

**Title of meeting:** Traffic and Transportation Decision meeting

**Date of meeting:** 25 February 2021

**Subject:** Portsmouth E-Scooter Rental Trial Scheme

**Report by:** Tristan Samuels - Director of Regeneration

**Wards affected:** All

**Key decision:** No

**Full Council decision:** No

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**1. Purpose of report**

Following previous approval at the Traffic and Transportation Cabinet Meeting in September 2020 to develop an E-scooter Rental Trial scheme in Portsmouth; this report provides further information to enable progression to launch the scheme in March 2021.

**2. Recommendations**

It is recommended that the Cabinet Member for Traffic and Transportation:

- 2.1 Notes the progress that has been made with the E-Scooter Rental Trial project since September 2020;**
- 2.2 Approves Portsmouth City Council's participation in an E-Scooter Rental Trial to commence in March 2021 until 26<sup>th</sup> November 2021, to be achieved via the introduction of an Experimental Traffic Regulation Order (ETRO);**
- 2.3 Approves Portsmouth City Council entering into a Vehicle Special Order (VSO) Agreement with the Department for Transport (DfT) to authorise the use of E-Scooters in the project area with the express delegation to sign the VSO delegated to the City Solicitor.**

### 3. Background

#### Overview

- 3.1 As part of the government's response to COVID-19, and to support a 'green' restart of local travel to help mitigate reduced capacity on public transport, the Department for Transport (DfT) has fast-tracked and expanded trials of rental e-scooters. The DfT considers that e-scooters offer the potential for fast, clean and inexpensive travel which can help to ease the burden on transport networks and allow for social distancing.
- 3.2 The trials will be for up to 12 months and will enable essential insights for the DfT and councils as to how rental e-scooters contribute to the transport mix in urban centres. Following the trials it is anticipated that the DfT will assess whether these vehicles should be legalised in the UK as part of their Future Transport Regulatory Review.
- 3.3 During the trials e-scooters will be classified as motor vehicles, and the relevant motor vehicle insurance will be provided via the scheme operator. The vehicles will need to meet requirements for vehicle construction and approval set by the DfT.
- 3.4 The DfT is satisfied that minimum vehicle construction standards and other measures to be introduced to mitigate safety risk as part of the trials are sufficient to legalise e-scooters for use in trials across the UK.
- 3.5 Evidence from existing e-scooter schemes in other cities around the world have suggested that they have the potential to encourage modal shift from private motor vehicles. Rental e-scooters also provide a viable non-car alternative to public transport that meet social distancing guidelines, which are likely to remain important for the duration of the trial.
- 3.6 The DfT is only permitting the trialling of rental e-scooters. The use of privately owned e-scooters on the public highway will remain illegal throughout the trial period.
- 3.7 As of November 2020, 26 E-Scooter schemes had been launched across the UK. The DfT has also recently set a deadline for any new e-scooter trial schemes to launch by 31<sup>st</sup> March 2021, so it is expected that a number of other trials will launch in the coming weeks. Some Frequently Asked Questions (FAQs) relating to the trial have been included at Appendix A.

#### Background to Solent Transport's E-Scooter Proposal to the Department for Transport

- 3.8 In March 2020 Solent Transport was successfully awarded £28.8m of funding from the DfT's Future Transport Zones (FTZ) programme, to enable the

implementation of a programme of trials of innovative approaches to transport across the Solent area, from 2020/21 to 2023/24. This programme did not include rental e-scooter trials.

