


## REPORT TO CABINET

18 November 2020

<b>Subject:</b>	<b>West Bromwich E-Scooter Trial Zone</b>
<b>Presenting Cabinet Member:</b>	<b>Cabinet Member for Sustainable Transport Cllr. Jackie Taylor</b>
<b>Director:</b>	<b>Interim Director of Regeneration and Growth Tammy Stokes</b>
<b>Contribution towards Vision 2030:</b>	
<b>Key Decision:</b>	Yes
<b>Cabinet Member Approval and Date:</b>	Yes
<b>Director Approval:</b>	Yes
<b>Reason for Urgency:</b>	Does not apply
<b>Exempt Information Ref:</b>	Does not apply
<b>Ward Councillor (s) Consulted (if applicable):</b>	Cllr. Bawa Singh Dhallu (West Bromwich Central) Cllr. Laura Rollins (West Bromwich Central) Cllr. Mohinder Singh Tagger (West Bromwich Central) Cllr. John Edwards (Greets Green and Lyng) Cllr. Iqbal Singh Padda (Greets Green and Lyng) Cllr. Jackie Taylor (Greets Green and Lyng) Cllr. Zahoor Ahmed (St. Paul's) Cllr. Samiya Akhter (St. Paul's) Cllr. Babu Singh Bawa (St. Paul's)
<b>Scrutiny Consultation Considered?</b>	Scrutiny has not been consulted
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## DECISION RECOMMENDATIONS

### That Cabinet:

1. Approves Sandwell Metropolitan Borough Council's (SMBC) participation in the Transport for West Midlands E-Scooter trial;
2. Endorses the proposed West Bromwich trial zone as part of the West Midlands E-Scooter trial;
3. Endorses the proposed rules for the operation of the trial (Operational Playbook) as part of the West Midlands E-Scooter trial;
4. Authorises the Interim Director Regeneration & Growth to make amendments to the Operational Playbook in consultation with the Cabinet Member for Sustainable Transport.

## 1 PURPOSE OF THE REPORT

- 1.1 This report seeks approval of SMBC's participation in the West Midlands E-Scooter trial scheme in the form of a trial within the West Bromwich trial zone and governed by the rules outlined in the 'operational playbook'.

## 2 IMPLICATION FOR VISION 2030

- 2.1 The provision of E-scooters will help modal shift from car use for short trips, improving air quality, contributing to Ambition 2 (Sandwell is a place where we live healthy lives).
- 2.2 E-Scooters are a new micro-mobility technology and establishing Sandwell as an early testbed for this technology will contribute to Ambition 9 (Sandwell has become a location of choice for industries of the future).
- 2.3 The proposed trial zone provides links from West Bromwich retail core and Dartmouth Park to West Midlands Metro stations and West Bromwich Bus Station, contributing to Ambition 6 (we have excellent and affordable public transport that connect us to all local centres).

### 3 BACKGROUND AND MAIN CONSIDERATIONS

- 3.1 E-Scooters are one of the new forms of transport emerging as technology, cost effective manufacturing and batteries improve. As with electric bikes, they are starting to be used (illegally in the UK) by private owners. They are also being used in various cities across the world as part of public sharing and hire schemes.
- 3.2 In an urban context they can help with providing easy first and last mile access to points of interest and transport interchanges. However, as with any emerging technology there are concerns about unintended consequences, particularly the safety of riders and other road users such as pedestrians.
- 3.3 In a wider initiative to promote walking and cycling as part of a green and healthy recovery from COVID 19 the Secretary of State for Transport announced the acceleration of twelve-month E-Scooter trials planned for 2021. The objectives of the trials include:
- Providing faster access to more places
  - Accelerating the ability of the transport system to return to normal
  - Off-setting the potential for a mass reversion to car use in urban areas
  - Supporting a healthy and green re-start post COVID
  - Providing learning:-
    - Improving the evidence base, which globally is inconclusive
    - Understanding if eScooters could be made safer if they are not safe enough
    - Informing future legislation and/or regulation (particularly important following the transport select committee's recent recommendation to legalise E-scooters in the UK)
    - Better understanding pricing models
- 3.4 Following a full procurement process led by TfWM in conjunction with Birmingham City Council (as lead authority). Swedish micro-mobility firm Voi were nominated as the sole operator for trials being held in the West Midlands. Founded in 2018, and with approximately 500 employees, Voi currently operate forty-five micro-mobility schemes across Europe in cities such as Stockholm, Oslo, Copenhagen, Berlin and Hamburg. They have also been recently appointed to run trials in Northamptonshire, Bristol, Cambridge and Liverpool. Voi have appointed a dedicated West Midlands operational manager, as well as fleet, charging and maintenance teams across the region to support the trial. Voi's full commitment is outlined in Appendix D (Voi tender document).

