



Transport and Environment Committee

10.00am, Thursday, 7 December 2017

Council Chamber, City Chambers, High Street, Edinburgh

Transport and Environment Committee

Convener:	Members:	Contact:
<p data-bbox="188 338 435 416">Councillor Lesley Macinnes</p>  <p data-bbox="188 824 523 920">Councillor Karen Doran (Vice-Convenor)</p> 	<p data-bbox="582 327 948 779">Councillor Scott Arthur Councillor Gavin Barrie Councillor Chas Booth Councillor Graeme Bruce Councillor Steve Burgess Councillor Scott Douglas Councillor Nick Cook Councillor Gillian Gloyer Councillor David Key</p>	<p data-bbox="1086 327 1331 483">Alison Coburn Senior Executive Officer 0131 529 3149</p> <p data-bbox="1086 551 1377 707">Veronica MacMillan Team Leader, Committee Services 0131 529 4283</p> <p data-bbox="1086 786 1362 987">Rachel Gentleman Trainee Committee Clerk, Committee Services 0131 529 4107</p>

Recent news

Smarter Choices Smarter Places 2017-18 Update No 2

An update on each work package is below.

Work Package 1 – Travel Planning

The Workplace Travel Planning project is underway, engaging with large city employers (typically with 250+ employees) and involving ‘challenge’ style initiatives. An active travel challenge was run in the Summer and there will be a public transport challenge this Winter.

Work Package 2 – Route marketing

SCSP will continue to fund development of Edinburgh’s way-finding project. The QuietRoutes promotional campaign is underway to promote existing walking and cycling routes, designed to reach chosen demographics: parents during school holidays and university students. New parents are being encouraged to walk more frequently through a programme of guided ‘Buggy Walks’. The active travel team and partners are continuing to distribute free printed walking/cycling maps and free high visibility accessories at community events (such as the SCSP-funded Inverleith Festival of Walking and Cycling and the City Ride event) and at workplace travel roadshows, which are part of Work Package 1.

Work Package 3 – Research and Development

A joint project between the Council and Sustrans, ‘Bike Life’ will investigate the attitudes of people living in Edinburgh towards cycling. The active travel and road safety team are continuing to work together to engage with schools on the Living Streets ‘Walk once a Week’/travel tracker project, as well as the Young Driver and the Junior Road Safety Officer programmes.

Work Package 4 – 20mph engagement

Public engagement is continuing, through social media campaigns and school engagement, guided by the toolkit which has been created for the Council by social marketing agency, SoMo.

Background

The Smarter Choices, Smarter Places (SCSP) programme includes a series of behaviour change initiatives to increase the use of active and sustainable transport modes for everyday journeys. The Council has been awarded £544,292 of grant revenue funding for SCSP in 2017-18.

The programme consists of four work packages, which are being delivered in line with the programme plan submitted to grant funders, Paths for All. The programme duration is 1 April 2017 – 30 June 2018.

For more information, contact Judith Cowie, judith.cowie@edinburgh.gov.uk

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Recent news

Flooding Issues in Inverleith Park

This bulletin is an interim response to the amended motion raised by Councillor Osler to Council on 21 September 2017, wherein:

“Council notes:

- (1) the importance of Inverleith Park as one of Scotland's largest urban parks,
- (2) that, for almost 130 years, the park has provided residents across north Edinburgh with 54 acres of open green space and iconic views of the city centre,
- (3) the adverse impact of flooding within the park through damaged drainage at vehicle and pedestrian access points to areas rented out for events, both this year and in previous summers,
- (4) the impact this flooding has had on the ability of local people to make use of and enjoy the park.”

Although drainage was included as part of the initial laying-out Inverleith Park, records show that it was subject to flooding as early as 1894. Repairs were instigated and further drainage added, an action that has been periodically repeated over the subsequent decades. As recently as 2013 some £82,000 was invested by the Council on drainage works on the south east and north east quadrants of the park.

Inverleith Park has regularly hosted public events. Since 2015, the Foodies Festival has been the sole large annual event in the park.

Since the adoption of the Edinburgh Parks Events Manifesto, the Council has required both a rent and a bond from the organisers of large-scale events. The bond is an estimated sum of money paid to the Council in advance of the event, which is subsequently used to fund repairs to the ground or park features damaged by said event. Unused monies are returned to the event organiser.

Following this summer's Foodies Festival, £13,127 of bond monies was used to repair damaged ground. Works included levelling, decompaction, verti-draining, top-

Background

For further information please contact:

[David Jamieson](#), Parks, Greenspace and Cemeteries. Tel: 0131 529 7055

dressing, and over-seeding. Additional aeration was undertaken at Council expense in compacted areas out with the Foodies Festival footprint.

Recognising that these works alone are not fully addressing the issue of repeated flooding, six sumps have been added along the new drainage line which was created in 2013, and a programme of gully clearance initiated. Furthermore, an exercise to identify any blockages or broken piping along main drains has been commissioned. The results of this are expected shortly. Once they have been appraised and any non-budgeted costs determined, officers will be in a position to report recommendations to the Transport and Environment Committee, or as required by Members.

Recent news

Edinburgh Tram – York Place to Newhaven

In September 2017, the Council approved the updated Outline Business Case for completing the existing tram line to Newhaven, and approved the commencement of Stage 2 activities, including initiating the procurement process to select preferred contractors along with starting project consultation.

A commitment was made to update and refine the business case following the completion of the procurement exercise, and to bring a report back to Council by Autumn 2018 recommending a way forward.

The project team continue to progress with all activities associated with the procurement stage of the project, this includes the production of procurement documentation, contract drafting, finalisation of technical documentation, development of a stakeholder engagement strategy, business compensation scheme and preparing for project consultation.

Since September, the project has commenced constructive engagement with Lothian Buses to assist in the development of the project specifically with regards to the traffic management arrangements and the road layout design.

Detailed Traffic Management arrangements for the project are currently being developed ahead of engaging with key

Background

For further information

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stakeholders early in 2018.

The project team continue to engage with key stakeholders including Edinburgh Trams, THRE Edinburgh St James, Forth Ports and key utility companies.

The Contract Notice for the Edinburgh Tram Project was published as two Lots namely; Infrastructure and Systems Contract and a Swept Path Contract on 25 October 2017. Interested organisations who wish to be considered for the Project are required to return a completed prequalification pack by 12 December 2017.

All organisations who noted interest were also invited to attend a Launch Event for the Project which took place on 13 November 2017 and this was well attended.

Phase 4 of the Leith Programme was completed at the end of October and all defect remedial work completed by the end of November.

The remaining phases of Leith Programme, Phase 5 and 6, have now been subsumed within the Tram project. As a result of this, the Phase 5 Public Hearing was temporarily sisted in anticipation of this decision, and officers are now progressing the formal cancellation of this process.

The updated OBC presented to the Transport and Environment Committee in September 2017 recommended a governance structure, based on lessons learned from the first phase of tram, with the day to day responsibility for the project residing with the Project Director and core decisions being taken by the Project Board or Corporate Leadership Team, as appropriate. As put in place during Stage 1 of project development, the updated OBC recommended political oversight reside with an all party oversight group similar to the Transport Projects Working Group set up in 2016. Work is underway to establish this group.