- 3.9 During Summer 2020 the DfT announced the possibility for FTZ Local Authorities to run e-scooter rental trial schemes as part of the transport restart response to the pandemic, on the basis that funding is reallocated from within the existing FTZ programme to facilitate such projects.
- 3.10 Following a review of areas of the Solent FTZ which may not be as effective due to the impacts of the COVID-19 pandemic, some schemes have been delayed by a year. Subsequently, Solent Transport undertook work with the DfT to enable the reallocation of circa £900k from areas of the FTZ programme with reduced need to provide a subsidised set of e-scooter schemes across the four Local Transport Authority areas in the Solent region.
- 3.11 On 31<sup>st</sup> July 2020, Solent Transport submitted a proposal to the DfT requesting permission to operate an e-scooter trial in the Solent area, with up to four sub-projects in Portsmouth, Winchester, Southampton, and on the Isle of Wight.
- 3.12 The Isle of Wight scheme was the first part of the Solent project to launch in November 2020 with the operator Beryl. The Isle of Wight launch has triggered the 12-month trial period for the Solent Region, and this is the reason why Portsmouth's trial is scheduled to run until 26<sup>th</sup> November 2021.
- 3.13 The situation with e-scooters beyond November 2021 will be determined by the DfT following feedback from the trials. The trial could end, an extension to the trial could be considered or legislation changes by the DfT may directly determine the future approach.
- 3.14 The Isle of Wight scheme launched with 25 e-scooters in Newport during the lockdown period in November / December 2020, since expanding the scheme to 76 e-scooters in Newport and Ryde. Due to lockdown, the scheme has been focusing on supporting NHS staff and emergency service workers with free / subsidised travel. By the end of January 2021 over 5000 journeys had been made with over 32,000km travelled.
- 3.15 Prior to approving the Portsmouth trial, the DfT required information relating to the proposed trial operator and certain scheme details. A comprehensive procurement process to identify an operator concluded in December 2020, with the company Voi appointed as the Portsmouth e-scooter trial scheme operator. Recommendation 2.3 of the report will enable the council and the DfT to enter into a Vehicle Special Order (VSO) Agreement to authorise the use of Voi e-scooters within Portsmouth during the period of the rental trial.

### **Aims of the Trial**

- 3.16 The main aim of the trial is to build robust evidence about the safety benefits, public perceptions and wider impacts of e-scooters in order to inform legal changes that may be necessary after the trial period ends.
- 3.17 Key areas which the Council and DfT, working with the scheme operator, will gather information on include:
- Safety outcomes for e-scooter users and what influences this;
  - Interaction with, and effect on, other road users;
  - Public perceptions of the e-scooters, including impacts for people with disabilities and related groups;
  - Nature of modal shift and new journeys that have been enabled;
  - Characteristics of users and how uptake and outcomes differ for different groups; and
  - Local Authority perception of effects on their transport system.
- 3.18 The scheme operator will collect quantitative and qualitative data regarding the effects of the scheme during the trial. Ongoing engagement with key stakeholder groups will also take place throughout the trial to understand perception and impacts. The information collected will contribute towards the DfT assessment review process. PCC will also undertake their own perception and behavioural change surveys, as set out in paragraph 6.7.

### **Policy Context**

- 3.19 The trial supports the ambitions of Portsmouth's emerging Transport Strategy 2020 - 2036, in particular draft policy 10 that supports the delivery of innovations in micro-mobility to promote travel choices and active travel options, along with the climate change agenda by proactively providing opportunities to promote sustainable transport.
- 3.20 The trial supports Draft Policy 9, by providing capacity for people to access and move within the city via a non-car mode, together with Draft Policy 1 as the scheme supports the delivery of cleaner air in the City.
- 3.21 The introduction of e-scooters to the region is also a key component of the FTZ programme. It will operate alongside and complement other future FTZ projects, including Bikeshare, and will integrate with the proposed Mobility as a Service (MaaS) platform, enabling integrated travel across a range of transport modes.

#### 4. **Appointment of an Operator for the Portsmouth Trial**

- 4.1 As stated in 3.15, PCC has appointed the company Voi as its operator for the e-scooter rental trial project that is expected to run from March 2021 to November 2021.
- 4.2 Detailed information in relation to Voi and the proposed operating model for Portsmouth, is included in Appendix B, with key operational information summarised below:

##### E-Scooter vehicle

- 4.3 The e-Scooter vehicle that will be used for the Portsmouth trials offers a number of technological advances, including:
- A 60 mile range and 5 year lifespan;
  - A maximum speed of 15.5 miles per hour with ability to restrict speed in specified zones;
  - Swappable battery technology to enable batteries to be changed 'in the field' by Voi operatives;
  - Unique vehicle ID plate and identifiable colouring/ branding that is being developed for launch;
  - Lights and reflectors;
  - 10-inch pneumatic tyres;
  - Tamper-proof bell; and
  - Turning indicators (to be included in latest e-scooter model set for launch in Spring 2021),

##### Technology

- 4.4 The geo-fencing technology that is fundamental to the operational model will enable the Council to work with the operator to determine where the e-scooters can go in the city - the defined operating area. In basic terms, when the e-scooter vehicle leaves the defined operating area it will gradually slow and come to a halt, requiring the user to walk the scooter back into the operating area for it to start again.
- 4.5 The geofencing technology also enables the introduction of 'slow-speed zones', typically used in busier areas or areas that may be subject to conflicting movements. This will limit the e-scooter speed in these areas to the equivalent of a fast walking pace. An example of a proposed slow-speed zone is Guildhall Square. A number of 'slow-speed zones' will be included as part of the development of the trial and more can be added if required following scheme launch.