- 3.5 Sandwell's trial would form part of a regionally coordinated programme of twelve-month E-Scooter trials for the West Midlands. This would be a close partnership between Local Highway Authorities, TfWM and the chosen operator Voi. Local Highway Authorities would lead on the zone identification, road safety and traffic management issues, Voi would be responsible the operation of the E-scooters themselves within the trial zone and online platform for hiring scooters, with TfWM supporting through coordination, resourcing and facilitating.
- 3.6 Trials in Coventry and Birmingham have already been launched as part of the West Midlands Scheme. Following a launch in early September, the Coventry trial was suspended by Coventry City Council after five days. Anti-social riding was a key issue that lead to this suspension, with reports of riders using scooters within the bus station and in other inappropriate (and supposedly 'geofenced') locations. It was also reported that more than one user was able to register onto the scheme, allowing under-18s and those without a driving license to access the scheme. These issues were exacerbated by a large number of scooters being deployed within the trial zone at one time, making the trial difficult to manage.
- 3.7 The Birmingham trial has seen less issues. There have been few reports of anti-social riding or parking and the scooters deployed have been well used with over 6000, registered users 21,000 rides 46,000km ridden to date. There have been minor issues related to drunk riding and 'geofencing' not always being effective, although these have been mitigated by introducing a curfew (10pm) on when E-scooters can be hired and Voi tightening their geofencing capability. Following the experience of Coventry, Birmingham's fleet of scooters was pre-emptively reduced from 200 to 50 in order to ensure effective management of the trial.
- 3.8 Transport policy officers, supported by highways, legal and TfWM colleagues have drawn up a proposed trial zone area (Appendix A) based on West Bromwich Town Centre within which the trial would take place. West Bromwich was chosen as the location for the trial based on its high footfall (as the primary retail and commercial centre in the borough); low speed roads (due to West Bromwich's 20mph zone); transport links (in particular West Midlands Metro and West Bromwich Bus Station); day time population (estimated pre-Covid at approximately 13,600) and size (just over one square mile). The combination of these factors means that West Bromwich Town Centre offers a unique confluence of factors creating a viable, useful and safe trial zone.

- 3.9 Due to legal issues outlined in Section 8, corridors linking West Bromwich Town Centre to Sandwell and Dudley and Smethwick Galton Bridge Stations have been removed. Whilst this revised trial zone offers less accessibility than the original iteration, it still includes several major trip generators as outlined above.
- 3.10 Transport Policy officers, again supported by highways, legal and TfWM colleagues and in collaboration with Voi, have also drawn up a draft 'operational playbook' (appendix B). The operational playbook, supported by region wide deployment specification (appendix C) sets out in detail the rules for the trial, specifying how the trial will operate in the West Bromwich trial zone. The key details from the operational playbook are outlined below in Section 4.

