hacked bikes

- 3.6. Lime, in particular, has been experiencing problems in recent months with people using their bikes without paying, by hacking the locking mechanism and partially disabling it enough to be able to ride the bike. When this happens, the bikes do not benefit from electric power assist and are difficult to pedal and there is also an audible clicking sound from the bikes disengaged locking system.
- 3.7. It is often the case that bikes that have been hacked in this way are frequently dumped in inappropriate locations outside of designated bays and causing an obstruction. This issue has now been largely resolved (please see 4.12 for further details).

### Non-Contracted operators in the borough

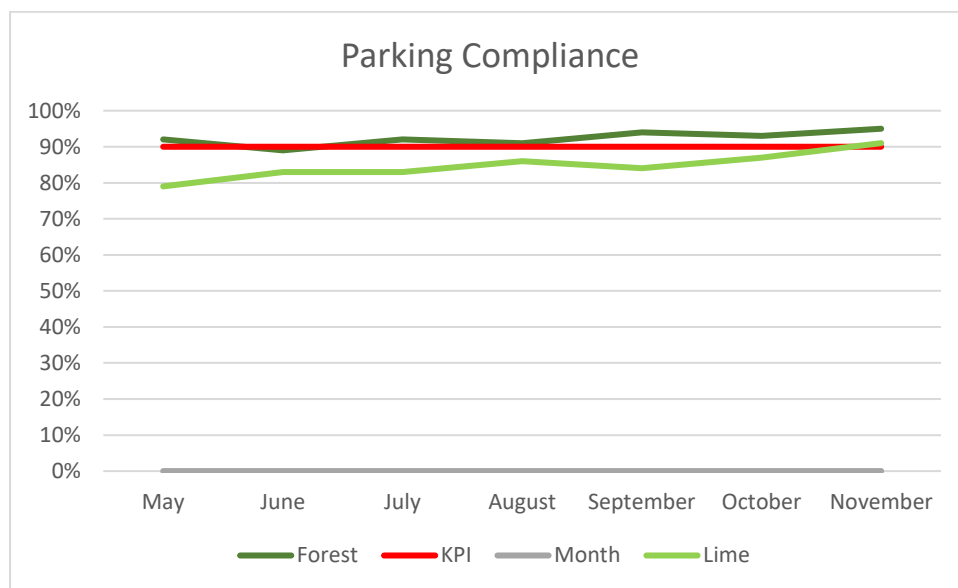
- 3.8. There have been some cases in the last few months of vehicles from other operators, not in contract with Camden, being abandoned within the borough. There is technology that is supposed to stop rides from being allowed to end in boroughs that they are not permitted to operate in, but this is not always the case.
- 3.9. The Council works very closely with DBH operators and where required, has been proactive in making changes and adapting processes to make sure that any lessons are learned going forward and that the scheme continues to provide the best service for its users whilst complying with its contractual conditions with Camden.
- 3.10. The sections below provide an update on the specific issues raised by Scrutiny Committee and solutions the Council is undertaking to those issues.

## **4. Solutions and updates since the May 2023 Scrutiny Meeting**

### Contract Management

- 4.1. Since the new contracts with Lime and Forest were awarded in April 2023, the Council has been working closely with operators to improve the schemes for users, manage any issues, and monitor data as part of contract management. The two operators have regular meetings with Council officers fortnightly and provide monthly report packs which outline Key Performance Indicators and data relating to the contract and operations. This data allows Council officers to closely track performance and identify areas for improvement. Data provided on a monthly basis by both operators includes:
- Users
  - Trip numbers
  - Warnings and fines issued
  - Parking compliance stats
  - Vehicle availability
- 4.2. This monthly reporting data from operators, has shown that parking compliance has remained high over the period since the contracts have begun (see graph below). Given the significant volume of rides occurring in the borough on a monthly basis (almost 250,000 on average), the presence of some non-compliantly parked bicycles is an ongoing issue to

manage, despite their small proportion compared to overall rides. Since the start of the contracts, parking compliance figures have consistently remained close to the 90% compliance KPI specified in the contracts and efforts have been made by officers to collaborate with the operators and implement strategies to ensure that this percentage consistently meets that target.



