

GREATER LONDON AUTHORITY

REQUEST FOR MAYORAL DECISION – MD3227

Title: Delegation of Mayoral Powers for the Continuation of an E-scooter Rental Trial

Executive Summary:

The UK's largest rental e-scooter trial began in London on 7 June 2021 ("the Trial"), coordinated by Transport for London (TfL) in partnership with London Councils, participating London boroughs and selected operators Dott, Lime, and TIER. Following a government decision in June 2022 to extend e-scooter trials until 31 May 2024, TfL launched a further competitive procurement. Through this process, operators Dott, Lime and Voi were selected to run a second trial phase from 25 September 2023 under a new two-year contract with the possibility of extension(s) of up to one year (in total). In the case of there being no legislative change or extension of the e-scooter trials by the government beyond 31 May 2024, there is provision within the contracts for them to be terminated in any event.

In November 2023, the government announced that rental e-scooter trials could be extended by another two years from 31 May 2024 to 31 May 2026. This request seeks a further delegation to TfL of the GLA's powers to permit TfL to continue the Trial, until at least 31 May 2026 (the current anticipated end-date of the Trial) or, without further approval, such time as the government brings the national trials to an end if this date is extended. This includes allowing TfL to continue to keep the Trial under review and monitor its impacts, risks and benefits as well as to continue to collect data through the Trial to help inform future TfL and UK policy on e-scooters.

Despite stating in May 2022 its intention to introduce a Transport Bill to create a new category of low-speed, zero-emission vehicles that would provide for the legalisation of e-scooters, government legislation has not been forthcoming, and it is not expected that the government will introduce a Bill in this parliamentary session.

Decision:

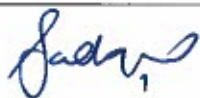
The Mayor authorises Transport for London, under section 38(1) of the Greater London Authority Act 1999 (GLA Act), to exercise the Greater London Authority's functions under sections 30 and 34 of the GLA Act to do all things it considers necessary or expedient for the continued coordination and operation of the Trial until such time as the government's national trials are brought to an end, in accordance with the Delegation Document set out in Appendix A.

Mayor of London

I confirm that I do not have any disclosable pecuniary interests in the proposed decision and take the decision in compliance with the Code of Conduct for elected Members of the Authority.

The above request has my approval.

Signature:



Date:

27/2/24

PART I - NON-CONFIDENTIAL FACTS AND ADVICE TO THE MAYOR

Decision required – supporting report

1. Introduction and background

- 1.1. E-scooter trials were initiated nationally by the government in July 2020. Transport for London (TfL) was conferred authority under Mayoral Delegation (via MD2770, granted 8 March 2021) to establish the Trial in London. The Trial began on 7 June 2021. From this date, e-scooters could be rented from 3 commercial operators – Dott, Lime and TIER – and ridden within the participating boroughs in accordance with a unified set of rules and standards. Paragraph 1.2 of MD2770 provides further detail on the legislative and governance background.
- 1.2. A second Mayoral Delegation (via MD3040) was signed in October 2022 and extended the duration of the Trial to 31 May 2024, in line with the government's decision to extend e-scooter trials across the UK.
- 1.3. MD3040 delegated the powers to TfL to continue the Trial under the same contract, with the same operators, from 21 November 2022; and powers to begin a new phase of the Trial with an updated specification and contracts. Following MD3040, TfL undertook a full competitive procurement process to appoint operators for the new phase of the Trial. The next phase of the Trial is building on the existing successes of the Trial and trialling further innovations.
- 1.4. In November 2023, the government announced that rental e-scooter trials could be extended by another two years from 31 May 2024 to 31 May 2026. This MD will permit the further extension by TfL of the Trial until 31 May 2026 or, without further approval, a further date that the government specifies as being the end of the national trials.
- 1.5. From the outset, the objectives for the Trial are to promote safety and adopt a consistent approach to delivering this type of service; establish how these vehicles might feature in London's future transport options; and provide an evidence base to demonstrate the need for new statutory powers to manage the rental market.
- 1.6. Since the Trial launched, the number of participating boroughs has expanded from five to ten and the number of vehicles has increased from 600 to 5,000. TfL publishes data on headline metrics for the trial every four weeks on its website. By 14 January 2024 (end of Phase 2 Trial period 4), more than three million trips have been made with an average journey distance of 2.4 kilometres and journey time of 16 minutes.
- 1.7. In June 2023, TfL published further findings from the Trial in an interim report. This report included data to show that over the first 18 months of the Trial, there were no fatalities and fewer than 0.001 per cent of trips resulted in a serious injury. The Trial's strong safety record demonstrates the benefits of clear standards and regulations for e-scooters. Operators also reported that more than 95 per cent of trips complied with rules set by TfL in relation to parking.
- 1.8. The interim report included data to show that 6.5 per cent of rental e-scooter trips replaced trips that would have otherwise been made by cars, taxi and private hire vehicles. This is equivalent to a saving of 249 tonnes of carbon dioxide and thus demonstrates the potential for rental e-scooters to help reduce congestion and improve air quality in London. Results from the same survey found that 54.2 per cent of trips would have otherwise been made by walking and 11.6 per cent by cycling. TfL anticipates that there is potential for further mode shift to rental e-scooters from motor vehicles if the density of the Trial's parking network increases and if outer London boroughs, where car ownership is higher than inner London, decide to participate in the Trial, which they can still choose to do. In addition to the objectives set out in paragraph 2.2, TfL will continue to encourage boroughs to identify additional parking capacity and work with boroughs who are interested in joining the Trial.

1.9. TfL has continuously sought to identify improvements, mitigate risks, and seek feedback from internal and external stakeholders on the Trial. Efforts have been made to remove or minimise the negative impacts upon those with protected characteristics and the Equality Impact Assessment (EqIA) for the Trial has been kept under continual review. The EqIA is available on TfL's website.

2. Objectives and expected outcomes

2.1. This proposed further Mayoral Delegation would enable TfL to ensure service continuity of the Trial for the duration of the period set by the government, which is presently until 31 May 2026. The government has extended e-scooter trials twice already, as outlined above in paragraphs 1.2 and 1.4, and it is possible it may do so again. The extended period to 31 May 2026 is covered already by TfL's second phase contracts with operators Dott, Lime and Voi (subject, in respect of the contracts, to TfL opting in due course to exercise existing contractual extension rights). For this reason, this delegation seeks authority to enable the Trial to be extended to 31 May 2026 or any future date that the government sets as the end of the national trials. If the government extends e-scooter trials beyond 31 May 2026 it likely means that no primary legislation to legalise these vehicles has been forthcoming.

2.2. The Delegation described in paragraph 2.1 would allow TfL to meet the following objectives set for the second phase of the Trial, which were updated from the original objectives to reflect the maturity of the Trial and the learning gained through two years of operational experience:

- To further explore and understand the appropriate e-scooter operating, safety, and environmental standards, regulations and city-level management powers required to ensure they benefit e-scooter users as well as Londoners as a whole, in advance of TfL potentially being given city-level management powers for e-scooters and e-bikes in the future. This includes through the testing of new and innovative technologies alongside operators to further TfL's understanding on the safety and accessibility of e-scooters.
- To build an even more comprehensive evidence base on the impact of e-scooters on air quality and demand for travel by car, walking, cycling and public transport as well as where e-scooters can enhance transport options and complement existing public transport.
- To establish the changes in infrastructure, operations or customer behaviours required (if any) to accommodate e-scooters whilst ensuring a safe and attractive environment on London's streets.
- To better understand user and non-user attitudes to and perceptions of e-scooters, along with a deeper understanding of the user profiles, equality impacts and possible mitigations.
- To better understand the commercial viability of rental e-scooters in London, determine any areas of market failure including inequality in access and to understand the total cost impacts for boroughs and TfL.