## 4 THE CURRENT POSITION

- 4.1 **Trial Length:** The trial license granted by DfT expires in September 2021. A nine month trial is therefore likely. Sandwell MBC is however free to suspend the trial at a time of its own choosing without incurring any penalties.
- 4.2 **What Constitutes an E-Scooter:** Within its guidance for the trials, the DfT has stated that E-scooters will continue to fall within the statutory definition of a motor vehicle. Specifically, an e-scooter has been defined by the department as a vehicle which:
- is fitted with no motor other than an electric motor with a maximum continuous power rating of 500W and is not fitted with pedals that are capable of propelling the vehicle
  - is designed to carry no more than one person
  - has a maximum speed not exceeding 15.5 mph
  - has 2 wheels, 1 front and 1 rear, aligned along the direction of travel
  - has a mass including the battery, but excluding the rider, not exceeding 55kg
  - has means of directional control via the use of handlebars that are mechanically linked to the steered wheel
  - has means of controlling the speed via hand controls and a power control that defaults to the 'off' position
- 4.2.1 Voi's proposed model of scooter to be used in the trials was assessed as part of the procurement process and judged to meet the DfT's standards outlined above.
- 4.2.2 Voi's model of scooter includes a GPS tracking device which records where the E-Scooter is. If a scooter leaves the trial zone or enters a 'no ride zone' as reported by GPS, the engine will cut out.

4.3 **Where and when can E-Scooters be used and by whom:** E-scooters can only be used within the defined trial zone and if they are hired from the operator (Voi). E-Scooter use outside the trial zone remains illegal, as does private e-scooter use within the trial zone. E-scooter users must follow the rules set out in the operational play book and will be restricted to riding on the carriageway and Metro Parkway within the trial zone from 06:00 to 20:00.

4.3.1 To hire an E-Scooter, users must be eighteen or over and hold a full driving license (provisional licenses are acceptable).

4.3.2 E-Scooters will be specifically barred from entering the following areas within the trial zone. Where possible these areas will be 'geofenced'.

These areas are specified as 'no ride zones':

- The pedestrianised section of West Bromwich High Street to avoid conflict with pedestrians
- Garden of Remembrance to avoid conflict with pedestrians
- New Square to avoid conflict with pedestrians
- Oak House Park to avoid conflict with pedestrians
- Metro Plaza,
- Private Land, including but not limited to:
  - Sandwell College (including the section of the metro plaza it owns)
  - Astle Retail Park
  - West Bromwich Bus Station
  - Kings Square Shopping Centre
  - Queens Square Shopping Centre
  - Metro Station walkways and platforms: Black Lake; Dudley Street Guns Village; Dartmouth Street; Lodge Road; West Bromwich Central; Trinity Way; Kenrick Park; The Hawthorns.

4.4 **Fleet, Size, Distribution and Rebalancing:** It is proposed that the operator does not deploy more than 50 e-scooters within the trial zone. These scooters will be deployed in phases during the first weeks of the trial. The operator's will be expected to 'rebalance' e-scooters throughout the period of allowed operations as well as restage' the e-scooters back to at the beginning of each day - no later than 6am. The introduction of the scooters will follow the below phasing:

25/50 scooters on Week 1 of the trial;

30/50 scooters on Week 2 of the trial

35/50 scooters on Week 3 of the trial;

40/50 scooters on Week 4 of the trial;

45/50 scooters on Week 5 of the trial

50/50 scooters on Week 6 of the trial

4.5 **Speed:** It is proposed that E-Scooters being used in the trial have a maximum speed limit of 10mph, in line with the current speed limit in Birmingham. This speed offers a balance between convenience and speed for the user and reassurance for pedestrians. Despite having a national maximum of 15.5mph, it is at each authority's discretion what the scooters speed limit should be in each trial.

4.6 **Helmets:** In accordance with DfT guidance the wearing of helmets will be advised but not mandatory for users. The operator will provide helmets for all users who wish to use one.

