

## Traffic Management Order Proposed Changes

<b>Proposal Reference Number</b>	Updating Various On-street Parent Order Provisions
<b>Ward</b>	All wards
<b>Street</b>	Boroughwide
<b>Title of Proposal</b>	Updating Various On-street Parent Order Provisions
<b>Proposed new restriction</b>	<p>(a) update provisions in the free parking places, loading bays and waiting, loading and stopping restrictions parent Order and the charged-for parking places parent Order relating to certain types of parking places and to restricted zones; and</p> <p>(b) amend Schedule details in the parent Orders referred to in sub-paragraph (a) above, to provide additional clarity in location descriptions and remove references to roads that are not within the Borough.</p> <p>[Note: The changes referred to in sub-paragraphs (a) and (b) above are clerical changes that would have no effect on on-street provisions].</p>
<b>Lead Officer</b>	Neil Simpson 020 7361 3628 escooters@rbkc.gov.uk
<b>Closing date for statutory consultation for proposal</b>	4 May 2022
<b>Number of objections received</b>	Two objections
<b>Reasons for objections</b>	<p>During statutory consultation, we received two objections to the proposals. The text of these objections can be found in Appendix 1 and 2 respectively and relate to e-scooters and/or the e-scooter trial more broadly, rather than to the proposed clerical changes.</p> <p><u>Objection 1 – Brewery Logistic Group</u></p> <p><u>Objection 2 – John Lewis Partnership</u></p>

	<p>The Brewery Logistic Group originally set out objections to the scheme before it launched and then sent a follow-up response once the trial was running (which John Lewis Partnership also sent in). Many of the comments relate to e-scooters in general rather than to the hire scheme, and do not reference the administrative changes the council is proposing under this order.</p>
<p><b>Council's response to objections</b></p>	<p>Some of the proposed article changes we consulted on relate to the e-scooter articles in our traffic orders which were introduced under an experimental traffic order.</p> <p>Neither of the objections relate specifically to the administrative changes to our traffic orders. However, we set out below the Council response to the specific points made by the objectors against the e-scooter trial,</p> <p>A decision has not yet been taken on the DfT trial (as that is still on-going) but due to the temporary nature of experimental order, the Council needs to make a decision on the objections in relation to the experimental traffic order articles before the trial comes to an end. The Council wishes to participate in the trial until its conclusion. The objections received relate largely to the concept and usage of e-scooters and whilst the merits of those objections could be considered for the DfT trial as a whole, officers find no reason that the issues raised should prevent the proposals of this traffic order proceeding. Officers therefore recommend that the article changes are made permanent to enable this to happen.</p> <p><b><u>Safety</u></b></p> <p>Maintaining the safety of all members of the public remains at the core of the e-Scooter trial. The e-Scooters participating in the trial are required to meet both strict DfT safety standards and contractual specifications.</p> <p>Within the contracts awarded by TfL for the London trial there are clear guidelines on vehicle maintenance and cleaning regimes, including a requirement to keep detailed records of inspections. The speed limit of trial e-scooters is capped at 12.5mph, this is below the DfT permitted top speed of 15mph, this is a measure intended to improve safety for both users and the general public. E-scooters will automatically reduce</p>

speed to 8mph in 'go slow' areas. The trial e-scooters also come to a safe stop in 'no-go' zones, Go slow and no go zones are managed by GPS tracking of the e-scooters. The trial e-scooters are maintained to a high level, as set out in the trial contracts, and have large wheels to help navigate imperfections in road surfaces more easily. Lights at the front and rear of the vehicles are always on throughout any rental

Riders must be 18 or over and have a full or provisional driving licence to rent an e-scooter. All first time riders must complete mandatory training, delivered through the supplier Apps, on how to ride safely in London.

### **Use of e-scooters on the highway**

E-Scooters participating in the trial may legally use the public highway, including cycle tracks. Pedal and e-cycles are similarly quiet and as with these vehicles, any person making a delivery that requires them to cross a cycleway or track, must take care to ensure the way is clear before proceeding.

