

Dún Laoghaire-Rathdown County Council
Municipal Services Department



**Control of Stationless On-Street
Bike Hire Bye-Laws 2018**
**Report further to
Public Consultation**



**Report to the Dundrum and
Dún Laoghaire Area Committees**
September 2018

Introduction

Dún Laoghaire-Rathdown County Council (DLRCC) commenced a pilot on stationless bikes in November 2017 with a company called Bleeperbike Ireland. Stationless bike-sharing schemes work by getting users to download an application on their Smart phone. This allows users to become members of the service, to locate the bikes and to unlock nearby bikes by scanning the QR code on each bike using their smart phone. Once you arrive at your destination, you can park at any cycle parking stand near your destination and lock it manually. The main features include the following:

- No docking stations are needed and this results in lower fixed upfront costs and ongoing operating costs.
- A Smart Phone App allows you to find and unlock bikes.
- Little bike distribution is needed as bikes move around automatically.
- The rental system hardware is built into the system.
- Increased flexibility at the end of a journey.
- The scheme allows automated data collection using GPS.

Over the period of pilot, the number of journeys by Bleeperbike rose from about 50 in January to about 200 in May 2018. Bike demand is highest in Sandyford and typically the journeys were to Stillorgan, Dundrum, UCD or Dún Laoghaire.

To regulate the operation of Stationless Bikes in the City, Dublin City Council adopted bye-laws in December 2017. Following this, an invitation was made to potential bidders to operate a scheme in the Dublin City Council area and the two successful Operators were BleeperBike and Urbo Bikes.

Similar to Dublin City Council, Dún Laoghaire-Rathdown County Council, in exercise of its powers vested in them by the provisions of Section 199 of the Local Government Act, 2001 (See Appendix A) and all other enabling statutory powers, now proposes to introduce bye-laws for the regulation of the operation of stationless bikes in the County and has prepared draft bye-laws. These draft bye-laws cover the issuing of a licence for Operators and provide for a permit fee for each bike, in addition to specifying certain minimum standards for Operators and where bikes can park.

Council Policy

The proposed scheme is in accordance with the objectives of the Dún Laoghaire Rathdown County Development Plan 2016-2022 and Council Cycling Policy. The relevant objectives include the following:

2.2.7.4 Policy ST8: Public Bike Facilities

It is Council policy to work towards the provision of 'public bike' facilities across the key urban areas of the County, subject to initial feasibility studies being undertaken for these areas to be followed by detailed business case analysis, taking due cognisance of the Dublin bikes and Regional Cities Bike Schemes.

DLR Cycling Policy

DLR Policy CP 9: It is Council policy to:

CP 9.1 'Public bike' facilities

Work towards the provision of 'public bike' facilities within the central urban areas of the County.

Public Consultation

A Public Consultation process was carried out for the scheme in line with requirements set out in Section 199 of the Local Government Act, 2001.

A number of presentations had been made on 'Bike Share' and 'Stationless Bikes' in recent years to the Dún Laoghaire and Dundrum Area Committees (Municipal Services) and to the Transportation and County Wide Movement Strategic Policy Committee. A draft of the bye-laws titled, 'Control of Stationless On-Street Bike Hire Bye-Laws 2018' was brought to a full County Council meeting on June 11th, 2018 and agreed by Members that public consultation should be undertaken on the Draft bye-laws.

Details of the Draft Bye-laws were made available on the dlr Consultation Online Hub on June 14th, 2018 at <https://dlrcoco.citizenspace.com/transportation/draft-control-of-stationless-on-street-bike-hire-b/> where members of the public could complete an Online Survey about the scheme and this was widely promoted through Twitter and Facebook.

Submissions and observations with respect to the proposed scheme were invited to be made to the Traffic & Road Safety Section of the County Council. The closing date for receipt of submissions and observations was 4.00pm on Thursday July 26th, 2018

A total of 10 submissions were received through the Online Survey form. No submissions were received from Stationless bike Operators or by email to traffic@dlrcoco.ie during this period. The following is a breakdown for the 10 online submissions:

- 8 of those who made a submission were residents in the County.
- 5 of those who made a submission worked in the County.
- 5 of those who made a submission regularly cycle for main work or education trips with some cycling occasionally.
- 7 of those who made a submission regularly use Dublin Bikes or BleeperBikes and all those who made a submission indicated they would use a stationless bike sharing scheme for local short trips, commuting trip, trips from Dart or Luas and trips to college.

Summary of Key Issues Raised in Submissions

The following is a summary of the key issues raised with respect to the bye-laws that went on public display and the Council's response to each issue.

Issue 1

Stationed bikes, like Dublin Bikes, were preferred to stationless bikes but the submission welcomed the proposal for stationless bikes as an alternative.

Response:

Comment noted and no changes are proposed to the Draft bye-laws.