4.7 **Parking:** To begin with, scooter parking will be 'dockless'. Apart from defined 'no park zones', users will be able to leave their scooters wherever their trip ends as long as it follows parking standards (parked on footway, upright and not blocking pedestrian movements). All 'no ride zones' outlined above will also be designated 'no park zones'. As well as the 'no ride zones', the below 'no park zones' will also see e-scooter parking prohibited:

- The Metro Parkway
- Bromford Lane
- Westbourne Road (after the junction with Caroline Street).
- The southern side of Caroline Street
- Margaret Street
- Cambridge Street
- Oak Road between Cambridge Street and Margaret Street
- Lodge Road up to Oxford Road/Izons Road

Docks may be installed by Voi several weeks into the trial, based on where trips naturally begin and end within the trial zone. Installation of these docks will follow the usual process of installation of infrastructure on the highway, including assessment of suitability.

- 4.8 **User Interface, Ticketing, Communications:** Users will book and pay for the E-Scooters using Voi's smartphone app. Users will pay a basic rate of 20p per minute, or £12 per hour. The app will communicate to users' expectations and offer training around safe riding and parking as well as alerting users when they are about to leave the trial zone or enter a 'no ride zone'.
- 4.9 **Reporting and monitoring:** Where an e-scooter user is involved in an accident with a pedestrian, animal or vehicle that results in personal injury or property damage, it is proposed that the operator shall report the accident to the LHA no later than 24 hours after the event, providing information concerning the accident as may be required. The following stretches/junctions within the trial area have been highlighted as areas that will require particular supervision:
- 4.9.1 *Potentially hazardous junctions just outside of trial zone.* The lead up to these junctions needs to be carefully monitored by the operator and reported on to the LHA. Users need to be clearly alerted that they are approaching a dangerous junction outside of the trial zone:
- The approach to Bromford Lane Roundabout. The roundabout has heavy traffic volume, an uneven gradient and is often used by Heavy Goods vehicles.
  - The approach to All Saints Way/A41 Expressway Roundabout on Cronehills Link Way. This junction experiences high volumes of traffic at speed.
  - The Approach to The Albion Roundabout (A41) on Carters green. This junction experiences high volumes of traffic at speed.
- 4.9.2 *Unfavourable Junctions and Stretches (use with caution).* The use of e-scooters in these areas needs to be carefully monitored by the operator and reported on to the LHA:
- The Crossing from Claypit Lane to Millward St via Woods Lane is potentially hazardous and needs to be considered in relation to ongoing plans being proposed as part of cycling and walking infrastructure improvements;
  - Bromford Lane, from Cambridge St to the trial boundary at the roundabout (this stretch has limited capacity with parked vehicles and regular bus services).



- West Bromwich Ringway up to and including Congregation Way Roundabout, including Bull Street, Walsall Street and Reform Street and associated junctions onto Overend Street, High Street and Spon Lane. Vehicle volume on this stretch can be high and at times exceed speed limits. The 'hard' traffic engineering focus of the street scene may also be intimidating to some users.
- West Bromwich Bus Station access/egress onto West Bromwich Ringway and St. Michael's street, including St. Moor St./Price St. Gyratory. This area experiences high volumes of bus traffic, narrow carriageway and occasionally limited site lines.

4.9.3 *Junctions that lead out of trial area.* Users need to be made aware that these junctions lead out of the trial area:

- Johnstone Street onto Kelvin Way
- Dawes Avenue onto Kelvin Way
- Albion Road on Brandon Way

## 5 **CONSULTATION (CUSTOMERS AND OTHER STAKEHOLDERS)**

- 5.1 As lead authority, Birmingham City Council (in partnership with TfWM) has lead on region wide engagement for the West Midlands Trial. This region wide engagement has involved West Midlands Police, and interest groups such as Age UK, Royal National Institute for Blind People (RNIB) and Cycling UK.
- 5.2 The National Federation of the Blind has opposed e-scooter trials in the UK on the basis that they pose a risk for blind and partially sighted people, Voi is continuing engagement at a national level with RNIB.
- 5.3 At a local level, Sandwell Visually Impaired have objected to the implementation of the E-scooter trials in West Bromwich on safety grounds. These concerns are based around:
- The possibility of pavement parking obstructing the footway.
  - Pavement riding leading to collisions with pedestrians.
  - The risk of pedestrian collision being heightened by the lack of noise generated by E-Scooters.
  - Potential for lack of enforcement and monitoring of riding and parking rules.
  - Anti-social riding posing a threat to pedestrians.