##### Parking

- 4.6 The scheme in Portsmouth will be a fully docked scheme with parking racks and

geo-fenced Mandatory Parking Zones. E-scooter users will be expected to leave the e-scooter in a parking rack at the end of their ride, with the geofencing technology ensuring that rides can only be finished within the defined Mandatory Parking Zone. Any users attempting to end their journey outside a Mandatory Parking Zone will be subject to a £25 fine. In other cities in the UK such an approach has generally led to high levels of parking compliance. For example, in the Isle of Wight, the use of Mandatory Parking Zones (without parking racks) has resulted in 95% of journeys being ended within such zones during the first two months of operation.

- 4.7 Portsmouth will be one of the first Local Authorities in the UK to integrate physical parking racks as part of the scheme. Voi has worked collaboratively with the Royal National Institute for the Blind (RNIB) to develop the design of the parking racks, as shown and referenced in Appendix 2.

#### Safety, Education & Compliance

- 4.8 Voi will provide fully comprehensive motor vehicle insurance for e-scooter riders. In addition, there are a number of measures that Voi will employ in relation to Driver Education, Compliance and Health & Safety, detailed in Appendix 2.

- 4.9 Key examples include:

- the launch of the first e-scooter traffic school, training over 500,000 users to date;
- a fully integrated driver licence screening process;
- the provision of free helmets and incentives for helmet use;
- awareness campaigns and ongoing community engagement; and
- stringent sanitary measures for Covid-19.

#### Enforcement

- 4.10 Voi employs a range of tools to tackle anti-social behaviour and misuse of e-scooters. In addition to the use of technology and education referenced above and described in detail in Appendix 2, the following approaches will also be undertaken:

- Collaboration with the Police - meetings between PCC, Hampshire Police and Voi have commenced as part of the development of the trial and will continue during the trial to ensure that any issues are identified and collaboratively addressed;
- Reporting Misuse - All Voi e-scooters are distinctive and carry a unique registration plate. Anyone can report a wrongly parked e-scooter or bad driver behaviour to Voi via a 24/7 freephone number or online. As stated, in 4.6, users will also receive a £25 fine for ending a journey outside of a Mandatory Parking Zone;
- Ambassador Programme - a team of field operatives are on site to address any problems with abandoned / incorrectly parked e-scooters.

## **5. Original E-Scooter Scheme Proposals (August 2020)**

- 5.1 The council's original objective for the rental e-scooter scheme, developed in Summer 2020, was to focus on the promotion of e-scooters as a sustainable mode of travel for all communities in Portsmouth. This was seen to be particularly important whilst access to public transport was expected to remain constrained due to the pandemic. For example, the launch scheme originally included proposals for e-scooters at Portsmouth Park & Ride to enable e-scooter journeys to be made to / from key destinations in the town centre as a viable alternative to using the bus. In addition, there was also a focus on the role of e-scooters for leisure and recreational use, taking advantage of a Spring launch date.
- 5.2 Due to the changing situation with the pandemic over Christmas and an extended third period of lockdown, it has been necessary for the council, Solent Transport and Voi to reconsider the original proposals for the trial, particularly during the early months of implementation whilst restrictions remain in place.