- 4.3. It is worth noting that the graph above represents data since the beginning of the new contracts in May 2023. Before this, officers were already working with Lime (the only operators in the borough at that time) to improve their parking compliance rates, when they were operating under a MoU within the borough. In March 2023 Limes parking compliance was under 70% and it has now risen to 91% in the latest reporting month (November '23). This shows the impact that the contract and contract management has had over compliance figures and indicates the success of the contract model in this regard. Forest have been consistently above the 90% KPI threshold since inception. **Note:** Officers will be able to provide the latest parking compliance figures during the scrutiny meeting.
- 4.4. Although parking compliance has been steadily improving since the new DBH contracts began, the main issues and focus of officer time is still centred around dealing with issues of non-compliant bike parking. Officers have brought this to the attention of the operators with a view to working with them at improving user parking compliance.
- 4.5. To address reports of non-compliant bike parking, the operators are contracted to a maximum of an hour recovery (from point of written notification) of bikes that are obstructing the public highway. This requirement is applicable during the hours of 07:00 to 22:00 Monday–Sunday and any bikes reported outside of these hours must be collected the following morning within 2 hours. In most cases this response is adequate at dealing with any reports and issues associated with DBH.
- 4.6. It has been noted that some other boroughs have enlisted powers under the Highways Act 1980, to remove bikes that are not parked compliantly and fine the operators for this. Under the DBH contracts, the London Borough of Camden reserves the right to recover and relocate bikes, when necessary, with recourse to recharge the operator following such removal. As the Council and operators are still working collaboratively to resolve issues and improve parking compliance, officers do not feel it would be beneficial at this time for the Council to remove errantly parked bikes, due to the time and resource intensive nature of that activity. The Council has been increasingly escalating issues of parking compliance with operators when required, and the borough does retain the power under the contract, to

remove bikes. This is something that could be utilised in the future if other actions prove ineffective and officers deemed it necessary.

- 4.7. If the actions above do not prove adequate in addressing potential issues, then the Council has within its contractual arrangements, further powers which can be deployed if necessary. This could include serving a default notice to the operator, or if all other actions fail, ultimately the early termination of the contract. These actions would be as a last resort and officers are confident that the Council and DBH operators can work together collaboratively to resolve any issues going forward with the shared goal of making the DBH schemes in Camden a success.
- 4.8. In the 7 months that the new DBH contracts have been in operation, DBH parking compliance in the borough has been steadily increasing (and as above is now above the 90% threshold level for both operators) and it is expected that the actions outlined in this report, will have the effect of increasing this further. This has already been noted in some areas where reports of parking issues have seen a reduction.

#### No parking zone technology

- 4.9. It is our expectation that both DBH providers, operate a mandatory no-parking zone in the borough in which bikes must be left in designated bays or be issued with a penalty such as a warning, fine or ban. In spite of this, and although only a small percentage of overall trips, there are still some vehicles that are able to be left outside from any designated bay. This could be through riders ignoring mandatory parking zones or abandoning bikes without correctly finishing their ride. In most situations like this, the bikes are locked and disabled remotely after a certain period of time elapses to ensure that they are not mis-used by anyone else and a warning, fine, or ban (for persistent offenders) is issued to the last user. To tackle vehicle abandonment and drive-up parking compliance levels, Lime has going forward, committed to introducing more enhanced fining zones in poor parking hotspots around the borough in which initial user fines will be significantly increased.
- 4.10. It is officers' opinion that the clearest way to show users of DBH schemes where parking is prohibited, is by demarcating the entire borough as a no-parking zone on operators in-app maps with DBH parking bays being the only exception. At the time of writing this report, both operators in-app maps vary in the way they show where users can park vehicles. Forest's in-app map visibly marks the whole of Camden as no parking with the exception of designated parking bays, but this approach has not been implemented (visually) in Lime's app across the whole of the borough. It is officer's opinion that Limes in-app map could be clearer at showing its users at a glance where parking is prohibited in Camden, and this has been discussed with them as a way of potentially increasing parking compliance. We are continuing to work closely with Lime on this to ensure that they utilise their in-app technology to drive higher parking compliance going forward.

