

## MINUTES OF A SPECIAL MEETING OF THE CORPORATE COMMITTEE

WEDNESDAY, 2ND OCTOBER, 2019

**Councillors Present:** Councillor Jessica Webb in the Chair  
Cllr Katie Hanson, Cllr Vincent Stops,  
Cllr Brian Bell, Cllr Peter Snell, Cllr Steve Race and  
Cllr Carole Williams

**Apologies:** Councillor Susan Fajana-Thomas, Councillor Mete Coban, Councillor M Can Ozsen, Councillor Ajay Chauhan and Councillor Ned Hercock

**Officers in Attendance:** Malcolm Smith (Principal Transport Planner, Neighbourhoods and Housing) and Andrew Cunningham (Head of Streetscene, Neighbourhoods and Housing) and Manjia Sorbah-Green (Lawyer – Legal Services).

### 1 Apologies for Absence

1.1 Apologies for absence were submitted on behalf of Councillors Hercock, Hanson, Coban, Ozsen and Fajana- Thomas.

### 2 Declarations of Interest - Members to Declare As Appropriate

2.1 Councillor Webb, Hanson, Snell, Stops and Race declared a simple interest as members of the London Cycling Campaign for agenda item 3 below.

### 3 Dockless Bicycles - London-Wide Byelaw

3.1 Malcolm Smith introduced the report relating to the Pan-London Dockless byelaw prohibiting bike operators from parking dockless bikes other than at approved dockless parking spaces.

3.2 Mr Smith stated that the Transport for London had a code of practice on dockless bike operations that required operators to manage their schemes so that bikes did not restrict or affect the use of footways or public spaces but this had not always been effectively managed. Moreover, Councils had limited scope to effectively manage the parking of dockless bikes and the aim of the byelaw was to move from each Local Authority's individual agreements with operators to borderless operations throughout London. The London-wide proposed byelaws had been drafted to provide the appropriate controls and sufficient scope to enable boroughs to retain control of bike hire schemes that would be managed locally.

3.3 Mr Smith emphasised that the Council's Legal Services had submitted its proposed changes to the draft byelaw that included extending enforcement to the customer as well as the bike hire operator. It was anticipated that a further report seeking approval of the final wording of the proposed byelaw would be submitted to the London Councils Transport and Environmental Committee (LCTEC) on 10 October 2019. Members were requested to recommend to the next Full Council the recommendations outlined within the submitted report.

3.4 Councillor Race enquired about the Council's approved dockless bike operators, the current powers to prevent unauthorised bike operators operating within the borough and the difference between an authorised contractor and non-contractor operator under the proposed byelaw. Mr Cunningham replied that the Council had appointed Beryl and Jump as its operators of the dockless bike hire scheme in Hackney and that the contract would initially be for a period of two years and expected to commence at the end of October 2019. Mr Cunningham emphasised that the Council currently had no powers to take enforcement action against dockless bike companies operating within the borough. However, the proposed byelaw would enable the Council to designate dockless cycle parking spaces for its authorised operators and any bikes left outside these spaces would be subject to enforcement action. The purpose of the proposed byelaw was to enable the Council to work more closely with bicycle hire companies.

3.5 Councillor Hanson sought further clarification regarding the implementation of the proposed byelaw and whether enforcement action could be taken against customers of non-contracted operators leaving their bikes in non-designated spaces. Mr Smith explained that under the current arrangements, action could only be taken against an operator and that the Council had proposed extending enforcement action to customers. Mr Smith added that the Council had been working with the local dockless bike operators Beryl and Jump and they had formally committed to operating from their bikes from designated parking spaces. Under the new byelaws, the operators including non-contracted operators would be responsible for informing their customers of any enforcement action if they failed to comply with the byelaw.

3.6 Councillor Williams asked whether the Council or London Councils would be responsible for any enforcement action resulting from a breach of the byelaw and the service that would be responsible for providing and funding the resources required for the enforcement of dockless bikes. Mr Cunningham stated that the Council would be responsible for any enforcement action following the implementation of byelaw and that the function would rest with the Enforcement and Waste Teams. It was stressed that at this stage of the process, the Council would be contributing to the final draft proposed byelaw and that the costs associated with enforcement would depend on the level of enactment. The resources allocated for this enforcement would be determined going forward.

3.7 Councillor Snell sought clarification regarding the operation of the byelaw. Ms Sorbah-Green indicated that the Council had raised the issues of whether a minimum number of London Councils had to sign up to the agreement and submitted further questions around the implementation of the byelaw and enforcement action. Ms Sorbah-Green added that the Council was now awaiting a response from LCTEC and when the response was received it would be circulated to Members. Mr Cunningham added that London Councils had supported the draft proposed byelaw as it would enable them to manage and control dockless bikes operators and address the current

**Wednesday, 2nd October, 2019**

issues in relation to the operation of hire bikes and lack of designated parking areas for authorised operators in boroughs.

3.8 Councillor Race enquired about the timetable of the byelaw. Mr Cunningham explained that following the consultation process an application would be submitted to the Secretary of State to progress the draft byelaw and this process could take up to one year before the byelaw came into force.

3.9 Councillor Williams commented that there were many benefits and issues in adopting this byelaw. Mr Smith indicated that Transport for London already had a code of practice relating to dockless bikes.

**RESOLVED:**

- 1. That the Committee recommends to Full Council, the development and adoption of the new pan-London Dockless Byelaw as proposed by the London Councils Transport and Environmental Committee [LCTEC] and also recommends the delegation of the Borough's functions relating to making and promoting the pan-London dockless byelaw to LCTEC.**
- 2. That Committee recommends to full Council the Chief Executive as the authorised person to delegate the borough's functions in recommendation 2.1 of the report.**

**4 Any Other Business Which in The Opinion Of The Chair is Urgent**

4.1 There was no other urgent business.

**Duration of the meeting:** 6.00 - 6.30 pm

Contact:  
Rabiya Khatun  
Governance Services Officer  
020 8356 6279

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