Transience and Permanence in Urban Development

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Transience and Permanence in Urban Development

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Contents

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Preface

The aspect of the city that is apparently most fixed, its built environment, is the product of constant demographic, social, political, economic and technological change. Urban physical development shapes and is shaped by evolving urban functions. However, the scale and speed of the adjustments between form and function are far from constant. Major technological advances – for example, in transport, manufacture, electricity or computing – may prompt surges in building investment that produce new types of buildings in new locations. Thus, cities display areas with building stocks of distinct vintage that are the outcomes of these 'long swings' in urban development. Georgian residential squares, Victorian factory districts, 'Metroland' railway suburbs, interwar ribbon development and more recent commercial office cores in central business districts (CBDs) are readily recognised in the UK. Barras (2009) identifies a family of building cycles within these 'long swings' – minor cycles of 3–5 years' duration, major cycles of 7–11 years and long cycles of 15–25 years – that exhibit progressively more volatile fluctuations. The property booms and slumps of the late 1980s and late 2000s mark the violent ends of the last two long cycles.

The characteristics of urban development cycles – their timing, causes, duration and effects – vary with circumstances. Different societies, polities and economies experience the same phenomenon in different ways. Comparing the US and the UK from the nineteenth to the mid-twentieth century, inward investment and immigration were more important drivers of building cycles in the former than the latter, where trade cycles were crucial (Whitehand, 1987). And that experience becomes more particular at more detailed levels of study. In Lancashire (UK) in the 1880s, Oldham enjoyed a house-building boom while nearby Rochdale did not because the former was quicker in the uptake of new yarn technology for its textile industry (Whitehand, 1987). Ultimately, a universal process – that of replacing an obsolete structure with a new one that will meet changing functional requirements – becomes unique. Quite apart from variations in the institutional structure of the land and property market, development at site level is conditioned by physical morphology, geology, surrounding buildings and land uses, infrastructure provision, land ownership patterns and a host of other specific factors that will affect redevelopment.

To complicate matters further, the different elements that constitute the urban built environment change at different speeds that relate to their unit size and the scale of capital investment required to establish or to change them. Large structures like streets or sewerage systems change rarely, buildings are more mutable (but still long term) and parts of buildings (like

house extensions, conservatories or shop fronts) change more frequently. The impact of such changes on the urban built environment is the reverse. Historical and cultural legacies have a continuing effect on the form of urban redevelopment. One example is the persistence of plot boundaries and road lines in the UK from medieval times. In contrast, changes to individual buildings are less noticeable. However, where users or owners act in concert in a given locale – especially where that neighbourhood is of a uniform character – the effect may be more marked. This stresses the importance of the interdependence of decisions, with change on one site changing the environments of neighbouring sites and acting as a catalyst for wider changes.

This complex mix of changes in and influences on the process of urban development caused Whitehand (1994, p. 5) to characterise the physical form of cities as 'highly composite'. He identified two basic types of urban development. The first is additive, often annular, growth from an old core to an increasingly new, expanding periphery. The second, increasingly important where outward growth is checked, is redevelopment of existing structures. The latter often occurs in places of conflict and tension at the boundaries between different types of homogeneous use (or 'ensembles' of built form). When combined with cities' particular historic, cultural and morphological contexts, these produce highly variegated and distinctive urban built environments.

This is the context within which the idea for this book developed. My research focuses on property development and investment and its role in the process of urban and regional development. This involves both micro and macro analysis. The former examines how individual development and investment decisions are made and how they are shaped by wider economic, political, social and other factors. The latter considers how these decisions, in aggregate, influence the form and behaviour of the property markets, economies and societies within which they are set. I take a historically informed, locally situated view of this subject area. Until recently, I had little cause to consider temporary uses of vacant land and buildings. My focus was on development or redevelopment, with vacancy, under-use and dereliction – however brief or extended – as its necessary precursor. My involvement in an applied research project, SEEDS (Stimulating Enterprising Environments for Development and Sustainability, 2012–2015, funded by ERDF INTERREG IVB Programme, North Sea Region), changed this.

The project examined a fascinating set of temporary use initiatives in Denmark, Germany, the Netherlands, Sweden and the UK. My colleagues and I were asked to provide a conceptual framework for the project (Mell *et al.*, 2013). This proved challenging. Three important issues became evident during its preparation (in 2012). First, there was a reasonable practice-based, applied literature on vacancy and temporary uses that helped us to define the subject and to illustrate it with empirical examples. Second, there was

virtually no rigorous, theoretically informed, critical appraisal of the role of temporary uses in the wider process of the re/production of the urban built environment. In particular, consideration of the ways that temporary uses might influence subsequent, longer term developments was very limited. Third, the analyses that were available had mainly been produced by urban geographers and urban sociologists. Useful as this work was, it presented a partial picture of temporary urban land uses.

These circumstances were the stimulus for the book. The objective was to contribute to the development of a more balanced critical debate about the roles of transience and of temporary uses in evolving urban systems. I hope that it has served its purpose.

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John Henneberry
Sheffield
October 2016

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The idea for this book grew while I was involved in an applied research project on Stimulating Enterprising Environments for Development and Sustainability (SEEDS). Its aim was to promote the re-use of vacant sites by working trans-nationally to implement innovative spatial planning policy instruments. The work was funded by the European Regional Development Fund as part of its INTERREG IVB programme for the North Sea Region. The project ran from 2012 to 2015 and involved the South Yorkshire Forest Partnership (Lead Partner); the Lawaetz Foundation, Hamburg (D); Goteborg Stad (S); Vlaamse Landmaatschappij (B); Regio Assen Groningen (NL); Deltares, Utrecht (NL); the University of Copenhagen (Den) as well as the University of Sheffield (see www.seeds-project.com). This international, interdisciplinary mix of policy- and practice-based partners and academic institutions provided a stimulating environment within which to examine temporary uses.

Particular thanks are due to Dr Simon Parris who was the Project Manager for the University of Sheffield's contribution to SEEDS. It was his idea to arrange a workshop to promote critical debate about temporary uses among interested academics, thereby extending the project's longer term impact. Unfortunately, Simon left academe for another job just before the workshop was held (in January 2015). I am also most grateful for the financial support for the workshop provided by SEEDS and the Urban Institute, University of Sheffield, and for the workshop participants' contributions to the debate over urban transience and temporary uses (see http://www.sheffield.ac.uk/ usp/research/tpudworkshop). Many of them agreed to work further with me to produce this book.

Finally, I must thank the contributors to this book. We started in August 2015 with a book proposal containing 14 contributors' chapters and we finished with 14 chapters. This is good going for an edited collection. I am very grateful for the contributors' commitment and support, for their

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Introduction: Temporary Uses as Alternative Practices

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Vacant land and temporary use

> *The longer the time frame within which buildings are viewed, the more impermanent they seem: less as solid forms and more as transient manifestations of human activity.*
> (Barras, 2009, p. 2)

Cities are subject to continuous change and restructuring. There arises, *inter alia*, a fundamental tension between the rigidity of the urban built environment and the relative fluidity of the socio-economic processes that produce and are accommodated by it. The relations between the former and the latter affect urban development. Land and buildings must be adapted to meet new requirements. Such adjustment is achieved through various combinations of change of use, renovation, alteration, demolition, new construction and so on. However, physical, social, economic, political, institutional and cultural factors frequently cause a hiatus between the decline and obsolescence of land uses and buildings, on the one hand, and their redevelopment and/or reuse on the other. Thus, vacancy and dereliction are common stages in the urban development cycle. But the problem faced by many cities is that they have experienced a dramatic growth in vacant and derelict land and buildings. Two opposing trends have been identified as the cause of this.

 Bishop and Williams (2012) argue that European cities have gradually become more formalised and 'permanent'. In medieval settlements, essential infrastructures, such as street systems and substantial administrative

and religious buildings, were surrounded by much smaller, less significant, less enduring buildings and spaces. Increasing levels of legislation (some with a long history but most introduced in the twentieth century) covering building construction, fire prevention, public health, building conservation and land use planning have 'solidified' the urban built environment. Planning, for example, is pre-disposed to the status quo. Its starting point is the existing pattern of land uses and buildings. It reinforces established interests (Whitehand, 1987). Consequently, important elements of building layout and design – individually and in relation to other buildings – and of urban areas are 'fixed'. This makes it more difficult for cities to change.

At the same time, the activities that constitute cities have become more volatile and provisional. A huge rise in vacant urban land and buildings has resulted from technological advance, economic re-structuring and demographic change such as migration (Hollander *et al.*, 2009; Bishop and Williams, 2012; Burkholder, 2012; Oswalt *et al.*, 2013). This has been exacerbated by a re-organisation of the way that people live and work and the more intensive use of space by business and commerce (Lehtovuori and Ruoppila, 2012). Consequently, the amount of space that is used and the way that it is used have changed rapidly and significantly. Space use is more temporary, flexible and episodic (Oswalt *et al.*, 2013). The uses of space are less defined and stable, and more mixed, overlapping and changeable. In addition, economic, social, political and environmental uncertainty has been increased by the global financial crisis and its aftermath. Municipalities have experienced massive budget cuts, reducing their capacity to act (Bishop and Williams, 2012; Beekmans and de Boer, 2014).

Urban policy makers have long considered vacant land and buildings to be secondary (Lehtovuori and Ruoppila, 2012), problematic (Till and McArdle, 2015), irrelevant, marginal and of no economic use; unwanted wastelands, burdens representing the ghosts of the past (Colomb, 2012; Moore-Cherry, 2015). The rhetoric of re-urbanisation and densification, with its focus on longer-term futures (Tonkiss, 2013), stressed the need for such voids to be filled (Colomb, 2012). The temporary use of such spaces was "generally considered to signify a time of crisis or a failure to develop" (Bishop and Williams, 2012, p. 19). It was seen as "taboo … 'uncontrolled growth' which at best had to be kept at bay" (Oswalt *et al.*, 2013, p. 7), or as disruptive, in contrast to the model of a regulated, well-functioning, clearly defined city (Ziehl *et al.*, 2012). In short, "The opinion was that informal use would only interfere with urban development" (Oswalt *et al.*, 2013, p. 7).

In the face of these attitudes, practitioners of temporary urbanism[1] have pointed out the many advantages of temporary or interim uses. Engagement in temporary uses offers a new route to community participation for a

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[1] 'Tactical urbanism', 'DIY urbanism', 'guerrilla urbanism', 'user-generated urbanism' and 'emancipatory practices' are some of the other neologisms for this approach (Stickells, 2011).

wider range of people (Graham, 2012), giving citizens the chance to become more active in shaping their neighbourhoods (Blumner, 2006). It contrasts with formal public participation in planning that is often limiting and frustrating. It permits DIY urbanism (Oswalt *et al.*, 2013). Ziehl *et al.* (2012) argue that second-hand spaces allow experimentation at low cost. New users can improvise individual aesthetics by drawing on the spaces' history, atmosphere and remaining physical resources. They can test new ideas, support social interaction and allow cheap start-ups, showcasing creative talent (Blumner, 2006), encouraging entrepreneurship (Graham, 2012) and contributing to economic development (Colomb, 2012). For owners, temporary uses may reduce the costs of vacancy and improve the physical condition of buildings (Graham, 2012; Ziehl *et al.*, 2012) and their security (Blumner, 2006), avoiding decay and vandalism (Colomb, 2012). This will promote stability and uphold the value of adjacent property (Hollander *et al.*, 2009). Finally, the greening involved in some temporary uses may contribute to social objectives and environmental sustainability through the provision of new public open spaces at little cost (Blumner, 2006; Colomb, 2012).

The dramatic increase in the scale and variety of temporary uses, together with their apparent benefits, has led to major claims being made for their role in urban development. The growth of temporary uses is "proof of a paradigm shift in how city-making happens, leading to changes in how cities are conceived, designed, and built" (Beekmans and de Boer, 2014, p. 7). Temporary uses may be "a manifestation of the emergence of a more dynamic, flexible or adaptive urbanism, where the city is becoming more responsive to new needs, demands and preferences of its users" (Bishop and Williams, 2012, pp. 3–4). This "new approach [to temporary use] has the potential to fundamentally alter the way we think about our role as architects, designers, city administrators or investors" (Christiaanse, 2013, p. 6, square brackets added). These claims need to be analysed and assessed rigorously to increase our understanding of urban change and to inform the development of temporary use policy and practice. For this, the help of theories and concepts is required.

Theorising and conceptualising temporary use

Land and building vacancy and temporary use are elements of the process of urban development and change. However, mainstream urban economic theory has little to say about vacant or derelict land or buildings, or about the evolution of new uses and the new types of buildings that accommodate them. Rather, the focus is on obsolescence and redevelopment. One of the earliest applied treatments was that of Needleman (1969). He argued that, in purely economic terms, housing rehabilitation is a better approach than housing redevelopment

> *if the cost of rehabilitation, plus the present value of the cost of rebuilding in λ years' time, plus the present value of the difference in annual running costs and rents for λ years, is less than the present cost of rebuilding.*
> (Needleman, 1969, p. 198)

Subsequently, this approach has been generalised to cover different uses but is based on the same principles. Thus, "redevelopment will occur when the price of land for new development exceeds the price of land in its current use by the cost of demolition" (Munneke and Womack, 2014, p. 5).

The existing building is superseded by another building or use as obsolescence (economic, physical, technological and so on) reduces the value of the previous use relative to that of the potential new use. It may be inferred that the necessary additional value may be created through new development that embodies: (i) a simple increase in density (replacing a two-storey building with a four-storey building in the same use and of the same general design); (ii) the provision of a building of greater functional efficiency (that allows more of the same activity to occur in a new building of the same size); (iii) a change to a more valuable use (for example, replacing industrial with office use within existing building conventions); (iv) the introduction of a novel, higher value use in an extant or new type of building or (v) some combination of these factors. Such (re-)development is dependent upon the existence of the necessary demand for the new buildings and uses. Nothing is said about the costs of vacancy or the values of temporary uses, other than what might be incorporated in standard assessments of their impact on the owner's holding costs or the financial viability of the new development. The theory is also silent about the role of temporary uses in the evolution of novel new uses.

The literature on property development is little better. None of the models of the development process, whatever their perspective or degree of sophistication (sequential/descriptive, behavioural/decision making, production-based/macro-economic and structures of provision), consider vacancy. All focus on how a new, long-term development or redevelopment project occurs (Gore and Nicholson, 1991). Vacancy is treated simply as a precursor of development, not as an influence upon it (Healey, 1991). The exception is Gore and Nicholson's (1985) variant of the 'development pipeline' model. This conceptualises development as a cyclical process where long-term trends result in a stock of vacant, redundant land and buildings that may be subject to short-term uses that are "partial, residual, temporary" (Gore and Nicholson, 1985, p. 182, fig. 1) prior to redevelopment when this is feasible. But nothing more is said about temporary uses or their role in the development cycle.

A conceptual framework within which to consider temporary uses is Healey's (1992) institutional model of the development process, suitably adapted for this purpose. She defines the development process as

> *the transformation of the physical form, bundle of rights, and material and symbolic value of land and buildings from one state to another, through the effort of agents with interests and purposes in acquiring and using resources, operating rules and applying and developing ideas and values.* (Healey, 1992, p. 36)

If one allows that development may consist of one or some but not necessarily all aspects of 'transformation', then temporary use clearly falls within the definition. The model is sufficiently broad to accommodate the variety and complexity of development actors and their relationships, of the elements and stages of the development process, and of the different natures, conditions and contexts of development projects. This breadth is an essential feature, given the highly variegated forms of individual developments and of the wider political economies within which they are pursued.

The conceptual framework focuses on four levels of concern. The first is the *development project* and covers the events in the production process, the actors involved and the outcomes produced. The second relates to the *social networks involved in the process*, including the actors' roles in the production and consumption/use of the development and the power relations between them. The third considers the *actors' motivations*: their strategies and interests; the resources, rules and ideas they draw upon; and how these govern the way different roles are played and relationships are developed. The fourth focuses on the *societal circumstances* of the development: the nature of the 'local' modes of production and regulation, the nature of ideology and of the relations between them, and the way that the development process reproduces, reinforces or transforms these social relations.

Healey's model has been applied predominantly to mainstream, long-term developments (for example, she used it to analyse a major urban regeneration project on Tyneside). Consequently, attention needs to be paid to the following issues related to its use as a conceptual framework. The treatment of time should be made explicit (rather than implicit to a process whose events take place over time). Less stress should be put on the production of outcomes because they imply a defined end product (the end of temporary uses is often far from clear). Consideration must be given to the relation of one development (a temporary use) to another, subsequent, development (another temporary use or a long-term use). This, in turn, raises questions about the nature of and the relations between transience and permanence. While the framework covers the transformation of social relations, the potential for alternative groupings within societies to use temporary development to challenge dominant forms of social relations needs more emphasis. Finally, the framework is just that. It allows research to be related to different aspects of temporary uses. However, more detailed work on particular aspects of such uses may adopt various theoretical perspectives, as necessary and appropriate. Without this, work on temporary uses will extend little beyond structured description.

Describing and analysing temporary uses

There is a recent, large and mainly practice-related literature on temporary uses. Most reports and publications take the form of surveys of temporary users and uses and associated actors, practices and policies. Many consider the barriers to the development of temporary uses and how these might be avoided, reduced or removed. Thus, we know that, apart from the temporary users themselves, the *main actors* are central and local government, property owners, private sector agents (normally professionals and intermediaries) and the local resident and business communities (see, for example, Blumner, 2006; Dakin and Lang, 2012). A wide range of *users* is engaged in a wide range of *uses* for equally varied objectives. These include: local community or voluntary groups and social enterprises trying to strengthen the local community or economy; artists seeking cheap studio space close to artistic communities; entrepreneurs looking for space for a start-up and proximity to other new, small businesses; and individuals wishing to pursue alternative lifestyles or to make personal or political statements (Blumner, 2006; Segal Quince Wickstead, 2010; De Smet, 2013).