#### Hacked bikes

- 4.11. Lime has now identified a specific hardware fix to address the problem with bikes being hacked and each bike is now fitted with a double kick stand which completely locks the back wheel of the bicycle and prevents unauthorised usage. This update has been rolled out across their Camden fleet of vehicles as of October 2023.

#### Non-contracted operators in the borough

- 4.12. Camden has sought legal advice on this issue and have met with the operators in question regarding the problem. It is usually the case that users of these bikes try to finish their ride in Camden not knowing that they have crossed over the borough border and so abandon the bike in confusion. This issue has now largely been resolved with very few bikes from other operators now found in the borough.



### Priority List

- 4.13. Officers have drawn on the feedback and complaints that have been received during the contract period so far to identify certain bays that have recurrent parking compliance issues. From this, a list has been created, of priority bays that have been identified as being at higher risk of overspill. This list has been shared with the bike and scooter operators which share the use of these bays with the agreement for operators to work together to monitor and conduct sweeps of these bays more frequently, and tidy and remove vehicles when necessary.
- 4.14. The expectations in relation to the list of high priority bays is that locations are cross referenced with operators own demand data to ensure the bays are tidied and vehicles redeployed at busy times including at evenings and weekends. This list has been in operation since October 2023 and a considerable drop in reports of poor parking has been noted at these sites. This is a promising result, and we will continue to monitor the effectiveness of this approach and update the list regularly based on feedback provided by the public and our own on-site checks.

### Mystery Shopping/audits

- 4.15. Parking compliance and other data is supplied to the Council from the operators on a monthly basis but to support the Councils ability to accurately monitor the schemes, Council officers also conduct in-house testing and audits. Officers routinely carry out spot checks on different sites across the borough and “mystery shopper” audits on bays and bikes in the borough to assess vehicle numbers, tidiness, and parking compliance.
- 4.16. Data that has been collected during these audits has been fed back to the operators at the earliest opportunity with the request that any actions that may be required are put into place immediately. It should be highlighted that the Council performs audits anonymously and without advance warning, which serves as an additional monitoring tool that is not affected by external influence.

### Enforcement officer

- 4.17. To assist with increased independent testing going forward, extra resource has been allocated to this task with the addition of an enforcement officer that has been recently enlisted to work with the Camden Transport Strategy team. This position has been partly funded by the income generated by the new DBH contracts. The new role will provide the additional resource needed to support increased numbers of on-site visits of bays, help to tidy errant vehicles and raise any issues that are noted directly with the operators. It is expected that this will help to identify, report, and resolve any issues as quickly as possible with minimal disruption to the public. The role will also involve working with council officers to record and track any reports that have been raised with the operators to assist with accurate monitoring and management of issues.
- 4.18. If non-compliantly parked bikes are reported to the operators in this way, it is the expectation that they will send a warning or fine to the last user of that bike. Council officers will monitor these reports closely and expect feedback on the actions taken by the operator in each case reported. It is hoped that issuing warnings and fines more frequently to the minority of users that do not adhere to proper parking procedures, will install better knowledge of best parking practices, and promote more considerate parking behaviour in the future.