Issue 2

Make it a requirement that stationless bikes have to be attached to Council owned cycle parking stands.

Response:

Part IV (c) of the Byelaws outlines the requirements in relation to the parking of stationless bikes and indicates that bikes shall be parked vertically at a Cycle Stand. This will also be stated in any conditions attached to a licence. No changes are proposed to the Draft bye-laws.

Issue 3

The number of bike stands around the County should be increased to ensure that stationless bikes are available throughout the County and not only in the main towns and villages. Cycle stands should be provided at bus stops and in residential areas.

Stationless bikes should also be allowed to park in private areas such as in shopping centres and hospital car parks.

Response:

Cycle parking stands are generally provided where there is a demand and at locations where there is good passive surveillance. Currently, there is over 1000 cycle parking stands (1900+ spaces) in place throughout the County and many have been installed near bus stops, Dart stations and Luas stops.

There are no plans to introduce cycle parking in residential areas unless a demand clearly exists. For example, cycle parking could be installed near retail areas or at bus stops in residential areas. The matter of allowing stationless bikes on private areas is a matter between the operator and the private owner. No changes are proposed to the Draft bye-laws.

Issue 4

The funding received from stationless bikes permits should be earmarked for Traffic Enforcement and relevant Infrastructure. A submission indicated that DLRCC are not enforcing existing traffic laws such as illegal parking in cycle lanes.

Response:

Traffic Enforcement is mainly a matter for An Garda Síochána. Significant funding is currently being spent by DLRCC on infrastructure schemes. Funding from any Stationless bike scheme will go toward the provision of additional cycle parking in the County. No changes are proposed to the Draft bye-laws.

Conclusion

The Public Consultation for the Draft bye-laws for the Control of Stationless On-Street Bike Hire took place from June 14th, 2018 to July 26th 2018 with 10 online submissions received. Arising from the submissions, no changes are proposed to the Draft bye-laws. This report is being distributed to Dundrum and Dún Laoghaire Area Committee (Municipal Services) Councilors for noting. Following this the Draft bye-laws will be brought to a meeting of the full County Council for approval, or otherwise, by the Members.

Appendix A Local Government Act, 2001 Section 199

Power to make bye-law. **199.**—(1) Subject to *subsection (7)*, a local authority may make a bye-law for or in relation to the use, operation, protection, regulation or management of any land, services, or any other matter provided by or under the control or management of the local authority, whether within or without its functional area or in relation to any connected matter.

(2) (a) Subject to this subsection and *subsection (7)*, a local authority may make a bye-law where in its opinion it is desirable in the interests of the common good of the local community—

(i) that any activity or other matter should be regulated or controlled by bye-law, or

(ii) that any nuisance should be controlled or suppressed by bye-law.

(b) A bye-law may not be made under this subsection for a purpose as respects which provision for that particular purpose is made by or under any other enactment or may be made under such enactment.

(3) Any bye-law may include such provisions as the local authority considers appropriate for its effective application, operation and enforcement and generally to achieve the purposes for which it is made, including—

(a) its application at all times or at specified times;

(b) its application throughout the functional area of the local authority or in any specified part of that functional area;

(c) the prohibition of any activity, matter or thing;

(d) the prescription of specified standards or requirements for, or in relation to, specified activities, matters or things;

(e) the exception of classes of persons or things from the bye-law either subject to or without compliance with specified conditions;

(f) the conduct of persons at specified places or in specified circumstances;

(g) the issue of licences or other authorisations by the local authority subject to or without condition and to have effect permanently or for a specified period;

(h) the payment of a fee or charge at a specified time by any person in respect of any specified matter governed by a bye-law;

(i) the specification of a fine for a contravention of a specified provision of a bye-law as provided by *section 205* ;

(j) the specification of a fixed payment as an alternative to a prosecution for a contravention of a specified provision of a bye-law as provided for by *section 206* .

(4) (a) A local authority may, subject to this Part, amend any bye-law made by it.

(b) A local authority may revoke any bye-law made by it with effect from such day as is specified in the resolution.

(5) The approval of a draft bye-law, the consideration of submissions in relation to such draft bye-law and the making, amendment or revocation of a bye-law, are each reserved functions.

(6) The power of a local authority to make a bye-law in respect of its functional area includes a power to make a bye-law in respect of the foreshore and of coastal waters adjoining that functional area and with the agreement of any other local authority, of the coastal waters adjoining the functional area of that other local authority.

(7) The appropriate Minister may by regulation prescribe matters or classes of matters in respect of which local authorities are not entitled to make a bye-law.

(8) (a) Where, for given reasons, the appropriate Minister considers that a bye-law or any provision of it is objectionable and so notifies the local authority in writing then, if the local authority does not revoke or amend the bye-law in conformity with the notice, that Minister may by order under this subsection do so with effect from a specified day.

(b) Section 4 (4)(c) applies to an order made under *paragraph (a)*.