The project will continue to report each cycle to the Transport and Environment Committee through the business bulletin. A more detailed report will then be prepared for early Spring 2018 setting out progress to date and key steps to completion.

Improving traffic calming measures in Rosshill Terrace, South Queensferry 20MPH

Following the Committee in October contact was made with Frances Kirkwood (representing the residents from Rosshill Terrace) to arrange a site meeting on Monday 30 October 2017.

A representative from the Almond Community Police Team attended the meeting.

The purpose of the meeting was to consider the impact of traffic speed and volumes on Rosshill Terrace and agree future actions to mitigate the issues described at Committee:

- Vehicle speed/driver behaviour
- Traffic calming
- Parking pressures
- Obstruction of speed limit traffic signs
- Additional speed limit signs and road markings
- Police speed checks
- Impact of new route choice following the opening of the Queensferry Crossing

Actions taken to date:

- Speed survey/traffic volume apparatus has now been installed to establish local driver behaviour and baseline traffic volume information.
- The results will be used to assess whether the street meets the necessary criteria for the introduction of Vehicle Activated Speed Signs.
- Additional road markings (20 mph roundels and SLOW markings) were laid on 29 October 2017.
- The Road Safety team have retrieved up to date collision data for Rosshill Terrace and found no personal injury collisions noted in the standard three year search period. Over the last ten years one collision was recorded in 2010 involving two vehicles and no pedestrians, resulting in one minor injury.

Longer term actions:

- Rosshill Terrace is to be identified as a site of interest during the monitoring phase of the 20mph

For further information contact: [Dave Sinclair](#),
Local Environment
Manager, North West
Locality. Tel: 0131 529
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Speed Limit programme.

- The proposed Kirkliston and Queensferry Traffic Study will consider the volume and impact of through traffic at this location.
- Consider the introduction of, or revision to existing, waiting restrictions in the area to mitigate the impact of commuter parking around the Dalmeny Station car park.

Recent news

Kirkliston Congestion

A response to the motion by Councillor Hutchison on 24 August in respect of congestion in Kirkliston has been investigated and a response to the points raised is outlined in appendix 1.

Background

For further information contact: [Dave Sinclair](#), Local Environment Manager, North West Locality. Tel: 0131 529 7075

Recent news

Low Emission Zones

The Scottish Government Programme for Government 2017 set out an ambition to address transport related emissions; in particular establishing Low Emission Zones (LEZs) in Scotland's four biggest cities by 2020. Glasgow City Council has approved in principle the introduction of a LEZ in 2018, which Scottish Government supports.

4-Cities LEZ Leadership Group has been set up, chaired by the Environment Climate Change and Land Reform Cabinet Secretary and/or minister for Transport and Islands. The purpose of the group will be to support the implementation of low emission zones across the four cities, ensuring that they are evidence based, robust, deliver air quality improvements and that stakeholders and the public are engaged and involved. City of Edinburgh Council will be represented on this group by Councillor Lesley Macinnes and Michael Thain, Head of Place Development.

An operational city-based LEZ Delivery Group is expected for each city. The group membership will include the local authority, SEPA, Transport Scotland and the relevant Regional Transport Partnership organisation. Pollution modelling work being undertaken by SEPA will inform the

Background

For further information contact: [David Leslie](#), Service Manager and Chief Planning Officer. Tel 0131 529 3948

evidence base for LEZ and be considered by this group.
Transport Scotland consulted on 'Building Scotland's Low Emissions Zones' during October and November.
appendix 2 attached.

Recent news

Gull de-nesting

A gull de-nesting service has been made available by City of Edinburgh Council on a commercial basis since 2009. Records show that 786 nests have been removed since 2009, in accordance with the licence granted by Scottish National Heritage to the Council.

As has previously been mentioned at Transport and Environment Committee, in 2012 a trial of a free service was carried out in North Merchiston with the outcome reported to committee. Officers remain of the opinion that it is not financially viable to provide this service free of charge. Whilst the trial was delivered in a relatively small area, at a cost of approximately £9,000, rolling out this service across all of our tenemental housing in the city would cost substantially more and there are no allocated funds to do so.

Officers have undertaken benchmarking exercises with Scarborough Borough Council, who provide a gull de-nesting service around their seaside area at a cost of c.£40,000 per annum, and Bath and North East Somerset Council in a restricted area of the city at a cost of c.£60,000 per annum.

Background

For further information contact: [Robbie Beattie](#),
Scientific Bereavement
Registration Senior
Manager. Tel: 0131 555
7980

Recent news

Transport for Edinburgh Dockless Bike Share Code of Practice

A code of practice has been developed by Transport for Edinburgh for a dockless bike share scheme and this is attached in appendix 3.

Background

For further information contact:
[George Lowder](#)
Chief Executive,
Transport for Edinburgh
Tel: 0131 469 5401

Appendix 1

Response to Motion to Full Council on 24 August 2017 from Councillor Hutchison on Kirkliston Congestion

1. "Council recognises the significant impact of housebuilding and the associated population increase coupled with pre-existing rat-running Forth Road Bridge commuters on traffic congestion through the Kirkliston crossroads.

Council acknowledges that a lack of adequate public transport provision is a major contributory factor to current congestion levels and agrees to continue dialogue with Lothian Buses around introducing a direct service to the City Centre."

Kirkliston has a frequent (10 minutes at peak, 15 minutes off-peak) and reliable First Bus service connecting residents directly to the city centre via Corstorphine and Haymarket. They can also travel in the other direction to Stirling, Falkirk and Linlithgow.

The Council continues to engage with Lothian Buses on the provision of public transport services across the city however the ultimate decision on the introduction or changes to bus routes remains with Lothian Buses management.

2. Council agrees to continue dialogue with the local community to determine the best way forward for traffic management and initiate a traffic study in Kirkliston to report back to Transport and Environment Committee in two cycles, as promised by the Convener at the 29th June 2017 Council Meeting."

Now that the new Queensferry Crossing has opened and driver behaviour is starting to settle down it is recognised that there have been changes in route choices in both the Kirkliston and Queensferry area.

The Council is still considering the new slip road proposals developed by Transport Scotland for the M9/A8 Newbridge Junction, and once an agreement is reached it is anticipated that the new junction layout will improve journey times and make the Trunk Road network a more attractive option for drivers in the local area.

The Locality Transport team will develop a project plan and scope for a local transport study for the Kirkliston and Queensferry areas in partnership with the Trunk Road operating unit (Amey) and a local working group.

In addition, a traffic study will be carried to consider the impact of current traffic levels and develop possible options to improve the environment in both towns. The study is likely to take about six months and the outcome of this will be reported to Transport and Environment Committee in due course.