These concerns are dealt with in in sections 9 and 11 of the report.

- 5.4 SMBC has engaged with key local stakeholders including local police officers, West Bromwich BID and West Midlands Metro and is continuing to develop the trial zone with their input.
- 5.5 In the run up to launch, Voi will lead on informing potential users about how the hire scheme works, pricing, and safe riding as well as offering training.

## **6 ALTERNATIVE OPTIONS**

- 6.1 Sandwell MBC could choose to not participate in the trial. If this was the case all risks would be averted, but the accessibility, environmental and reputational benefits outlined above would not be realised.
- 6.2 Sandwell MBC could run a trial scheme separate to the TfWM trial. This would mean that Sandwell MBC could choose its own operator. However, the need to run a full procurement process makes this option unrealistic given the timescales imposed by DfT. As well as this, it is likely that Sandwell would also have to offer additional (potentially less suitable) trial zones) within the borough to make any Sandwell specific scheme viable for an operator.

## **7 STRATEGIC RESOURCE IMPLICATIONS**

- 7.1 There will be no capital or revenue costs associated with this scheme for SMBC, as the operator will be expected to meet all costs. Officer time for the development and management of the trial will be required. This is anticipated to be no more than 30 hours (development) and 12 hours (management).
- 7.2 It is also possible that a commitment from Environmental Protection officers may be required on the ground to ensure that users are following trial zone rules. The extent to which this will be required will however become clearer as the trial zone is developed in collaboration with Voi.
- 7.3 As well as this, it is possible that a wider range of road surface condition defects and winter potholes will need to be repaired more frequently during the trial to ensure that carriageways are appropriate for E-scooter use. The extent of this work will be influenced by the severity of the winter and it is estimated that a contingency budget of up to £50,000 could be needed. This has not been specifically budgeted for, however a contingency budget can be allocated within the existing Local Transport Plan named scheme budget.

- 7.4 It is important to note that SMBC is not indemnified by Voi or their insurance policies against third party claims for injury accidents arising road surface condition. Given current understanding of the road surface conditions within the trial zone, safety measures outlined throughout the report and the contingency budget for mitigations, a claim for a life changing injury or fatality is considered very unlikely with a low probability of success, but a settlement could be very high (unquantifiable but potentially reaching into the millions). Based on the accident data included in the ROSPA note (Appendix E) there is however the potential for an increase in the annual number of general injury accident claims on the highway as a consequence of the trial. It is not possible to budget for a potential additional claims liability for the Council, but if these claims materialised this could represent a budget pressure. This issue is discussed in more detail sections 8.6, 8.7 and 8.8.

## **8 LEGAL AND GOVERNANCE CONSIDERATIONS**

- 8.1 The West Midlands E-scooter trial scheme received formal approval at the West Midlands Combined Authority Board on the 5<sup>th</sup> June 2020. This removed the formal requirement for full cabinet approval at a local authority level. However, on the advice of Democratic Services colleagues, it was decided that approval for the trial should be treated as a key decision and as such require formal cabinet approval.
- 8.2 The DfT passed 'Electric Scooter Trials and Traffic Signs (Coronavirus) Regulations and General Directions 2020' as secondary legislation to allow the trials to go ahead. E-scooters will continue to fall within the statutory definition of a motor vehicle. This is despite the DfT previously advising local authorities that E-scooters would (and should) be treated as similarly as E-bikes as possible.
- 8.3 Because of this statutory definition as a motor vehicle, E-scooters are not able to use footways or cycling infrastructure legally as part of a trial. The DfT amended the 2016 Traffic Signs Regulations and General Directions (TSRGD) to permit use of mandatory cycle 'lanes' by e-Scooters. However, the department did not have time to amend the 1988 Road Traffic Act (as this was primary legislation). This meant that cycle 'tracks' (governed under the 1988 primary legislation) were still not legally able to be used by e-scooters.
- 8.4 To get around this, the DfT proposed converting off-carriageway cycle tracks into cycle lanes. This would involve converting off carriageway cycling infrastructure into highway, and then deploying Traffic Regulation Orders to prohibit all vehicle use of this new carriageway apart from E-scooters. Internal legal advice highlighted the significant litigation risk associated with such a procedure.