There are many *obstacles* to successful temporary uses (see, for example, CABE, 2008; English Heritage, 2011; Perkovic, 2013). Landowners may be averse to temporary uses because of the potential legal and social difficulties of removing them to make way for long-term development. Overly rigid and demanding regulations – relating, for example, to planning, building construction and public health and safety – that were designed for long-term uses may severely restrict short-term uses. Potential users' lack of knowledge and finance often inhibits the establishment and development of temporary uses. The studies that identify these obstacles often make recommendations for improvements in related *practice* and *policy* (see, for example, Blumner, 2006; CABE, 2008; Segal Quince Wickstead, 2010; De Smet, 2013; Perkovic, 2013). Thus, model 'meanwhile leases' and appropriately designed community engagement policies will address owners' legal and social concerns; officer guidelines, advice to applicants or even legislative reforms may reduce the impact of regulatory inflexibility; and government grants or loan guarantees and the establishment of specialist intermediary and/or user organisations would offer further support for temporary uses.

Clearly, these surveys of practice have provided much up-to-date and detailed information about temporary uses. This material largely takes the form of structured descriptions relating to temporary use projects, particularly the agencies involved and the outcomes produced (in terms of the types of temporary uses that are pursued). They also provide some basic treatments of actors' roles and motivations. However, very little is said about the production process; that is, how temporary uses are established and developed. Nor do they consider in any depth the power relations

between actors or how these relations are affected by the actors' strategies, interests and resources. And they say nothing about the relations between the local political economy and temporary use developments.

Fortunately, there is some substantive practice-driven work that extends our understanding of temporary uses beyond the immediate. Perhaps the most significant examples of this are the studies by Bishop and Williams (2012), Ziehl *et al.* (2012) and Oswalt *et al.* (2013; this is the culmination of work also described in Oswalt *et al.* (2003), (2009) and elsewhere). As Parris (2015) demonstrates (and is summarised in the body of the relevant paragraphs below), Bishop and Williams (2012) and Oswalt *et al.* (2003; 2013) develop 'similar but different' conceptualisations of temporary uses and users.

Bishop and Williams' (2012) study "does not seek to expound a new theory of urbanism. … Neither is it a manual. … Rather, it is an enquiry … and an exploration of … more transient urban phenomena" (p. 4). Pursuing an inductive approach applied to a set of more than 70 case studies, they examine the origins of temporary uses and their social, economic and technological drivers that are described within a six-fold typology. *Creative milieus* consist of cultural and creative industries. They cluster in urban fringe areas and develop in a bottom-up, spontaneous way that requires cheap space, freedom from constraints and the absence of formal planning. Individual *activists and community users* form new enterprises and participate in new forms of work and self-expression that sometimes manifest themselves as a temporary structure, event or activity. *Counter-cultural* spaces expand and diversify the creative scene, allowing culture to be offered and consumed in new ways. Temporary users are becoming active players in the shaping of new *urban spaces* that are used in new ways. *Consumerism* is the driver behind the proliferation of temporary retailing – pop-up shops, restaurants and galleries – that offers new ways to target customers and tailor and deliver goods and services to them. Finally, *private sector initiatives* exploit the cost savings, commercial experimentation and short and long-term value creation that can be achieved by supporting temporary uses.

Ziehl *et al.* (2012) use a similar exploratory methodology. They draw on case studies of their own and of their contributors to demonstrate the importance of three factors for the development and success of temporary uses. Users need appropriate premises (a good *backdrop*) that offer both stability and openness with owners and regulators who are flexible, tolerant, supportive and patient. The *actors* – the users of second-hand spaces – often operate in precarious circumstances, adopting different forms of work and acting collectively. Second-hand users and uses often produce more sustainable outcomes – termed *atmosphere* by Ziehl *et al.* (2012). These arise from the more effective and efficient exploitation of the resources of existing land and buildings. Structures and uses are related to individual needs, cultures and aesthetics.

Oswalt *et al.*'s (2003; 2013) work is the most substantive. They draw on a wide range of case studies (some from their 2003 study and some from other contributors to their 2013 publication) to portray temporary use as a relatively informal activity. This is reflected in the characteristics of temporary users. These include ideologically motivated system refugees; dropouts who may be petty criminals, homeless people or illegal immigrants; migrants not currently integrated into stable social relations or employment; part-time activists who have regular employment but want to develop other interests; and start-ups who want to start businesses that will ultimately become part of the urban economy. Temporary uses flourish with the minimum of investment and are mainly organised in clusters and networks. Unpaid agents often initiate temporary uses through their mediation between users, owners, municipalities and other interests. Temporary uses can test new cultures and economies, and, because of the great variation in users' characteristics, motivations and requirements, specific sites attract specific temporary users and uses. Temporary users adopt a variety of tactics depending on their own requirements and the challenges posed by the context within which they operate. Some exploit the gap between previous and subsequent long-term uses and then move on, others aim to transform their temporary use into an established long-term use, and there are many variations in between.

These studies present a deeper and more nuanced picture of temporary uses than that derived from the practice surveys. They tell us more about the temporary use process and about actors' roles in the production and consumption/use of temporary developments. We also learn something about the strategies, interests and resources of the various players. However, little is said about the power relations between the actors. The studies identify experimentation and the development of alternative lifestyles and activities, ways of working and products and services as important aspects of temporary uses. But this does not amount to an assessment of the way that such uses reinforce or transform social relations. This is not surprising. The authors are rooted in practice. Practitioners examine what is there, what works or does not work, normally at the level of individual cases or sets of cases. Lessons may then be drawn from these cases to support the development of better practice and policy. This makes it difficult to examine the structural position of the phenomenon under investigation, not least because the argument is constructed from the bottom up – from the particular case(s) outwards.

There is also a degree of advocacy in the work. "Urban Catalyst[s] have succeeded in generating an international public discourse on temporary use, and in developing their research findings into a new form of professional practice" (Christiaanse, 2013, p. 5). This is understandable because an important aim is to encourage the wider adoption of the recommended approaches. However, it raises another problem. A lack of understanding of the political economy that underpins and shapes urban reality and provides its logic "may shadow from view the radical and transformative socio-spatial potential of

urban interventions … reducing architecture and urban design to 'local' or 'objectual' embellishment without any broader social role" (Lehtovuori, 2012, p. 74).

Critical analysis of temporary use

The focus of rigorous, critical analysis and appraisal of temporary uses has been on precisely this point; on "the potential of new urban movements or initiatives to offer 'alternative urban futures'" (Groth and Corijn, 2005, p. 506) from those offered by market-led urban development.

Andres (2013) considers how temporary uses might transform longer-term urban forms and processes. In a context where established institutions cannot achieve the changes that they desire – for example, in economic down-turns when there is little or no demand for development – planning is weak (Couch *et al.*, 2005, cited in Andres, 2013, p. 763). The resultant lack of control, co-ordination, objectives and strategies creates 'differential spaces' (Lefebvre, 1991, cited at p. 762) that disrupt the usual power relations between landowners, municipalities and occupants. Temporary users and uses may exploit these circumstances to shift power from place-making decision makers to place-shaping occupants through opportunistic tactics (de Certeau, 1984, cited at p. 764). However, if such users are to transform long-term social relations, they must develop their tactics into strategies that are adopted by mainstream actors. Failure to do so will result in the displacement or co-option of the temporary uses as growth allows the return of master planning.

As in Lausanne and Marseille, so in Berlin, where Colomb (2012) describes how political and industrial restructuring exacerbated by the economic down-turn combined to create many 'transgressive spaces' (MacLeod and Ward, 2002, cited in Colomb, 2012, p. 135) within which alternative temporary uses flowered. However, instead of indicators of economic weakness, the Berlin Senate re-branded these spaces as signifiers of opportunity and strength for attracting creative and cultural entrepreneurs and industries (and tourists and consumers) to the city. Thus, temporary uses were

> valued as a 'means to an end' rather than as alternatives to dominant (capitalist) forms of urban development. The interim spaces deemed too radical and politicized … too subversive of the existing order or too threatening … [were] often repressed or suppressed by Berlin's 'Red-Red' coalition government.
> (Colomb, 2012, p. 143, square brackets added)

These studies raise questions about what are 'acceptable' and 'unacceptable' temporary uses and users (Deslandes, 2013) and about their claims and effects on the city. The activities of some users – such as DIY urbanists, creatives and artists – mirror the consumption habits of the urban middle class.

They bring 'deserving' groups, like tourists, (back) to the city (Pugalis and Giddings, 2011). In contrast, the actions of other users – graffitists, vandals, squatters, rough sleepers, beggars (Pugalis and Giddings, 2011; Deslandes, 2013) or minorities such as Roma (Bermann and Clough Marinaro, 2014) or Bedouin (Jabareen, 2014) – are often perceived by the state to be illegal and undeserving of support. The former, through the use of meanwhile leases/licenses and other tactics, have become 'lawful squatters' who do not threaten established property interests. Yet, the informal, amateur nature of their work reduces the wages of cultural labour at the same time as cities embrace the rhetoric of creativity. And, Tonkiss (2013) argues, by these means such forms of urban activism provide an alibi for conventional urban development. The latter are punished (Jabareen, 2014) and "removed from the public gaze to appropriate interstitial spaces at the socio-spatial margins" (Pugalis and Giddings, 2011, p. 282). The application of DIY urbanism by the users of these abject spaces (Deslandes, 2013) is tolerated, if at all, only "to the extent that it is 'light' … any attempt at permanence is quashed" (Bermann and Clough Marinaro, 2014, p. 411). Thus, these actors are prevented from exercising their 'right to the city' (Stickells, 2011), foreclosing the possibility of spatial justice (Deslandes, 2013).

These critical analyses connect temporary use to wider urban theory. Such theory allows the temporary use agenda to be interrogated rigorously. It places temporary uses within larger economic, social and political processes. It begins to assess to what extent and in what manner temporary uses may engage with or challenge extant social relations – and thereby reinforce or transform them. However, two aspects of this appraisal should be noted.

First, where any political position is adopted – whether implicitly or explicitly – this has tended to view alternative approaches more favourably than mainstream approaches (and the mainstream is equated with neoliberal private market capitalism).

> [T]he scant literature on the topic primarily glorifies the DIY approach as both a form of social protest against anachronistic planning processes as well as a form of philanthropic provision of social goods by creative activists. What is almost wholly absent is a discussion of how municipalities might balance the positive aspects of DIY urbanism with its potentially deleterious effects.
> (Finn, 2014, p. 390)

The term 'the right to the city' is sometimes used in a totalising manner. Yet "Rights are multiple and can be contradictory, producing conflict" (Pugalis and Giddings, 2011, pp. 282–283) between, for example, individual, exclusive rights and common, inclusive rights. Alternative urbanists, no less than other urban actors, may pursue some (their) rights at the expense of other (others') rights. It is the state's role, locally and inter/nationally, to balance these rights while trying to manage cities in a way that achieves

appropriate levels of equity, efficiency, consensus, coordination and public safety (Finn, 2014).[2]

Till and McArdle (2015) argue strongly against the polarised nature of current academic debate. They urge resistance to the conflation and false dichotomy inherent in the opposition of temporary use/vacancy/crisis against permanence/development/recovery, and of the larger political economy, which is permanent and important, against local initiatives, that are transitory and marginal. This almost leaves one "with the rather bald 'choice' between being in support of the status-quo (i.e. neoliberalism) or being committed to an alternative political agenda that includes no market features at all" (Till and McArdle, 2015, p. 47). Furthermore, it blinds us to the many, often intangible, benefits of temporary projects (Campo, 2014; Moore-Cherry, 2015; Till and McArdle, 2015) and to the potential for many 'little victories' to accumulate and to effect change (Pugalis and Giddings, 2011). It also leads to labels such as 'co-option', 'manipulation', 'corruption' and 'compromise' being applied in circumstances where temporary uses have been absorbed into the mainstream. This has resulted in little attention being paid to the way that the processes of engagement and absorption may work, the impact that they have on existing modes of production and regulation, and how those processes might be managed to best effect.

The second point is that the analysis of temporary uses and users has been pursued mainly by urban geographers and urban sociologists. It has prompted some response from planners and political scientists, but has received little acknowledgement from the disciplines of economics, finance, law and real estate, for example. The fragmented nature of research in this field is unfortunate. A more rounded, less partial consideration of the subject is required. A diversity of disciplinary perspectives may prompt new thinking about vacancy, dereliction and temporary uses.

The coverage of the book

The aim of the book is to begin to address these gaps in the literature. It provides a theoretically informed, empirically grounded and academically rigorous contribution to the debate over temporary urban uses. It adopts a range of disciplinary perspectives, including the law, sociology, human geography, urban studies, planning and real estate. It draws on experience and expertise from Finland, Germany, Hungary, Italy, Turkey, the UK and the USA.

The first three chapters conceptualise or theorise the temporary and the permanent. Bennett argues that the dominant orientation towards vacancy and dereliction is actually that of a powerful fear and disgust – a

[2] There is, of course, much debate about the definition of this task, about how to undertake it and about the potential efficacy and likely outcomes of different approaches.

'ruinphobia'. Preoccupations with reuse and regeneration have lain quietly, but powerfully and pervasively, at the heart of urban law and policy since at least the mid-nineteenth century, expressed in myriad measures to encourage or force property back into productive use. Livingstone and Matthews use the work of Lefebvre and Foucault to reconsider temporalities and their spatial expression through notions of liminality. Liminal spaces are transitional and in-between. What was permanent can become temporary and marginal; what was temporary can become permanent, reflecting many and various relationships and conflicts. Lehtovuori and Ruoppila outline a theoretical plane that treats urban space as a tensioned and dynamic field of interlinked, simultaneous differences. This allows the two established positions – that view temporary uses either as instrumental 'tools' of urban planning and management or as intrinsically valuable spaces and processes – to be brought together.

   The next three chapters consider the tensions between the short and the long terms, between displacement and endurance, and between the symbolic and the actual. Kamvasinou describes a historical and theoretical framework within which to consider the evolution of temporary uses. Theories of temporary urbanism and alternative urbanity conceptualise the nuances of temporary uses in practice. Complex systems theory addresses the socio-ecological dimension of temporary uses. Collaborative planning theory frames the way in which the latter can be portrayed and used as tools by the community. Perry, Walsh and Barlow illustrate the Janus faces of urban socio-ecological experimentation. They question the dynamic tensions between engagement and enterprise within localised experiments and ask 'What endures?' History, rootedness and engagement sit alongside novelty, innovation and risk. They show that the success of such experiments depends as much on the mundanity of governance and business planning as it does on entrepreneurship and vision. Tanulku approaches urban voids as essential parts of living cities that reflect the latters' unique characteristics. Using Istanbul as her example, she considers abandoned historic houses that become 'ghost' homes, vacant buildings occupied by different types of squatters, and places and buildings regarded as symbolically vacant because of their meaning in Turkish society.

   Next there are five chapters that examine different aspects of temporary uses and their potential to survive in the long term. Foo analyses the ways in which municipal governments strategically employ temporary and permanent methods to stabilise and build land values. She concludes that the political will for land-based greening initiatives appears to be counter-cyclically related to the strength of the city's land market. Colomb discusses the paradoxes and dilemmas arising from the mobilisation of temporary uses as a tool of urban revitalisation. She looks at the various

trajectories of temporary uses over time (survival *in situ*, displacement, disappearance and/or transformation) and at the conflicts and forms of resistance that have occurred when such uses are threatened with eviction. Drawing on relational theory, Thorpe, Moore and Stickells explore the relationships between transient interventions and processes of displacement, exploitation, inclusion and exclusion, transformation and commodification. They consider how specific practices might contribute to efforts towards both planning reform and spatial justice. Gebhardt uses the framework of the 'tragedy of the anticommons' and informality to illustrate the ambiguous legal and regulatory position of temporary uses and the complicated task of navigating this environment to create viable activities. He notes that the process of formalising informal uses can be a new avenue for the exercise of power by authority. Crosby and Henneberry consider the long, contested process of the emergence, diffusion and acceptance of new uses and built forms. These can only be valued accurately and supported by effective policy when they have become formalised. They highlight some of the challenges temporary uses must meet to become established.

Finally, there are three chapters that consider the inter-relations between policy, vacancy, temporary use and redevelopment. Muldoon-Smith and Greenhalgh show how new policies of decentralised finance in England are excluding existing business properties from contemporary models of urban finance in favour of a system reliant on the construction of new and repurposed business floor space. This will result in higher rates of transience and impermanence in the built environment. Adams argues that hardcore vacancy has become a semi-permanent feature of the urban landscape as much because of institutional barriers as of economic or physical ones. Among the most problematic of these are unrealistic owner expectations of what the land is worth. He proposes a radical solution, grounded in property rights reform. Using Rome and Budapest as examples, Patti and Polyak consider the legal frameworks necessary for the short and long-term reuse of vacant properties; ways to establish transparency and a participatory framework around a chosen site and its potential reuse; and the modalities of cooperating with municipal offices and NGOs. Finally, the conclusion assesses the contribution made by the book to the debate over temporary urban land uses.