## **Updated Proposals (March 2021)**

- 5.3 Given the ongoing focus on avoiding unnecessary travel, the early stages of the e-scooter trial have been adjusted to focus on assisting key worker travel, with a particular focus on NHS staff and emergency service worker travel. A major benefit for NHS staff and emergency service workers is that during full lockdown such workers that use an e-scooters will be able to travel completely free of charge and once full lockdown is lifted there will be a 75% discount.
- 5.4 PCC and Voi have been working constructively with Queen Alexandra (QA) Hospital who have shared some high-level anonymised data on journey to work patterns amongst staff to enable PCC and Voi to develop a launch scheme that will best serve staff for their journey to and from the hospital. QA also plan to incorporate e-scooter parking at the hospital and promote the scheme amongst staff (subject to their own approval process).
- 5.5 PCC officers have also followed a similar process with Solent NHS Trust who manage St Mary's and St James's hospital sites and plan to integrate e-scooter parking at these locations, whilst working with the Trust to promote the scheme to staff.
- 5.6 The e-scooter parking hubs at the hospital will also be available to the general public, and will provide an additional transport option for those travelling for vaccinations over coming months.
- 5.7 The work with the hospitals, particularly in relation to the journey to work data, has resulted in an e-scooter operational area that will cover a large part of the city from the outset, as can be seen on in Appendix 2. This is to ensure that the e-scooter scheme can meaningfully service the staff hospital catchment.



- 5.8 Within the operational area there will be approximately 25 e-scooter parking locations during the launch phase, as shown on in Appendix 2. The e-scooter launch will involve the deployment of between 75 - 100 e-scooters and will be progressively scaled up or down based on demand. The e-scooter parking locations will also be progressively increased during the launch phase.
- 5.9 It should be noted that the e-scooters will be available for hire by the wider public from launch, but the marketing and communications campaign will be focused on NHS staff, emergency service workers and those who need to undertake essential journeys whilst restrictions on movement remain in place.
- 5.10 The e-scooters used in the trial will typically be allowed to use the same road space and routes as bicycles. However, as stated, the geo-fencing technology will limit e-scooter movements to the defined operating area for the trial. In addition, within the operating area it will also be possible to define 'go slow' areas where the e-scooters will be physically restricted to lower speeds and 'no-go zones' where e-scooters will not be permitted and will turn off upon entry to the area. It is important to note that this will be a dynamic system and additional 'go-slow' and 'no-go' zones can be added to the scheme by Voi within a matters of hours. Ongoing dialogue between PCC, the Police, Voi and other stakeholders will be key to determining any further areas that need to be included as 'go-slow' and 'no-go' zones, particularly in the early stages of the trial.

## 6. **Stakeholder Engagement**

- 6.1 Solent Transport is leading on strategic stakeholder engagement with key stakeholders at a regional level. To this end, they have established a Strategic Stakeholder Forum with the first meeting taking place in November 2020. The Strategic Stakeholder Forum includes representatives from local transport operators, disability groups and further meetings are expected to take place throughout the duration of the trial.
- 6.2 At a local level, early informal engagement with stakeholders took place in autumn 2020. This has since been followed by more focused engagement in January / February 2021 following the appointment of the scheme operator.
- 6.3 During January and February 2021 PCC and Voi have had virtual meetings with representatives from the following organisations to discuss the details of the scheme and understand any specific concerns:
- Hampshire Constabulary
  - Portsmouth Hospitals NHS Trust
  - Solent Hospitals NHS Trust
  - Gosport Ferry
  - FirstGroup



- Stagecoach South
- University of Portsmouth
- Portsmouth Cycle Forum
- Portsmouth Friends of the Earth
- Cycling UK
- Sustrans
- Portsmouth International Port
- Hampshire Fire & Rescue Service
- Taxi Trade Representatives

6.4 In addition, meetings were held with Wightlink and South Western Railways in Autumn 2020.

6.5 Due to the current constraints on face-to-face meetings due to the pandemic, and the impracticable nature of online meetings for some stakeholder groups, the following engagement has also taken place through ongoing dialogue. This includes:

- Visually Impaired Action Group (VIAG) - ongoing dialogue with the PCC officer lead for the group who has discussed the detail of the scheme with VIAG representatives and shared comments and questions back to the project team. Ongoing dialogue to continue throughout the trial.
- Portsmouth Disability Forum - Discussions have taken place via the Chair of the Portsmouth Disability Forum who has liaised with the group regarding the details of the project and is in the process of feeding back comments and questions to the project team. Ongoing dialogue to continue during the trial.
- MAKE (Aldingbourne Trust) - MAKE supports individuals with learning disabilities. Information regarding the scheme has been shared with the group and questions / comments are being fed back via their Facebook page.