3. "Council regrets that a failure to adequately maintain existing infrastructure has led to the long-term closure of the Burnshot flyover and as such has cut off one of only two routes by which Kirkliston residents can access the City Centre. Council therefore agrees to enter into dialogue with the Scottish Government and Transport

Scotland to explore whether the newly constructed slip roads from the A90, currently designated as bus lanes, could be adapted to allow Kirkliston residents direct access to and from this arterial route.”

The carriageway width on Burnshot Bridge was restricted in 1999, following an inspection that found the bridge’s load carrying capacity to be deficient by current standards. Since 2000 the Council has monitored the condition of the bridge through the General Inspection Programme and was aware that the bridge was deteriorating.

The centre section of the bridge incorporates a suspended span, carried on ‘half joints’ which are no longer permitted as a form of construction for bridges as they have been found to deteriorate rapidly and are very difficult to access.

Loose concrete fell from the bridge in November 2016 and the bridge was closed in the interest of public safety. This also allowed a more comprehensive inspection of the bridge to be undertaken, that has identified that the half joints on the bridge were in very poor condition with loss of concrete and steel reinforcement, which has further compromised its load carrying capacity. In the interest of public safety regular inspections continue and the bridge remains closed to all traffic. The existing bridge was removed in November 2017.

Transport Scotland have considered the request by City of Edinburgh Council to adapt the designated bus lanes to allow Kirkliston residents direct access. They confirmed that the slip roads noted are corridors for the facility and improvement of Public Transport for the benefit of all users and therefore general traffic will not be allowed to use these links. The links will be actively monitored to ensure compliance when they are in operation. The future use of these links will be subject to the overall assessment of the operation of the scheme through the STRIPE process with reviews after one, three and five years. (STRIPE is the Scottish Trunk Road Infrastructure Project Evaluation guidance, developed to provide a framework for Transport Scotland to evaluate projects in the Scottish Motorway and Trunk Road Programme).

4. Council further recognises that the Kirklands Park Street bus gate, while necessary to prevent rat-running, contributes to the daily congestion at the crossroads by forcing residents into a detour of up to 1.3 miles, often against their intended direction of travel.

Council therefore agrees to provide immediate relief to the residents of Kirkliston, by modifying the ANPR system currently in operation to allow residents of the below listed streets to pass through the bus gate, while maintaining the existing single lane road configuration to manage driver speed. The cost of implementation to be met from a proportion of the £300,000 in fines obtained since operation of the bus lane commenced in August 2013.

Impacted Streets – Kirklands Park - Crescent, Gardens, Grove, Rigg, Road, Street; Glendinning – Drive, Place, Road; Maude – Close, Park, Place; Todshaugh Gardens; Eilston Drive, Loan, Road, Terrace, Malachi – Close, Gait, Green, Rigg
To be considered for inclusion – Queensferry Road; Newmains Road; Maitland Road; Humble Road; Housefield Drive; Mackinnon Crescent; Balcomie Gardens; Lauson Place; Crawford – Gait, Green.”

Exemptions to Traffic Regulation Orders (TROs) can only be made by classes of vehicle, i.e. buses, cycles, motor cycle etc. As there is no way of differentiating between a resident’s car and a non-residents car it is not possible to permit residents of the estate to use the bus gate.

Appendix 2

BUILDING SCOTLAND'S LOW EMISSION ZONES: REPOSENSE TO CONSULATION NOVEMBER 2017

1	<i>Do you support the principle of LEZs to help improve Scottish air quality?</i>
<p>Action is required to improve Scottish air quality. Transport emissions are contributing to poor air quality, particularly in cities, and taking steps to improve air quality should be a priority for both central and local governments. There are a range of factors that contribute to poor air quality in cities. Accordingly, the City of Edinburgh Council (CEC) views LEZs as a tool alongside a range of other traffic-based interventions to address the problem. A suite of well-planned and targeted interventions will be required to achieve the necessary change. LEZs have been shown to have a positive impact on air quality by promoting a move to lower emission vehicles operating in the transport network, particularly on corridors that carry high traffic volumes and a high level of exposure to the public. The development and application of LEZs needs to be informed by strong evidence and account for broader transport implications (such as displacement, and any unintended consequences from suppressed demand).</p>	
2	<i>Do you agree that the primary objective of LEZs should be to support the achievement of Scottish Air Quality Objectives? If not, why not?</i>
<p>CEC agrees that the primary objective should be to support the achievement of Scottish Air Quality Objectives that focus on nitrogen dioxide and particulate matter – as set out in the Cleaner Air for Scotland strategy, which are tighter than other parts of the UK and in line with World Health Organisation standards.</p> <p>CEC believes that LEZs are a key tool to help achieve a sustainable future for Edinburgh. This means an economy that is thriving, with opportunities for business, employment, and innovation that delivers an excellent quality of life for all its citizens. In terms of transport, this means an Edinburgh system that is low carbon, well connected, with infrastructure that is fit for the future.</p>	
3a	<i>Do you agree with the proposed minimum mandatory Euro emission criteria for Scottish LEZs?</i>
<p>Setting clear minimum standards is one tool to bring about change. However, CEC does not want to be limited by the tools and standards in its efforts to improve air quality and placemaking. CEC wants to see an ambitious use of tools to achieve more than a minimum standard. These tools could include further development of penalty regimes to influence demand for road use, incorporating incentives (such as tax breaks for those early to make change, providing grants or borrowing facilities for individuals and organisations to upgrade vehicles), or idle time and engine running limits.</p> <p>CEC broadly agrees with the proposed minimum mandatory Euro emissions</p>	

criteria. Minimum standards should be supported by evidence demonstrating that the Euro emissions criteria set out in Table 2 of the consultation paper will improve air quality. Having nationally consistent standards (and standards that align across the UK and Europe) is important to avoid confusion, limit the risk of displacement of non-compliant vehicles, and ensure that businesses are able to operate effectively across Scotland and wider.

CEC currently has a fleet of vehicles that requires access to carry out the City's duties and functions. To upgrade the existing fleet to meet the proposed minimum criteria set out in table 2 by 2020 will require significant investment. However, CEC is reviewing its funding and procurement strategy for the purchase and lease of vehicles. This review may offer cost effective options for the operation of a low emission transport fleet.

In the context of public sector financial pressures, managing the cost to meet the proposed standards will potentially be a barrier for local authorities and additional financial support from the Scottish Government may be required.

3b *Do you agree with the proposal to use the NMF modelling in tandem with the NLEF appraisal to identify the vehicle types for inclusion within a LEZ?*

CEC agrees with the use of NMF modelling in tandem with the NLEF appraisal to identify the vehicle types for inclusion within a LEZ. In establishing LEZs within cities, consideration needs to be given to traffic modelling and wider city priorities, including place-making and long term transport plans.

CEC is currently working with SEPA to model Edinburgh and is comfortable with how this work is progressing. However, any slippage in timelines for the model data may have an impact on the delivery of findings to inform LEZ decisions in Edinburgh.

3c *Should emission sources from construction machinery and/or large or small van refrigerated units be included in the LEZ scope, and if so should their inclusion be immediate or after a period of time?*

CEC is of the view that not enough information is known about the contribution that these sources make to the overall pollution problem to include them in a LEZ framework at this stage. Further work is required to gain additional evidence to understand the contribution these vehicles make and assess the best way to manage them.

