

DOCKLESS BIKESHARE CODE OF CONDUCT

To: **Cambridge City Joint Area Committee**

Meeting Date: **17th April 2018**

From: **Executive Director: Place and Economy**

Electoral divisions: **All**

Forward Plan ref: *Key decision:* **No**

Purpose: **To consider a Code of Conduct for dockless bikeshare operators in Cambridge.**

Recommendation: **To support the Code of Conduct to encourage best practice from the operators of dockless bikeshare schemes in the city.**

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1. BACKGROUND

- 1.1 Public cycle hire schemes which do not need physical docking stations are a new product which originated in China. Cambridge was the first UK city to have dockless cycles with the arrival of Ofo in the spring of 2017.
- 1.2 Following negative publicity about abandoned dockless cycles in China, Ofo agreed to a small trial of 20 cycles which, in collaboration with the City and County Councils, has increased over time to 450 cycles on street.
- 1.3 There is currently no legislative framework for managing dockless bikeshare schemes. The Department for Transport (DfT) has indicated that the introduction of any laws to allow, for example, licensing of operations, is unlikely to happen in the near future based on the unavailability of resources. Current Government policy is to have a 'light touch' approach with an expectation that the market will be self-regulating.
- 1.4 Other cities in the UK are attempting to manage the process in differing ways. Some have Memorandums of Understanding with one operator or have signed a contract, some are undertaking a procurement process to work with one or two providers. Legal advice is that we should treat any other operator in an equitable manner and that if we treat other operators in a different manner to Ofo then we could be open to a legal challenge.

2. BIKESHARING IN CAMBRIDGE

- 2.1 A desire to provide a public bike hire scheme in Cambridge has been expressed by both City and County Council members on a number of occasions. Given the population size of the city and limited space for docking stations in the city centre this has proved difficult to implement without significant cost.
- 2.2 Despite fears of street clutter and vandalism the Ofo scheme has operated in the city without any serious issues, and usage and membership of the scheme is increasing on a daily basis. Vandalism and theft is at a low level, and Ofo have agreements with a variety of landowners for off-street parking hubs in locations such as Addenbrooke's, the Science Park, Park & Ride sites and hotels. This provides a useful service for residents, commuters and visitors and encourages cycle trips for short journeys around the city. It is hoped that students and those living in the city on a temporary basis will be encouraged to use bikeshare cycles instead of buying low quality and often poorly maintained cycles which can be abandoned at public cycle racks when no longer needed.

3. CODE OF CONDUCT

- 3.1 Other operators have expressed an interest in setting up schemes in Cambridge. The proposed Code of Conduct (Appendix 1) sets out the way we would expect these operators to work, including an initial trial period, managing the redistribution of cycles, parking, maintenance and contact information. The code is based on similar documents used by Oxford and Transport for London.

- 3.2 As part of the Code of Conduct operators are expected to be accredited with the Public Bike Share Accreditation scheme run by Carplus Bikeplus, which is a not-for-profit, environmental transport NGO.
<https://www.carplusbikeplus.org.uk/about/car-club-bike-share-accreditation/>

4. CONCLUSION AND NEXT STEPS

- 4.1 The Code of Conduct would not be enforceable and operators would sign up to it on a voluntary basis. However, it does give strong guidance to operators regarding what is expected of them with regard to safety of users and safeguarding the city's public realm. It outlines how the County Council would wish to work closely with operators to ensure compliance and to share information about any issues as well as for data-sharing
- 4.2 Officers from the City and County Councils will continue to liaise with the current operator, Ofo and with any new operator that comes to the city and will update members as required. Once agreed, current and future operators, will be asked to sign the Code of Conduct and compliance will be monitored.

5. ALIGNMENT WITH CORPORATE PRIORITIES

5.1 Developing the local economy for the benefit of all

Encouraging the use of sustainable modes of transport helps people to get around Cambridge more effectively and efficiently, and so supports the development of the local economy.

5.2 Helping people live healthy and independent lives

Providing strong guidelines for operators aims to ensure that the schemes are safe and attractive to users whilst not creating obstructions to pedestrians. Regular cycling has been shown to have significant health benefits and also gives more independence to those who do not have access to a car.

5.3 Supporting and protecting vulnerable people

The Code of Conduct encourages operators to ensure that dockless cycles do not cause access issues with poor parking and that obstructive cycles are quickly re-located.