Acknowledgement

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2

Forcing the Empties Back to Work? Ruinphobia and the Bluntness of Law and Policy

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Introduction: gazing upon the New Ruins

> *The problems associated with empty properties are considerable. They attract vandalism and increase insecurity and fear. And this all reduces the value of surrounding businesses and homes. So the decision to leave a property empty is not just a private matter for the landlord. It affects us all.*
> (Portas, 2011, p. 35)

So writes Mary Portas in her review of the troubled state of the UK's high streets, in doing so revealing that any discussion of transience and permanence in urban development engages deeply embedded cultural assumptions about utility and progress. In this chapter I will draw these assumptions out into the open, and do so by examining the origins and features of an embedded anti-ruination reflex in UK urban law and policy.

Whilst we might instinctively think of ruins as crumbling castles or the meagre masonry of archaeological remains, the 'ruin' label has recently been applied to the empty shops, partly built housing estates, abandoned building sites and redundant factories and office blocks that we might walk past daily in any town or city. These, it is said, are unwelcome 'New Ruins' (Hatherley, 2011; Martin, 2014). We therefore need to start by considering the contemporary connotations of these 'ruins' – and by examining the strange

co-existence in contemporary culture of both *ruinphobic* and *ruinphiliac* gazes (with gazes here conceptualised in a Foucaultian sense as distinct, practice-shaping ways of seeing and responding to ruins (Berger, 1972)).

The "ruinphiliac" gaze (Boym, 2010, p. 58) has tended to dominate both cultural discourse (see for example Tate Modern's *Ruin Lust* exhibition in spring 2014 and regular photographic accounts of the New Ruins in the *Daily Mail*) and contemporary ruin studies (for an overview of the field, see DeSilvey and Edensor, 2013), with each tending to figure abandoned buildings as objects of sublime fascination and/or nostalgia. But meanwhile – as shown in Portas' words – the 'ruinphobic' gaze, in a quieter and more workaday manner, condemns such buildings as emblematic of a conjoined physical and social dereliction, a ruination brought about by dis-use.

Ruin studies scholarship (for example, that presented in Hell and Schönle, 2010) has paid little regard to ruinphobia, an omission which is shocking, given the determinative force that its concern for order, productivity, dwelling, value, recycling, safety, infection control and crime fighting brings to bear upon empty places. Indeed, this chapter will argue that the ruinphobic gaze is both more pervasive and more determinative of the fate of most of the New Ruins than the ruinphiliac gaze. In doing so, it will echo Martin's (2014) call for ruin studies to have greater regard to ruination as a contextual process, a phenomenon rooted in political economy and (I will argue) in its attendant urban law and policy.

How ruinphobia unsettles us

Portas' anxious words tap into a dark image of contemporary urban 'failure' at the heart of ruinphobia, which portrays the ruin as an agentive force stalking the city. Somehow, it is asserted (although it is never made clear exactly how), the ruin calls to us, invoking us (or nameless others) to do violence to the built environment, as a spreading wave of emptiness unleashes illicit possibilities and transience. And, in the stark light of attendant dereliction, we start to disassemble the object 'building' – to see it as unstable, a loose assemblage of 'falling-apart' matter rather than a stable, temporal fixity. The New Ruins thrown up by contemporary urban change such as the so-called 'death of the high street' force us then to confront an uncomfortable notion of urban entropy, something that can be but barely kept at bay by desperately finding ways to encourage the utilisation of buildings and scrubland plots that might otherwise fall into ruination, and unleash their urban blight effect.

The ruin, then, is a provocative mix of time and matter. It shows us simultaneously the longevity and the ephemeral nature of both buildings and their uses. It also holds a mirror up to our relationship with their constituent matter, destabilising our perception of and reaction to the building as a whole,

and the building as an assemblage. It is also paradoxically both a lawless prospect – and yet strangely *of* the law. To pursue these points let us dwell for a moment at the threshold of *The House of Usher*. Let us imagine that we are standing there with Edgar Allan Poe's unidentified narrator as he looks upon the bleak vista, scrutinising the building before him and searching out its sublime import:

> more narrowly the real aspect of the building. Its principal feature seemed to be that of an excessive antiquity … yet all of this was apart from any extraordinary dilapidation. No portion of the masonry had fallen; and there appeared to be a wild inconsistency between its still perfect adaptation of parts and the crumbling condition of the individual stones.
>
> (Poe, 2003, p. 94)

But what if we re-contextualise the scene, replacing Poe's intimated ruinphiliac frisson with a workaday ruinphobia? Then – perhaps – our unidentified narrator becomes the occupant's tax consultant, come to advise the decrepit titular owner upon demolition or a creative ruination ruse to avoid Business Rates. Perhaps he has come to disassemble the building, totting up as he looks on, how many stone blocks, lead pipes and copper cupolas the House of Usher will yield when levelled. Perhaps he has come from the local council and will shortly serve legal notice upon the owner, commanding corrective works under the Building Act 1984. Perhaps he has come from next door, alleging recourse against Usher under the commonlaw principles of Private Nuisance, for damage sustained by his own property caused by this decaying structure. Perhaps he is a local councillor concerned about the adverse effects of this dereliction upon the amenity of the neighbourhood, and is contemplating the scene with a view to producing a report to his Council's cabinet in favour of action being ordered under Section 215 of the Town and Country Planning Act 1990. Perhaps he is the local crime prevention officer attending to warn the owner that the degenerating condition of his place is a magnet to crime. Perhaps he is an insurance broker, steeling his nerve before breaking the news to his client that policy premiums are now prohibitively expensive, on account of the recent decline of this once stately house.

  The Fall of the House of Usher is fiction. It is just a story. It is presented as an entertainment – predicated on the assumption that there is a willing audience for tales that summon the prospect of standing, contemplating the degeneration of a ruinous building, and getting some unsettling thrill from vicariously doing so, whilst reading the story in the safety of our own warm, cosy and familiar homes. But, much as we might enjoy TV crime shows and their grizzly exceptionality, we do so only from a safe distance: we only want ruination in controllable amounts, but too much or its occurrence at a time and place not of our choosing is cause for a different type of unsettling – one that calls for action, intervention and eradication of the ruin.

Tracing ruinphobia into urban law and policy

We will now examine three features of the ruinphobic gaze and show how law and policy are woven into each aspect: the ruin as contagion, the ruin as wasted space and the ruin as wasted matter. In doing so, the reader will notice a sudden lurch of terminology, for 'ruin' is a phrase rarely used in the law and policy sphere that steers this anxious professional, pragmatic gaze. Instead, the talk is of 'dereliction', 'dilapidation' and 'dangerous structures'. The scale also shifts somewhat. Yes, there are legal powers and policy drivers that target individual – building-level – ruins, but often those interventions are triggered by the ruin's relationship with its surrounding environment. Thus, it is often that the ruin is out of keeping with its surroundings that is the determinative factor, unless it is in danger of falling down, in which case then what matters is its proximity to humans (if any). Thus, the ruin is a *negative*, and it is not only undesirable, but also viewed as an aberration to local order, quality, safety and neighbourhood aesthetics. It is (as Mary Douglas put it in relation to dirt) "matter out of place" (Douglas, 2002, p. 44).

The ruin as contagion

Ruination (known in law and policy circles by a different name: 'dereliction') is seen as having contaminative properties, a contagious character which will spread within the neighbourhood if unaddressed. The local ruin thus becomes an 'eyesore', a portal for bad things to enter the neighbourhood – economic decline, falling house prices, squatters, drug dealers, vandals and so on. Think of the urban simulation game *Sim City*, and the way that city blocks start to fail – domino-like – when the urban rot sets in. The toleration of ruins within the urban body is tantamount to leaving a cancerous cell untreated. Left unchecked it will infect its surroundings. The cancer will spread. The family of medicines to be applied to these urban blotches all begin with 'R': regeneration, redevelopment, reconstruction, repurposing.

We can trace some of this anxiety to public health campaigns and the concerns that lay behind them (see for example Wohl, 1977). The sanitation drives of the late 1800s sought to root out real infection within the body of our cities, but the anxiety runs wider. Take for instance Section 215 of the Town and Country Planning Act 1990, which gives local authorities power to order a landowner to tidy up land, if (in their view) it is in a condition which is "detrimental to the amenity of the area." But this is not a public or environmental health power; it is a power concerned with the aesthetic contagion that unsightly – and in particular abandoned or otherwise unworked – land or buildings may pose to the character and fortunes of their surrounding neighbourhood. It is a fear of someone concluding that dreaded assessment, 'There goes the neighbourhood!'

Thus, we find that individual ruins are – in the municipal ruinphobic gaze – viewed relationally, and at a scale greater than that of the individual building or its component parts. What matters – what unsettles – is the ruin's possible contagion effect upon its surroundings. And so, we find ourselves contemplating the 'nightmare' of block, ward or city-level ruination. The abandoned suburbs of Detroit, the cleared swathes of the North West of England, unproductive property excised – tumour-like – to promote the health of the neighbourhood, as so-called 'housing market renewal'. We find also an insistent concern to ensure that 'meanwhile' uses can be found for all property, lest vacant town centre units fester and become infected with 'dereliction', spreading their socio-economic contagion into the surrounding streets. Thus – through all this – we find ourselves gazing at ruins that are too ubiquitous to cope with, too overwhelming to be safely assimilated within an otherwise functioning Urbis: these are ruins that *threaten* us, and the policy reflex is that 'something must be done' about them.

The notion of 'ruination-as-contagion' is a policy-inflected fear typified in the so-called 'broken windows' theory of urban crime. Broken windows theory first appeared in a 1982 essay by James Wilson and George Kelling (Wilson and Kelling, 1982). It then became increasingly influential in urban policy around the turn of this century, inspiring – amongst other things – the UK's Clean Neighbourhoods and Environment Act 2005. The theory states that maintaining the urban environment in good order will prevent vandalism and other low-level crime that would otherwise create the physical preconditions for local degeneration and greater levels of more serious crime. In part, Wilson and Kelling's argument (later developed to a book-length treatment in Kelling and Coles, 1998) drew on Oscar Newman's 1972 book *Defensible Space*. Newman's book had argued influentially for a spatial attitude towards crime prevention, namely that the design and maintenance of neighbourhood spaces could reduce local crime – what would in the last decade become labelled 'anti-social behaviour'. Thus, for these environmental criminologists, dereliction – no matter how minor – was both a signifier of a lack of concern for social order and also a catalyst for further degeneration, unless the slide towards ruination was arrested at an early stage. By this interpretation, toleration of any fraction of ruination (such as a broken window) is a slippery step towards community break-down and lawlessness.

The broken windows theory has increasingly been the subject of empirical critique. For example, Harcourt and Ludwig's (2006) five-city comparative study found no evidence to support a clear causal link between, on the one hand, an attentiveness to arresting the early stages of ruination and targeting petty crime and, on the other, a reduction in neighbourhood criminality. However, the 'theory' remains a powerful influence upon policy makers and their supposition of a link between dereliction and urban crime. It also features squarely at the heart of Portas' comments quoted at the start of this chapter.

The ruin as wasted space

Embedded within broken windows theory is an instinctive belief that abandoned, unloved or unmaintained space will become a beacon for lawlessness. But there is a further way in which ruins 'offend' right-thinking municipal sensibilities, and this is that they represent a waste of space. This anxiety (which also shares some 'contagion' concerns, but seems to run even deeper) appears to channel a strange mix of urban aesthetics, including the Protestant work ethic, foundational seventheenth-century philosophical principles of property ownership and pragmatic anxieties about the financial stability of municipalities.

John Locke, writing in 1689 in his *Two Treatises of Government* (Locke, 2003), equated ownership with the application of labour and capital to land. Land – and ownership of it – was 'won'; title was created by effort, and in response to God's command that humans should cultivate wilderness. Locke's principle became very influential in the development of US law (as a justification for colonial appropriation of *Terra Nullis* via exploration, survey and enclosure). Locke's concern was with the foundation of ownership, and less attention has been paid to developing and applying Locke's argument to situations in which the 'cultivation' (here meant as any use or care that keeps nature from reasserting itself through processes of ruination) stops altogether. Neither US nor English law copes well with the ambiguity caused by the cessation of use and action upon land – but ultimately abandonment can lead (albeit in a convoluted way) to loss of ownership. Examples of this would include the doctrines of 'bona vacantia' (that property for whom no owner can be identified passes by law to the Crown), 'adverse possession' (which provides that in certain circumstances a squatter can acquire the property rights of an owner who has not actively re-asserted their ownership) and the Crichel Down Rules (which embody the principle that if a state body ceases its use of a property asset acquired using compulsory powers, then it must be offered back to the original owner – before selling it to anyone else).

These doctrines reflect the conceptual underpinning of feudalism to property law, and of its concern with the active use of land. Following the Norman Conquest in 1066, both land ownership and society were restructured by the introduction of feudalism. The very structure of feudal seigneurial privileges and obligations saw land as part of a duty relationship. To fail to tend land was both disruptive to local social order, and suggestive also of disloyalty to the lord of the manor and ultimately the king. Feudalism's desire to resist the degeneration of land's productive capacities lives on in the conceptual survival of the 'tort of waste' (by which a person may be held liable for failing to take care of land) and in the routine contesting of an outgoing tenant's 'dilapidations' liability for any lack of careful stewardship of land or buildings during their occupancy.

The idea of passive, non-occupying and essentially *absent* ownership (such as we may see in the 'land banking' of derelict premises, held as investments in the hope of them becoming the scene of profitable redevelopment at some indeterminate point in the future) is something that both the law and, increasingly, municipal authorities have struggled to cope with both conceptually and politically. Indeed, the prevailing climate has become distinctly frosty as far as absentee, non-utilising property owners are concerned. This is due in part to the campaigning work of the influential charity Empty Homes (www.emptyhomes.com) which since 1992 has been drawing attention to the UK's empty homes 'problem' and lobbying for policy initiatives to encourage those homes back into beneficial use, through a mixture of 'carrot' and 'stick'. On the stick side, local authorities now have to identify, record and act in response to empty dwellings; they also have powers under the Building Act 1984 to require works to render derelict properties safe and/or to make an empty property secure against entry. Since April 2013, they have been entitled to set an 'empty homes premium' of up to 150% of the normal Council Tax charge, for substantially unfurnished homes left vacant for more than two years. The coalition Government claimed these as amongst a range of measures to bring empty homes back into use, measures which also included appointing TV personality George Clarke as its empty homes tsar, in the wake of his 2011 campaigning Channel 4 documentary series, *The Great British Property Scandal*.

The consensus that empties must be put back to work is fuelled by this assumption that something is wrong if these places are left idle. An empty is both a waste of the potential for a 'good' use (that is, being part of the stock of housing in use and meeting local need) and an incitement to a 'bad' use, one which – once allowed to establish itself – will have a contagion effect, with travellers, squatters, vandals, drug users or ravers moving in if someone more desirable is not quickly interposed. There is also – at policy level – a concern that empty buildings and inactive development plots are economically inefficient in that they are a missed opportunity for the employment, productivity and tax revenue that gainful use of those places would generate. This 'economic regeneration' agenda can be seen as the basis for many law and policy initiatives throughout the last 100 years that encourage reuse, setting up a mix of regeneration-promoting public agencies, armed with powers of land acquisition and financial incentives, all with the aim of returning derelict former industrial sites to productive use.

But it is the importance of taxable occupation that perhaps is the most compelling driver of ruinphobia. As the fate of Detroit and other US cities afflicted by waves of housing foreclosures and subsequent residential abandonments has shown, there is a municipal cost to managing 'empties', and these premises do not contribute towards the municipal revenue base. Thus, costs increase but incomes shrink in the face of these New Ruins. A US study

of the costs faced by eight Ohio municipalities in 2008 identified 25,000 vacant and abandoned properties, costing $15 million in annual municipal stewardship and representing a lost $49 million annual contribution towards municipal property tax revenues across those eight cities (ReBuild Ohio, 2008).

In the UK, a significant portion of business taxation is levied upon business property, in the form of Business Rates. But this obscure area of the tax system is far less visible to most of us than VAT (sales tax) or income tax. Business Rates are both a major cost to businesses and a major source of revenue for national government (a portion of the Business Rates is channelled back to the local authority who administer their collection). This tax is levied upon the assessed value of the property, not upon its actual productivity. Until 2008 a tax relief applied to 'empty' commercial premises, but during the 'boom' years of the early 2000s the then Labour Government regarded this relief as encouraging empty buildings to be held back (land-banked) rather than being swiftly put to use. Prior to the 2007–2008 crash, there was indeed considerable demand for such accommodation, but by the time the withdrawal of the 'empty premises' relief came into effect in April 2008, the crash had hit and many properties were falling vacant, with the prospect that they would remain empty and unwanted (through no intention or fault of their owner) for the foreseeable future. Pleas from the property industry led to a short postponement to this reform, but thereafter Business Rates became payable upon empty commercial premises, with allowance for only short periods of relief to acknowledge short-term 'churn'-related periods of emptiness.

This change to 'empty rates' law and policy had an unexpected effect because it was implemented in a recessionary climate. Rather than motivating an increased pace of reuse and gainful occupancy, it actually spurred a sharp increase in the demolition of vacant factories and offices (Business Rates are payable upon buildings, but not upon vacant land) and instances of intentional use-denying 'ruination' (for this tax is only payable upon buildings that are presently capable of gainful occupation) via the removal of roofs, heating and electrical or other use-enabling services. Accordingly here, a ruinphobia-inspired law and policy measure had the unintended effect of *causing* ruination.