Feedback from highways officers also highlighted that this would be an impractical and resource intensive procedure, which would require significant amounts of new infrastructure to make effective. It was decided to exclude off carriageway cycling infrastructure from the scheme.

- 8.5 This meant that Sandwell MBC's original trial zone was no longer feasible as it relied on off carriageway infrastructure to link West Bromwich Town Centre with Sandwell and Dudley and Smethwick Galton Bridge stations. A new trial zone was created excluding the corridors linking the stations to West Bromwich Town Centre.
- 8.6 The operator Voi holds third-party liability and personal accident motor fleet insurance, satisfying the requirements outlined in the 1988 Road Traffic Act. This includes public and product liability insurances up to £20 million for each and every claim with a maximum excess of £100,000. This policy specifically indemnifies WMCA and Highway Authorities (including SMBC) where there are third party claims arising from the operator's failure to comply with the requirements of the contract in providing services. This insurance policy would not, however, cover third party claims against SMBC arising from our management or maintenance of our roads.
- 8.7 This has been highlighted as a potential issue because Sandwell's Highway Infrastructure Asset Management Plan (HIAMP) ~~defines a~~ confirms that all defects should be subject to a risk assessment to determine the appropriate level of response in relation to them presenting either an imminent or immediate hazard. All risks are evaluated in terms of their significance, which means assessing the likely impact should the risk occur and the probability of it happening. Our HIAMP quotes an example of a Category 1 defect in pedestrian crossings and cycle lanes as being greater than a 20mm depression (pothole) and greater than 40mm elsewhere. These Category 1 depressions are prioritised for maintenance work as posing a greater risk to road users. Although E-Scooters are similar to cycles in many ways in that they have two wheels and travel at similar speeds, they do have smaller wheels and concerns have been raised that defects shallower than 40mm may pose a greater risk to E-Scooter users..
- 8.8 However, this risk is mitigated by the fact that the proposed scooter model's ability to participate in the trial is predicated on it holding a 'Vehicle Special Order' granted by the DfT. The granting of this order was based on the scooter specification's success in stability testing. This testing required the scooter to be ridden through a 50mm depression successfully, greater than the 40mm depression outlined in Highway Infrastructure Asset Management Plan.

Additionally, the operator has reported no other authority have raised this as a potential issue, with little to no evidence indicating that E-Scooter users are exposed to increased risk on the carriageway compared to cyclists, as outlined in the International Transport Forum's 'Safe Micromobility' Report. Further assessment of the safety aspects around E-Scooter use on carriageway can be found in Appendix E (E-Scooter Fact Sheet, Royal Society for the Prevention of Accidents).

8.9 To use the Metro Parkway, the landholder's (West Midland Metro's) agreement will need to be sought. Engagement with West Midlands Metro is ongoing to secure this.

## 9 EQUALITY IMPACT ASSESSMENT

9.1 As mentioned in Section 5, concerns have been raised about the use of E-Scooters by several Visually Impaired groups. These concerns centre around two key issues, firstly the risk of collision between pedestrians and riders if scooters are being ridden on the pavement, and secondly the risk of parked scooters blocking the footway. These issues adversely impact all pedestrians but are particularly problematic for visually impaired, less mobile and disabled groups. These risks will be mitigated by:

- The rigorous enforcement of the parking and riding rules outlined in section 6 of the operational play book. These rules prohibit pavement riding and inconsiderate parking.
- Limiting the number of scooters to a manageable level which will reduce the incidence of poor pavement parking.
- Limiting scooters to 10mph, which will reduce the likelihood and severity of collisions.