2.3. TfL activities in relation to the multi-borough Trial include continuing to coordinate the Trial across one joined-up area covering the participating boroughs, and to operate the Trial on the Transport for London Road Network (TLRN). The powers granted under this delegation will allow the seamless continuation of the Trial in line with DfT guidance. The activities that will continue to be undertaken as part of the Trial are set out in paragraphs 1.5 and 1.6 of MD2770 and paragraphs 2.2 and 2.3 of MD3040.

Expected benefits

2.4. The benefits of TfL continuing the Trial are set out in paragraph 2.4 of MD2770 and paragraph 2.5 of MD3040. These continue to be relevant. In particular, the Trial will continue to ensure that operations in London comply with the additional standards set by TfL and London Councils that align with key Mayoral policies including:

- **Safety:** maintaining high operational and vehicle standards across the Trial, including setting the maximum speed at 12.5mph/20kmph, slower than the national standards, more additional vehicle standards beyond the national minimums, maintenance regime requirements and parking controls, to align to the Mayor's Vision Zero target to eliminate all deaths and serious injuries on London's streets by 2041.
- **Sustainability:** rental e-scooters are fully electric and do not generate harmful emissions at the point of utilisation so are considered a sustainable form of transport that can help reduce congestion and improve air quality in London, aligning to the Mayor's commitment to make London a net-zero carbon city by 2030.
- **Accessibility:** TfL has worked with different groups throughout the Trial, including TfL's Independent Disability Advisory Group, to understand their views and concerns to minimise potential negative impacts of the Trial. For example, TfL has conducted workshops, surveys and hosted an accessibility demonstration event to understand stakeholder concerns, which are outlined in the EqIA and section below. TfL will continue to work with various groups to identify and address concerns.
- **Data:** the Trial will continue to collect data on this new vehicle type to help inform the government's future policy on and any legislation in relation to e-scooters.

3. Equality comments

- 3.1. Under section 149 of the Equality Act 2010 (Equality Act), as public authorities, the Mayor, TfL and the boroughs are subject to the public sector equality duty and must have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Equality Act
 - advance equality of opportunity between people who share a relevant protected characteristic and those who do not
 - foster good relations between people who share a relevant protected characteristic and those who do not.
- 3.2. The protected characteristics under section 149 of the Equality Act that could be most significantly impacted by the continuation of rental services are: age, disability, pregnancy and maternity, race and sex. TfL has worked with different stakeholders that represent such groups in order to minimise any impacts of the Trial to date and will continue to do so.
- 3.3. TfL has undertaken extensive stakeholder engagement on the Trial and details of this can be found in the EqIA. The key concerns raised are centred on perceptions of poor ridership and poor parking behaviour which results in an increased fear of injury from collisions with rental e-scooters as well as negative perceptions of rental e-scooters. The mitigations put in place in the Trial (set out in paragraph 3.4 below) seek to minimise such impacts and perceptions, while contributing to low actual risk, with only 0.001 per cent of trips resulting in a serious injury. TfL has found that most of the remaining negative perceptions and concerns from stakeholder groups relate to private e-scooters or rental e-bikes which, although often conflated with rental e-scooters, the Mayor and TfL have no powers to manage at this time.
- 3.4. The second phase of the Trial builds on learnings from the first phase to further assist with minimising negative impacts on people with protected characteristics. Concerns raised by or on behalf of individuals with protected characteristics include pavement parking and riding and the almost silent nature of e-scooters. In response to these concerns, operators will be testing new technology such as artificial intelligence to improve parking compliance and assist with pavement riding detection and

further test audible vehicle alerts when e-scooters are moving. This technology could help further reduce fear of any collision with rental e-scooters for people with protected characteristics.