6.6 Details of the scheme have also been shared with Hovertravel, Portsmouth Ramblers, Walking Friends Portsmouth, British Cycling, Portsmouth North End Cycling Club, Her Majesty's Naval Base, BAE Systems, Independent Trade Representatives, Gunwharf Quays, Portsmouth Historic Dockyard and Lucketts.

6.7 In terms of wider engagement with residents within the City, the Council will be undertaking public perception surveys to measure attitudes to e-scooters before and after the trial and assess the impact of behaviour change as a result of the trial.

## 7. **Marketing & Communications**

7.1 The scheme will have a soft launch and only be promoted for wider commuter and leisure use when lockdown restrictions enable this.

PCC is working with Solent Transport and Voi to deliver a clear and targeted marketing and communications plan aimed towards relevant audiences specific to Portsmouth. As stated, the initial focus of the scheme will be to support NHS staff and key worker journeys and the project team is engaged with QA, St Mary's and St James's to promote the scheme to staff.

- 7.2 Key messaging will work consistently across the Portsmouth region to reassure users about the main benefits of the e-scooter trial from the outset - safety, reliability, cleanliness, ease of use and accessibility
- 7.3 Strong and clear communications will be given on the legal status of private scooters and how this rental scheme will be the only way that an e-scooter can be legally ridden on Portsmouth roads. Engagement with the Police will be key, with the Hampshire Constabulary launching a campaign in the run up to Christmas setting out the rules around private e-scooter use and explaining some of the risks and consequences of using them in a public place. The project team is working collaboratively with the force regarding the trial and the nature of the engagement moving forward.
- 7.4 The marketing and communications campaign will operate at both a regional Solent-wide level and at a local level for Portsmouth's scheme. As a general principle we will have an overall approach that is flexible and responds to monitoring information about the schemes in terms of user attitudes, experience and uptake.
- 7.5 The communications and marketing campaign is at an advanced stage and is ready to launch, subject to approval of the scheme.

## **8. Reasons for recommendations**

- 8.1 An Experimental Traffic Regulation Order (ETRO) is required to enable Portsmouth City Council to participate in an e-scooter trial, facilitated by the DfT. Participating in the e-scooter trial will enable Portsmouth to offer free / subsidised travel for NHS staff / emergency service workers over coming months and the e-scooter parking hub locations have been designed to specifically assist with this essential travel to work. Rental e-scooters at the hospitals will also be available to the general public. With restrictions expected to ease over coming months the focus will then turn to the promotion of a sustainable mode of travel for communities in Portsmouth, whilst access to public transport capacity remains constrained due to the pandemic.
- 8.2 Entering into a Vehicle Special Order (VSO) Agreement with the DfT is a specific project requirement to authorise the use of e-scooters in the trial area.
- 8.3 The trial will enable e-scooters to be introduced in a controlled and safe manner, from which we can provide evidence as to their suitability as a transport mode in

Portsmouth. This evidence will feed into the evaluation process being conducted by the DfT who will consider whether to legalise e-scooters in the future.

- 8.4 The trial supports the ambitions of Portsmouth's emerging Transport Strategy 2020 - 2023, in particular draft Policy 10 that supports the delivery of innovations in micro-mobility to promote travel choices and active travel options, along with the climate change agenda by proactively providing opportunities to promote sustainable transport.

## **9. Integrated impact assessment**

- 9.1 An Integrated Impact Assessment (IIA) has been carried out which has identified the need for a full Equalities Impact Assessment (EIA).
- 9.2 A range of stakeholders have been engaged as part of the development of the scheme, as set out at 6.1 - 6.6 and it is the intention to continue this engagement throughout the trial, particularly with the Police and Mobility Groups. The Equalities Impact Assessment will remain a 'live' document for the duration of the trial and the current version of it is included at Appendix C.