Alternative tax avoidance measures have included a range of faux 'uses' of ostensibly empty properties, such as token 'occupation' by a charity (which renders empty buildings exempt from Business Rates), achieved by installing small wi-fi transmitters at a vacant property, to transmit crime prevention messages to the immediate vicinity. Meanwhile, the high street fills with ever more charity shops, in the Business-Rates-avoiding, any-use-is-better-than-none war against dereliction.

And it is not just the spectre of Business Rates that makes property owners fear their empties. Empty spaces generate no income, no contribution

towards paying off lenders or shareholders, and insurance premiums are considerably greater for unoccupied properties, or for properties that lack essential security and utility services. In short, empty commercial premises are becoming increasingly expensive to own, and there are powerful incentives to address their dereliction at an early stage, often by way of erasure of the building before ruination can take hold.

The ruin as wasted matter

So, Government policy tends to echo a societal impression that derelict buildings are a waste of space – that the space that they (incompletely) occupy could and should be used in some other way – or that the empty space within them should be brought into use via policy and law. There is something similar at play regarding the building materials comprising the ruin itself. This nagging feeling that a ruin is a waste of matter is of long-standing vintage. Roman buildings frequently incorporated *Spolia*, building materials – even recognisable structural or decorative elements – taken from the remains of earlier buildings. Once we start to look, we see such appropriations – the onward lives of ruin fragments – more widely distributed within the built environment than we might expect, such as salvaged ships timbers repurposed as the joists of now quaint tumble-down ancient pubs.

These instances of matter from different eras becoming enmeshed in strange (but ubiquitous) time-straddling assemblages have recently been helpfully theorised by Bartolini (2013) as a human-driven 'brecciation' that disrupts our too-neat ideas of historical and lithographical sequencing. We thus actually see buildings moving across time, shedding elements, receiving others, eventually declining and being reduced to their constituent matter: a pile of disassembling building elements. And at this point of eventual demolition, we find this focus upon matter's utility reasserting itself. In the pro-recycling culture of the last 30 years, we have seen increasing focus upon the reuse potential of construction materials. Measures of this type have included the imposition of taxes upon the winning of virgin aggregate; taxes imposed upon the costs of landfilling wastes (including demolition wastes) rather than reusing them; and the Site Waste Management Plan Regulations 2008 which required waste minimisation in building, refurbishment and demolition projects.

We can also see a darker side to this recycling consciousness, in the metal theft crime wave of the last decade. Here a de-constructive gaze has read the built environment opportunistically, indeed elementally (Bennett, 2008). Metals are traced and pilfered from the – often still live – body of the building, taken for their scrap value and, in the act of ripping out small lengths of gas or water pipe, wiring or roof flashing and letting in prematurely the natural elements, unleashing their ruination upon the fabric of the wounded building.

This recent attentiveness to the potentialities of 'urban mining' by both policy makers and criminals is a re-emergence of a purposeful de-constructive gaze, widespread prior to the twentieth century. In the past, old buildings would be purchased as sources of the building materials from which the 'new' would emerge, in a quiet flurry of architectural salvage, a new stately pile then rising from the ruin's heap. Thus, the materials – rather than the buildings *per se* – emerge as enduring, their constellation into particular buildings being, actually, the more temporary aspect. Through such appropriations of building materials (whether licit or illicit), the city is constantly made and remade via the intersection of individual and group ideas of utility, beauty and urban orderliness, with those ideas finding quiet but potent expression in both criminality and urban law and policy.

Time is always running out for a building and its uses

As Cairns and Jacobs (2014) have recently shown, time is always running out for a building. Urban development is about how places, their buildings and their uses change over time. All things change, all things fall apart, and all law and policy can do is try to affect the speed at which this occurs. Edensor (2011) has (drawing on the work of Ingold, 2004) sought to construct a definition of ruination that embraces such processualism. For Edensor, ruination is what happens when the necessary processes of care that hold a building together are withdrawn.

From a processualist perspective nothing can be fully stabilised or preserved and buildings are merely an impression of stability consequent upon the 'snap-shot' effect of a single observation of the swirl of matter, energies and ideas that comprise a building *across time*. Edensor restricts his argument to the wearing out of the building itself. But uses of places wear out too, because patterns of uses are dependent upon patterns of people and societies, businesses and associations which all change over time and ultimately fall apart. Thus, both the health of a building and the health of its protagonists frame any use, holding it in place only so long as it can resist the forces that will ultimately pull it apart.

The expected life of an 'average' commercial office block may be as low as 25 years, with the anticipation that it will need to be demolished and rebuilt (or at least extensively refurbished) thereafter to keep up with market expectations. Funding costs for its construction will be amortised over no longer than this projected 'commercial' lifespan. Any profit from the building beyond 25 years will thus be a bonus: but remember that holding property is not cost free even if all financing costs secured upon it have been discharged.

There are investors who specialise in buying up casualty (or 'investment') properties – places that have already reached obsolescence. We have already seen that the stakes have been raised more highly against them – in both dwellings (via 'empty homes' initiatives) and commercial premises (via 'empty rates'). Such 'casualty' investors try to leave their properties 'as is', minimising expenditure upon them, and hoping for a turn of good fortune (an upturn in the local market conditions, or maybe a re-zoning or an adjacent development scheme) that will suddenly make their derelict building a lucrative asset, to be sold at a tidy profit. But holding such property (unless demolished) will be expensive, mitigated only if the building has 'listed' status (because Business Rates are then not payable upon it).

Empty buildings are a liability – in terms of Business Rates and security, insurance and maintenance costs, and also as a potential source of occupiers' liability should anyone, whether lawful visitor or trespasser, be harmed there by the declining state of the premises. Thus, whilst the market assumes a decline towards obsolescence, the law assumes care and stewardship throughout. A currently worthless, and land-banked, building cannot truly be left entirely 'unattended', no matter how much the owner might wish to do so. Like animals, property has to be shepherded, lest it otherwise come to harm or cause harm.

Is ruinphobia forcing empties back to work, or are law's tools blunt?

Mary Portas' 2011 report into the ailing health of our high streets typifies the embedded assumptions of ruinphobia and its fetish of occupation and utilisation. Portas notes that 15,000 town centre stores closed between 2000 and 2009, with one in six shops now empty. Many of these empties are the victims of structural change. Town centre-based retail spending fell 7% between 2000 and 2011, with further decline forecast thereafter. These places are unlikely to ever be resurrected as shops. Portas' warnings of the perils of leaving these shops empty, and her attendant calls for the empties to be *forced* back to work, embody the assumptions – and fear – of the knock-on effects of emptiness, under-utilisation and ruination on 'the high street'. Portas also invokes an array of familiar-sounding policy reflexes, including disincentivising landlords from leaving retail units empty, introducing new powers to create 'Empty Shop Management Orders' and calling for local authorities to take over sites where necessary. Portas' is thus a familiar call for a war on 'empties' and their ruinous effects.

But in this chapter, we have seen how even the best (pro-utilisation) intentions of urban law and policy can have unintended consequences – whether in increased demolitions, 'constructive vandalism' or token occupancy

(and/or the onward march of the charity shop). There are clear limits to what the regulatory 'stick' can bring about – it can define what is not allowed, but it cannot directly procure that which is desired. We remain in an era of 'weak' planning, an era that can nudge – but not direct – owners towards utilisation of their properties.

Property is meant to be static, dependable and unchanging. Property law characterises 'real property' by its solidity and enduring nature. It has the ability to transmit rights and burdens across many generations, and the temporalities of urban law and policy are still locked in the realm of inter-generational, or at least 'life-of-the-building', timescales. But because of this orientation, the law struggles to keep pace with the increasingly transient tastes of the property market. For instance, the provisions of Part II of the Landlord and Tenant Act 1954 – legislation enacted in the early 1950s to give commercial tenants rights of tenancy renewal – now sit anachronistically alongside dramatic changes in lettings practice. Commercial appetite has increasingly embraced the perceived benefits of transience, for whilst 90% of commercial leases were granted for 20–25-year durations in 1990, by 2002 75% were for shorter periods (British Property Federation, 2004), with more recent data (IPD *et al.*, 2013) suggesting an acceleration of this trend, with more than 50% of new leases granted in 2012 being between 1 and 5 years in length, and fewer than 6% of new leases over 10 years' duration or more. This headlong commercial rush towards transience is difficult for urban law and policy to get its head around. In the ruinphobic reflex, transience equates to instability and a lack of proper attachment to land, for short-term occupation is not 'proper' occupation in the law's gaze, and yet it is becoming the norm.

'Meanwhile' use still seems to assume that it is an interim before something more durable that will come along afterwards. But what if meanwhile becomes forever? We still seem to have a ruinphobic gut feeling that implies that 'fixing' the city centre 'problem' is about getting back towards more stable, long-term uses. But is that just because that is how things used to be? What is actually wrong with a sequence of short-term adaptive uses? What is law and policy fearing in an eternal 'short term'? This chapter has argued that an important source for this residual discomfort is urban law and policy's ruinphobia, its fear both of dis-use and of a related assumption that only a long-term commitment to use and stewardship can avoid a downward descent into ruination.

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3

Liminal Spaces and Theorising the Permanence of Transience

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Introduction

> *Urbanism may be regarded as a particular form or patterning of the social process. This process unfolds in a spatially structured environment created by man. The city can therefore be regarded as a tangible, built environment – an environment which is a social product.*
> (Harvey, 1979, p. 196)

To better understand the socio-spatial form of the city has been the pursuit of diverse theoretical disciplines, including, in particular, critical human geographers (Zukin, 1991; Allen, 2003), postmodern theorists (Harvey, 1989; Jameson, 1991) and sociologists (Castells, 1977; Hetherington, 1997). The form of the city is dynamic, and the social processes within it give rise to particular spatialities and patterns. At once, today, right now, the city is both a temporal and spatial representation of social processes (Harvey, 1979). Urban forms are spatio-temporal constellations of flux, fluid relations which create and mediate our on-going context-specific experience of the built environment.

Global capital continually and consistently ruptures our cities, effecting change and challenging how spatial form is both manifested and mediated. While we tend to consider time as an immutable force, the sense of time – the temporality – of the contemporary city is becoming ever more fractured. Space is becoming increasingly transient, and it is questionable whether *any* urban landscapes can be considered permanent today. Localised activism,

political mobilisation, the influence of the state, and broader multiplicities of neoliberal spatio-temporal relations are reflected in the urban form. The influx of capital into cities in pursuit of profit maximisation under neoliberalism gives rise to an urban form which is experienced and lived, yet illusory and detached, as we experience shifting spatialities in contrasting ways. Our urban form is altering at pace, but how can we use a sense of time to conceptualise these changes?

The central theme of the chapter considers how the development of spatialities is influenced by local realities and lived experiences, and by the less visible but no less powerful influences of non-local factors, such as the state form. Twenty-first-century temporalities are situated through two case studies which examine the socio-spatial forms of food banks and the lived experience of residents in a deprived neighbourhood in Edinburgh, Scotland. The process of spatial change in time in these case studies is examined through theoretical literature, considering the following interconnected discourses in context:

- How the repercussions of social change, whether intended to be temporary or permanent, create a sense of permanence and a temporality of timelessness.
- How the historic past, the past, the present and the future are imagined and used by actors in processes of evolving spatialities to understand context and develop political positions.
- How the experience of different temporalities in the urban form gives rise to political antagonisms from the local to the national.
- How local communities actively engage with such developments and how this is influenced by our concept of 'transient spatialities'.

The case studies represent 'transient spatialities' – spaces which may be permanent or temporary, but which reflect a liminal socio-spatial experience. Liminal spaces are described by Turner as being "betwixt and between … [spaces] of ambiguity and paradox, a confusion of all the customary categories" (1967, p. 97). The etymology of the word 'liminal' means 'threshold', from the Latin *limin*. Such spaces represent transition, transformation, an intermediate state. The concept of liminality was further developed by Bhabha (1994) as an expression of cultural hybridity and by Zukin (1991), who applied the term to the urban form. This chapter examines the concept of liminality through French social theorists' interpretations of space (specifically Lefebvre (1991, 1996) and Foucault (1986, 1989)). Of particular importance to our interpretation of 'liminal' are the concepts of heterotopia and of the spatial triad, discussed in detail in the following section. We explore the notion of liminality from three perspectives interwoven through the narrative of our case studies: the social (food banks as temporary institutions or experiences), the physical (material

formations of the temporary, or perceptions of space as liminal) and the virtual (spaces of social media and public discourse).

This chapter presents initial concepts and thoughts developed around liminality and spatio-temporal relations. It accepts that time and space are inherently interconnected and cannot be understood in isolation from each other, nor can the multiple social relations which mediate our urban form at any particular time. As Massey states concisely, "for there to be time there must be interaction, for there to be interaction there must be multiplicity, for there to be multiplicity there must be space … for there to be time there must be space" (1999, pp. 5–6).

To this perspective of space–time, we bring the emerging concept of 'critical temporalities' (Bastian, 2014). This highlights how time is experienced differently by individuals and groups in different contexts. In particular, it focuses our attention on the role of social institutions, such as the state and global neoliberalism, in imposing temporalities onto individuals and communities. Allied with work from urban sociology on the historic nature of place-attachment and class differences (Watt, 2009; Savage, 2010; Matthews, 2015), we have a rich repertoire of theory that has been underemployed in explaining the transience and liminality of contemporary spaces. The engagement with this literature informs the analysis of our cases, where the experience of food banks, and of Wester Hailes, a peripheral social housing estate in the south-west of Edinburgh, are interrogated as 'transient spatialities', reflecting particular temporalities of the social form.

Theorising transient spatialities

The juxtaposition of space and time in the development and lived experiences of the built environment presents us with myriad perspectives through which 'transient spatialities' can be interpreted. Massey (2005) encourages interrogation of what a place stands for and represents, and considers how we might re-imagine it. 'Transient spatialities' reflect antagonisms, conflicts and liminality. Such spaces may be permanent or temporary, but they each reflect a liminal socio-spatial experience. Our emerging perspective adopted in addressing 'transient spatialities' marries historic outlooks on space with current literature on critical temporalities, blending the work of French critical theorists with present-day interpretations. It is an opportunity to revisit the work of prominent thinkers on space, in particular Foucault and Lefebvre, by considering whether our understanding of 'transient spatialities' can be enhanced through their theories.

In situating the notion of liminal space in the urban form, Zukin (1991) presented liminality as an increasingly present characteristic of modern cities. Such spaces are inconsistent and ambiguous, representing local manifestations of global market change and wider cultural shifts. Liminality

"captures the simultaneous advance and decline of economic forms, the sense that as the ground shifts under our feet, taller buildings continue to rise" (Zukin, 1991, p. 5). Conroy (2004) describes liminal spaces as eruptive and tension ridden, where transitions are inherently temporal, as relationships with time become representative of and yet distinct from the past, the present and the future. Such experiences of time also contrast and conflict, as people experience temporalities individually, as well as through the history of the evolving space. Our 'transient spatialities' are spaces of change and liminality.

How spaces are formed and represent social differences was considered by Foucault, who used the term 'heterotopia' to enhance our understanding of the evolution of urban form (Foucault, 1986). Heterotopic or 'other spaces' are "counter-sites … absolutely different" (Foucault, 1986, p. 24) spaces, which exist in a way which inverts and yet represents the social relations which mediate and reproduce space. They are unique spaces of conflict and tension, "constellations of the in-between" (Heynan, 2008, p. 322). Foucault, however, provided only minimal literature on the concept of heterotopia; therefore, it has been widely interpreted and yet heavily criticised as "frustratingly incomplete" (Soja, 1996, p. 162) and "too slippery a term to be of any fundamental significance" (Heynen, 2008, p. 311). Nevertheless, the principles of heterotopia offer a taxonomy of concepts, a number of which are drawn upon here to inform discussion of transient spatialities.[1] Foucault uses a subversive language when describing heterotopias as spaces of contestation and inversions, crises and deviation. These spaces of difference emerge somewhere between dystopia and utopia, anywhere at any time, juxtaposing spaces with diverse characteristics.

Foucault reflects on the nature of 'real' space, defining it as that of either illusion or compensation. The former are spaces which expose the fragile diversity of our lived experiences (for example, brothels). The latter are heterotopias of functionality, where we are regulated by enforced social norms (relating, for example, to age, labour and religion). Within both there is an implicit undercurrent of power relations, which influences the lived experiences of heterotopias at a particular time, in a particular place.

The notion of temporality is also referenced by Foucault, clearly defining heterotopias as spaces with restricted access. Enforcing temporal restrictions on spaces means that they are accessible and penetrable, yet isolated and controlled. Foucault suggests that heterotopias create 'heterochronies', a break with traditional time, which seems to be at odds with the notion of 'real' spaces, which are inherently temporal. It could be Foucault recognising the varied temporalities manifest in our societies (leisure time, holiday time, community time). However, the interpretation depends on the adopted definition of 'traditional time' itself. The inherent weakness in the taxonomy

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[1] For a complete reflection and more detail on all principles of heterotopia, see Foucault (1986).

is that it offers no guidance on the extent to which a space must relate to Foucault's principles for it to be considered heterotopic. Can a space be heterotopic if it only reflects some, but not all, of Foucault's principles? The rigid classification of 'heterotopia' somewhat undermines the interconnections in the very social relationships they seek to understand, by imposing a categorisation with apparently little room for overlapping characteristics.

Perhaps the principles of heterotopia should be explored in an open, interconnected manner, rather than as separate and mutually exclusive classifications? However, these principles are broad and there is also a risk that through the general, vague ideas presented by Foucault *every* space adopts heterotopic characteristics. By considering the lived experiences of the people interacting and creating these spaces at a particular time, each space emerges as unique, alternative but everyday. Within these spaces, there is not necessarily an expectation of transformation but an element of difference. Heterotopias are spaces which are contradictory but not necessarily temporary, tension ridden but not essentially representative of change. They are spaces which can be liminal, but are not necessarily so.