### Fix my Street

- 4.19. As part of managing dockless bike hire parking, the operators and Council also encourage members of the public to report any issues with incorrectly parked bikes. This can be done

by contacting the Council, or operators directly and now via the online reporting tool [Fix My Street](#). This app allows users to report issues on-street in Camden and any reports on DBH now go directly from the app to the appropriate operator to be actioned. This app saves officer time by eliminating the need for officers to intervene in every case reported and can also assist with monitoring of parking compliancy figures and help identify locations with higher numbers of reports which could indicate a need to assess whether further actions are required at that site.

#### Rider education

- 4.20. Operators already have systems in place to encourage compliant parking and educate their users including in-app rider education messages, warnings, fines, and ultimately bans for continued non-compliance (appendix D). To end their ride, users also have to take a picture of their parked vehicle in-app to evidence that they are parked correctly. This photograph can be reviewed by operators and warnings and fines issued when correct parking rules are not followed.
- 4.21. As the DBH schemes in Camden and the rest of London have become more popular in the last few years, other boroughs are now operating a designated bay model for DBH schemes like Camden, including Westminster and Kensington and Chelsea. Having conformity of rules in other London areas regarding parking will also help educate users on the rules around parking of dockless bikes and become accustomed to making sure that bikes are always parked in designated bays at the end of a ride.

#### Involvement in future London-wide plans

- 4.22. As Camden is one of the first London boroughs to operate a DBH scheme, and with one of the largest networks of bays, other boroughs and organisations are now looking to Camden as the expansion of DBH continues, to utilise the knowledge and experienced that we have gained.
- 4.23. Camden officers participate in regular meetings and ongoing optioneering with TfL, other London boroughs, and London Councils as they begin work to establish a comprehensive framework for a London-wide DBH scheme. The valuable experience and lessons that Camden can bring to these discussions, will help inform how any future framework may be designed in a way that works for the operators, users, and London boroughs.

#### Sites for new bays

- 4.24. The rate of new bay installations has had a dramatic effect on the number of rides in the borough with new bays in popular locations encouraging and enabling more users to hire and ride bicycles. Although expansion of bays is effective for building the network of hire cycle bays, it has sometimes proved difficult to identify potential new locations that are suitable for bays. From installing over 200 bays, many lessons have been learned regarding suitable locations that has helped ensure that bays are not only well-spaced out across the borough and convenient for users but are also safe and consider the local environment, residents and businesses close by. Because of these factors, finding suitable locations for new bays has become increasingly difficult with some objections to bays being received based on factors such as potential noise disruption, antisocial behaviour nuisance, and poor parking that can be seen as associated with these bays.
- 4.25. Factors that Council officers consider when investigating sites for new bays include:
- Proximity to residents/businesses
  - Accessibility for pedestrians, those with a disability or prams and pushchairs
  - Safety of the road and local environment

- Proximity to attractions e.g., public transport network, parks etc
- The number of other bays in the area and their proximity
- Operator data showing local bay usage
- Reports and issues with nearby sites
- Officer experience and observation of the borough
- The overall “Shared Transport Accessibility” and “Public Transport Accessibility” levels in each area

- 4.26. Recognising the importance of these factors is essential, nevertheless, it is also important to note that the installation of DBH bays in particular areas may generate objections from some stakeholders. For that reason, the implementation of any new bays is subject to public (and where applicable, statutory) consultation where any objections or feedback is carefully considered in subsequent decision reports.
- 4.27. It should be noted that increasing the number and size of parking bays can be a crucial factor to help to mitigate certain issues with DBH such as bay overspill. The increasing numbers of rides that the borough is seeing on a monthly basis means that Camden will need to continue to expand its network of bays in the future to meet increasing demand, especially in more popular destinations. The availability of sufficient bays in the right locations, can lead to a reduction in bay overspill as more convenient parking options are available for users.
- 4.28. Careful evaluation, and consultation is undertaken for each phase of new bay installations by officers (as noted above), and this usually helps to identify and mitigate any potential negative impacts before a bay is installed. Once a bay is in operation, any feedback and complaints that may be received are monitored and if any patterns relating to a particular bay are identified then extra measures are taken to resolve them. This could include extra checks and tidying by operators or addition to the priority list as outlined in paragraphs 4.13-4.14.
- 4.29. In extreme circumstances, where a bay poses a safety risk or major nuisance, the Council will consider removal or relocation of a bay to a more appropriate place. This option is usually a last resort having tried the other possible interventions outlined in this report which will usually have the effect of resolving any issues.

