Dockless Cycle Hire Scheme

Your borough may have recently seen the introduction of dockless cycles. While this may offer a convenient cycle hire option for resident and business users, especially where TfL’s Santander cycle hire is not present in the borough, we know that there are concerns about the lack of engagement by some operators with boroughs and the need to manage the location of cycles. This member briefing outlines what dockless cycling is; the work TfL, boroughs and London Councils are doing; and possible options for enforcement where dockless cycles cause a nuisance or highway obstruction.

Overview

Dockless cycling is a new concept in London and comes from Southeast Asia. In the UK, dockless cycling has been operating in Manchester for nearly a month. The concept is that a person uses an App to locate and hire a bicycle, unlocks the bike using a digital QR code, and then can end their journey wherever they wish (within the service’s designated geographical area, and somewhere accessible for others to use afterwards), manually locking the bike where they leave it. This is in contrast to the Santander cycle hire scheme that requires people to collect and return their bicycles from dedicated locations (‘docking points’).

Dockless cycle hire has the potential to provide a cheap and convenient way for people to cycle in London. Boroughs without TfL Santander Cycle Hire may view it as a way to bring privately-funded cycle hire to the borough. Boroughs have however expressed concerns about the lack of engagement by some dockless cycling operators thus far and impacts on street clutter, highways obstructions and bike parking.

Analysis

There are a number of operators in the dockless cycling market. Some of the operators who are most active in London include: oBike, Mobike and Ofo. They have different approaches to engagement with boroughs and some have engaged positively with boroughs, and have agreed dockless cycle schemes or pilots that should meet both operator and borough needs. Where operators have distributed bicycles on London’s streets with little notice, boroughs are looking for regulation and enforcement options to make sure dockless cycling is a high-quality offer for users, and contributes positively to the local environment and the local economy.
TfL and the Walking and Cycling Commissioner Will Norman held a meeting with boroughs on 18 July to discuss dockless cycling and working together to address concerns.

Some of the main concerns raised about the sudden appearance of dockless cycling by boroughs London Councils and TfL include:

- Street clutter and causing an obstruction to pedestrians, especially the blind and partially sighted.
- Pressure on bike parking spaces.
- High concentrations in certain areas, for example at stations.
- Parking or abandonment of cycles on private property;
- The potential for the high concentration of cycles to contribute to anti-social behaviour
- Road safety concerns, and concerns about the ongoing quality and safety of the bikes.

There currently isn’t a permitting scheme for dockless cycling. However, TfL has been discussing with boroughs and London Councils options for enforcement. Ideally a pan-London approach would be agreed in the medium term.

Enforcement options for control and removal may include:

- Highways Act 1980 (section 137 (1)) concerning wilful obstruction which with the London Local Authorities and TfL Act 2003 would enable a combination of removals and the issuing of fixed penalty notices.
- Local borough byelaws (and TfL byelaws for its roads).
- Public Space Protection Orders under the Anti-Social Behaviour and Policing Act 2014.
- Injunctions.
- Environmental Protection Act 1990 (section 33) if the bicycles could be regarded as waste.
- Street trading powers under the London Local Authorities Act 1990 (part 3).

**Commentary**

Encouraging more walking and cycling is at the heart of the Mayor’s draft Transport Strategy. Dockless cycling presents an opportunity for boroughs without Santander Cycle Hire to bring privately funded cycle hire to their area. The arrival of dockless cycling in London has however been rapid and with an inconsistent level of engagement with boroughs by dockless cycle operators.

Borough concerns are understandable and London Councils is working with TfL and boroughs to determine a code of practice for dockless cycling operators in London. This would set out some guiding principles for operators and local authorities. It was felt this should encompass:

- Safety for everyone (scheme users and other road and pavement users).
- Avoiding clutter and obstruction.
- A good customer experience and effective support (for example for faults, payment).
- Minimising the environmental impact of the bicycles.
- Reasonable costs to users, including deposits.
- Establishing the service in a borough after effective collaboration and engagement.
- Paying staff the London Living Wage and contributing to the local economy (for example repairs being undertaken by local cycle shops) could also be part of a code of practice.
Boroughs have also highlighted that they want to see early engagement; a willingness from operators to collaborate; bikes in areas where the borough wants, as well as where a profit for operators is more readily assured; and data sharing, to allow for future planning and investment and to identify take-up in the service and levels of cycling.

Dockless cycling is an example of new technology and private funding that could create real transport benefits for London. London Councils will continue working with boroughs and TfL to ensure that dockless cycling is a positive addition to London’s streets and the disbenefits are managed appropriately and proportionately by operators.

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