9.2 The proposed tariff of 20p per minute (£12 per hour) will prove a barrier to use by individuals from low income households. This is particularly pertinent to the West Bromwich trial with approximately 22% of residents in the town living in an income deprived household, compared to 15% of people nationally. This can be mitigated by Voi's proposed 'Voi-4-All' scheme which offers an unlimited £10 monthly pass for low income individuals.

9.3 The requirement for users to be able to access a smart phone to hire the scooters will prove a barrier to the elderly and low-income individuals who are less likely to have access to internet accessible devices. There is currently no proposed mitigation to this barrier as Voi's business plan is predicated on the hiring platform being hosted by a smartphone app.

- 9.4 The requirement for users to hold a driving license will also act as a barrier to low income and BAME individuals, who less likely to hold a driving license. There is no proposed mitigation to this barrier as holding a driving license is seen as a key safety measure by Voi.
- 9.5 E-Scooters may have a positive impact on those with moderate to mild mobility issues, as the scooters remove the need to walk long distances.
- 9.6 A full equality impact assessment has been carried out by West Midlands Combined Authority for the West Midlands Trial Scheme. In the absence of any particularising circumstances for West Bromwich, this assessment has judged to be sufficient to cover the West Bromwich trial zone as part of wider West Midlands scheme.
- 9.7 The West Midlands Equality Impact Assessment (Appendix D) identified the below factors as the most important considerations:

*a. People with visual impairments are an especially vulnerable group as e-scooters are harder to detect than cars and they operate quietly which makes them difficult to hear. Due to their speed and weight they are more likely to result in heavier pedestrian injuries. It is also important to note that it is more difficult to signal on a moving scooter if turning or look over your shoulder behind you. It is also relatively difficult to perform an emergency stop on an e-scooter, especially if travelling near the maximum speed. A number of charities such as RNIB and Focus have raised concerns over the approved weight and speed specifications approved by DfT.*

**(Mitigations outlined in 9.1).**

*b. Likewise, given safe street and parking infrastructure availability, the scheme (if not implemented properly) may result in increased street “clutter” making streets more difficult to navigate for some people including disabled people, older people and parents with pushchairs, especially if not adequately policed/enforced.*

**(Mitigations outlined in 9.1).**

*c. As the trial scheme will be fully managed by the operator who will run the scheme for profit (with no subsidies) and given known rental rates, scooters are likely to be cost effective alternatives to taxis and cars but are likely to be less cost-effective than public transport. They are therefore unlikely to reduce transport inequality for the groups on lower incomes who may find the scheme unaffordable.*

**(Mitigations outlined in 9.2)**

*d. Scooter purchases in the U.K. and rental trials in other countries show that scooter users are a rather homogeneous group – younger, male and white. They are also more likely to be from higher socio-economic groups meaning that a number of different*

*measures will need to be considered both marketing, location and discount wise to expand reach (Mitigations outlined 9.2).*

- e. *The scheme is likely to have negative impact on those groups who are more likely to be digitally excluded, less likely to be able to use banking and less likely to have a driving license. (No mitigations possible within scope of trial).*

## 10 DATA PROTECTION IMPACT ASSESSMENT

- 10.1 The operator Voi will be handling all personal data, as such there are no data implications for SMBC.

## 11 CRIME AND DISORDER AND RISK ASSESSMENT

- 11.1 As stated in Section 9, rigorous enforcement of pavement riding and parking rules will be required to mitigate the risk of antisocial riding. Following the issues seen in the Coventry trial, Voi have tightened their Geo-fencing and registration capabilities. Implementation and testing of these capabilities will be essential before launch of the trial.
- 11.2 There have been ongoing issues around anti-social, intimidating and criminal behaviour within West Bromwich Town Centre, particularly at evenings. There is a risk that scooters used in the trial could be involved or affected by this behaviour. To mitigate this, effective communication between SMBC, West Bromwich BID and West Midlands Police is paramount. The possibility of limiting the scooters use to daytime hours is also being considered.
- 11.3 Because E-Scooters remain illegal to use if they are used outside of the trial zone or are not hired from the official operator, there is a potential for confusion over the legality of private E-scooters in West Bromwich. To mitigate this, clear communication with stakeholders (particularly the police) and the public needs to stress that only E-scooters operating within the trial zone and hired from Voi are legal. The distinctive Coral colour of Voi scooters will assist in identifying whether a scooter is legal or not.