## 5. Next steps

- 5.1. The latest phase of new DBH bays (phase 7) has now been installed adding 18 new bays to the network, extending the size of 3 and relocating 1. Plans are now underway on phase 8 which will potentially be introducing another 13 bays across the borough, 8 expansions and 3 relocations, bringing the total number of bays to 221, subject to consultation and approvals. We aim to bring that total to around 280 by 2025, providing a higher level of density (and therefore availability/provision) across the Borough. The Council is also bringing forward, subject to consultation, “micro-mobility” hubs across different parts of Camden, beginning with a [pilot scheme in Somers Town](#), which would provide further shared transport options for residents and visitors.
- 5.2. The expansions and relocations of some bays shows that the Council are constantly analysing the network of bays in the borough and making adjustments where it may be necessary. Along with other considerations, phase 8 site locations have been selected in response to data on high demand areas for DBH in the borough.

- 5.3. The position of an enforcement officer to support DBH parking management has been filled and started in November 2023. Meetings have already taken place to discuss a programme of visits and checks on bays and vehicles around the borough.
- 5.4. Ongoing discussions with Lime have continued in regard to meeting and exceeding minimum parking compliance levels within the borough. Lime have implemented an action plan (to be submitted with this report) to resolve this issue with timeframes for delivery. Some of the measures that have been implemented so far include, expanding enhanced fining zones and two more e-vans in the borough to service parking bays, and these actions have helped achieve the November '23 90% KPI parking compliance threshold level. Future commitments include (subject to Camden approval) a Bluetooth beacon pilot in bays to reduce GPS drift (i.e., minimising ability for bikes to be parked just outside a bay) and in-app bay photo display.
- 5.5. Senior officers from Camden have also met with Forest in November to discuss how they can continue to meet the minimum parking compliance KPI of 90% and explore strategies to help drive this closer to 100% going forward.
- 5.6. Camden officers will continue to be involved and contribute our experience and the lessons that we have learned through the DBH schemes, with TfL and London Councils whilst they prepare to establish a future framework for a London-wide DBH scheme.
- 5.7. We will continue to work adaptively with DBH operators Lime and Forest for the duration of the contracts to tackle any issues that arise and work collaboratively to maximise the benefits that can be achieved for Camden through the contracts.

## **6. Finance Comments of the Executive Director Corporate Services**

- 6.1 The Executive Director Corporate Services has been consulted and has no additional comments to add.

## **7. Legal Comments of the Borough Solicitor**

### Statutory duties / Legislation

- 7.1 The recommendations in this report are being considered in the Council's capacity as the Local Highway/Traffic Authority for the Borough.

### Highways Act Powers

- 7.2 Section 65 of the Highways Act 1980 (cycle tracks) empowers a local highway authority, in or by the side of a public highway, to construct a cycle track as part of the highway, and to alter or remove a cycle track constructed by them under this section.
- 7.3 Section 4 of the Cycle Tracks Act 1984 (provision of barriers in cycle tracks, etc.) empowers a highway authority to provide and maintain, in any cycle track constituting or comprised in a public highway, such barriers as they think necessary for the purpose of safeguarding persons using the cycle track; and, where a cycle track is adjacent to a public footpath or footway, provide and maintain such works as they think necessary for the purpose of separating, in the interests of safety, persons using the cycle track from those using the footpath or footway. The highway authority may alter or remove any works provided by them under section 4 of the 1984 Act.