Assessing mode shift to e-Scooters will be a key outcome of the DfT trial however, no evidence on this has yet been published. Rider and pedestrian safety is also being closely monitored: no final conclusions have yet been published

The London trial has exceeded one million e-Scooter journeys, however we have seen no evidence of increased congestion caused by the trial. E-scooters, like cycles, require very little carriageway space, being able to share a typical traffic lane safely to the left of most vehicles (when not assuming primary position for safety reasons at pinch points).

Whilst Councils continue to promote the use of walking and cycling, e-scooters have a role to play in London's transport system. Whilst not 'active travel' in the way walking or pedal cycling is, e-scooters do reduce emissions and congestion if used in place of a single-occupancy car.

The objectors recount collision statistics attributed to Metropolitan Police data for the first six months of 2021. Since the e-scooter trial began in the second week of June 2021 these relate almost entirely to privately owned e-scooters which remain illegal for use on the public highway. TfL has reported on 16 serious injuries associated with the first 12 months of the trial, none of them have occurred in RBKC. The

	<p>e-scooter trial is seeking to provide a safer and better managed alternative to private use. The fact that a minority of e-scooter riders chose to break the law by purchasing and using illegal vehicles, is not a reason to remove e-scooter parking intended for legally permitted vehicles – in the same way we don't restrict the use of cars because a small number of drivers choose to drive uninsured.</p> <p>Existing legislation makes riding a privately owned e-scooter on public roads illegal and spells out the penalties. For example, if found driving a motor vehicle (such as an e-scooter) with no insurance riders are liable for a fixed penalty of £300 and six points on their driving licence. Driving vehicles on pavements is generally an offence - this applies at all times to all types of e-scooters and powered transporters. The enforcement of these restrictions lies with the Metropolitan Police, who have been taking a proactive approach in applying them.</p> <p>The policy relating to e-scooters used abroad is a matter for those countries involved and outside the scope of either the DfT trial or this traffic order.</p> <p><b><u>People with visual impairments</u></b></p> <p>The e-scooter suppliers participating in the trial are developing an audible warning system which is designed to improve the safety of visually impaired pedestrians. TfL and RBKC has worked closely with mobility groups to make improvements and keep people with disabilities informed.</p>
<p><b>Decision</b></p>	<p>Officers recommend that the proposal to:</p> <p>(a) update provisions in the free parking places, loading bays and waiting, loading and stopping restrictions parent Order and the charged-for parking places parent Order relating to certain types of parking places and to restricted zones; and</p> <p>(b) amend Schedule details in the parent Orders referred to in sub-paragraph (a) above, to provide additional clarity in</p>

	location descriptions and remove references to roads that are not within the Borough.  proceed as originally advertised.
<b>Date of decision</b>	14 June 2022

## APPENDIX 1

### OBJECTION 1 – BREWERY LOGISTIC GROUP

#### *DISTRIBUTION BACKGROUND* *Discussion Paper*

London requires 400, 000 tonnes of goods daily to resupply the Capital, and a considerable amount of this is kerbside deliveries from a complete range of household items to all types of food and drink.

BLG members pre COVID undertook approx. 1000 trips a day in central London This operation is carried out 24/7 to supply the convenience services and shopping that is now expected of a city like London.

The safety of pedestrians and delivery crews is of the utmost importance to any change of road structure, vehicle type etc. The BLG has over the years consolidated loads to not only carry beer ,but also minerals, spirits, crisps and other items of snacks, but also to clear pubs of empty containers and waste, all of which has had the positive effect on reducing vehicles to cover this wide range of activity, which in many ways is being undone by changes at the kerbside which are having the opposite effect of reducing vehicle movements, recent changes in the name of COVID has seem considerable increases to both congestion and kerbside dwell times, which will result in lost productivity.

What is paramount for the John Lewis Partnership is the safety of the public, vulnerable road users and the Partners that carry out the deliveries within the Capital as food, drink and domestic items including white goods are daily carried to both shops and home/work addresses.