## 12 SUSTAINABILITY OF PROPOSALS

- 12.1 There are no maintenance costs associated with the scheme. Management of the scheme will require an ongoing time commitment from officers outlined in Section 7.1.

## **13 HEALTH AND WELLBEING IMPLICATIONS (INCLUDING SOCIAL VALUE)**

- 13.1 Whilst there is currently little conclusive evidence either way, the concern has been raised that E-Scooter use may displace walking and cycling or public transport use. One study on the use of E-scooters in Raleigh, North Carolina found that out of a sample of E-Scooter users, 50% said that if they had not used an E-Scooter they would have walked or cycled. This would have a damaging impact on resident's health, an issue in Sandwell given that in 2012 24.5% of Year 6 children and 25.4% of adults in Sandwell were classified as obese. Given that the impact of E-scooter on cycling and walking are currently little understood, there is no mitigation that can currently be proposed for this.
- 13.2 Similarly, the concern that E-Scooters may be displace public transport use has also been raised, although there is little evidence for this. The aforementioned study of E-Scooter users in Raleigh found that only 11% would have used the bus instead of an E-Scooter.
- 13.3 E-Scooters do not produce any air pollution. The trial could provide an alternative to the private car for short trips and contribute to an improvement in air quality. This is a priority as the whole borough was declared an Air Quality Management Area (AQMA) in 2005. Sandwell MBC has had an Air Quality Action Plan (2005) for a number of years which has a range of measures to improve air quality in the borough including "implementing a range of measures to promote alternative and sustainable travel". Despite progress with the council's Air Quality Action Plan, measured NOx concentrations in the borough are not declining as expected.

## **14 IMPACT ON ANY COUNCIL MANAGED PROPERTY OR LAND**

- 14.1 The use of E-Scooters would be restricted to the carriageway and Metro Parkway. The carriageway forms part of the authority's highway asset. As mentioned in Section 8, the only other property E-scooters would operate on is the Metro Parkway, owned and managed by West Midlands Metro.
- 14.2 Care would have to be taken to ensure that E-Scooters are not operated on the following council landholdings which fall within the boundary of the trial area, or are on the edge of the trial area:
- The Garden of Remembrance
  - Oak House Park
  - Metro Plaza
  - Dartmouth Park



## 15 **CONCLUSIONS AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS**

15.1 The West Midlands E-Scooter trial offers the opportunity to support a healthy and green re-start post COVID, off-setting the potential for a mass reversion to car use as well as providing valuable learning on how E-Scooters may operate going forwards, with the anticipated legalisation of E-scooters in the next 24 months. The proposed trial zone and operational playbook creates a framework for a safe and viable trial zone within the borough's strategic centre.

15.2 Cabinet is therefore recommended to:

1. Approve Sandwell's participation in West Midlands E-Scooter Trial Scheme.
2. Endorse the proposed West Bromwich zone (Appendix A).
3. Endorse the proposed rules for the operation of the Trial (Appendix B).
4. Authorise the Interim Director Regeneration & Growth to make amendments to the Operational Playbook in conjunction with the Cabinet Member for Sustainable Transport.

## 16 **APPENDICES:**

- A. West Bromwich Trial Zone Map
- B. Operational Playbook
- C. West Midlands Deployment Specification
- D. West Midlands Equality Impact Assessment
- E. Royal Society for the Prevention of Accidents, E-Scooters Road Safety Factsheet

**Tammy Stokes**  
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