6. SIGNIFICANT IMPLICATIONS

6.1 Resource Implications

There are no resource implications

6.2 Statutory, Risk and Legal Implications

There are no significant risks.

6.3 Equality and Diversity Implications

There are no significant implications within this category.

6.4 Engagement and Consultation Implications

Relevant officers and members within the County and City Councils have been consulted on the Code of Conduct.

6.5 Public Health Implications

This document sets out guidelines for the safety of users of the scheme and to ensure a safe, uncluttered public realm. Successful bikeshare schemes will help more people to cycle more often which contributes to improved public health. Cycling is a physical activity that can prevent ill health and improve health.

Source Documents	Location
None	

Implications	Officer Clearance
Have the resource implications been cleared by Finance?	Name of Financial Officer: D Parcell
Has the impact on Statutory, Legal and Risk implications been cleared by LGSS Law?	Name of Legal Officer: F McMillan
Are there any Equality and Diversity implications?	Name of Officer: T Oviatt-Ham
Have any engagement and communication implications been cleared by Communications?	Yes Name of Officer: J Shilton
Are there any Localism and Local Member involvement issues?	Name of Officer: T Oviatt-Ham
Have any Public Health implications been cleared by Public Health?	Yes Name of Officer: T Campbell

Cambridge Code of Conduct for Dockless Bike sharing Operators

This Code of Conduct outlines the requirements of Cambridgeshire County Council for companies wishing to operate a dockless bikeshare scheme in Cambridge and the surrounding area. In addition to adhering to this code of conduct, all operators must be accredited members of the Bikeshare plus scheme and meet the required standards set out in the accreditation scheme.

The maximum number of bikeshare cycles operating in the city is currently set at 1,000 but this will be reviewed regularly. Evidence of demand beyond the figure set in this document will need to be demonstrated.

1. Process

The process for operators who intend to introduce and operate dockless bike sharing schemes in Cambridge is as follows

- 1.1 Submission of Operations Plan: The operator will provide Cambridgeshire County Council with an Operations Plan for information and future reference purposes. The document will set out how the operator intends to operate the dockless bike sharing scheme and how the Operator will ensure compliance with the Code of Conduct.
- 1.2 Agreement to Code of Conduct: Once the Operations Plan has been submitted, the operator will confirm in writing to the County Council that it will work in compliance with the Code of Conduct.
- 1.3 The Operator will launch a trial phase for a minimum of 1 month. The number of cycles will be limited to 100 for the duration of the trial phase.
- 1.4 At the end of the trial phase the Operator will meet with and submit a report to the relevant authorities describing the operation of the trial phase and how it has been carried out in accordance with the Operations Plan and in compliance with this Code of Conduct. It will include details of all complaints received by the Operator.
- 1.5 The Operator may start expanding the dockless bike sharing scheme if County Council is satisfied that the trial was conducted in compliance with the operations plan and this code of conduct.
- 1.6 Agreement will be sought from the County Council when the number of cycles in the scheme is expanded. The Operator will meet with representatives from the County Council on a regular basis.
- 1.7 At the end of each year the Operator will submit a report to the County Council with an update on how the scheme is operating to include how it has complied with both the Operating Plan and this Code of Conduct. The report shall include data on the utilisation of the bike share cycles, maintenance of the cycles, usage demand (identifying hotspots), any theft and vandalism of the cycles, complaints received (from both users and non-users) and any

other non-sensitive information that the County Council may require from time to time.

2. Operators' Responsibilities

2.1 Safety of Bicycles

2.1.1 The Operator will ensure that all cycles used in the scheme are safe to use and that they meet the minimum requirements as set out in the Bikeplus accreditation criteria.

2.1.2 All cycles used in the scheme shall be equipped with dynamo lights (or similar) at the front and back of the cycle. These dynamo lights shall be of a design that continues to emit a light for a period after the cycle has stopped for safety, particularly at junctions.

2.2 Scheduled Maintenance

The operator ensures that all cycles used in the scheme are well maintained, in particular:

2.2.1 Manufacturer's service requirements shall be adhered to in full.

2.2.2 All cycles used in the scheme shall be checked at least once a week to ensure that they are safe to use and comply with relevant legislation and the Highway Code. Faulty cycles need to be immediately repaired or removed whenever a fault is identified.

