



## **APPENDIX – HIRE E-BIKES FAIR USE CHARTER**

### **Why we need a Fair Use Charter**

The Council supports more people cycling and appreciates that Dockless Bicycles are a way to make cycling more accessible and to complement London's existing transport network. The convenience of e-bike users can never come at the expense of pedestrians, particularly older people, disabled people, parents with buggies and others who rely on clear and accessible pavements and who prefer to walk. Operators that benefit commercially from operating in Wandsworth must take responsibility for ensuring that their bikes do not create obstruction, nuisance or danger.

The Council will not tolerate the obstruction of pavements, highways or public spaces by hire e-bikes. Operators are expected to maintain the highest standards of deployment, management and enforcement. Where these standards are not achieved, the Council will intervene, recover its costs and take all available measures to protect the use, safety, and enjoyment of residents, visitors and businesses using the Borough's highways and footways.

Dockless Bicycle share schemes must work for everyone without impacting, or causing a danger to, other road users. The issue to date has not been so much that operators do not have codes of practice or agreements with Councils; the problem has been ensuring compliance with them. All providers are signed up to TfL's Code of Practice and are required to be accredited by Como Uk – see below.

<https://content.tfl.gov.uk/dockless-bike-share-code-of-practice.pdf>

<https://www.como.org.uk/shared-bikes/accreditation>

This Fair Use Charter will hold operators to account to do what they say they will do, or face consequences in terms of enforcement or even being asked to leave the borough.

Complaints would be expected to be resolved by the operator in accordance with agreed timescales, and users would be subject to escalating penalties – leading to exclusion. The Council will also have an enforcement resource enabling prompt removal of bikes causing a serious obstruction, including where and when operator action is not being seen to be effective.

## What operators will do

Operators will:

- keep pavements and roads clear of dangerously parked and excessive numbers of parked bikes
- agree a clear deployment plan with the Council and work constructively with other operators in the borough. Where issues arise, the Council will help coordinate a practical resolution
- maintain sufficient staffing and operational resources at all times to ensure compliance with this Charter
- make sure users can easily see the operating area and e-bike parking bays in the app
- show no-parking, no-go and go-slow zones clearly in the app, and prevent users from ending rides in no-parking zones
- encourage users to park in e-bike bays
- remove any bike that is causing danger or obstruction **within two hours** of being notified and to address other complaints within agreed timescales
- utilise and improve systems to eliminate poor parking and avoid excessive parking in the first place
- redistribute bikes to avoid excessive clustering, particularly at stations and other busy locations, and to maintain good availability across parking bays
- advertise the reporting system to ensure efficient and effective reporting of poor riding and parking
- prevent a build up of bikes at boundaries with no-go-zones and borough boundaries



- work with key local stakeholders to reduce obstruction, nuisance and problem parking, including on private and estate land
- demonstrate continuous improvement in parking compliance, complaint response times and user behaviour
- operate a clear and visible escalating penalty system for users who breach highway and traffic management rules, including cycling on pavements, non-observance of traffic signals and signage, and poor parking behaviour, this should include identifying and sanctioning repeat offenders through escalating penalties, suspensions and permanent bans from the platform where appropriate
- ensure persistent nuisance locations are proactively monitored rather than relying on complaints
- maintain CoMoUK accreditation and meet its standards
- promote the annual CoMoUK user survey
- join the Fleet Operator Recognition Scheme and make sure all employee drivers complete Safer Urban Driver training
- maintain Council access to live dashboard data so the Council can check performance in real time;
- provide access to Blue Systems Smart Mobility software, or an equivalent system used by the operator
- offer prices to users that are comparable with the best offers available elsewhere in London
- work with the Council to promote the scheme, safe e-bike use and cycling more generally, including through:
  - i. community events;
  - ii. local cycling groups;
  - iii. marketing and communications; and
  - iv. targeted promotions, including discounted or free rides.



- co-operate fully with Council enforcement activity and reimburse all reasonable costs incurred by the Council in addressing operator failures
- provide third party liability insurance for users

### **What the Council will do**

The Council will:

- hold operators rigorously accountable for compliance with this Charter and all relevant legal obligations
- publish monthly information concerning usage, complaints, penalties and fines
- forward complaints to operators on the day they are received or the next available day
- safeguard pedestrians by using its powers under the Highways Act to remove and impound e-bikes and e-scooters that block access on pavements and roads. This will include any that are:
  - Lying across the road, preventing other road users from passing safely;
  - Positioned on the pavement in a way that forces pedestrians to step into the road to pass
  - Likely to fall over, posing a risk of injury to pedestrians
  - Placed in the road in a manner that endangers drivers or pedestrians
- remove e-bikes where operators are not managing e-bikes in accordance with their obligations, including bikes parked in excessive numbers spilling into roads and onto pavements
- enforce any Council enforceable highway or traffic regulation, by-law, Public Space Protection Order or similar in so far as such matters relate to cycling
- maintain a cost recovery and enforcement regime designed to incentivise compliance and ensure that public funds are not used to subsidise operator failures.



- require operators to attend formal monthly performance meetings where operational performance, complaints, compliance data and enforcement action will be scrutinised and challenged
  - where an operator repeatedly fails to meet expected standards, the Council will seek to reduce fleet numbers, restrict operating areas, suspend permissions, decline agreement renewals or take any other lawful action available to protect the public interest, including cancelling agreements if necessary
- 