A large number of these deliveries are done using the kerbside where home and white goods are taken to a location, or food deliveries to a store are unloaded from a “Tail Lift” using cages or special milk “dollies”

This is now being reversed and more vehicles are needed as the restrictions being introduced to cover cyclist and pedestrians and now you want us to handle another form of transport, the E scooter which has no benefit whatsoever to the flow of pedestrians across London on a daily basis.

With extremely strict HSAW regulations in force and all delivery points being risk assessed and documented. before deliveries can be made, and the need for the dray vehicle to park adjacent to the delivery point to ensure the minimum activity on the pavement BLG members cannot cope with another form of transport in the form of E scooters

The current legislation – no E scooters on public roads and pavements should not be changed, it is essential that the operation of any new vehicle is fully tested and understood before being allowed to use the infrastructure.

E scooters must not be allowed to use cycleways when deliveries are being made across the cycleway, the scooters are silent and fast moving and will inevitably cause issues for delivery.

There is no real benefit for using E scooters if the alternative to E scooters is walking, cycling and the use of public transport, indeed councils have long used these activities as their healthy alternative to the car, it goes against their aims in promoting this form of transport, i.e. get out of a motor vehicle onto a powered vehicle !!

There will be no congestion or sustainability benefits at all, only a negative impact to other road users.

It is important to remember that an E scooter is still a Powered machine and as such will require more attention than a scooter that is manually propelled or a standard bicycle for example.

### **E SCOOTERS MACHINES**

Maintenance must be set, and realistic safety/servicing schedules set and adhered to before any launch is considered, these must be set by DfT based on number of hours used between these services.

It must be remembered that cycle lanes can increase delivery times by up to 40% with the introduction of cargo bikes and now E scooters this will only increase to a minimum of 50% with the resultant increase in congestion and pollution

Whilst the speed limit on E scooters is to be set at 15.5 mph it must be remembered that , with a little tweaking this can be increased to 30 mph which is most dangerous to pedestrians and penalties for this must in situ before the launch and must be severe enough to distract this from happening.

If these permitted speeds are exceeded either through tampering or not, does this mean that fixed penalty notices will be issued to the offenders?

Small wheels are very vulnerable to undulating and poorly maintained road surfaces which are abundant in London.

Pavements are a safe sanctuary for pedestrians and E scooters are not compatible with this (the silent killer) in any shape or size

The freight industry has grave concerns on the safety of delivery crews and pedestrians if E scooters are introduced into London

They do not welcome another addition to the current practice contained within their way of working as set out within risk and transport technical safety assessments.

It must be compulsory for E scooter machines to be identifiable i.e. clearly visible registrations, riders also be associated with a vehicle if they are riding it for one day or one hundred days.

### **E SCOOTERS RIDERS**

E scooter riders must be regulated making riders responsible for their actions, fully understanding the Highway code. The existing DVSA Theory Test should be a starting point

No formal training is apparent so how does a new rider know how to handle the brakes, accelerator etc These are part toy and part transport therefore all major components, brakes, steering , tyres etc must be serviced on a regular basis

It is mandatory for mechanically propelled vehicles to be fitted with warning instruments and lights for use at night time, the same must apply to E scooters

Identification of the driver? fitted no plate

Must be mandatory for riders to be covered by motor insurance and a tax level for this type of vehicle

Grave concern over compliance with road rules

Safety helmets are essential if riders are to be protected from serious injury, and should be compulsory as with motor cyclist

Hi vis jackets should be advisable but not compulsory

Higher age restriction needed for these vehicles

Decision makers must not be taken in by the” sales pitch” of both electric scooter manufactures and hiring companies, there is no doubt that scooters have both a time and place: at the present this is certainly not on the Capitals streets until a number of questions have been fully investigated and beyond any doubt answered satisfactorily with the correct protocols put into place and with all other modes of vehicle operation in London inclusion into sharing the road space available.

### **E SCOOTERS ABROAD**

A number of foreign countries have concerns about E scooter usage, safety and are issuing fines or bans on drivers for riding on public pavements and even jail sentences are being considered, how are you intending to monitor and control these activities?