2.2.3 All cycles used in the scheme shall be fully serviced at least once per month.

2.2.4 All maintenance checks, services and repairs shall be recorded and the records shall be kept for at least 2 years.

2.3 Reactive maintenance and reporting procedure

2.3.1 The Operator must provide easily visible contact details (email and phone number) on each cycle. The app must have prominent contact details with instructions for reporting faulty cycles and other issues such as abandoned or obstructive cycles.

2.3.2 The Operator must have a person available to deal with any reports regarding faulty or obstructively parked cycles at any time the bike sharing scheme is operating. The County Council must be supplied with a direct telephone number for the operations team and operations manager and must be informed of any changes to these numbers.

2.3.3 Upon receipt of a report of any fault that may render a cycle unsafe to use or unfit for purpose, the Operator must ensure that the cycle is immediately made unavailable for use and either repaired or removed within 24 hours.

2.4 Safety information for users

- 2.4.1 The Operator should provide prominent information to users on safe and considerate cycling prior to the use of any cycle. This information should include advice on local cycle training, riding assertively, not overtaking lorries on the left at junctions, obeying traffic signals, watching out for car doors opening, not cycling on the pavement and giving priority to pedestrians on shared paths.

3. **Avoidance of obstruction**

The Operator must ensure that cycles used in the scheme are not left in areas where they would be an obstacle or nuisance to members of the public, particularly pedestrians and wheelchair users. They must not be left in a location where they could obstruct an emergency access or prevent access to public facilities such as bins, post boxes etc.

- 3.1 The Operator must provide clear and prominent instructions to the users on how and where to park cycles to avoid any obstruction to the general public and include information on parking as set out in paragraph 4 below. These instructions must form part of the joining process and be visible whenever the app is used.
- 3.2 The Operator must design and operate the scheme so that users park in such a way that they do not restrict the accessibility of or cause an obstruction to the general public. The Operator shall use their best endeavours to influence user behaviour, including the application of a policy for penalising users who leave cycles in an obstructive location or in an unsafe manner and incentives for moving or reporting faulty or badly parked cycles.
- 3.3 The Operator must ensure that whenever the owner of private land reports a cycle as parked on that land without the owner's consent the operator will remove the cycle at the earliest possible opportunity.
- 3.4 Where a cycle is reported to be causing a nuisance it should be moved within 24 hours following a report.
- 3.5 If a cycle is reported causing an obstruction and has not been moved to a suitable location then designated officers from the County Council have the right to move the cycle to a more suitable place nearby. If this is not possible, and the Operator has failed to respond to removing the obstructive cycle within 24 hours following a report, a relevant authority officer will remove the cycle to the local depot where it will be stored until collected by the Operator. The Operator will be charged for the cost of this action. If the cycle is not collected within one week the Operator will be charged for the disposal of the cycle.

4. **Cycle parking**

There is a shortage of cycle parking, particularly in the city centre and so the Operator must work with public organisations such as Addenbrooke's Hospital and Cambridge University and private landowners, including the Universities, colleges

and business parks to agree as many off-highway cycle hubs as possible. The Operator must seek permission from the County Council before locating any cycle hubs on the public highway and from the City Council for any hubs within public open spaces.

- 4.1 Given that demand for cycle parking in the city centre already exceeds supply, particularly in the historic core area, the Operator will effectively redistribute their cycles to ensure that no more than 10% of the existing spaces in any row or area of racks are being taken up by bikeshare cycles.
- 4.2 Users should be encouraged to park near to existing cycle racks rather than on the rack itself if most of the racks are full.
- 4.3 Users should be told not to park cycles in Sidney Street between Market Square and Round Church Street and not to leave cycles on narrow footways in residential areas (with appropriate penalties if possible).
- 4.4 Users should be encouraged to use the Park Street Cycle Park.

5. Operations

The Operator is encouraged to use either pedal powered or electric vehicles when removing or redistributing their cycles.

6. Data

The opening up of data is encouraged and the County Council will work with operators on opportunities to make data available on the location and availability of cycles so that it can be integrated into journey planners, for example, to provide multi modal journeys. The Operator must provide quarterly utilization data and journey data as requested by the relevant authorities. The results of an annual survey of users (as required through the Bikeshare plus accreditation scheme) should also be provided.

7. Living Wage

The operator shall ensure that any staff employed in Cambridge in relation to the bike sharing scheme must be paid at least the Cambridge Living Wage.