4 *What are your views on adopting a national road access restriction scheme for LEZs across different classes of vehicles?*

CEC agrees with the proposed approach of a national road access restriction scheme. Penalty ranges should be standard across Scotland, but may need to be variable across the different classes of vehicles. Penalty rates would also need to be sufficient to act as an effective deterrent to all types of vehicles and/

or operators.

CEC also sees the establishment of a LEZ penalty regime as a starting point for longer term changes in the management of the road network. This means we need to ensure the LEZ penalty regime is future proofed. This may include providing local authorities with powers to expand and vary LEZ rates, consider alternative road-user charges, and other demand-management strategies to deliver continued air quality, congestion, and network management improvements.

5 *What are your views on the proposed LEZ hours of operation, in particular whether local authorities should be able to decide on LEZ hours of operation for their own LEZs?*

CEC agrees with the proposal that 24-hour LEZ restriction is preferable as it ensures consistency on a national scale. A 24-hour LEZ scheme would also ensure the greatest change in behaviour towards a cleaner fleet which is expected to reduce pollution concentrations.

There are many complexities in managing and enforcing a time-restricted LEZ and these may result in adverse consequences (such as increased night time activity with associated noise implications for local residents).

6 *What are your views on Automatic Number Plate Recognition enforcement of LEZs?*

CEC agrees that the use of Automatic Number Plate Recognition (ANPR) is the best option to enforce LEZs. While there can be issues enforcing motorcycles and mopeds with ANPR camera, the cameras are around 90-95 percent successful in identifying non-compliant vehicles.

There are opportunities in the longer term to extend the use of a widespread ANPR camera systems. For example, speed camera enforcement, utilising traffic data for Intelligent Traffic Systems, or building on Land Use and Transport modelling insights.

CEC has recently invested in new ANPR cameras and back-office system to administer bus lane enforcement and is satisfied with the operation of this system. It would be prudent to ensure any LEZ systems are compatible with current operations. The legislative process of decriminalising bus lane enforcement included a list of approved devices as well as the processes and policies to facilitate the enforcement. A similar approach could be adopted for LEZs.

The funding of infrastructure (including servicing and maintenance) and costs associated with the management of the scheme needs to be considered further. In particular, consideration of what the implications might be for local authorities

that do not have the budget for the likely costs of LEZs.

The impact of cameras and infrastructure on public realm and place-making policies for de-cluttering streets and urban space needs consideration.

7a *What exemptions should be applied to allow LEZ to operate robustly? Please be as specific as possible in your reasoning.*

Within the LEZ proposals, a balance must be struck between achieving significant improvement in air quality (and the contribution of vehicle emissions to poor air quality), the likely contribution to harmful emissions by vehicle types, and the reasonable cost to comply with the proposed changes.

CEC's view is that the LEZ should apply as broadly and consistently as possible, with exemptions applying only in certain specific circumstances. The proposed list is extensive and it may be difficult to enforce and manage some elements of it (such as, relatively low distances travelled by coaches, cross referencing to a 'hardship exemption' list which will change frequently and will not be directly linked to the DVLA database).

Whilst the establishment of a LEZ will impose a cost on some businesses and private individuals, we do not want to lose sight of the need to ensure that Scottish, UK, and European limits for air quality are met. We also need to ensure that control of transport emissions support the quality of life and the health of the city's residents (particularly its most vulnerable groups). CEC is committed to delivering a healthier city with a sustainable future that ensures a better environment and transport system for all.¹

Costs imposed on individuals and businesses should be considered in line with the wider costs associated with operating vehicles and making the most of other LEZ tools, such as reasonable sunset and lead-in periods, the availability of grant or borrowing facilities to assist with upgrades, and the availability of retro-fitting services.

7b *Should exemptions be consistent across all Scottish local authorities?*

Exemptions should apply consistently across all authorities to ensure alignment between cities. The authority for issuing exemptions should sit with Transport Scotland, but require consultation with, and agreement by, local authorities.

Provisions should be made for blanket non-enforcement of LEZs – for example the cameras might be switched off while a road is closed or an event is being held e.g. Edinburgh Hogmanay. The authority for this should be linked to the

¹ City of Edinburgh Council. Council Commitments 2017
http://www.edinburgh.gov.uk/info/20141/council_commitments

authority and management of road closures held by local authorities.	
8	<i>What are your views on LEZ lead-in times and sunset periods for vehicle types shown in Table 2?</i>
<p>In principle, CEC supports the proposals for lead-in times and sunset periods to the vehicles in Table 2. Lead-in and sunsets periods should play a key role in managing equality considerations.</p> <p>The lead-in times and sunset periods based around European experience are sufficient to ensure people and businesses are reasonably able to manage the cost of meeting the new requirement. The provision of financial assistance to those who have limited travel choices and ability to upgrade their vehicles and availability of retrofitting services will be key to supporting the implementation timeframe.</p> <p>If the local authority is establishing the LEZ through its TRO process, lead in times should enable appropriate public consultation, and public hearings - should there be objections. For CEC to manage this process effectively, it will require significant time and resources. The impact of this time and resource demand will need to be taken into consideration in lead-in times.</p>	
9	<i>What are your views about retrofitting technology and an Engine Retrofitting Centre to upgrade commercial vehicles to cleaner engines, in order to meet the minimum mandatory Euro emission criteria for Scottish LEZs?</i>
<p>In principle, retrofitting can offer a cost-effective alternative to individuals or businesses to meet emissions standards. The provision of these types of services is one tool to meet the overarching objective of improving air quality. However, demand for retrofitting services will be closely tied to the availability and cost of replacement vehicles which meet emissions standards over time.</p> <p>The retrofitting scheme should balance government investment that represents best value for money and achieving a system that delivers the required change in the vehicle fleet. There needs to be a strong business case for developing a retrofitting service 'market' in Scotland to ensure investment in the scheme is not at the expense of other initiatives that may achieve the same outcome.</p>	
10	<i>How can the Scottish Government best target any funding to support LEZ implementation</i>
<p>In Edinburgh, it is likely that a wide range of vehicle types would be affected by the proposed LEZ regime according to previous nitrogen dioxide source apportionment work². Depending on the types of vehicles affected and the</p>	

² http://www.edinburgh.gov.uk/downloads/file/4375/2013_further_assessment_report

timeline at which the LEZ regime will be in effect, commercial fleet operators may require funding support.

All bus companies operating in Edinburgh are continuing to improve their fleet, but it has not been possible to achieve the draft Voluntary Emissions Reduction partnership (VERP) target of 100% at Euro V by October 2015. Edinburgh's largest bus operator, Lothian Buses, has made significant progress in upgrading its fleet to meet emission standards. However, the upgrade programme is ongoing and CEC recognises that financial support may be needed to deliver continuing improvement within short timeframes.