4. Other considerations

Risks and impact assessments

- 4.1. Safety remains at the forefront of the Trial and each Trial vehicle must meet the minimum vehicle requirement set by the government. To reduce the risk of fires, Operators adhere to stringent rules on the sourcing, storage, charging, transporting, swapping, and recycling of lithium batteries. This is in accordance with fire-safety regulations and in conjunction with the London Fire Brigade.
- 4.2. No further risks or impacts have been identified to those included in paragraphs 4.1 to 4.4 of MD2770 and paragraphs 4.1 to 4.5 of MD3040.

Links to Mayoral strategies and priorities

- 4.3. The continued delivery of the Trial links to existing proposals and policies in the Mayor's Transport Strategy (MTS) to:
 - "explore, influence, and manage new transport services in London so that they support the healthy streets approach" (Policy 23)
 - "reduce Londoners' dependency on cars in favour of active, efficient and sustainable modes of travel" (Policy 1).
- 4.4. The availability of this new vehicle type could support MTS goals of
 - "reducing overall traffic levels by 10-15 per cent by 2041" (Policy 5)
 - making "London's transport network zero-emission by 2050" (Policy 7).
- 4.5. Given the prospect of future legislation that could legalise e-scooters via a new regulatory framework, TfL must consider the impact of this new vehicle type on the Mayor and TfL's healthy streets agenda which is centred on the promotion of the use of public transport, cycling and walking to improve the health and wellbeing of Londoners (Healthy Streets). The rental market for these vehicles has the potential to be detrimental to Healthy Streets goals if it cannot be managed effectively, with well-maintained fleets and responsible parking. TfL's ongoing participation in the Trial is an opportunity to: hone the operational approach to managing these services in anticipation of a new regulatory environment where rental e-scooters are managed by city authorities; have an influential voice during the creation of any government legislation; and deliver on the Healthy Streets agenda once it is in place.

Other considerations

- 4.6. There are no conflicts of interest to declare for any of the officers involved in the drafting or clearance of this decision form.

5. Financial comments

- 5.1. Phase 2 of the Trial launched on 25 September 2023 under new contracts with operators Dott, Lime and Voi. For further details on costs please refer to MD2770 and MD3040.
- 5.2. Beyond staff time for the coordination and administration of the service, the only additional future costs for TfL and participating boroughs are expected to relate to potential external legal advice on any contractual and procurement matters; new traffic regulation orders; and any further installation of parking bays.

5.3. There are no direct financial implications for the GLA arising from this decision.

6. Legal comments

- 6.1. The Mayor is being asked to enable the extension of TfL's delivery of the Trial pursuant to sections 30 and 34 (general and subsidiary powers) of the GLA Act, by means of a delegation of those powers under 38 (delegation) of the GLA Act. In order to allow TfL to continue to carry out the aspects required for the continued delivery of the Trial on behalf of boroughs as described in paragraphs 1.5 and 1.6 of MD2770 (including maintaining in place (and extending as and when TfL requires) the contracts in relation to the TLRN), it is proposed to continue to supplement TfL powers by the Mayor approving the Delegation as set out in Appendix A.
- 6.2. Section 30 of the GLA Act gives the Mayor a general power to do anything that he considers will further one or more of the principal purposes of the GLA. The principal purposes, as set out in section 30(2), are:
- promoting economic development and wealth creation in Greater London
 - promoting social development in Greater London
 - promoting the improvement of the environment in Greater London.
- 6.3. Further, section 34 of the GLA Act allows the Mayor to do anything that is calculated to facilitate, or is conducive or incidental to, the exercise of any of his functions (including his functions under section 30).
- 6.4. It is considered that the proposed continuation of the Trial will further all three of the principal purposes set out in section 30 above, with particular emphasis on social development and environmental improvement.
- 6.5. Sections 38(1) and (2) of the GLA Act allow the Mayor to authorise TfL to exercise functions under the GLA Act and other relevant legislation on his behalf, including those contained in sections 30 and 34. The delegation of the GLA's section 30 and 34 functions is considered sufficient to enable TfL to continue to undertake the role and activities envisaged under the scheme. Section 38(7) of the GLA Act gives TfL the power to exercise any functions delegated to it by the Mayor pursuant to section 38, whether or not TfL would otherwise have had that power and irrespective of the nature of the function.
- 6.6. The Mayor's functions under section 378(1) of the GLA Act are also relevant and include the following tourism-related duties:
- to encourage people to visit Greater London
 - to encourage people from outside the UK to visit the UK via Greater London
 - to encourage the provision and improvement of tourist amenities and facilities in Greater London.
- 6.7. Further, section 378(2) of the GLA Act gives the Mayor power to do anything for the purpose of or incidental to the discharge of these duties.
- 6.8. Under the Trial, rental e-scooters will continue to be available to tourists visiting London. Although the Mayor cannot delegate his tourism functions under section 378 to TfL, the proposed scheme and TfL's role in it are consistent with the exercise of the Mayor's section 378 functions by encouraging tourists to visit London and providing facilities and amenities to meet their travel requirements.
- 6.9. The Mayor, the GLA and TfL are subject to the public sector equality duty contained in section 149 of the Equality Act 2010 (as described in 'Equality comments' at section 3, above).