Lefebvre offers a more nuanced interpretation of socio-spatial time, as an amalgamation of language, culture, nature, location and power. His work is concerned with dialectical relationships, spatial forms emerging from specific moments and, unlike Foucault's, less about defining external space. Spaces are diversified and fragmented, influenced by abstractions and specificities. Power, the "worst of abstractions" (Lefebvre, 1991, p. 208), influences our lived temporalities. Spaces of contemporary capitalism are spaces of power and poverty, culture and capital; in the UK, they are neoliberal. Capital restructuring and redistribution drive the compression of space over time, and space "is not a thing, but rather a set of relations between things" (Lefebvre, 1991, p. 83), primarily influenced by power relations. Lefebvre terms such relations as 'near' or 'far', and the city is a particular amalgam of them. The 'near order' in a city represents individuals and groups from a local, community perspective; the 'far order' refers to the regulation of the city by institutions, legal codes and groups. Our 'transient spatialities' are part of this social form of the near and far, which reflect the individualities of local communities and also the omnipresent influences of national and global regimes of power. Space is a symbolic praxis, produced by history, the present day and the future.

In attempting to understand space and the practices which simultaneously create and destroy it, Lefebvre introduces us to the 'spatial triad' which, like Foucault's heterotopic principles, offers different ways in which space can be understood. 'Spatial practice' is the first aspect of Lefebvre's triad. This examines the formation of space through particular locations and societal relationships, and represents cohesion and continuity. 'Representations of space' are the second aspect, referring to the symbolic nature of space and place, the signs and order imposed by social relations. The third aspect of

the triad is 'representational spaces', which reflect the complex symbolisms specifically linked to clandestine elements of society. By examining spaces through one or more aspects of the triad, socio-spatial relations can be analysed through the social activities that create spaces without imposing an overarching term such as the broad, yet vague moniker of 'heterotopia'. In terms of our 'transient spatialities', the triad presents an interesting lens through which we can observe the case studies, linked to the social form of deprivation in communities. Unlike heterotopia, the triad does not seek to identify spaces specifically, but succinctly presents a means through which their 'near' and 'far' complexities can be interpreted.

Sociology literature on time recognises that people experience different temporalities: the immediacy of passing time; historic time; the not yet time of the future. There has long been a recognition that labour and work frame time, its flows and rhythms. In terms of community time, history is a shared cultural construct and part of creating the present (Blokland, 2009). Community time itself has been recognised as having rhythms that place it outside other structuring temporalities (Crow and Allan, 1995).

> the time of community [is not] compatible with broader social accounts of the past as something that is simply over … or the future as simply not yet … [and] shared representations of the past and/or future shape how a community is imagined and legitimised.
> (Bastian, 2014, p. 143)

A key way we understand the future as 'not yet' is through policy and planning – by evoking a future to reach. Importantly, the rhythms and pace of policy making create a specific temporality (Fitzpatrick, 2004; Abram, 2014). Sensitivity to temporalities and time means that:

> Questions about the speed, pace and directionality of time are crucial to work exploring communal futures and pasts, the experiences of accelerating global networks and the timing of economic modes of production.
> (Bastian, 2014, p. 138)

Through living, working and acting, we produce spaces (Smith, 1990) which are ever changing and fluid, and reflect our lived experiences through particular temporalities.

Food banks as spaces of the in-between

Today, giving through charities has become an entrenched and accepted aspect of UK society (Livingstone, 2013). The beginning of the twenty-first century has seen rapid growth in food insecurity with various charities evolving to provide food banks as an emergency response to hunger. The 'transient spatiality' of the food bank has become an expansive element of contemporary society, and food aid is becoming normalised in the charitable community. Food aid providers play a significant social role in raising

awareness of food poverty and concomitantly helping those experiencing food insecurity with food parcels when in crises. All the evidence indicates that food insecurity is a prolific characteristic of deprivation (Sosenko *et al.*, 2013; Cooper *et al.*, 2014), and an All-Party Parliamentary Inquiry (2014) recently published research on the extent of hunger and food poverty in the UK today.

This research specifically considers the evolution of the Trussell Trust network of food banks as a transient spatiality. The Trussell Trust (launched 2004) operates as a 'social franchise', where religious organisations become affiliated with the Trust to operate food banks. The charity provides these organisations with business guidance, and it is the key food bank organisation in the UK today. There are currently over 420 Trussell Trust food banks, with an average of two opening each week (Trussell Trust, 2014a), predominantly run by a network of 30,000 volunteers (Trussell Trust, 2014b). In 2013–2014, the charity distributed 913,138 food parcels (Trussell Trust, 2014b) providing an estimated 20 million meals and representing a year-on-year growth of 54% (Cooper *et al.*, 2014). To acquire a food parcel from a Trussell Trust food bank, the recipient must be referred by a professional, such as a doctor or a social worker. The Trust also strives to avoid dependency and typically will only provide three parcels in the course of a six-month period.

The rapid growth in food banks has been much discussed in the media. They speculate that this growth is directly related to welfare reforms and austerity measures (e.g. benefit sanctions) imposed by the previous and current UK Governments (Butler, 2014; Livingstone, 2014). With the ever-increasing numbers of food banks, the party line from the Government has been a denial of links between reforms and food insecurity, with the state commenting on lack of 'robust evidence' to indicate a link (Downing *et al.*, 2014). However, this has been refuted by research (Sosenko *et al.*, 2013; Cooper *et al.*, 2014). The wider repercussions of policies reflect the state's detached and dismissive position which, although disputed, has remained unchanged throughout the current term of the Conservative Government. Following the global financial crisis of 2008 and the imposition of austerity measures and reforms, bedroom tax, fluctuating employment and zero-hour contracts, it is not just those out of work who access food banks, but also those in work who cannot make ends meet (Sosenko *et al.*, 2013). The post-war welfare state is being reformed and dismantled; its apparent permanence is being eroded by the neoliberal position of the current government. The UK situation may soon mirror the experience of food banks in the United States and Canada, where they are now a permanent feature in spatial and temporal discourses of poverty (Riches, 2002).

Food banks are representative of a temporality of detachment of the state, of disregard for the food insecure. So far, this has promoted the acquisition of more and more spaces for food banks. The spatial expansion of food

banks inherently reflects Lefebvre's concept of the 'far', as the state directly influences their growth and normalisation in society. As a feature of our urban form today food banks *should* be a temporary space, one which *should* become obsolete through the effective tackling of food insecurity. However transient and temporary we expect these spaces to be, the current temporal experience reflects a society which redistributes food to those in need in an emergency. Food parcels are distributed within a prescribed period of opening and closing, in line with Foucault's heterotopic principle relating to restricted access and functionality. The users of food banks are subjected to the specific ways in which the food bank functions, reflecting spaces which are potentially heterotopias. In the case of the Trussell Trust, you must have a referral voucher from a professional, food parcels can only be collected during a specific time and their distribution is formalised by the Trussell Trust's guidelines and the volunteers operating the food bank.

Both food bank users and volunteers have a temporary and transient experience of it, wholly dependent upon the specific operations adopted by the Trussell Trust, in a specific time period, at a spatially specific location. Although a food parcel can be useful in the short term, what happens after the three days of food is consumed? Those experiencing hunger will continue to experience it and will be limited in their access to further food parcels. The experience of food banks is a temporality of discontinuity and of disruption. The individuals accessing the food aid could be said to be experiencing a heterochrony (as above), a break in their traditional use of time – which in this case reflects a contemporary experience of poverty. The users accessing the more formalised Trussell Trust food banks are entwined in an intermediated, alienated experience of hunger, via a restricted experience accessible on an irregular basis, and in a space which emphasises poverty, a space akin to somewhere timeless. Food banks to the individual are not habitually used or normalised, but are restricted spaces which indicate deprivation. In this respect they can be considered representative of the three elements of Lefebvre's spatial triad, as spaces of the clandestine, of symbolism, and of social codes and practices represented in the reproduction of space.

From the perspective of the local community, food banks are spaces of community mobilisation, empowerment and integration of human capital. Continuing distribution of food parcels will not stimulate change in the lives of those experiencing hunger, but will merely provide a temporary respite. Food aid from the 'near' in society, the local neighbourhood, actively engaging with the community to assist those in need, is certainly a short-term benefit to the food insecure, but it *should not* be viewed as a long-term solution. Effecting the eradication of food poverty and influencing the 'far' state from the local level are essentially illusory in the current temporality, because food banks are a response within the neoliberal system itself. That is not to imply that there is no possibility for change, because the continual

reinvention of space and the lived experiences associated with food banks presents an implicit opportunity for their reconstitution.

The spatial form of Trussell Trust food banks is symbolic of social relations. They are spaces of polarisation, but they are also spaces of community engagement, inclusive spaces which simultaneously reinforce exclusion. Food banks are a juxtaposition of incompatible spaces (after Foucault, 1986). The food bank creates a space of illusion by providing short-term nourishment and comfort, which exposes a very real space of poverty and hunger. The spaces themselves are indicative of the power of the 'far' state, but at the same time their spatiality is a curious one which, because of the association with religious organisations, typically sits outside the processes of capital accumulation and profit maximisation.

Food banks are politicised spaces, where the possibilities of both effective change and ineffectuality in addressing hunger today are potential liminal and heterotopic experiences. Such experiences allow the complex and contradictory nature of the 'transient spatiality' that is the food bank to be perceived through a multitude of relations. It will be interesting to see how these spaces continue to evolve through the 'far' and the 'near', as temporalities shift into the future.

Temporalities and 'yet-ness' in Wester Hailes

Wester Hailes, in Edinburgh, can be regarded as an archetypal liminal space. It is a peripheral social housing estate that has, throughout its 50-year history, either been on the edge of urban consciousness or been brought to the fore by deprivation or criminality (Wacquant, 2008). Historically, in response to the stigma attached to the neighbourhood by wider society, the residents created the neighbourhood as a representational space, of activism and local democracy, against the representation of the space in wider society as deprived and marginal (Lefebvre, 1991). Community organisations, the Wester Hailes Representative Council, and a community newspaper, *The Wester Hailes Sentinel*, contested the negative representations of the neighbourhood and helped to offer new futures through critical engagement in 'regeneration' policies and practices (Matthews, 2012).

This activism was taking place in a world that has become networked, yet excepting a brief period when Wester Hailes had Scotland's first internet café, the neighbourhood was excluded from these networks as they went online. The use of new network technologies has disrupted traditional geographies and temporalities (Castells, 2000). Instant communication around the globe has led to the distanciation of propinquity (Amin, 2000) and, for many, these technologies offer new opportunities for creating democratic spaces (Couclelis, 2004). While a lot of the enthusiasm of the early pioneers has been tempered, there continues to be a belief that new

technologies can revive democracy. The growth of social media – Facebook, Twitter and so on – and sophisticated campaigning organisations such as 38degrees and AllOut has led many to view the current networked age as different. Others dismiss such activity as barely engaged 'clicktivism' that ignores the political realities of global neoliberalism.

Such activities find their local expression in the growth of hyper-local media sites. These have a long tradition as photocopied local newsletters, or small commercial newspapers, that report local news and are supported by volunteers or local advertising. Free, easy-to-use technologies like blogs, video and audio hosting sites, as well as social media mean these traditional sources of local news have been either supported or replaced by online equivalents. Research suggests that many of these sites are not linked to existing media organisations and grew out of specific local campaigns relating to such issues as school closures or controversial planning applications and new developments (Williams *et al.*, 2014). In the United Kingdom, the massive decline in engagement with local politics has led many to associate the growth of hyper-local web-based news sites with broader aims to renew local democracy. Our second case study – the revival of a local newspaper as an online hyper-local news source – helps us to interrogate further our questions around contemporary disruptions of geographies and temporalities.

In 2008 the newspaper *The West Edinburgh Times*, formerly *The Wester Hailes Sentinel*, ceased publication after its funding was withdrawn. As *The Sentinel* it had, since 1976, been a leading local voice in the fight to improve the neighbourhood. In 2010 the local housing association, inheriting the archive of *The Sentinel*, began posting photos online in a Facebook group, eliciting engagement from residents past and present (Matthews, 2015). This site created an online neighbourhood – a page containing reflections on history and place-attachment – in a global cloud. To flip the notion of the distanciation of propinquity, the deep sense of propinquity that was created was held on server farms around the globe. Interest in this site led partners to hope that the engagement could be turned into a self-supporting online hyper-local news site, *The Digital Sentinel*.

However, *The Digital Sentinel* struggled to replicate this success. In its first years most stories were produced by a paid worker, not by local community activists or residents (a not uncommon experience: Harte and Turner, 2015). Hits to the site were low, and it was struggling to develop a stream of news from local community organisations. There was also the challenge of digital inclusion. Data for Scotland showed that residents of social housing living in deprived neighbourhoods were much less likely to access the internet (Scottish Government, 2014). However, unpacking this 'failure' of *The Digital Sentinel* can also help us to understand the transient spatialities and critical temporalities that are at the core of our thesis. For community activists, the aim to revive the *Sentinel* came from a desire to revive local democracy, to draw on the shared history of community activism

that was often evoked on the Facebook page. There was a hope that new technologies could allow a revival of the spirit of activism that had, in the past, created a contesting representational space. Specific challenges were the lack of local 'big' issues for the news site to engage with (Williams *et al.*, 2014).

The much broader challenge was the concentrated social deprivation in the neighbourhood. Extensive evidence suggests that more affluent people are much more likely to engage in such activities (Matthews and Hastings, 2013). They are more likely to have the skills, confidence and abilities to engage. They also have networks to people with knowledge and influence. Conversely, evidence from Scotland shows that residents who live in deprived neighbourhoods, those in lower income households and those in socially rented housing have lower rates of internet access, so they were less likely to access an online news source. They are less satisfied with their neighbourhood conditions than others, but in turn they are less likely to feel that anything can be done about those conditions, so they are less likely to be engaged in local activism (Scottish Household Survey data, cited in Matthews *et al.*, 2015).

This presents a negative case for why efforts to revive democracy through digital engagement were not successful: the residents of Wester Hailes were not affluent homeowners and their immediate interests were not threatened. But, more positively, why were residents engaging in discussion about history on the Facebook page, but not engaging in contemporary activism? The reminiscence on the Facebook page reflected a homely sense of place commonly held by working-class communities (Matthews, 2015). This is opposed to the middle-class sense of home as a position within a world of positions, which requires the 'work' of activism and place-making to create a sense of belonging (Allen, 2008; Watt, 2009). The working-class sense of home-belonging meant that the residents had a much longer-term and general sense of place-attachment.

A good example of this was the local time bank. Time banks are a form of non-monetary exchange. Volunteers get time credits by offering their skills to other members to use. These credits can be 'cashed in' by buying the time of other volunteers. Time banks rely on direct reciprocity in a quite immediate sense, with the management of time credits by a time broker adding trust to this system. However, the West Edinburgh time bank struggled to get volunteers to take time credits. People were more than willing to give their time and skills, but unwilling to accept help and be a burden. The sense of home of the residents extended to a sense of generalised reciprocity – they were willing to provide support to the local community in the knowledge that they might get something back sometime in the future, with very little concern as to when this was. The longer-term temporality of this generalised reciprocity and commitment to the neighbourhood was incompatible with the immediacy of the time bank model.

During this time, partners in Wester Hailes also erected a 'digital totem pole'. This included quick-response codes (QR codes) for people to access online information about the neighbourhood, including the social history Facebook page. In First Nation cultures, totem poles were traditionally temporary. Once erected at potlatch ceremonies, they were left to slowly rot away. For some Nations, their dead were placed in boxes atop totems and were left to decompose and be scavenged. Wester Hailes' totem pole was prominently placed in the neighbourhood, yet, as with *The Digital Sentinel* to which it is connected, it is rarely used for its intended purpose. Unlike a First Nation totem, it has become valued for its permanence. For example, it is often remarked that it has not been vandalised over many years, in a neighbourhood where street furniture and similar public art are vandalised and left to decay. That the totem pole had resisted the passage of time meant it was associated with a positive sense of place among residents. Furthermore, as a part of the public realm, the totem pole and associated activities have helped to foster the creation of the representational space of activism within Wester Hailes. This has enabled residents to further their efforts in contesting heterotopic spaces, such as local food banks, the shopping centre, the Job Centre Plus and the police station, that seek to regiment the lives of residents through control of spatiality and temporality.

At their root, the problems of deprived neighbourhoods like Wester Hailes are long term. They are born of housing policies; the operation of housing markets and concomitant international finance markets; local economic development and the shifts in global capital as the economy restructures. Yet projects like those discussed have at their heart a catalytic view of time – that a small investment will unleash unrecognised potential in the community. This leaves community workers and activists with a feeling described as 'yet-ness' – that the projects will deliver their potential, but have not managed to do so yet. In regeneration policy, this belies a failure to recognise the long-term structural causes of neighbourhood decline and deprivation (Hastings, 2000; Kintrea, 2007; Matthews, 2010). However, this belief in community transformation was also genuinely held by the community workers and activists. Hope for the future shaped short-term visions for transformative change, while the reality of public spending cuts, continued economic depression and long-term structural problems stymied efforts to change the neighbourhood.