Funding will also be required for enforcement, infrastructure and maintenance of LEZs. Local authority finances are under severe pressure and there will be a need to ensure that the development and future management of a LEZ regime is appropriately resourced by people with specialist expertise. A LEZ regime will need to be supported by Scottish Government including the assessment, capital, and operational costs. Similarly, there is a role for Scottish Government to lead on investment in the project, given its ambitious timescales.

Other funding could be targeted towards bringing vehicles up to standard within public sector fleets; both to ensure they set a good example and to support these organisations that may have less financial ability to manage capital costs of upgrades.

11 *What criteria should the Scottish Government use to measure and assess LEZ effectiveness?*

The criteria for assessing LEZ effectiveness should support the performance of LEZs against the expected outcomes (that focused on nitrogen dioxide and particulate matter – as set out in the Cleaner Air for Scotland strategy), as well as unintended consequences, such as displacement, and social and economic impacts of suppressed demand.

In addition, the criteria for effectiveness needs to take a comprehensive approach to the impact of LEZ's on the specific outcomes local authorities are striving for in their cities (such as modal shift, place-making, and network efficiency).

12 *What information should the Scottish Government provide to vehicle owners before a LEZ is put in place, during a lead-in time and once LEZ enforcement starts?*

CEC supports the proposed approach to provide information nationally as set out in the consultation paper. To ensure the public are well informed, a clear and consistent message as to why implementing a LEZ regime is important should be developed and communicated by Scottish Government and local authorities. Early engagement between CEC and Scottish Government on

undertaking a coordinated approach would be beneficial.

It is important that this public awareness information includes;

- Why the LEZ is being introduced
- Who/what vehicles it will affect. How to find out if your vehicle is affected and what to do if it is
- Full details of the LEZ location/marketing materials mapping this out
- Alternatives – tips on active travel, public transport options
- FAQs and advice phone lines.

13

What actions should local or central government consider in tandem with LEZs to address air pollution?

CEC agrees that LEZs should operate in a complementary manner with existing and future transport and place-making policies and action plans.

Government should consider national policies which support behaviour change; such as investment policies and vehicle tax regimes. The UK Government could consider reversing the tax incentives for purchasing diesel vehicles and introducing vehicle scrappage schemes. The Scottish Government could consider financial incentives to encourage the use of cleaner vehicles e.g. extending the Green Bus Fund, interest free loans for businesses etc. Opportunities to improve coordination across the public transport and freight sectors also needs to be considered.

CEC has a number of initiatives underway that align well and could benefit from additional government support, as set out below.

Local Transport Strategy priorities

CEC is currently reviewing its Local Transport Strategy (LTS) which will consider how all modes of transport operate within the city and across its administrative boundaries. The strategy is likely to focus on increasing public transport patronage, effectively managing the implications of new developments across the city, incentivising active travel, and investment in electric vehicle and cycle infrastructure.

Government could support these priorities by incentivising car clubs and active travel, continuing to incentive electric vehicles and charging infrastructure (further detail below), and supporting last mile freight delivery solutions. Transport and land use policies could benefit from government taking a greater role in providing regionally-focused intelligence, data, and modelling. This is especially relevant for Edinburgh, where a significant proportion of its transport demand originates from outside the administrative area. For example, a third of workers (around 95,000 people) commute to Edinburgh from other local

authority areas and only a third of these travel by rail or bus.

Government could also make some minor legislative changes to support local authorities in enforcing their policies and plans. In particular, legislation to enable a private (workplace) parking levy system, and the enforcement of city-wide vehicle engine idling controls.

CEC's Electric Vehicle Action Plan

CEC is developing an Electric Vehicle Action Plan, supported by a Strategic Business Case. The Action Plan focuses on encouraging the uptake of EVs and articulating the benefits of electric vehicles, such as the assisting Edinburgh to meet its carbon emissions targets and improving the city's air quality. The Action plan takes an innovative zoned approach to increase charging infrastructure across the city. In support of the Action Plan, a Strategic Business Case is being developed to determine the best locations, types of chargers and investment required within the zones.

The introduction of LEZ will be complementary to the EV Action Plan and can help to support the aims of any potential LEZ by enabling drivers to transition to plug-in vehicles. Government could provide financial assistance to accelerate infrastructure, in line with the Strategic Business case.

Travel optimization within the city centre

A LEZ regime would work well with initiatives to optimise freight through a focus on last mile delivery and limiting the number of heavy goods vehicles operating in the city centre. Freight consolidation centres on the outskirts of the city could act as a distribution hubs and utilise e-cargo bikes and low emission vehicles to complete the final delivery. Government could support these schemes by working with local authorities, freight operators, and companies to lead strategic thinking and planning across and between regions.

Government could support travel optimisation by supporting organisations to improve their transport related emissions (through better use of travel plans for example), or by providing tax breaks or incentives for those organisations that are proactive or are early adopters of air quality policies and new vehicle technology.

14	<i>How can LEZs help to tackle climate change, by reducing CO2 emissions in tandem with air pollution emissions?</i>
<p>The introduction of LEZs in Edinburgh will complement the approach outlined in the Sustainable Energy Action Plan (SEAP) for Edinburgh. The SEAP is an action plan with the aim of reducing CO₂ emissions across the city by 42 percent by 2020. One of the focus areas of the SEAP is sustainable transport, and developing projects to decarbonise transport and support the Local Transport Strategy. To date, progress has been made in reducing CO₂ emissions in Edinburgh, but as CO₂ emissions fall across the domestic and industrial/commercial sources, the proportion from Transport is now rising. As of 2015, Transport emissions accounted for 27 percent (up from 21 percent in 2012) of the city's total CO₂ emissions.</p> <p>Action to address CO₂ emissions in the transport sector is a priority in Edinburgh. A LEZ can directly support many of the key high level actions outlined in the SEAP and the Local Transport Strategy, namely those that reduce the need to travel, encourage active travel, and decarbonise transport.</p>	
15	<i>What measures (including LEZs) would make a difference in addressing both road congestion and air pollution emissions at the same time?</i>
<p>Tackling road congestion and air pollutions emissions requires a focus (in both strategic priority and funding) from central and local governments. Measures could include:</p> <ul style="list-style-type: none"> - Infrastructure-based measures including improved intelligent traffic management systems that capitalise on benefits delivered by emerging technology and innovation in vehicles (e.g. traffic-signal optimisation, bus priority, and telematics). - Prioritisation and informed investment in the transport network across a city or region to focus on function (e.g. dedicated bus corridors, arterial routes, and people centred areas). - A focus on softer tools to promote sustainable travel choices (e.g. sustainable travel plans for businesses, more closely linking transport needs and development consent, promotion of shared vehicles/pool cars) - Incentives for freight operation to encourage off peak transit and alternative means to meet 'last-mile' of shipments. <p>Improved coordination between policy and funding decisions from Scottish Government and regional authorities, particularly in relation to the National Transport Strategy and the National Planning Framework. For example, residential development in neighbouring local authorities means that CEC is responsible for providing transport networks that support these commuters, without a commensurate revenue stream.</p>	