6.10. The proposed Delegation is at Appendix A. The Mayor may impose conditions on any such delegation. The proposed Delegation is on standard terms and authorises TfL to exercise the GLA's functions under sections 30 and 34 of the GLA Act to do all things it considers necessary or expedient for the continuing coordination and operation of the Trial.

7. Planned delivery approach and next steps

7.1. Within TfL, the E-Scooter Trial Team will continue to be responsible for delivery of the service and will work in partnership with London Councils, participating boroughs, and the procured operators. The Operational Board will continue to consider core contract management issues, with representatives from TfL, London Councils, and the boroughs.

Milestone	Dates
Current end date for UK e-scooter trials as stated by the DfT	31 May 2026
End date for current Phase 2 Trial contracts	September 2025 + possible extension(s) of up to 1 year in total (September 2026)

Appendices and supporting papers:

Appendix A – Mayoral Delegation

Supporting papers:

[Mayoral Delegation MD2770](#)

[Mayoral Delegation MD3040](#)

[Equality Impact Assessment](#) (future EqIA updates will continue to be accessible via this page)

Public access to information

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FoIA) and will be made available on the GLA website within one working day of approval.

If immediate publication risks compromising the implementation of the decision (for example, to complete a procurement process), it can be deferred until a specific date. Deferral periods should be kept to the shortest length strictly necessary. **Note:** This form (Part 1) will either be published within one working day after it has been approved or on the defer date.

Part 1 - Deferral

Is the publication of Part 1 of this approval to be deferred? NO

Part 2 – Sensitive information

Only the facts or advice that would be exempt from disclosure under FoIA should be included in the separate Part 2 form, together with the legal rationale for non-publication.

Is there a part 2 form – NO

ORIGINATING OFFICER DECLARATION:

Drafting officer to confirm the following (✓)

Drafting officer:

Vanessa Harrison has drafted this report in accordance with GLA procedures and confirms the following:

✓

Sponsoring Director:

Philip Graham has reviewed the request and is satisfied it is correct and consistent with the Mayor's plans and priorities.

✓

Mayoral Adviser:

Seb Dance has been consulted about the proposal and agrees the recommendations.

✓

Advice:

The Finance and Legal teams have commented on this proposal.

✓

Corporate Investment Board

This decision was agreed by the Corporate Investment Board on 26 February 2024.

✓

INTERIM CHIEF FINANCE OFFICER:

I confirm that financial and legal implications have been appropriately considered in the preparation of this report.

Signature:



Date:

26/02/2024

CHIEF OF STAFF:

I am satisfied that this is an appropriate request to be submitted to the Mayor

Signature:



Date:

26/02/2024