Conclusion

In this chapter, we have begun a theoretical discussion that brings together the geographical literature on spatialities with the literature on the sociology of temporalities, in a move to better understand the complex and nuanced marginal and liminal spaces of deprivation being created in the

United Kingdom's contemporary urban form. More research on the notion of 'transient spatialities' is needed to build on the initial conceptualisation presented here. Our current empirical findings support a view of temporalities as social 'constructs' which are contingent and power-laden. The temporalities created by policy impose a time framework upon individuals and communities – be that the imagined future of Wester Hailes as a 'better place', the time of the month-long budget in Universal Credit or the time of desperate hunger created by benefit sanctions and maladministration. The temporalities experienced by communities and individuals rub up against those produced by policy, resulting in conflict and contestation. The latter are in turn reflected in their spatial forms, which are liminal, are laden with opportunities for future change and activism, but are reduced to spaces which consistently reproduce the neoliberal relations of power imposed upon them. The lived experiences of the spaces in the Wester Hailes community and those of food banks and their users may be limited due to the effect of the 'far', but the latent potential for change at a micro level and beyond is potent. By thinking of these spatialities in line with Lefebvre's triad, Foucault's heterotopia and critical temporalities, a context-oriented perspective on particular spatial and temporal urban forms can be presented and understood as 'transient spatialities' of poverty and deprivation.

By integrating critical temporalities, our approach allows us to rethink these spaces and temporalities and to identify new opportunities that are empowering, rather than to resort to the negativity that dominates some theoretical approaches. For example, the temporality of temporary starvation embodied in food banks can be rethought along the lines of the slow-food movement, as community groups in Wester Hailes are doing. They are re-appropriating green spaces the local authority can no longer afford to maintain to develop community gardens growing fresh vegetables and fruit for the community. Furthermore, the futures of regeneration for Wester Hailes, and similar communities, could be based on their social reciprocity and the temporality experienced by their residents, rather than on the imposed temporality of plans and policies, or the spaces of food banks and the temporalities of hunger. Although the spaces we have considered are spatially and temporally contested, there are inherent opportunities for future activism and development within the spatio-temporal relations of the not-yet. For example, through urban food production, social relations and human interactions adapt and strive to provide a more optimistic and empowering experience of both local community life and food insecurity.

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4

Temporary Uses Producing Difference in Contemporary Urbanism

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Introduction

Spatial complexity, the temporal dialectic of transience and permanence and the socio-political power of space are integral elements of several established architectural and urban theories. In the formative years of modern urban planning, Geddes conceptualised the city as an evolving realm that both carried influences from the past and involved promises of the future (Koponen, 2006, p. 85). As a planner, he engaged in 'constructive and conservative surgery' that aimed at improving the city's social and spatial conditions with small interventions. After World War II, Rossi (1966) presented the 'theory of monument' and criticised 'naïve functionalism'. He claimed that cities are heterogeneous collages of morphological elements that change in a variety of ways and rhythms. Major buildings, streets and squares, and also recurring large events, can be 'monuments' that drive urban change over long time periods but may also become obsolete. In the United States, Venturi (1966) celebrated the historic layering and non-obvious hybrids of urban architecture. Subsequently, Lefebvre (1974/1991) brought together a new vision about historical and socially produced space that reflects the conditions of its production and simultaneously provides seeds for change. Tschumi's early writings (1981) and projects such as the design of Parc de La Villette in Paris (project 1982, realisation 1984–1987) operationalise the radical thoughts of '68 in an architectural language of event montage, superimposition and cross programming.

These exemplary writers and practitioners show how the complex and sometimes contradictory nature of urban space can be conceptualised lucidly and without over-simplification (a problem that characterised much of twentieth-century mainstream planning thought). They show that time – evolution, event, simultaneity – is a necessary part of a realistic conceptualisation of urban situations. They also show how fresh conceptualisations can lead to meaningful action.

Today, we are again witnessing a moment of radical change in urban space and practices worldwide. Global capitalism, flows of migrants and fiscal crises define the contemporary landscape. Urban planning, design and architecture are rethought accordingly. Tactical urbanism, urban acupuncture and weak planning are some concepts that have tried to grasp the vector of change. In varying mixes and emphases, actor-orientation, contextuality, eventuality, ephemerality, experiments, participation and open processes characterise most of the new planning ideas. In some form, *temporary uses* figure as an important element in these contemporary approaches. Strangely, though, despite the great interest in the topic, temporary uses remain poorly theorised. They have been studied from an economic perspective (Lehtovuori *et al.*, 2003), particularly after the financial crisis (Bishop and Williams, 2012), and in the context of political theory, especially in relation to the notion of the 'right to the city' (Hou, 2010). Some authors cross-examine these two dimensions (for example, Andres, 2013). Furthermore, temporary uses have been discussed as niche innovations in 'systemic transitions' of cities and societies (Oswalt *et al.*, 2013). While all these approaches have merits, a general socio-spatial understanding of temporary uses in the contemporary urban context is not well formulated. Specifically, temporary uses' potential to create better or novel urban environments remains contested and partially understood.

To address this gap in knowledge, we will discuss temporary uses on a theoretical plane, critically and comparatively. Acknowledging temporary uses' many potentials (see, for example, Lehtovuori *et al.*, 2003, 2015; Groth and Corijn, 2005; Lehtovuori and Ruoppila, 2012), we set out to critically scrutinise temporary uses as a (possible) key element of emerging practices of urban planning, design and management. We discuss the role of temporary uses in the broad picture of urban planning and appropriation of places – of producing space. The notion of 'difference' – phrased by different authors as multiplicity, variety, alterity, otherness or heterotopia – is central to our effort to theorise temporary uses.

The difference that temporary uses may produce

The 1960s' and 1970s' planning critique was directed firstly against technocratic planning and secondly against the commodification of urban space. The contemporary critique, in comparison, faces considerably weakened

public planning and newly global, intense and even predatory capitalisation of urban spaces and practices. For instance, Sassen (2015) has pointed out a corporate investment surge since 2008. Large corporations have bought whole sectors of urban land and buildings, to invest in luxury megaprojects that threaten the traditional pattern of landownership in cities like New York and London. According to Sassen (2015), the new scale of corporate control reduces the urban 'mix of complexity and incompleteness' that ensures urban rights also for the poor and powerless.

One way in which the difference that temporary uses produce may be discussed is to compare the alternative dynamics between people-based and rooted urbanity and developments led solely by making monetary profits on urban land. Since the late 1990s, temporary uses have been conceptualised as 'catalysts' of urban development or as 'pioneers' of economic regeneration and new urban cultures (Lehtovuori *et al.*, 2003; Haydn and Temel, 2006; Urban Pioneers, 2007). The early analyses highlighted an important tension between two perspectives: temporary uses can be viewed either as instrumental tools of urban planning and management or as intrinsically valuable spaces and processes, often with political and emancipatory connotations. These two ways to think about temporary uses are linked, respectively, to two socio-cultural positions and practical interests, those of the planner/developer and of the activist/user. They also reflect two different sentiments, the planner's (and at times enlightened developer's) hopeful and positive ethos on the potentials that temporary uses may unearth (Bishop and Williams, 2012), and the user's uncertainty and often critical concern about the continuity of the use and the fate of their project, the unique and interesting social and spatial result achieved in a short time and with little money (see, for example, Munzner and Shaw, 2015).

This distinction has opened relatively rich discussions on both the benefits of temporary uses (public and private, societal and commercial; see, for example, Lehtovuori and Ruoppila, 2012, p. 35) and the structural reasons for their current proliferation as an element in urban planning and real estate management practices (see, for example, Bishop and Williams, 2012). However, it fails to theorise temporary uses in a holistic, spatial and forward-looking manner. The key questions about the quality, sustainability and scope of temporary uses as an element of contemporary urbanism at large (and not only of planning and real estate) remain open. Furthermore, the necessary policies to support whatever of importance may have been produced remain uncharted and poorly justified.

Temporary uses, appropriation and the Right to the City

Temporary uses are place-based and involve a development orientation, understood as a stake, shorter or longer, in defining a place and imagining its future (Lehtovuori and Ruoppila, 2012). This imagination can be social

and even utopian, without direct economic connotations. Temporary uses thus involve some sort of *appropriation* of urban space. They also involve a communal or group-based *creation of value*. Temporary uses engage in conscious *production of space*, involving practices, conceptualisations and experiences (Lefebvre, 1974/1991; Lehtovuori, 2010). These proposals provide a starting point to explore a new theoretical plane for the analysis of temporary uses and their potential in contemporary urbanism.

It is well known that value in the urban context can be studied from many perspectives that broaden it beyond the purely economic. For example, we can talk about the intrinsic value of heritage. More importantly, values are not static. The economic value of a property depends on multiple changing parameters such as its location, aesthetic, connectivity, environment, security and so on (see, for example, Figure 4.1).

Who produces the 'urban values'? Who has a right to them? Lefebvre's (1968/1996) answer is that the users of urban space have collectively and historically produced these values. This is why citizens and users should be able to enjoy equitably the benefits of their 'labour' in the form of a liveable city. The fact that real estate owners and developers generate profits from the

Figure 4.1   NDSM Wharf (www.ndsm.nl) is an example of Amsterdam's strategic approach to temporary uses. The enormous 20,000-square-metre hall and open dock ramps have been operated by Kinetisch Noord, an alliance of artists, performers and architects that combined skills of Amsterdam's former squats. Recently, the area has started to also attract large established users, even to the extent that its 'alternative' character is endangered.
Source: Courtesy of Panu Lehtovuori.

product of this collective labour is rendered questionable or outright wrong. Hence there are conflicts regarding the right to the city. Space is the ultimate locus and medium of struggle, and is therefore a crucial political issue (Elden, 2004, p. 183).

Harvey (2012) questions Lefebvre's ideas. Many analysts claim that 'city' is an obsolete notion, lacking coherence as both a community and a political body. This is exactly the reason to re-configure the idea of right to city as the *right to "reinvent the city"* (Harvey, 2012, p. 4). Temporary uses can be seen as an important arena of such fundamental renewal and reinvention. They involve much more than just "a right of individual or group access to the resources that the city embodies" (Harvey, 2012, p. 4). They often become actively political spaces that show new ways to fill the 'empty signifier' of the right to the city. Through them, activists have "a collective right not only to that which they produce, but also to decide what kind of urbanism is to be produced where, and how" (Harvey, 2012, p. 137). We maintain that the nature of right to the city is dynamic and contested. It is not a right that exists, but a right to act.

Towards a socio-spatial theory of temporary uses – margins, fallows, amenities, commons

The call to act links the right to the city to temporary uses. Important for our discussion is Harvey's contention that "any spontaneous alternative visionary moment is fleeting; if it is not seized at the flood, it will surely pass" (Harvey, 2012, p. xvii). Referring to Lefebvre's writings and experience in '68, Harvey states that "[t]he same is true of the heterotopic spaces of difference that provide the seed-bed for revolutionary movement" (2012, p. 18). In a single place, temporary uses may be fleeting and transitory phenomena, but in the whole urban realm, they are a permanent element, crucial for the liveability and future improvement of the city. To take an example, the performativity of the 'Instant City' of Roskilde Festival depends on its temporary nature. "During the week in which the event takes place, all rigid social manners, limiting norms, moralizing authorities, and dull dress codes are placed on stand-by" (Marling and Kiib, 2011, p. 25). The liberating and creative openness of festivals' spatio-temporal margin is culturally central (Shields, 1992). From the nineteenth-century Paris Commune to contemporary events, the dimension of the carnevalesque 'detouring' of meanings and challenging of rules and established perceptions of 'proper' uses of a place is commonly attached to temporary uses. Concretely, alterity appears occasionally here and there, but culturally it is omnipresent as memory, possibility and desire.

How, then, might the cultural centrality of margins be put in a metropolitan frame and a future perspective? Discussing both the urban form and

socio-ecological functionality of contemporary city regions, Oswald and Baccini (2003) propose *fallow land* as one of the six morphological aggregates of their *Netzstadt* method of analysis and urban design. Their key assumption is the networked and relational character of cities and city regions. In each scale from region to neighbourhood, a logic of nodes, links and fields is at work. Unlike most theorists of urban process, Oswald and Baccini approve the empty or underused space as an organic and ever-present part of urban form. For them, fallow land is not an exception or a problem, but a necessary category. This conceptualisation works well with Lefebvre's understanding of urban space derived through the notion of a spatial dialectic. Space facilitates the simultaneous co-existence of differences. For Lefebvre, the differences are in tensioned relations, making urban space dynamic and open to change.

Fallow land – and temporary uses as the appropriators of the fallows (such as those in Figure 4.2) – constantly co-produce a differential urban space, containing spaces of hope and spaces of novelty and innovation. We argue that the difference, which temporary uses may create at best, should be seen as *cultural amenities* (Ruoppila, 2014), defined as the desirable features of facilities that increase the specificity of a place. Cultural amenities, places of different sorts of open cultural action, create or maintain diversity, increase

Figure 4.2   Platoon Kunsthalle, Seoul. Platoon Kunsthalle (www.platoon.org), pictured in Seoul, is a network of temporary cultural spaces designed for artists' residences, exhibitions, workshops and events. The network has provided temporary spaces in Seoul and Berlin, and is opening one in Mexico City.
Source: Courtesy of Jamie Allen.

quality of life and, thus, contribute to the public good of all citizens (for example, the historical contribution of urban parks). Such places may also be treated as *commons*, as a shared cultural, intellectual or spatial resource. Hess (2008) has extensively mapped 'new commons', which she defines as "a resource shared by a group where the resource is vulnerable to enclosure, overuse and social dilemmas. Unlike a public good, it requires management and protection in order to sustain it" (Hess, 2008, p. 37). Hess recognises seven types of new commons, of which infrastructural and neighbourhood commons are predominantly urban. Examples range from community gardens to sidewalks and from homeowners' associations to silence in city.

While Sassen's (2015) observations on the corporate investment surge may appear exaggerated in many cities, the increase of floating, essentially global speculative real estate capital is noticeable in any open property market. There is too much money without meaningful moorings. In such an operational environment, the public authorities should develop adequate public policy to emphasise their role as a guardian of non-commodified domains in our cities. Parallel to that, we need to recognise the importance of mutually supported *urban commons* that are independent of both public and private action and ownership. This independence makes commons an increasingly important alternative space, a statement that may sound surprising in the light of the cry of 'the tragedy of the commons' (see Hardin, 1968; Ostrom and Ostrom, 1977). Furthermore, the specific nature of urban commons as resources that increase through use (think of a lively square) has not been fully recognised.

Discussing urban commons, Harvey (2012) claims that

> [p]ublic spaces and public goods in the city have always been a matter of state power and public administration. … While these public spaces and public goods contribute mightily to the qualities of the commons, it takes political action on the part of citizens and the people to appropriate them or to make them so. There is always a struggle over how the production of and access to public space and public goods is to be regulated, by whom, and in whose interests.
>
> (Harvey, 2012, pp. 72–73)

Indeed, conflicts and struggles are crucial in (re)creating public urban space as political space that can drive social change (Lehtovuori *et al.*, 2015). Stating the importance of defending the flow of public goods as material for the commons, Harvey argues that the commons

> is not to be construed … as a particular kind of thing, asset or even social process, but as an unstable and malleable social relation between a particular self-defined social group and those aspects of its actually existing or yet-to-be-created social and/or physical environment deemed crucial to its life and livelihood.
>
> (Harvey, 2012, p. 73)

A foundational relation between space and the group that appropriates it characterises the unique places that are produced by temporary users. This specific place-based relation *defines* the potential, uniqueness, novelty and difference of urban commons and cultural amenities. While this key relation should be both communal and non-commodified, the concept and use of commons do not exclude the possibility of monetary benefit to the appropriating group. "A community garden can thus be viewed as a good thing in itself, no matter what food may be produced there. This does not prevent some of the food being sold" (Harvey, 2012, p. 74). Furthermore, commons are likely to require state protection against "the philistine democracy of short-term moneyed interests. … The production and enclosure of non-commodified spaces in a ruthlessly commodifying world is surely a good thing" (Harvey, 2012, p. 70). This contention and related policy advice will be discussed in the conclusion of this chapter.

Difference driven by users

Bishop and Williams (2012) argue that vacancies produced as a result of current economic and property development trends, the spatial demands unmet by the market, and the social media which help to spread the message about the vacancies among potential users (not recognised by the owner) together favour alternative, adaptive development strategies that rely increasingly on temporary uses. They claim that exploring meanwhile activities (such as those in Figure 4.3) and "appreciation of experimentation" have intensified into a trend of "temporary urbanism," which also those who govern the cities should take into account (Bishop and Williams, 2012, p. 35). The winds of change are certainly noticeable in recent studies introducing several new concepts relating to the temporariness and changed character of the production of urban space. What these concepts have in common is their emphasis on the role of new actors in the shaping of places. Some of the concepts focus on practical improvements to public spaces, and others on conscious efforts to produce alternative political niches from which to challenge the capitalist urban process.