16	<i>Do you have any other comments that you would like to add on the Scottish Government's proposals for LEZs</i>
<p>Scottish Government will need to maintain a lead role establishing LEZs, doing so in partnership with local authorities. This will reduce the administrative cost and likely duplication of services and resources across local authorities and making the most of local knowledge.</p> <p>CEC is keen to work closely with Scottish Government to develop solutions to the next range of issues for LEZs, including funding arrangements, and legal mechanism that will be used to bring LEZs into effect, specifically around the Traffic Regulation Order process. Consideration also needs to be given to unintended impacts that might result from a LEZ such as the loss of city centre parking revenue.</p>	
17	<i>What impacts do you think LEZs may have on particular groups of people, with particular reference to the 'protected characteristics' listed in paragraph 5.2? Please be as specific as possible in your reasoning.</i>
<p>CEC considers that the impact of LEZ and their contribution to improving air quality are most relevant to the following groups of people as set out below.</p> <ul style="list-style-type: none"> - Elderly– as their bodies are more fragile and likely to experience more harm from exposure to poor air quality. - Young – as children's lungs and bodies are developing they are susceptible to experiencing harm from poor air quality. - Pregnant – like the above, pregnant women's health can be compromised meaning they and their developing foetus are more sensitive to the harms of poor air quality. <p>These groups of people are most sensitive to the impacts of poor air quality. Considering these people is critical in determining when and where LEZ's are developed (for example, a LEZ might be prioritised over another if there are schools located within the area). Similarly evaluating and monitoring the effects of LEZs in relation to how they affect these vulnerable people should be incorporated into the regime (for example, when looking at where traffic dispersed by a LEZ might redistribute to school areas).</p>	
18	<i>Do you think the LEZ proposals contained in this consultation are likely to increase or reduce the costs and burdens placed on any sector? Please be as specific as possible in your reasoning.</i>
<p>Businesses that are transport based or transport reliant are likely to experience a cost increase to comply with the proposed LEZ requirements. This will be particularly so for businesses that use specialist or purpose-built vehicles. Proposals for the LEZ regime to include exemptions, lead-in time and sunset</p>	

periods will enable businesses to manage the cost of upgrading vehicles or making operational changes across their fleet to enable them to comply.

Organisations which have less ability to pass costs on are likely to be more significantly affected by the proposals. For example, small businesses that operate with a low profit margin may struggle to re-arrange their operations and still remain financially viable.

Where these organisations are providing a public good, or are not operating on a commercial model there may be a case of central government support to manage or mitigate these costs. Local authorities, emergency services, and some voluntary organisations fall into this example. In line with the intended outcome of improving air quality, the best way to manage these burdens would be to provide financial support to assist organisations with compliance.

19 *What impacts do you think LEZs may have on the privacy of individuals? Please be as specific as possible in your reasoning.*

Use of ANPR to monitor and enforce LEZ will collect information about a range of people's movements throughout the city. This information will need to be collected, stored, and disposed of securely and within reasonable timeframes. There is an existing framework for the use of ANPR cameras for enforcement and CEC would expect to follow a similar framework.

As the thinking of privacy and collection of information is changing quickly in line with technology, CEC would expect that best practice and regularly reviewed requirements are used within the LEZ framework.

20 *Are there any likely impacts the proposals contained in this consultation may have upon the environment? Please be as specific as possible in your reasoning.*

It is expected that the proposals will see a reduction in vehicle tailpipe emissions which will result in a reduction in concentration of nitrogen dioxide and particle matter and pollutants of concern identified in the Local Air Quality Management regime, the UK National Air Quality Strategy, Cleaner Air for Scotland, and European Directives. The proposed LEZ regime is likely to result in reductions in carbon dioxide, which complements the UK's Climate Change agenda.

It is unlikely that the LEZ framework with supporting policies would result in any significant negative environmental impact in Edinburgh. A well designed and implemented LEZ regime in Edinburgh has the potential to support wider environmental improvements across the city. This will support a place-making approach that focusses on quality of life and health. This way, a LEZ would prioritise people over vehicle movement and support a modal shift to public

transport and active travel.



Dockless Bike Share Code of Practice
For Operators in Edinburgh
8 November 2017

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1. Introduction

- 1.1. Transport for Edinburgh (TfE) has a key role in shaping what life is like in Edinburgh through an integrated transport network, realising the TfE Vision:

“To provide world class, integrated, environmentally-friendly and socially inclusive transport which plays a central role in the future prosperity of Edinburgh and the Lothians.”

The City of Edinburgh Council (CEC) has set a target for 15% of all journeys to work and 10 % of all journeys, to be by bike by 2020. To help achieve this, CEC is investing some 10% of the transport budget, more than £1M per annum, in cycling. Most of this is being invested in improved cycling infrastructure. This infrastructure investment together with cycle to work schemes, Scottish Enterprise support to purchase bikes for businesses, Bike and Go, Sustrans Projects and public health campaigns is achieving an increase in cycling. There is, however, more to do to achieve the targets. This must be achieved against a backdrop of the City wishing to retain its World Heritage Site Status and an imperative to maintain the City as an attractive, safe and enjoyable place.

- 1.2. **The potential to get more people cycling is huge, and dockless bikes could complement Edinburgh’s existing public transport network, making cycling more accessible.**
- 1.3. Alongside this, streets must be made more accessible for those who prefer to walk, especially children and older and disabled Edinburgh residents and visitors. Safety remains our primary objective and it is our duty to protect the rights of the public to use and enjoy the Capital’s highways and footways. **Dockless bike share schemes must work for everyone without impacting, or causing a danger to, other road users.**
- 1.4. This Code of Practice (this Code) has been developed in collaboration with a range of Stakeholders including CEC Teams, Sustrans, Transport Scotland, Bikeplus, Cycling Groups and our partners in The Edinburgh Universities¹. It outlines the requirements and recommendations that Dockless Bike Share Operators are expected to follow, as part of delivering safe and effective schemes in Edinburgh.
- 1.5. **This Code will be reviewed and updated regularly, so it continues to reflect best practice and the interests of Edinburgh Residents and Visitors.**

¹ The University of Edinburgh, Heriot-Watt University, Napier University, Queen Margaret University and Edinburgh College.

- 1.6. The Code complements the existing legal and regulatory framework, which Operators must observe and comply with at all times. Failure to follow this Code may be taken into account should CEC as The Local Roads Authority take enforcement action (see Section 7 of this Code) or begin legal proceedings against any Operator.
- 1.7. Copies of this Code are publicly available, in accordance with the Local Government (Access to Information) Act 1985.

2. Aim and Scope

- 2.1. The aim of this Code is to ensure well-designed, dockless bike share schemes, that complement Edinburgh's public transport network and support the TfE and CEC strategies.
- 2.2. This Code applies to all Operators and sets out the operational and safety standards that Operators are expected to adhere to.

3. Definitions

- 3.1. For the purpose of this document, the following definitions apply:

Edinburgh

- 3.2. Edinburgh means the City of Edinburgh Local Authority area.

Danger

- 3.3. Danger means risk of bodily harm or injury or damage to property.

Geographic Controls or Geo-fencing

- 3.4. Geographic Controls or Geo-fencing means the use of Global Positioning Systems (GPS) or Radio Frequency Identification Device (RFID) technology to create a virtual geographic fence. When a device moves into (or out of) the space defined by the fence, triggers are sent and the user will receive, for example, a text or push notification. The technology allows Operators to specify where a bike can be safely parked, or create an exclusion zone that prevents the bike from being manually locked.

Local Roads Authority

- 3.5. Local Roads Authority means the body responsible for the administration of Public Roads in Edinburgh, currently CEC. Public Roads in Edinburgh are defined

at: https://www.edinburgh.gov.uk/directory/120/list_of_public_roads_in_Edinburgh.

Local Roads Authority responsibilities are defined in The Roads (Scotland) Act 1984.

Nuisance

3.6. Nuisance means an act, omission, situation, or practice that materially affects the reasonable comfort and convenience of the public.

Obstruction

3.7. Obstruction means a situation arising from the deposit of a bike or bikes (whether by reason of its or their position, their number, or otherwise) so as to adversely affect the free use of a highway (including a footway or a carriageway), or to adversely affect the free use of any other public or private land, which is not specifically assigned for the purposes of dockless bikes.

Operator

3.8. Operator means any operator running or planning to run, a dockless bike share scheme on Public Roads, or which may affect any premises or assets of TfE or CEC.

Public Road

3.9. Public Road means any carriageway or other road maintainable at public expense.

4. General Requirements

4.1. Any Operator wishing to run a dockless bike share scheme within Edinburgh should be an accredited Living Wage Employer. The Operator must also:

- Comply with all applicable laws, codes of practice and standards.
- Take out and maintain appropriate insurances, for itself and users of the scheme, as well as appropriate public liability insurance.
- Be Bikeplus accredited.

5. Engagement

Prior to launching a dockless bike share scheme, Operators must engage with TfE and through TfE with the Local Roads Authority.

5.1. Engagement with the Local Roads Authority includes (without limitation):

- Agreeing a detailed operations plan specifying how the scheme will comply with all of the requirements contained in this Code, in particular the provision and application of:
 - Strict Geographic Controls.
 - Parking infrastructure and controls.
 - Rebalancing of cycles.
- Agreeing detailed plans outlining where and when the Operator plans to introduce a scheme, the number of cycles and the extent to which the Operator expects the volume of bikes to grow and be managed.
- Providing evidence that the Operator has engaged with the Local Roads Authority likely to be affected by the scheme.
- The Operator must also agree to any additional terms required by the Local Roads Authority and TfE to supplement this Code.

5.2. As well as adhering to this Code, it is recommended that Operators establish an appropriate form of agreement with TfE. It must be noted, however, that any such agreement is without prejudice to the requirement for Operators to comply with all applicable laws, including those governing interference with free passage on Public Roads.

5.3. Dockless bike share schemes should be introduced on a trial basis. Parameters should be set with TfE specifying, as a minimum, the number of bikes to be deployed, when the trial will take place, how long it will last and reporting on the performance and impact of the trial scheme.

5.4. Operators must agree to cease operations and remove all bicycles, if instructed to do so by the Local Roads Authority.

5.5. Operators should also consider the benefits of wider engagement, at proposal stage and during operation, with the public, private landowners, and other stakeholders likely to be impacted by the scheme. This should include (without limitation):

- Communicating the general nature of the scheme including approval to operate.
- Explaining the scope, for instance the number of bicycles involved and the geographical area in which they may be used.
- Providing reassurance and addressing any concerns that the public and local stakeholders may have. Particular consideration should be given to vulnerable road users such as, pedestrians, disabled people including those who are visually or hearing impaired.

6. Safety and Maintenance

The safety of Edinburgh Residents and Visitors is a primary concern and increases in the number of people cycling must be achieved safely, minimising Danger to the public. Without limitation, Operators must meet the standards set out below.

- 6.1. Operators must achieve and maintain ISO 4210:2014 standards for bicycles in the UK and it is always their responsibility to ensure this. They must have robust maintenance and servicing regimes in place so bicycles continue to meet applicable laws and standards. As a minimum, bicycles should be given a full service annually, with formal checks and repairs taking place regularly throughout the year.

It is, at the time of publication, TfE and legal requirement to:

- Provide, where bikes have hand operated brakes, for hand-operated brakes arranged left-hand rear and right-hand front.
- Provide front and back lights on the bike so it can operate safely in low light conditions – BS EN ISO 4210:1-9 The Pedal Bicycles (Safety) Regulations 2010 and Road Vehicle Lighting Regulations 1989.
- Provide a rear red reflector and amber/yellow reflectors on the front and rear of each pedal.
- Provide a bell in line with the Pedal Bicycles (Safety) Regulations 2010.
- Provide new bikes.
- Make sure all bicycles have an individually identifiable asset number.

This is not an exhaustive list of all legal requirements. It is the Operators' responsibility to make sure they comply with all applicable laws and standards

for bicycles in the UK.

- 6.2. Operators must also comply with all applicable health and safety legislation. This includes (without limitation) setting out how they will report the number of staff and customers killed or seriously injured (if any) while working for, or using, the scheme.
- 6.3. Operators must have operational processes in place to enable customers and members of the public to easily report unsafe or damaged bicycles (see Section 8 (Customer experience and education)). It is the responsibility of the Operator to make sure these bicycles are no longer available for hire, and are recovered within the following service response times:
 - **Where a bicycle is considered to be causing a Danger or Obstruction** the bicycle should be removed within two hours, or within the Local Roads Authority's emergency response time, whichever is the quickest. If bicycles are causing an immediate danger, the Local Roads Authority may remove them without prior notice. The Operator will be liable for all associated costs.
 - **Where a bicycle is reported to be causing a Nuisance**, the Operator will address the Nuisance to resolve the issue within a maximum response time of 24 hours from the time of notification.
- 6.4. Operators must make sure the bicycles are cleaned frequently and within suitable timeframes as agreed with the relevant Highway Authorities. This will include, but is not limited to, removing offensive graffiti and biohazardous material proactively or when directed by the Local Roads Authority.
- 6.5. TfE encourages Operators to achieve the Fleet Operator Recognition Scheme (FORS) bronze accreditation to demonstrate their business is being run safely, efficiently and in an environmentally sound manner. FORS aims to ensure:
 - **Safer Operations** – Operators meet accreditation standards and report, investigate and analyse incidents.
 - **Safer Drivers** – approved training is available to drivers to increase their awareness of vulnerable road users' safety.
 - **Safer Vehicles** – those over 3.5 tonnes are fitted with specified safety equipment.
- 6.6. The minimum age recommended for a registered user of any scheme will be 18. If accompanied by an adult, users must be at least 14-years-old. This will be explained both in the user terms and conditions and on the bicycle.

- 6.7 Persons over the age of 14, but under the age of 18, not accompanied by an adult, must have the written permission of a parent or guardian to register to use the system and the written permission of the nominated payer to make payment for the hire of the bike. This will also be explained both in the user terms and conditions and on the bicycle.

7. Operations

Dockless bike share schemes must be operated so as not to cause disruption. The parking or use of shared dockless bikes (individually or collectively) must not cause Nuisance or Obstruction, and must not restrict or affect the use or enjoyment of property on Public Roads, the premises of the Local Roads Authority, or private land. The Roads (Scotland) Act 1984 provide powers to remove unlawfully deposited bicycles. The Local Roads Authority may consider giving a warning to, recovering expenses in removing unlawfully deposited bikes from, taking enforcement action against, or prosecuting, the Operator, where this is required. Operators will be treated as responsible for the use (including the deposit) of any bike they own or manage.

- 7.1. Where an Obstruction occurs, the bike or bikes involved must be moved to a compliant parking space within the timescales set out in Section 6.3. Failure by the Operator to comply may result in removal, a formal warning or prosecution.
- 7.2. Where bikes have been removed either by a Highway Authority or emergency services, the Operator will be liable to pay all associated reasonable costs.
- 7.3. Any specific infrastructure requirements that are considered necessary to support the proposed scheme, for instance demarcation, additional parking areas and bike stands, will be agreed with the Local Roads Authority and the operator through TfE will be responsible for obtaining all necessary consents.
- 7.4. Operators must liaise through TfE, with the relevant CEC Teams and wider organisations such as Network Rail and Scotrail/Abellio, to establish guidelines for where bikes can and cannot be parked. This will include general parking rules and details of specific areas where parking is prohibited at all or certain times.
- 7.5. Operators must ensure that an Obstruction does not arise because of the deposit of bikes, and that bikes are not deposited in predesignated no-go areas, such as around fire escapes (e.g. through Geo-fencing).
- 7.6. Operators must also be able to monitor and report the location of all their bikes in real time. It is recommended that they can identify any bikes that have fallen over, and so pose a safety risk, and therefore are liable to be removed.
- 7.7. **Operators must have the capability to manage the removal and redistribution of**

bicycles including when required by the Local Roads Authority or Police Scotland and (without limitation):

- When clustering of bikes occurs, for example around transport interchanges during peak times and at large stadia and other important venues.
- If there has been a major incident and the emergency services have requested the immediate removal of all bikes.
- When cycle journeys have ended out-with Edinburgh.
- In preparation for planned events as instructed by the Local Roads Authority or Emergency Services.
- If requested, to cease all operations.

Service level agreements addressing these situations must be agreed with the Local Roads Authority.

- 7.8. The Operator must ensure the safe and lawful loading and unloading of bicycles by properly trained individuals, with suitable training records kept and available for inspection. Obstruction must be avoided.
- 7.9. Operators' staff must be properly trained as to where bikes may and may not be deployed with suitable training records kept and available for inspection.
- 7.10. Operators must provide the Local Roads Authority with a telephone number and details of a named person or persons who can be contacted directly and immediately, at any time of day, on any day, and who will have the authority and resources available to them in order to rectify any foreseeable problems, or take any other appropriate action.

8. Customer Experience and Education

- 8.1. Operators must offer 24-hour communication channels. This includes a telephone number that is clearly advertised on the Operator's website, mobile apps and bicycles.

Customer enquiries made during business hours should go direct to the Operator. An after-hours phone menu should be available for queries outside business hours, where not direct to the Operator.

- 8.2. The Operator must make sure the terms and conditions of use for their scheme/s are easily available to customers, via the Operator's website and mobile apps. The Operator must:

- Require all customers to accept its scheme terms and conditions. These terms and conditions must include clear guidelines on where the scheme operates and where bicycles can and cannot be parked.
- Highlight important components of its terms and conditions including parking restrictions, incentives for good behaviour and penalties for non-compliance.
- Provide general advice on its mobile app as part of the sign-up process that promotes safe and lawful bicycle use in Edinburgh. This should include, but is not limited to, guidance on:
 - staying back from heavy goods vehicles.
 - not cycling on pavements.
 - staying away from parked cars.
 - stopping at red lights.
 - staying central on narrow roads.
 - Cycling in the vicinity of tram tracks.
 - hand signals for safe turning.
- Provide a ‘frequently asked question’ page on their website and mobile app.

8.3. All Operators’ deposit and payments policy must be in accordance with the Payment Card Industry Data Security Standard. The Operator’s deposit and payment policy should be transparent, reasonable and clearly communicated to the customer, when they sign up to the scheme and when they hire a bike.

8.4. Operators must have a complaint handling procedure. It must be well publicised and clearly communicated on the Operator’s website and mobile app. It must also:

- Include contact details, and the process, for making a complaint.
- State the timeframes in which the Operator will endeavour to resolve the complaint, including when they are likely to notify the complainant about its progress or resolution.
- Be accessible so that disabled customers can lodge and progress a complaint.

9. Data Requirements

The CEC commitment to increasing safe cycling in Edinburgh requires TfE and CEC to understand patterns of cycle demand and use. Dockless bike sharing provides an opportunity to do this more accurately, which will better inform the cycling strategy for Edinburgh.

- 9.1. Operators must share anonymised data with TfE to help enhance the cycling strategy and network.
- 9.2. Operators must also share data with the police and other law enforcement agencies if bicycles are suspected of being used for illegal or antisocial purposes.
- 9.3. In accordance with data protection legislation, all personal data must be processed lawfully. Operators must make sure appropriate security measures are taken against unauthorised access to, or alteration, disclosure, accidental loss or destruction of, personal data.

10. The Environment

TfE aims to reduce the impact of its transport operations on the environment. Edinburgh is participating in the development of a low emission zone and has a clean air strategy.

- 10.1. When redistributing bikes, Operators should consider the environmental impact of any vehicles used. Compliance with the FORS bronze accreditation will contribute to this.
- 10.2. It is recommended that Operators comply with ISO 14001:2015 to minimise negative impacts on the environment. In addition, for redistribution - vehicles used for the redistribution of bicycles should meet Euro 6 Emission Standard 459/2012/EC.
- 10.3. Recognising that bicycles have a limited useful life, Operators must share their policy for reusing and recycling their assets with TfE.

11. Accessibility Requirements

CEC continues to improve the Capital's urban realm, decluttering streets and making public spaces more pleasant and easier for disabled people to use.

- 11.1. Operators should recognise CEC and TfE equality and inclusion policies and must be committed to improving transport in Edinburgh by making it more

accessible, safe and reliable. Operators should find solutions to social barriers and be as socially inclusive as possible, this may include solutions for non-smart phone/mobile users.

12. Future Considerations

TfE remains open to innovative new services that could help achieve the goals for cycling, provided they are safe and effectively managed. The introduction of any dockless bike sharing will be closely monitored as appropriate governance and regulatory controls are explored to make sure it works for everyone in the City. TfE will work with Operators to:

- 12.1 Flex the number of available cycles in The City commensurate with emerging demand.
- 12.2 Consider how best to continue to develop any scheme, including integration with, and support for, the local economy.