



Policy Position:

E-SCOOTERS

September 2020

ADEPT

The Association of Directors of Environment, Economy, Planning & Transport

POLICY POSITION: E-SCOOTERS

KEY MESSAGES

- E-scooter has the potential to become a positive and separately identifiable sustainable travel mode if regulatory safety and behaviour issues can be addressed successfully.
- The potential benefits of e-scooter include reduced carbon emissions, cleaner air and a viable alternative to public transport and home-to-school transport in urban areas. Although e-scooters (like e-bikes) may not offer the same level of health and wellbeing benefits, they can nonetheless contribute towards a net-zero carbon economy.
- As the Government looks to get the economy back on its feet post-COVID-19, ADEPT wants to ensure that a 'build back green' approach is taken. One of our immediate priorities for Government action, as set out in our Blueprint (published in partnership with a range of local government, research and environmental organisations) is to make it easy for people to walk, cycle, and work remotely - e-scooter falls into the same category.
- Funding has been provided to create streets that prioritise and encourage active travel with the potential for permanent behavioural change and modal shift. However, consistency of accessible funding - both revenue funding and capital investment - to enable longer-term capacity expansions is crucial. Much of that changed infrastructure should equally be accessible for e-scooter.
- ADEPT will work with DfT and other organisations to ensure cycling and walking standards reflect e-scooter as a sustainable travel mode, and to develop best practice.

This policy position for e-scooters should be read in conjunction with the ADEPT policy position on active travel (<https://adeptnet.org.uk/documents/adept-policy-position-active-travel>). Although the two papers relate to different travel modes, there is commonality that is reflected in the composition and content of the two papers.



In its 2020 progress report to Parliament on Reducing UK Emissions, the Committee on Climate Change (CCC) identified changing people's mode of travel choice from cars to walking and cycling¹ as one way of reducing greenhouse gas emissions. The report does not reference e-scootering because, until now, this has not been a legitimate travel mode on UK highway networks.

Prior to COVID-19, the actual number of UK cyclists and trips taken by bicycle had not grown since 2002, with road safety and perception of road safety appearing to be major barriers. Safety for other road users has also inhibited consideration of e-scootering as a further alternative travel mode. However, if these concerns can be addressed, e-scootering has the potential to become a separately identifiable sustainable travel mode within urban areas.



In July 2019, the UK Government became the first major economy to legislate to achieve net-zero greenhouse gas emissions by 2050 and many local authorities made climate emergency declarations. Active travel forms an essential element of the transition to a net-zero carbon economy, with positive outcomes for health and wellbeing, the economy and the natural environment. E-scootering, like active travel, has the potential to relieve capacity restrictions on public transport, improve air quality and reduce carbon emissions. Although e-scootering would not have the same positive impact on health as active travel, it can still have well-being benefits in terms of general mobility and a heightened sense of independence. E-scooter rental schemes could also act as a stepping-stone to build confidence before transitioning onto using other active travel modes. Provided e-scooters can be safely used and their storage made secure, e-scootering could have a key role to play in aiding the UK's COVID-19 economic recovery, potentially boosting travel to and from local town centres, reducing congestion and increasing productivity.

Despite the proven benefits of active travel, less than 2% of England's transport spending has until now been spent on walking and cycling. The 2017 Cycling and Walking Investment Strategy (CWIS) identified £1.2 billion of potential central government funding from 2017 to 2021. However, only £316 million of this was specifically allocated by central government for investment. Meanwhile, e-scootering was not a legally permissible means of travel in the UK, despite growing usage elsewhere in the world. Yet, the extent of the growing popularity in e-scooter usage, prior to an official clampdown being announced, indicated its real potential as an additional travel mode.

The COVID-19 pandemic has resulted in many more people using active travel than before lockdown. Some government funding has been provided to create streets that prioritise and encourage active travel, whilst also opening up the scope for trials of e-scootering. The Government needs to go further by learning quickly from e-scootering trials and experimentation in road space utilisation and putting the right policies and funding in place to enable local authorities to deliver the infrastructure to more permanently support both travel modes.

COVID-19 has changed the active travel dynamic. During lockdown, motorised traffic volumes decreased by circa 70% with a corresponding 70% improvement in air quality. Due to 2-metre social distancing requirements, the use of public transport (including commercial bus services, park and ride services and community transport) and taxis dropped dramatically to less than 10% of previous 'normal' levels. Even with the subsequent easing of constraints on personal movement, it is questionable if public transport usage will return to previous levels in the short to medium term. The call for reallocation of road space for walking and cycling has resulted in £250 million of additional funding for emergency active travel measures, as well as the consideration of initiatives such as 'park and pedal' / 'park and scoot' for the completion of the last mile of a journey to an inner-urban location.

¹ Active travel traditionally refers to non-motorised forms of transport that involve physical activity such as walking, cycling and manual scooting. It can also include public transport for longer distance trips as they generally include walking or cycling components as part of the whole journey. Evidence shows that active travel generates health, economic, environmental and social benefits.

Context: Government policy and activity

Within its 2020 *Decarbonising Transport Strategy*, the Government has stated that it is committed to increasing cycling and walking and making our roads safer for those who walk or cycle, saying that “public transport and active travel will be the natural first choice for our daily activities”.² That phrase may yet need to be adapted to accommodate e-scootering, subject to its formal trialling.

Both the 2019 *Future of Mobility: Urban Strategy*³ and the 2019 *Clean Air Strategy*⁴ in turn outline that a key action in achieving a reduction in congestion and transport emissions is to facilitate modal shift towards zero and low emissions options, with e-scootering falling into the latter of those two categories.

The first statutory Cycling and Walking Investment Strategy (CWIS)⁵ was published in 2017. It outlined the Government’s aim to make cycling and walking a normal part of everyday life, setting out specific actions to support delivery of the ambition. The CWIS identified £1.2 billion of potential central government funding for investment in cycling and walking from 2016 to 2021. However, interest was so great that, as of March 2020, the total amount had already been invested. An additional £1.2 billion for infrastructure and other active travel projects has consequently been projected over the next two years, bringing the total to £2.4 billion. The rate of return on investment into such projects would be enhanced if they could accommodate e-scootering, which arguably is part of a natural evolution of CWIS (alongside other micro-mobility modes).



Final decisions on future funding for cycling and walking to 2025 were initially expected in late 2020. However, due to COVID-19, a £2 billion walking and cycling package was announced in May 2020 to promote alternative ways to travel that could relieve pressure on public transport networks. The package included fast tracked statutory guidance, rental e-scooter trials, cycle repair vouchers and an active travel marketing campaign.

This would suggest that, subject to the success of those trials, e-scootering has the potential to become a travel mode considered in the same context as walking and cycling and influence investment decisions. The first stage of the package has been a £250 million emergency active travel fund to create pop-up bike lanes with protected space for cycling, wider pavements, safer junctions, and cycle and bus-only corridors.

Despite there being a strong rationale for promoting active travel along with many players from the public, private and third-party sectors working to implement policies, the extent of delivery is patchy across the UK. Consistency of funding, both revenue funding and capital investment, that will enable longer-term capacity expansions, is crucial. A stronger advocacy for effective active travel elements alongside new transport schemes and developments is also vital. The provision of good practice guidance and associated funding on the thorough monitoring and evaluation of active travel is also necessary to help local government understand the potential outcomes of active travel interventions at a more granular level.

² Department for Transport (2020) *Decarbonising Transport: Setting the challenge*
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/878642/decarbonising-transport-setting-the-challenge.pdf

³ Department for Transport (2019) *Future of Mobility: Urban Strategy*
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/846593/future-of-mobility-strategy.pdf

⁴ Defra (2019) *Clean Air Strategy*
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/770715/clean-air-strategy-2019.pdf

⁵ Department for Transport(2017) *Cycling and Walking Investment Strategy*
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/603527/cycling-walking-investment-strategy.pdf

The practicalities (or otherwise) of e-scootering

There is a wide range of statutory and regulatory constraints on how e-scooters might be used in the UK. For example, the Highways Act 1835 and the Road Traffic Act 1988 restrict the use of footways by pedal and motor cyclists. Where there is government guidance on how to accommodate segregated and non-segregated shared footway / cycleways, it currently only applies to e-bikes. Regulations relating to the wearing of protective headgear only apply to motorbikes. It is an offence for a person to drive a motorised vehicle on a road without the relevant licence and insurance, and they must be of the statutory age to do so (i.e. 16 years for a moped and 17 years for a full driving license).

This legislative and regulatory background helps to clarify the basis on which e-scooter rental trials have recently begun. The rental process ensures a mechanism for checking age and whether the individual holds a licence or not. However, with a top permitted speed of 15.5mph, those trialling such rental e-scooters cannot match normal vehicle road speeds (although could theoretically be close to their permitted maximum speed in 20mph zones) and could be slower than many seasoned pedal cycle users.

Issues to consider:

- **Should e-scooters be permitted to use those bus lanes on which cyclists are permitted access?**
- **Should bus lane restrictions be amended to accommodate cyclists and e-scooters in any case?**
- **Should e-scooters be allowed to use mandatory cycle lanes?**
- **Should e-scooters be allowed to use shared footway / cycleways (segregated and / or non-segregated)?**
- **Should they be allowed to use the ‘pop-up cycleways’ that have been introduced under the current emergency active travel measures?**
- **Should younger riders (under 16) be allowed to e-scooter in order to both increase the level of e-scootering and alleviate the financial and logistical challenge of delivering home-to-school transport?**
- **How can clear messages about the safe and responsible use of e-scooters be communicated to all riders?**
- **Is it appropriate for the use of protective headgear to be discretionary if e-scooters are unable to match the speed of other motorised vehicles occupying the same road space?**
- **What form of insurance should an e-scooter user have – personal and/or accidental damage?**
- **How will the future design of highways and other infrastructure need to change to reflect the requirements of e-scootering?**

The encouragement of active travel under current circumstances is entirely appropriate, and the preferred first mile / last mile solution. However, e-scootering can provide an alternative travel mode. For example, it could be an option for ‘park and pedal’, whereby those engaged in longer journeys by car complete the last mile or so of their journey on foot or by bike. Bike rental schemes at car parks have had mixed success in the past and unloading / loading owned bikes from cars may get limited take-up. However, the ability to unload / load an e-scooter from a motorised vehicle for journey completion could offer a viable alternative, particularly if that e-scooter user has access to existing or newly emerging facilities such as bus lanes, mandatory cycle lanes, pop-up cycleways and shared footways / cycleways.

E-scooters could also feature in inter-modal travel. Completion of a journey – initially made on a bus, train or tram – on an easily transported e-scooter could be easier to achieve than with a pedal cycle or e-bike, for example. Of course, the safe storage of an e-scooter at the intended destination may be an issue because the simplistic design of a scooter does not provide the same opportunities as a bike’s frame. However, many more e-scooters could be stored in the same space as a bike shelter.

A more pressing issue to consider, though, is whether restricting the use of e-scooters to those aged 16 and over is likely to be accepted. Will taking such a stance be seen as unnecessarily limiting the scope for schoolchildren with journeys greater than a few hundred yards to travel independently between home and school? This has current relevance due to both the escalating costs of home-to-school transport and achieving the right level of social distancing on such transport to avoid a second spike in COVID-19.

In its technical standards for e-scooter trials, the Department for Transport (DfT) has indicated that scooters must be able to safely negotiate defined sizes of depressions in road surfaces as part of 'stability tests'. However, road defects come in all shapes and sizes. The extent of existing road surface defects will impact both on the desire for potential e-scooter users to travel in this way and the ability to do so safely. This suggests that a higher-level maintenance regime may be necessary on the local road network if e-scootering is to safely progress. This, in turn, would suggest higher levels of funding for highway maintenance are necessary. Redirecting existing funding to achieve improved road surfaces for e-scootering will detract from the level of maintenance that can be achieved for all other forms of highway infrastructure.

Finally, there appears to be inconsistency in how e-bikes are being treated in section 5.4.3 and 5.4.4 of the DfT Local Transport Note Cycle Infrastructure Design (LTN 1/20) compared with the approach currently being taken towards e-scooters. In LTN 1/20, it states that 'An e-bike must conform to the Electrically Assisted Pedal Cycle Regulations 1983 (as amended). No licence is required to ride one in England, Scotland and Wales, but a moped licence is needed to ride one in Northern Ireland. E-bike riders must be a minimum age of 14 years old.' There are now clear differences between the rules for e-bikes and the rules for e-scooters. As both are speed-limited electric travel modes, a consistent approach should be taken.

What ADEPT has done to date:

The Transport and Connectivity Board actively engages in the promotion of cycling and walking, particularly through its Public Rights of Way Group and its involvement in supporting Regional Transport Strategies. It also provides a community of best practice for the development of Local Transport Plans, which are the main strategy tool for local authorities. The Board actively engages with important stakeholders in this arena such as the DfT, Public Health England, Sustrans and the Association of Directors of Public Health (ADPH).

ADEPT has recently published policy positions on Clean and Green Growth (June 2020) and Active Travel (July 2020), and has commented on air quality and planning issues. Specifically, it also provided a formal response to DfT's 'Legalising rental e-scooter trials' consultation (June 2020).

What ADEPT will do:

- **Encourage those members directly involved in the rental e-scooter trials to provide regular feedback to the Transport and Connectivity Board.**
- **Provide a community of best practice, collective thinking and options appraisal, including through our strategic partnership with Proving Services.**
- **Work with DfT to develop new guidance for e-scooter use that complements existing and emerging guidance on active travel modes such as walking and cycling.**
- **Advocate what 'good' looks like, using our evidence base and case studies.**
- **Work with members to weave active travel and climate change agendas together, highlighting the co-benefits and opportunities to deliver Climate Emergency action plans.**
- **Subject to the outcomes of the current trials, encourage members to develop their Local Cycling and Walking Improvement Plans to incorporate e-scootering so that there is a broader approach to local authority travel plans.**
- **Encourage members to review their active travel, street lighting and maintenance policies to prioritise and incentivise travel by more sustainable modes, which should include e-scootering.**
- **Work with DfT and other relevant organisations – such as the Chartered Institution of Highways and Transportation (CIHT) – to consider how existing regulations such as the Local Transport Note on cycling and walking standards might best be amended to reflect e-scootering as a sustainable travel mode.**

Key asks of the Government:

- Move quickly to determine the benefits and disbenefits of e-scooter use on public highways.
- Recognise that e-scooter use is a valid form of sustainable travel that should sit alongside active travel modes, even though its carbon footprint may be slightly less attractive.
- Give proper consideration to e-scooter use as a potentially viable transport choice for schoolchildren to relieve some of the pressure on home-to-school transport costs.
- Work with ADEPT, CIHT and others to consider how control over the use of e-scooters can be proportionate rather than inhibited by existing legislation and regulation.
- Consider extending the Bikeability Programme to incorporate elements relating to scooter safety.
- Assess how the utilisation of e-scooters has been progressed in other European countries and further afield, learning lessons and avoiding any mistakes seemingly made elsewhere on this relatively new transport mode.
- Build on this analysis by updating active travel policies to acknowledge and recognise the potential for e-scooters to broaden the currently permitted array of active first / last mile modes and technologies.
- Recognise that the current risk-based approach to highways maintenance and funding constraints will require changes at local highway authority policy level to ensure that on-road usage of e-scooters can be as safely progressed as possible – the scale of a highway defect (e.g. within 1 metre of kerb lines in urban areas) will impact far more on e-scooter users than bike or e-bike users in terms of safe road use.
- Consider providing longer term, dedicated funding to support the development, delivery and (critically) maintenance of active transport modes and e-scooter use on a prioritised basis. This could be achieved by bringing together various funding streams into a single, integrated active / sustainable travel fund and by considering the current balance of funding between the various transport modes – the fund should equate to the per capita funding levels seen in countries such as the Netherlands.
- Set up a new independent body to advise local government on how to institute a transformational change programme for low carbon transport and update Local Transport Plans guidance to prioritise decarbonisation and active / sustainable travel, including e-scooter use.
- Place more emphasis on transport inclusivity, with access to active / sustainable travel being prioritised in deprived communities and areas of low employment, as well as those who live in rural areas where public transport services are less frequent.



- ADEPT members are the place-making strategists and policy shapers across top tier local authority areas
- ADEPT members are specialists, delivering services and sharing best practice across key sectors including environment, planning, housing, transport and economy
- ADEPT members design strategies for the future, taking communities beyond 2035
- ADEPT members operate in networks, cutting through boundaries to work with partners across the political, public, private and community sectors
- ADEPT members provide opportunities to develop new talent, supporting the Place Directors of tomorrow

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