The discarding of E scooters indiscriminately has caused major problems in cities around Europe and is a known issued wherever they are introduced

Paris is very interesting in terms of pedestrians feeling a new unease when walking around the city, surely this doesn't bode any good from introducing E scooters into London when we are trying to increase walking as a healthy option for movement around London

The findings of foreign countries in the use of E scooters is very important to the development of E scooter usage in London and should be fully reviewed before implementation

### **PROPOSALS FOR LONDON LAUNCH**

11 boroughs out of 33 to take part in the trial leaving big gaps of “no activity” across the Capital and many questions unanswered:-

- > How do riders know when they are in an appropriate borough in the scheme
- > What do they do with their E scooter when reaching their desired point on their journey in a non-active borough – and if discarded inappropriately can the rider be stopped from using this form of vehicle again?
- > 3 E Scooter operators have been selected by Khan, Lime, Tier and Dott are they all singing from the same song sheet ?



## RECOMENDATIONS

- > Trial in cycle lanes only and on private land
- > Cyclists to be encouraged to use cycle lanes and not the roads in London – they should only be allowed on the road network, if it is dangerous for them to use cycle lanes
- > What is a ride “through” borough of which there appears to be 3- Newham, Tower Hamlets and Brent
- > Illegal use of E scooters must be jumped on and the appropriate punishment issued with no form of appeal (fines, penalty points on licence)

## E SCOOTER UPDATE FROM BLG

The BLG discussion paper produced last year is still valid but it should be noted that the BLG is very concerned that their telematic systems are highlighting that daily deliveries have dropped from 10 per day to 8 per day, a drop of 20% and our average speed in Central London is now 4.8 mph down from 7.8 mph pre covid and inside the north/south circulars is only 5.8 mph. This down turn in traveling times is causing the need to increase delivery charges in London and is being driven by more congestion on London roads due to the introduction of a third layer of slow moving traffic joining cycling and walking blocking roads and kerbspace

This situation of less calls per day = more vehicles to cover the same volume of calls = **more congestion** which in turn leads to **more emissions and more pollution**, The cost of delivering is now at its highest cost that it has ever been, no operator wants to use extra vehicles to deliver the same volume, this cost in part will be passed onto the pub who will in turn pass it on to the London public

What has a serious influence on the future of e scooters is when the safety statistics are analysed over the last 3 years

- > e scooter crashes in London

There were 258 collisions in London in the first 6 months of last year (2021) according to the Met Police data a 2800% rise on the whole of 2018

In all of 2018 there were just 9 crashes which rose to 38 in the whole of 2019 before reaching 266 in the whole of 2020

The DfT has revealed that 13 of the 57 people injured over the last year were left in a “serious” condition

22 people in other vehicles and 21 cyclists were also involved in collisions with e scooters

The majority of those who were injured were recorded as being aged at least 40 while 9 were 70 and above and 8 children aged under 10 were also injured

The figures also showed that 1 e scooter user was killed with a further 383 also injured last year

- > seized e scooters

Some 3637 e scooters were seized by the Met Police between January and November 2021, highlighting the total lack of understanding by Londoners of what is and isn't legal and the total abuse of the desire to operate within safety parameters

> fire hazards

Fire fighters have tackled more than 50 fires involving e scooters and e bikes in London this year

One with the most serious implications is the one that burst into flames last month at Parsons Green tube station, if this had been traveling between stations no one knows what could have happened

SUMMARY

The above breakdown of safety must be fully understood when consultations take place, and not just glossed over because it is not what is wanted to be heard

Also it must be confirmed that all aspects of safety appertaining to e scooters is acknowledged and fully taken into account when finalising this subject

The above detail confirms that e scooters are a silent killer which is not wanted on the streets of London , this is borne out by the Guide Dogs charity for the visually impaired who recently commissioned a crash test that found an accident at 15 mph could cause fatal head injuries, the charity has complained that visually impaired people are vulnerable because e scooters are silent and fast, raising the probability of collisions

## OBJECTION 1 – JOHN LEWIS PARTNERSHIP

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