## **10. Legal implications**

- 10.1 The VSO, once signed, will authorise the use of such e-scooters as are approved under the VSO on all roads, including cycle lanes, within the city boundaries. If it is deemed necessary to restrict their use on specific roads or specific types of road this will have to be dealt with by a traffic regulation order (TRO).
- 10.2 It is intended to prohibit the use of e-scooters on roads with a speed limit of above 40mph for safety reasons.
- 10.3 The existing TROs in respect of bus lanes and Guildhall Square will have to be amended to permit the use of e-scooters as this would still be prohibited notwithstanding the making of the VSO.
- 10.4 Cycle tracks forming part of the highway will have to be converted into cycle lanes as the e-scooters are classified as motor vehicles and, as such, are prohibited from using cycle tracks.
- 10.5 As it is only intended to be a trial at this stage, it is proposed to seek an experimental traffic regulation order (ETRO). ETROs can last for up to 18 months and can be made permanent should the trial prove to be successful.
- 10.6 Although there is no obligation to consult with the general public before introducing an ETRO, statutory notice must be given if it is intended to make the order permanent and any person may object to the making the order permanent

within a period of six months from the date of such notice and any such objection should be taken into account when determining whether or not to make the order permanent when the ETRO expires.

- 10.7 The trial is intended to be in place for 10 months until the end of November 2021. The Direction of Regeneration has the authority to modify or suspend the Order, or any provision of it if it appears to him essential:
- (a) In the interests of the expeditious, convenient and safe movement of traffic;
  - (b) In the interests of providing suitable and adequate on-street parking facilities; or
  - (c) For preserving or improving the amenities of the area through which any road affected by the Order runs.
- 10.8 If it is proposed to place docking stations on the highway opposite private business or residential premises, the owners/occupiers of such premises should be made aware of the proposals and invited to contact the Council if they have any concerns. Under the Highways Act 1980 it is necessary to obtain consent of any person having an interest in the proposals before doing so. Notice must be given of the proposal to install the docks and the public given a period of at least 28 days to comment on the proposals. If a valid objection is received during this period any dock already installed should be removed immediately and steps taken to secure consent before reinstating the docking station.

## 11. Finance comments

- 11.1 Project costs associated with the development and running of the E-Scooter rental trial project will be met by Solent Transport, in accordance with the funding allocated to the trial as part of the FTZ programme. Solent Transport also fund a dedicated FTZ Project Manager dedicated to Portsmouth who is coordinating the implementation of the scheme.

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Signed by:

**Appendices:**

Appendix A	Frequently asked Questions
Appendix B	Voi Scheme Details
Appendix C	Integrated Impact Assessment / Equalities Impact Assessment

**Background list of documents: Section 100D of the Local Government Act 1972**

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

<b>Title of document</b>	<b>Location</b>
Transport Recovery Plan	<a href="https://democracy.portsmouth.gov.uk/ieDecisionDetails.aspx?AllId=13236">https://democracy.portsmouth.gov.uk/ieDecisionDetails.aspx?AllId=13236</a>
Government guidance on e-scooter trials	<a href="https://www.gov.uk/guidance/e-scooter-trials-guidance-for-users">https://www.gov.uk/guidance/e-scooter-trials-guidance-for-users</a>
Solent Transport Joint Committee papers	<a href="https://democracy.portsmouth.gov.uk/documents/g4512/Public%20reports%20pack%2029th-Jun-2020%2011.00%20Solent%20Transport%20Joint%20Committee.pdf?T=10">https://democracy.portsmouth.gov.uk/documents/g4512/Public%20reports%20pack%2029th-Jun-2020%2011.00%20Solent%20Transport%20Joint%20Committee.pdf?T=10</a>
Portsmouth City Council e-scooter webpage	<a href="https://www.portsmouth.gov.uk/ext/parking-travel-and-roads/travel/e-scooters">https://www.portsmouth.gov.uk/ext/parking-travel-and-roads/travel/e-scooters</a>
Electric Scooter Trials & Traffic Signs (Coronavirus) Regulations & General Directions 2020	<a href="https://www.legislation.gov.uk/uksi/2020/1111/made">The Electric Scooter Trials and Traffic Signs (Coronavirus) Regulations and General Directions 2020 (legislation.gov.uk)</a>
Portsmouth E-Scooter Rental Trial Scheme Traffic & Transportation Committee Report (September 2020)	<a href="https://democracy.portsmouth.gov.uk/documents/s28007/Portsmouth Rental E-scooter Trial.pdf">https://democracy.portsmouth.gov.uk/documents/s28007/Portsmouth Rental E-scooter Trial.pdf</a>

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by ..... on .....

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Signed by: