



Conflict at the Kerbside

The Public Realm is described in the London Plan as ‘the space between and within buildings that is publicly accessible, including streets, squares, forecourts, parks and open spaces’. These spaces have a wide and increasing variety of uses.

The ‘street’ is part of the public realm and is the focus of this document, although some of the points made also apply to the other types of public space.

We normally think of a street as being made up of 2 types of space:

Pavement used for the movement of pedestrians. These are used primarily by people on foot but include people in wheelchairs and the movement of goods on trolleys etc.

Carriageway used for the movement of vehicles (including bikes, cars, coaches, trucks)

There is a zone which can be regarded as between the pavement and the carriageway which is often referred to as **kerbside**. This was originally part of the carriageway and was used for vehicles to stop for a long period (parking) or a short period (loading/unloading) and the regulations which govern it were designed for this purpose.

There are many more possible uses for this space, so demand for it has increased significantly, and yet the supply of this space has stayed the same, or often been reduced. As a result it is becoming a much more contested space.

Below is a (non-exhaustive) list of the various uses in each part of the street.

Pavement	Kerbside	Carriageway
<ul style="list-style-type: none"> • Pedestrian movement • Movement of mobility impaired • Tables and Chairs for hospitality • Queuing • Delivery movements • Waste storage prior to collection • Cycle/scooter parking • Postboxes and Phone boxes • Signage • Communication Equipment • Waste bins • Ticket machines • Signage • Recycling bins • Bench seating • Parking zone – Rental bike, Scooter 	<ul style="list-style-type: none"> • Parking – Resident • Parking – Visitor • Parking – trade worker or care worker who needs to carry equipment (eg plumber or nurse) • Parking zone – Rental bike, Scooter • Events space (eg for film crews) • Bike Dock • Cycle/scooter parking (ad hoc) • Vehicle charging • Tables and Chairs • Delivery of goods • Collection of goods • Collection of waste • Skips for building works • Storage of building materials or amenity facilities 	<ul style="list-style-type: none"> • Vehicle movement for transit through an area • Vehicle movement to get to a specific location in the area • Vehicle queuing • Pedestrian crossing (Zebra) • Raised table for crossing

Pavement	Kerbside	Carriageway
<ul style="list-style-type: none"> • Bike docks 	<ul style="list-style-type: none"> • Bus stop • Taxi rank • Short term vehicle stop (eg taxi pickup) • Pedestrian crossing (Zebra, Pelican or informal) • Zig Zag area for crossing • Dropped kerb for vehicle access across pavement • Dropped kerb for flat access at junctions and crossings • Space for people to cross the road 	

These uses of the kerbside all have a value to a variety of stakeholders. This value is sometimes a direct financial benefit. For example parking bays provide fees, charging bays provide income for the bay operator, tables and chairs provide income for the business (and fee income for the Council). However many of the uses do not generate a financial benefit directly. The value is indirect.

If a specific portion of kerbside is dedicated to one of these uses in a way which excludes the others then those other activities which could have used that space have to take place elsewhere, or be substituted by something else. This has a cost to them, which could be direct, eg fines because there is no spot to deliver legally, or indirect eg fewer people use hire bikes because there is no dock close to their destination.

Some examples of the types of impact are below.

Parking for visitors

Pay-to-park bays are used by people visiting an area for business or leisure and arriving by private vehicle. They will usually pay a fee to park so it clearly has a value for the user. If it is not available near the location they would like to visit then they can use another transport mode (taxi, public transport), park in an off-street car park (usually at a higher price) or park elsewhere and use another mode to get to their destination. They can also choose not to travel to the location and go elsewhere.

Delivery of goods

There is a need for businesses and residents to receive goods. The vehicle needs to stop, offload the goods and then the driver (usually) needs to carry or wheel them to the delivery address. There are a wide range of deliveries required and dwell times at the kerb can vary from 1 minute to an hour. The dwell time also depends on the distance which must be travelled between the stopped vehicle and the delivery location. As available kerbside becomes more limited, the distance between the delivery vehicle and the location increases, and so the dwell time increases. This has 2 types of impact:

- The kerb is occupied for longer, so other short term users, such as the next delivery vehicle, have to go further away, compounding the impact.
- Delivery efficiency is decreased (fewer deliveries can be made per hour) and so the number of vehicles to deliver the same number of drops is increased, leading to higher levels of road (and kerbside) congestion and so poorer air quality.

Bike Dock or Dedicated area for bike/scooter hire schemes

TfL's Cycle Hire scheme (Santander) requires bikes to be docked; the docking stations are sometimes on the pavement and sometimes in the carriageway. There are also areas which are dedicated to undocked hire bikes or scooters. These have been introduced to prevent equipment being left around the area, obstructing pavements and impeding pedestrian movement.

The higher the density of docks and bike parking areas, the more convenient they are for users and hence to more likely they are to be used. However each one requires a section of kerb or pavement to be allocated to this use and it is then no longer available for any other uses on the list. This provides a benefit (making it more convenient to use a rental bike/scooter) with a cost (less opportunity for the other competing uses to take place).

These are only examples. For each of the uses listed above it would be possible to list the benefits from this use to individuals, businesses and the public and the negative direct impacts of using it for this purpose. We can also list the negative consequences on individuals, businesses and the public if kerbside space in that location cannot be no longer be used for any of the other purposes in the list.

Who decides?

The decision about the use of the kerbside lies with the Council as the Highway Authority, or TfL for the Strategic Road Network (SRN). The Council needs to decide how the kerbside space will be used. This decision should take into accounts both the benefits of using it for that purpose and the cost of dedicating it to that use, as well as recognising that the use to which it is put has a direct impact on the businesses and residents who live in the area.

This is not an easy task. There is a need to balance the benefits and the costs (direct and indirect). This is not just the cost and benefit to the businesses and residents in the immediate vicinity but to the public more generally. The kerbside is space which belongs to the public. Allocating it to a specific use means that it is no longer available to the public for that use. It can be seen as being similar to the enclosure of common land in past centuries.

What should happen?

Given the increasing demand for the use of kerbside space there is a need to develop a clear policy which sets out the hierarchy of priorities for use of the kerbside and which makes clear the criteria which will be used in making decisions between the various possible uses. The hierarchy may vary according to the nature of the area being discussed (primarily business vs residential vs mixed use).

If a section of kerbside is dedicated to a specific use to the exclusion of others in a way which provides a private benefit it also needs to make clear how the public will be compensated financially for that use. The private use of public space must require appropriate compensation to paid in the form of a fee which benefits the public.

In 2017 Southwark published a draft [kerbside strategy](#). There is also an explanatory video [here](#). We understand that WCC considered something similar but that it was not taken forward.

We believe that the Councils should, as a matter of urgency, each develop its own Policy on its strategy for the Kerbside across its area, and especially for those areas, such as the West End, where the pressure on kerbside use is the highest.