In the first category, the idea of "DIY urbanism" (Douglas, 2014) and "everyday urbanism" (Kelbaugh, 2007) does not challenge the economic order, but questions who is acknowledged as an actor who may change urban space. Douglas (2014, p. 6) defines do-it-yourself (DIY) urbanism as "small scale and creative, unauthorized yet intentionally functional and civic-minded 'contributions' or 'improvements' to urban spaces in forms inspired by official infrastructure." Such practices include, for instance, guerrilla gardening, or traffic markings or promotional signage installed by community members (Douglas, 2014, p. 6). The acts are small-scale modifications, diversifying interpretation of the present situation. Likewise, Kelbaugh (2007, p. 12)

Figure 4.3   Restaurant Day (www.restaurantday.org), pictured in Helsinki, is the world's biggest food carnival and an example of everyday urbanism contributing to lively public spaces. The idea is that during this particular day, anyone can set up a restaurant for a day without permits. In 16 May 2015, 2497 temporary restaurants opened in altogether 34 countries.
Source: Courtesy of Martti Tulenheimo.

defines everyday urbanism as situated and tolerant, celebrating "ordinary life, with little pretense of creating an ideal environment" appropriating space on sidewalks, parking lots and vacant lots for informal commerce and festivities. Celebrating grassroots quality, everyday urbanism "is more personal, political and democratic than the standard 'product' built and financed by mainstream developers and banks" (Kelbaugh, 2007, p. 15). Moreover, "its very abilities to fly below the organized financial radar and work in the gaps and on the margins have allowed it to empower disadvantaged people and disenfranchised communities" (Kelbaugh, 2007, p. 15).

Both approaches conceptualise individuals as 'fixing' things where their actions are analogous to formal efforts, where the formal efforts are absent. This point is missed by Iveson (2013), who discusses the (traditional) politics of the DIY urbanism, and the extent to which such micro-spatial practices constitute a new form of urban politics that might give birth to a more just and democratic city. For him, single actions hardly suffice, yet prospects exist if small-scale projects were to coalesce into large-scale change. However, this would require practitioners to "make themselves parties to a disagreement over the forms of authority that produce urban space" (Iveson, 2013, p. 942). The DIY practitioners interviewed by Douglas (2014) would

probably find such a political dichotomy and the subsequent requirement of strict organisation an uncomfortable idea. Nonetheless, most would probably consider their actions to be contributing to participatory democracy and highlighting some prospects of change.

In the second category, taking a more radical stance, the ideas of 'autonomous urbanism' (Pickerill and Chatterton, 2006; Vasudevan, 2014) and the 'insurgent city' (Hou, 2010) stand in antagonistic relationship with mainstream economic development and the urban planning it supposedly subordinates. Autonomous urbanism refers to "spaces where people desire to constitute non-capitalist, egalitarian, and solidaristic forms of political, social, and economic organization through a combination of resistance and creation" (Pickerill and Chatterton, 2006, p. 1). Accordingly, the insurgent city indicates the political role of a city's public urban space as an arena of demonstration, a forum for creating new publics and a vehicle of resistance. Both consider social movements as 'grassroots urban planning agents' (Souza, 2006) radically redefining the significance and use of a location through place-bound activism, thereby representing an alternative development method (see, for example, Figure 4.4). In addition to social criticism, direct action, including independent implementation of solutions, despite the state apparatus or even against it, is necessary (Souza, 2006, pp. 328–329).

Figure 4.4   Berlin squats. On many occasions, the legacy of the temporary political counterspace has been acknowledged, and the squats have been legalized in Berlin. Working across Germany, Mietshäuser Syndikat (www.syndikat.org) provides a unique organizational model to combine projects' alternative or radical character and their economic sustainability.
Source: Courtesy of Vesa Peipinen.

Temporary uses, regeneration and gentrification

Temporary uses have a rather impressive track record in generating new ideas, nurturing ideas about future transformation opportunities and drawing novel attention to unused or under-used spaces. This makes them frequent drivers of regeneration. Authors have placed varying emphases on the subject, depending on their viewpoint. On the one hand, there are those who focus on the spaces produced by temporary uses. They consider the ability to create novel kinds of urban environments and to rethink public spaces to be positive and the scope to experiment with alternative uses within looser regulatory frameworks to be fruitful (for example, Lehtovuori *et al.*, 2003; Urban Pioneers, 2007; Stevens and Ambler, 2010; Bishop and Williams, 2012). These writers consider temporary use as an approach to ensure diversity and alternative space provision. On the other hand, there are those whose focus has been on how the actors of temporary uses who have successfully reworked a space may sustain their position in the long run. They have tended to a more critical view (for example, Colomb, 2012; Shaw, 2014; Munzner and Shaw, 2015). For instance, Colomb's (2012) account of Berlin shows how the gradual enlistment of temporary uses by policy makers and real estate developers for urban development and place-marketing purposes has put pressure on their very existence and experimental nature. The consequence has been various trajectories of displacement, transformation, commodification, disappearance and intense local conflicts. From the latter perspective, one can argue that, like other forms of culture-led urban regeneration, temporary uses – no matter how alternative they are – have an "inherent tendency to pave the way for profit-oriented urban development process" (Colomb, 2012, p. 147).

   Andres (2013) has made an illuminating conceptual distinction between temporary 'place shaping' and formal 'place making' and discussed how the first is likely to be taken over by the second. The initial opportunity is caused by a series of 'deadlocks' in the planning system; that is, economic, urban or political disruptions, leading to an alternative transformation (Andres, 2013, p. 760). 'Place shaping' refers to a set of practices for appropriations of differential spaces, "encouraged by a context of weak planning or a 'watching stage' which refers to a period during which the desired future for an area cannot be accomplished" (Andres, 2013, p. 762). If the temporary uses can raise an interest in the area or even provide plausible ideas for its development, the 'weak planning' context is likely to be replaced by development-led 'master planning', involving an entrepreneurial approach and a set of place-making strategies formalised with the purpose of redeveloping the site. The question then becomes whether (and to what extent) the process will ensure the legacy of temporary uses.

   The game of cat and mouse between grassroots cultural users (the most typical temporary users) and real estate capital seeking to build on their

success is a story frequently told in urban studies (see, for example, Zukin, 1989). Given the long-lasting trends of regeneration and gentrification, the process of the cultural re-signification of locations can be considered one of the core elements of contemporary urban dynamics. Within it, however, cultural actors involved in place shaping are exposed to the risk of becoming the victims of their own success. They may be welcome to come to try out new things, but if they are successful, the willingness to replace them with place-making actors and activities is likely to increase. However, with this shift, the very cultural activity that gave the place its distinction and attractiveness may vanish (Ruoppila, 2014).

Unsurprisingly, in a comparative study by Andres (2013), a marginal location seemed better in terms of avoiding gentrification and conflicts, and in providing the temporary actors with a long-term role in planned place making and, thus, in sustaining the difference created while they were shaping the place. Németh and Langhorst (2014) conclude that low economic pressures, recession and a shrinking population may benefit temporary uses. While a sufficiently central location is an important pre-requisite for effective action, we have in our earlier work concluded that almost any type of urban environment has potential for temporary uses. In central urban areas, under-used areas or areas losing significance, temporary uses are tuned accordingly for intensification, initiation or redefinition of their locations (Lehtovuori and Ruoppila, 2012).

Where temporary uses are effective means to raise property values in the areas where they occur, they have sometimes been incorporated into policy agendas. Creative city strategies often include alternative cultural actors and transforming spaces, although they are treated mainly as exploitable resources to expand commoditised activities (Peck, 2005). For instance, Colomb (2012, p. 144) describes how, in Berlin, the capability of temporary uses to redefine former industrial or infrastructural landscapes symbolically and programmatically has set the scene for commercial redevelopment. However, while temporary uses may be seen as useful for marketing or content creation purposes, the relevant policies tend to omit necessary support, which eventually undermines their impact (Bader and Bialluch, 2008). At the same time, with the worldwide trend of gentrification and increased redevelopment and regeneration of inner cities, it is increasingly difficult for actors to find cheap central places in which to experiment. In summary, the criticism of temporary uses stems largely from viewing them as a mechanism that inevitably leads to gentrification or commercial development – with the consequent displacement of the original actors and, eventually and at the worst, leaving no central spaces for such uses (see, for example, Shaw, 2014).

We find this critique and the implied risk analysis valuable in stressing the (at times) detrimental power imbalances between the actors, but we also consider it too straightforward and biased for two reasons. Firstly, because

of the experimental nature of temporary uses, it is unlikely that all of them would become permanent. And even if they did, such uses do not always need to remain in their original places. Experiments should follow the logic of inventions – the best will become innovations, while others will experience a shorter life span. Moreover, the availability of short leases encourages the trying of something new, which can be fruitful in its own terms. In addition, apart from a use being transient – that is, taking place only once, for a limited time – or becoming permanent, there are other alternatives. Temporary uses can be recurrent, that is, repeating, for instance annually (such as Paris Plages, bringing beaches to the Seine's banks every summer since 2002); or migrant, that is, the activities may move from one location to another as development proceeds (such as the New York Trapeze School – see Figure 4.5 – which changed its temporary location repeatedly following phases of Manhattan's Hudson River Park development); or the activities can move to an entirely new location. If a temporary use eventually transforms into a permanent use, this usually happens after it has become popular and consequently is perceived as an essential element of the new character of a place because of the difference it makes.

Secondly, the whole gentrification process is often considered in too straightforward and black-and-white terms. A common distortion is to associate gentrification with a total transformation (Metaal, 2007, p. 12).

Figure 4.5   Trapeze School. Trapeze School New York was initially a migrant temporary use, operating in several locations during the development of Manhattan's Hudson River Park. After becoming a popular feature, it was granted a permanent place in the regenerated waterfront.
Source: Courtesy of Richard Dottinger, 2015.

Metaal (2007) distinguishes between the 'artistic' (free-thinking pioneers), 'mixed' (socially and culturally conscious middle class) and 'fashionable' (wealthy professionals) phases of gentrification, and argues that urban neighbourhoods rarely go through the entire process. Unlike many dichotomist analysts, Metaal considers only the last phase to be problematic. He views the beginning of the process as positive, because "in the first instance, gentrification means opportunities for the survival and expansion of urbanity in various guises" (Metaal, 2007, p. 26). In contributing to the development of mixed neighbourhoods, it supports diverse urbanity "in the form of historically expanded buildings as well as in the varied supply of amenities and the maintenance of a public culture" (Metaal, 2007, p. 26). Ironically, in the last phase, "gentrification can become the victim of its own success" (Metaal, 2007, p. 26). Hence, in Metaal's 'artistic' and 'mixed' phases, (successful) temporary uses would be more likely to survive the pressure of displacement, although they had contributed to rising property values. Nevertheless, under a profit-seeking regime, temporary users are indeed vulnerable, especially given the still-limited understanding of their profound value for urbanism and of the positive spill-over effects for places that arise from such uses. Hence, in the conclusion, we argue for a policy supportive of temporary uses.

Conclusion: non-commodified spaces in a commodifying city

The differences that temporary uses can produce can be conceptualised in three ways. Firstly, being experimental, temporary uses can be seen as spatial or social innovations characterised by new types of spaces, uses and organisation. Secondly, temporary uses facilitate new actors to contribute to urban transformation. They give voice and agency to people and groups who otherwise would be invisible. Thirdly, temporary uses may be consciously political alternatives to capitalist urban processes and spaces. Not all uses and users are political, however, which is important to note.

Temporary uses are an increasingly important part of creative and socially responsible urban planning and development. They do, however, require safeguarding and cultivating. Hence, we argue for developing a policy to evaluate and support the sustainability of the 'best' or 'successful' temporary uses. Such a policy should not only exploit temporary uses and users as a resource, but also give them resources and protect them in contested locations, that is, locations of interest to profit-seeking developers. To rate a 'success' is of course tricky, but at least the following dimensions should be considered. The first is the uniqueness of the place: a socio-spatial innovation, a design or a use concept, which a combination of actors has managed to create. The second is the value of the action that the space enables, whether the benefit is derived from insight and reflection, social

cohesion, place-related economic impact (for example, providing a new kind of hub) or leisure functions. The third is the difference and variation that it provides in the wider urban fabric. Differential spaces and places, an urban environment with open new possibilities, dynamism and controversy are valuable in themselves, as well as constituting a cultural amenity or an urban common, as discussed in this chapter.

Of course, the question of the extent to which temporary uses could or should be seen as seeds of permanent uses does not have one answer. The field of temporary uses is highly varied. Permanence is not always a necessary or a recommended goal. Ephemerality, recurrence or migration may be an integral part of the use and the quality that it produces.

Importantly, we argue for the co-existence of a mixture of uses, in which some could be saved from displacement for the enriching elements they are able to provide for their locales. To this end, such uses (and spaces) would need to be conceptualised as non-commodified spots, with adequate policies implemented to secure their status. This should be of interest to all parties, given that the activity that is generated may contribute to rising property values in the vicinity. As Douglas (2014, p. 20) puts it, "we must remember that in many cities today development capital is quite happy to take advantage of any 'sign of life' and run with it." What is being done in those particular places and properties occupied by temporary uses and users should be valued especially for the difference that is produced.

The urban field, including the place-based novelties and critical practices of temporary uses, is dynamic and tensioned. Temporary uses make visible and tangible the difference between the 'isotopy' of the space of capitalism and state power and the 'heterotopy' of actual and changing urban practices. Temporary uses challenge established planning practices and the sources of power behind them. They represent the future in the making. As Harvey notes,

> we do not have to wait upon the grand revolution to constitute such spaces [of political difference]. Lefebvre's theory of a revolutionary movement is the other way round: the spontaneous coming together in a moment of 'irruption', when disparate heterotopic groups suddenly see, if only for a fleeting moment, the possibilities of collective action to create something radically different.
>
> (Harvey, 2012, p. xvii)

Experiments, tests, moments and irruptions are pervasive in urban society, producing pathways towards different societies and different spaces. Changes in and the evolution of preferred locational attributes, use rights and rents, and consequently the relation of temporary uses to the mainstream real estate process, are constant. Collectively, therefore, temporary uses play a big, constructive, societal role. Once better understood and adequately supported, they may become a key element of an emerging practice of urban planning, design and management.

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5

Short-Term Projects, Long-Term Ambitions: Facets of Transience in Two London Development Sites

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Introduction

As the 2008 recession started to make its mark on the development sites of London, a number of top-down initiatives attempted to open up stalled land for temporary uses. Two of them are documented here with the aim to explore whether officially licensed temporary uses on vacant land can have a beneficial effect on communities under conditions of recession. The initiatives occurred in a paradoxical context within which developers explored ideas about the temporary occupation of their stalled sites through architectural competitions, professional magazines campaigned for the property sector to bring back life to empty sites and the Mayor of London supported the Capital Growth initiative for bringing underused plots of land back into productive use through urban agriculture (see Kamvasinou, 2014). However, such circumstances are not unusual in the history of London and the not-so-well-known history of temporary uses more generally, which over a century has often seen these kinds of initiatives occur under conditions of war, environmental crisis or economic depression. Awareness of this historical framework is useful in identifying the evolution in approaches to temporary use to date.

The case studies that I will be discussing present the opportunity for comparison between two different approaches to transience in urban development. They also present the two ends of the temporary spectrum – at one end, an initiative that has endured, although not on the same site, and at the

other end, a site and time-specific initiative that has officially closed. I will explore the tensions between short-term projects and longer term ambitions, and ways that the latter can be sustained and integrated in more permanent development. Framing such ambitions are the socio-environmental aspects of the interventions studied as well as their contributions to collaborative planning that are responsive to the needs of both the community and the development sector.

Historical framework

Short-term projects on vacant land in the United Kingdom are often termed 'interim', 'interwhile' or 'meanwhile' projects (Reynolds, 2011; Kamvasinou and Roberts, 2014). These terms invariably refer to vacant urban land used temporarily for purposes other than its long-term designation. Hence, they are not just temporary but also an in-between stage of development (assuming some more permanent state before and after). Whilst 'interim' uses have often existed in the past in an unofficial and informal manner (with examples ranging from children using vacant land as an adventure playground, to people squatting on derelict land and buildings), the term has taken on a new dimension in recent years with interim uses frequently becoming official and licensed.

Short-term projects on vacant land are not new. From the appropriation of wastelands to 'graffiti art' and 'guerrilla gardening', there has been a historical evolution internationally with key milestones that show significant parallels in the United Kingdom with experience in Europe and the United States. These include the late nineteenth-century philanthropic projects aimed at social reform in Detroit, Philadelphia and New York, which encouraged cultivation of vacant land to support food growing for the urban poor (Lawson, 2005); and the Dig for Victory gardens during the two World Wars, with even London's Kensington Gardens being cultivated for food supply. The 1970s gave prominence to activist projects and the emergence of guerrilla gardening as a form of resistance to urban abandonment, in parallel with a growing and increasingly vocal squatting movement (Lawson, 2005; Awan *et al.*, 2011). The 1980s recession and the collapse of the real estate market in the United States led to the proliferation of garage sales and street vending (Crawford, 2008, p. 29), while art projects on vacant development sites such as Agnes Denes' New York 'Wheatfield – A confrontation' (1982) paved the way for an increased environmental awareness.

In the 1990s, community 'gardening' became community 'greening', with environmental concerns and entrepreneurial and training programs dominating the temporary agenda (Lawson, 2005). The failure of speculative development plans that followed the 1989 fall of the Berlin Wall led to the rise of informal and insurgent planning, "civil society-based, smaller 'developers' … and urban creative industries," through temporary use of

"idle land and buildings" (La Fond, 2010, p. 62). In the 2000s, temporary use projects were characterised by recreation, community food security and food growing, job training and education (Lawson, 2005). Food-growing projects seemed to contribute to the resolution of community conflict, and many non-profit food organisations were operating from vacant lots (see, for example, the 2003 Garden Resource Program Collaborative, Detroit), a move that gradually became formalised, for example, with the Capital Growth program in London (2010, funded by the Mayor of London).