### Road Traffic Regulation Act 1984 (RTRA 1984)

7.4 Section 63 of the RTRA 1984 gives the Council an express power to create stands and other security devices for cycles.

## Equality

7.5 The Council must, when carrying out the Council's functions (which includes making decisions), have due regard to section 149 of the Equality Act 2010 (the Public Sector Equality Duty - PSED). This duty includes having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic (including people with a disability) and persons who do not share it. The Council must comply with the duty, which requires rigorous consideration and an open mind, and is personal to decision makers. In order to assist the Council to comply with section 149.

7.6 In summary, the PSED requires the Council, when exercising its functions, to have 'due regard' to the need to:

1. Eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Act (which includes conduct prohibited under section 29);
2. Advance equality of opportunity between people who share a relevant protected characteristic and those who don't share it;
3. Foster good relations between people who share a relevant protected characteristic and those who do not (which involves having due regard, in particular, to the need to tackle prejudice and promote understanding).

7.7 The relevant protected characteristics are: age, disability, gender reassignment, pregnancy and maternity, race, religion, sex, and sexual orientation. In respect of the first aim only (i.e., reducing discrimination, etc) the protected characteristic of marriage and civil partnership is also relevant.

7.8 In addition, with reference to disability, the Council has a duty under section 29 of the Equality Act 2010 not to do anything that constitutes discrimination (or victimisation or harassment) in the exercise of a public function, and a duty to make reasonable adjustments.

7.9 The Council should also bear in mind relevant parts of the United Nations Convention on the Rights of Persons with Disabilities and the United Nations Convention on the Rights of the Child. Some of those parts relate to (as regards persons with disabilities) the physical environment, transportation, personal mobility and sporting and leisure activities (UNCRPD), and (as regards children) self-reliance and active participation in the community of disabled children, standards of health, dangers and risks of environmental pollution, and recreational and leisure activities (UNCRC).

7.10 Further, section 149 provides that the steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities. Compliance with the PSED may involve treating some persons more favourably than others, but that is not to be taken as permitting conduct that would otherwise be prohibited under the Act (which includes breach of an equality clause or rule, or of a non-discrimination rule).

7.11 The Council should be aware that the PSED is not a duty to achieve the objectives or take the steps set out in section 149. Rather, the PSED requires the authority to take the specified needs into proper consideration when carrying out its public functions. There must be a

proper appreciation of the potential impact of the decision on the equality objectives set out in section 149 and of the desirability of promoting them. “Due regard” means the regard that is appropriate in all the particular circumstances in which the authority is carrying out its functions. Provided due regard is had in this way, including considering mitigation measures as described below, it is for the Council to decide, taking into account all relevant factors (which may, depending on the circumstances, include the requirement upon the Council to operate within its budget) how much weight to give to the equality implications of the decision.

7.12 In exercising its road traffic and highway powers, the Council is exercising a “public function”: Under section 29 of the Equality Act 2010, it must not, when exercising a public function, “do anything that constitutes discrimination, harassment or victimisation” (section 29(6)) and it must make reasonable adjustments (section 29(7)). The duty to make reasonable adjustments arises in relation to disabled persons and under section 20 of, and Schedule 2 to, the Equality Act 2010.

## **8. Environmental Implications**

8.1 The provision of a DBH Scheme would have positive implications for the environment, encouraging reduced general traffic movements and supporting sustainable modes of transport such as walking and cycling; which help to improve air quality and reduce greenhouse gas emissions. The proposals strongly align with the objectives of the [Clean Air Strategy and Clean Air Action Plan](#), and the [Climate Action Plan](#).

## **9. Appendices**

Appendix A – Dockless Bike Hire Parking Management report May 2023

Appendix B – Map of existing parking bay network

Appendix C - Map of proposed expansion to parking bay network (phase 8)

Appendix D - In app messaging on parking compliance

Appendix E - Information provided by Forest

Appendix F - Information provided by Lime

**Paper ends**