London has had its own position in this evolution of temporary uses. High land values and Global City status mean that vacant land for temporary uses has become exceptionally scarce in London. Despite this, there were examples of temporary use in the 1970s, when the community gardens movement flourished (see Nicholson-Lord, 1987; McKay, 2011; Turner, 2012), and the 1980s, when reclamation and occupation of vacant land by community-based actors resulted in temporary projects becoming permanent (see, for example, Camley Street Nature Park at Kings Cross and the Coin Street redevelopment in the South Bank). These projects with their socio-environmental credentials and community focus form useful precedents for charting the recent emergence of short-term projects with long-term ambitions.

Indeed, the recent literature on complex systems and resilience is consistent with this historiography and is useful for understanding how small-scale interventions influence city-scale transformation, and, by extension, how short-term projects may influence long-term develop-ment. Urban systems are "the result of emergent processes … myriad interactions between elements, including people, business, institutions, culture and physical conditions" (Radywyl and Biggs, 2013, p. 160). Thus, "transformative social innovations" such as temporary land uses must be replicable in space (horizontal scaling) and must interact with systems at larger scales (vertical scaling) in order to effect broader systems change (Westley *et al.*, 2011, cited in Radywyl and Biggs, 2013, p. 160). For example, temporary uses that have a purpose beyond the mere physical installation on a given site, such as the training of unemployed youth or an enterprising component, will have a more lasting effect on the community. Such uses can interact vertically with a number of actors (local councils, philanthropic organisations, commercial clients), are less dependent on site specificity and are more replicable, as one of the case studies will show.

Németh and Langhorst (2014, p. 149) conceptualise vacant land as a system that "facilitates, provides or accommodates critical infrastructural services that are comparatively expensive to produce artificially." Such services include green infrastructure as advocated in recent UK policy documents (see the National Planning Policy Framework, 2012 and the Localism Act, 2011). Temporary land uses on vacant land can be framed as a "critical instrument of social and environmental justice" (Németh and Langhorst, 2014, p. 149). Thus, they have the potential to contribute to

community resilience at times of economic and environmental crisis in ways that will be explored through the two case studies.

Finally, the conceptualisation of temporary uses is closely related to collaborative planning theory (Healey, 1997, pp. 38, 195). Local knowledge needs to be recognised by "widening stakeholder involvement beyond traditional power elites" (Healey, 1998, p. 1531). Temporary intervention depends on the formation of a 'community of practice' or 'custodial practices', where community membership is consolidated through shared participation in meaningful activities that connect their lives (Radywyl and Biggs, 2013, p. 164). The process is eloquently described by Németh and Langhorst (2014, p. 149) as a "continuous editing … of urban transformation" in which communities' role in spatial planning and design is "as co-author of the spaces and places they inhabit and as empowered participants in urban development processes." Such co-authorship has often been confirmed through the unofficial historical legacy of temporary uses. However, it has taken on a slightly different twist in the two recent cases studied here, both of which have been officially licensed. Therefore, the question might now be: where is the fine line between co-authorship and co-option in the role of temporary uses in urban development?

Case study 1: Canning Town Caravanserai: semi-public community and events space with emphasis on up-cycling

This short-term project in East London was a winning entry in the 'Meanwhile London: Opportunity Docks' competition launched in late 2010 by *Property Week* together with the now defunct London Development Agency
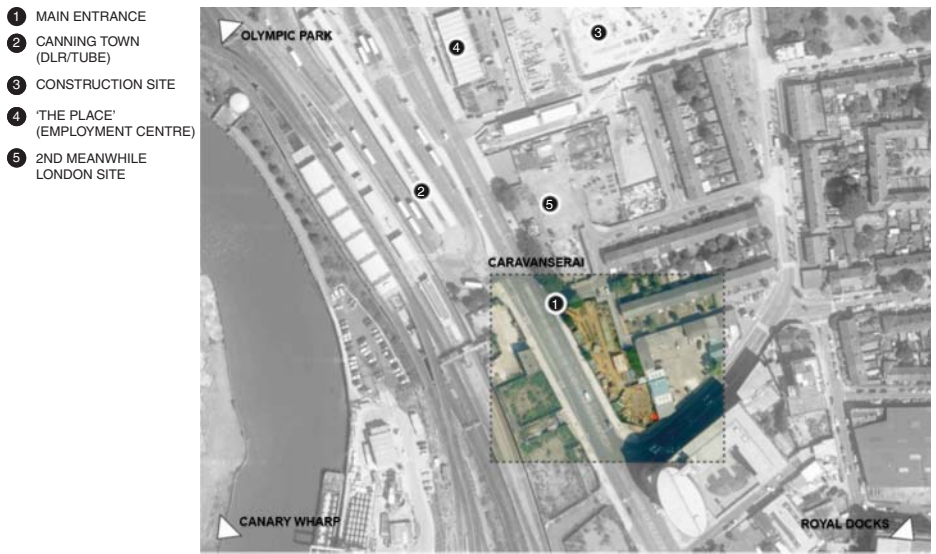
Figure 5.1   The Canning Town Caravanserai site in context.

(LDA), the Mayor of London and the Mayor of Newham. The competition aimed to promote three strategic redevelopment sites in the Royal Docks by finding temporary uses for them as part of the 2012 Olympics regeneration legacy. Ideas tested on these sites could be transferred to other sites in the locality, and could help to promote the future regeneration of the wider area (Mallett, 2010).

The project used a vacant site owned by the London Borough of Newham opposite Canning Town tube station (see Figure 5.1). The area* is one of the most ethnically diverse and deprived in London. However, big regeneration projects have been encroaching in nearby Canning Town and the Royal Docks. These include the ExCeL London Exhibition and Convention Centre, the Crystal building (a sustainability exhibition and education centre sponsored by Siemens), the Millennium Village and the Emirates Air Line (a cable car over the river Thames connecting Royal Victoria Dock and Greenwich Peninsula).

The proposal aimed to turn the large stalled site into a temporary micro-scale urban 'oasis'. The winning team included ten different organisations, most of which dropped out at the implementation stage, and the project was eventually single-handedly led by Ash Sakula Architects. They initially concentrated on "trading, making, cooking and eating" activities that would attract both locals and tourists during the 2012 Olympics (Ash, 2012, p. 27). The project would contribute to upskilling local youths through workshop-based training, to community cohesion through food-growing allotments and to putting the space on the map through ticketed events. As Ash (2013) puts it, "[I]t was always in the DNA of the project to be a

1 MAIN ENTRANCE
2 LONG TABLE
3 CRATE PLANTERS
4 SHIPPING CONTAINERS
5 KIOSKS
6 'FLYING CARPET' STAGE
7 CAFE & TOILET
8 'FLITCHED' BUILDING SITE
9 SECONDARY ENTRANCE

Figure 5.2 Aerial view and plan of Caravanserai in July 2013. The Flitched building was still under construction.

collaborative design and build project … using skilled labour very sparingly and training up lots of people." This would be achieved through a panelised system of construction based on a template, so that people could get building, even if they just had a few days to spare, because everything was marked out (Ash, 2013). This experience would be important for a community very much in need of skills.

In November 2012, 'Flitched: the upcycler's design competition' was launched for the construction of a more sheltered and enclosed structure for activities on the principle of putting waste back to use. The construction phase of this project proved particularly attractive to architecture students wanting to learn building skills (see Figure 5.2).

The project was to have a temporary lease for five years before it was handed over to Canning Town's new Town Centre by developer Bouygues. It started in November 2010 with a two-year lease, followed by another two-year one. The project came to an end in October 2015. The site conditions changed between competition and implementation. The site initially had a block of 14 flats on it which were demolished before the beginning of the project. This hindered a number of proposals that had been dependent on this building, including a pop-up Hotel to generate precious start-up income during the Olympics (Ash, 2013). The next biggest drawback was the decision by the local authority and Transport for London not to allow passengers to alight at Canning Town tube station during the Olympic Games. This was one of the factors that led to the failure of most other 'Meanwhile London: Opportunity Docks' projects which had been counting on the increased footfall through Silvertown Way (the main avenue in the area) during the Games.

One of the key issues with managing the project was how to get different groups of people involved, so as to have a "resilient network of weak links that would create enough of a trampoline in the project to keep it going" (Ash, 2013). According to Ash (2013), these groups could include people interested in collaborative and service design, those exhibiting at ExCel who could use the site to demonstrate their building materials, developers from nearby large-scale sites (for example, Prospect GB) who could use a local site for their corporate social responsibility programs, or the local schools.

Ash contends (2013) that it was always difficult to imagine that the project was going to be completely commercially self-funded because of its location. It was not on a pedestrian route or a shopping street. On the contrary, people had to cross a major road from the train station to reach the Caravanserai. After unsuccessfully attempting to self-fund by applying for 'Create London' money in 2011 (£40,000), the winning team, which included practices experienced in running and delivering art and community projects (such as EXYST, Space Makers and Bonny One), quickly disintegrated, and Ash Sakula found themselves having to run the project (Ash, 2013).

A lot of the funding and management of the site had to do with "resilience training and learning how to scavenge and talk your way into borrowing things" (Ash, 2013) including recycling material from the Olympic sites and obtaining donations from construction companies. Some contributions came from corporations such as the Bank of America, Deutsche Bank and Jones Lang LaSalle who have used the site for their away days – but these days required a lot of input from the hosts.

The lack of continuity of income has meant that each year, priorities had to be set that excluded other potential uses. For example, in 2013 regular local sessions and events did not receive so much attention, because the priorities were to build a toilet, to build a shelter (the 'Flitched' building), and to establish cooking facilities and "enough trees and raised allotment beds and cupboard space" that would then enable "corporate dinners and supper clubs cross-funding local events" in the year 2014 (Ash, 2013). This was achieved through the award of £10,000 from the Comic Relief fund, through a fierce competition with only a 6% success rate (see Figures 5.3 and 5.4).

Figure 5.3 North entrance to Caravanserai.

Figure 5.4   The makeshift raised beds.

The impact on people is debatable. As Ash (2013) contends, "it's really a mood dependent project, so depending on what the weather is like, the site looks either beautiful or dreary. Depending on the energy in the team, the whole opportunity seems either catalytic and exciting, or 'this is just a kind of last ditch place for people who can't get a job'." Aside from architecture students and those looking for hands-on experience in construction, the support of the neighbourhood varied. There were those who bought their flat and were really disappointed that the site across the road was not 'nice and clean'. There were others who were very supportive and provided water and electricity in the early days of the project but did not use the site, despite having children who could do with an outdoor space for play (Ash, 2013). Both reactions, however, may have been because in 2013 Caravanserai looked and felt like a building site, due to the construction of Flitched. Nevertheless, there was involvement by the local primary school as well as the hosting of events such as 'Light night' run by various artists and involving light installation,

Figure 5.5   The Flying Carpet Theatre.

music and performance that gave the site a special identity and atmosphere. There was also the hosting of different, non-continuous activities, such as a twice-weekly pan drumming workshop, a theatre company and various growers and supper clubs (Ash, 2013; see Figure 5.5).

Case study 2: Cultivate London Brentford Lock: urban farm and social enterprise project

Cultivate London is a social enterprise with a training program which operates from development sites in West London. It consists of an urban farm where long-term unemployed youth – known as 'neet' youth (not in employment, education or training) – receive training on the essentials of plant life, growing and selling plants, and maintaining a plant nursery.

Cultivate London was originally set up as a youth training program by a bigger organisation called the Housing Pathways Trust which operates in Ealing and Brentford and provides "grant funding to small charities and community groups in the local area who work to help disadvantaged people or create stronger bonds between members of the community" (Housing Pathways, 2014). The project started in 2010, with their first growing season in 2011. The training aims to get young people back into employment through the business model of an urban farm. The program consists of a four-month voluntary traineeship, with work placements in local partner businesses provided in the fourth month. Cultivate London recruit youths

① BRENTFORD HIGH STREET
② BRENTFORD LOCK
③ RIVER BRENT
④ DEVELOPMENT SITE
⑤ INDUSTIRAL PARK
⑥ A4 GREAT WEST ROAD

Figure 5.6 Cultivate London Brentford Lock site in context.

from "job centres, probation services, and the community at large. … The urban farm is the means to an end, in providing training and experience for the trainees, and is also partially funding the project" (Attorp, 2013; see Figure 5.6).

The site studied in this research was derelict and awaiting redevelopment. It was at Brentford Lock, in the London Borough of Hounslow (see Figure 5.7).

① MAIN ENTRANCE
② SHIPPING CONTAINER (SHARED WITH CANOE CLUB)
③ RIVER WALK
④ DERELICT STRUCTURE
⑤ POLY TUNNELS
⑥ PLANTS
⑦ SHED
⑧ DOCKED BOATS
⑨ WAREHOUSE
⑩ WOODED AREA
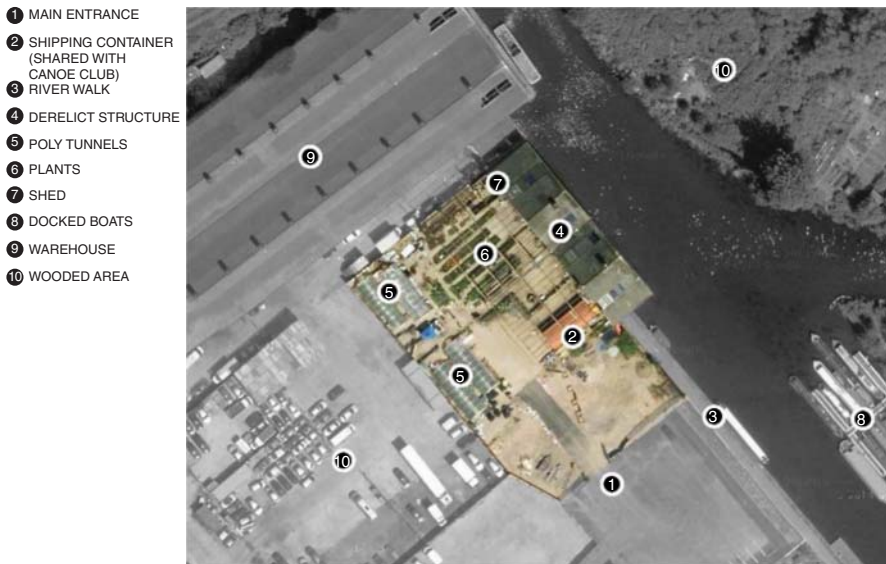
Figure 5.7 Aerial view and plan of Cultivate London Brentford Lock, July 2013.

Figure 5.8   ISIS Waterside Regeneration hoardings.

Cultivate London rented the site on the basis of a 2-year renewable lease at a peppercorn rent. They also have other sites with longer term, 10-year leases while as a charity they get 80% tax relief.

After substantial consultation with the local community, the overall residential development scheme in Brentford secured outline planning consent in March 2012. The first phase of homes was completed in late 2015. Phase two of the development at Brentford Lock West achieved detailed planning permission at the end of 2014, with works commencing in 2015 (ISIS Waterside Regeneration, 2012), including the Cultivate London Brentford Lock site studied in this research (see Figure 5.8).

Having been involved with Brentford Lock West since works first began and having previously grown a range of fresh produce on site, the Cultivate London team will later manage the roof gardens in the new development, which will include a series of private allotments, providing "green fingered residents with an opportunity to grow their own fresh produce, while getting to know their new neighbours" (ISIS Waterside Regeneration, 2012). The Cultivate team will "offer residents advice and guidance on how to make the most of their plots. They will also be responsible for their general upkeep and will ensure any unused plots are tended to" (ISIS Waterside Regeneration, 2012).

In terms of the developers' and landowners' approach, this was an idle site, so the temporary use was a bonus to them because they would not have to pay council tax or business rates on it. Another reason the developers have been positive is because such projects demonstrate corporate social responsibility, which is important for companies nowadays. In addition, the temporary nature of the project meant that "it can be picked up and dismantled and reassembled elsewhere while still making good use of the land while nothing else is happening" (Attorp, 2013).

However, the process of getting a lease for vacant land is not easy. It involves "finding out who owns the land, who manages the land, usually a property management/real estate management company, meeting them, talking to their lawyers, and getting all the contracts drawn up … a sort of a treasure hunt" as well as securing public liability insurance (Attorp, 2013). Operating from vacant land as a temporary use with a long-term agenda can thus be an ongoing struggle to ensure continuity in the enterprise plan.

As a charity, Cultivate London has a Board of Directors, and the chair of the Board is a Councillor in Ealing. Through this and other contacts, Cultivate London have good links with Ealing Council and Hounslow Council that both supported the project. For example, Hounslow Council paid for the Brentford Lock site to be cleared (Attorp, 2013). Cultivate London have also established links with many community groups and get approached with offers for land as they now have a track record of what they do (Attorp, 2013). They also have strong links with the local community through the Brentford High Street Steering Group – a committee of local businesses, business owners and others involved in Brentford community who are very supportive. They participate in local markets through which they sell their produce. Critically, they have a significant social impact through engaging with youth who are long-term unemployed and/or on probation. When

Figure 5.9   View of the layout of the site with the polytunnels in the background.

Figure 5.10   Apprentices working on site.

speaking with apprentices on the site, the general consensus was that their involvement with the project had improved their skills and knowledge in relation to food growing, and hence their job prospects. It had also contributed to their health and wellbeing by keeping them physically fit and active. Many of the apprentices reported that working outdoors was genuinely enjoyable.

Initially, the site at Brentford Lock was just a car park and an area of tarmac. Since then it has grown hugely, "from concentrating on just five different herbs up to a huge range of herbs, vegetables and flowers … from one poly tunnel to four poly tunnels on one site and … expanding [to] potentially three sites three years later" (Connor, 2014). It has contributed to educating local unemployed young people on "where food comes from, in general, and what work actually goes into it" so they can become more aware of food quality issues, and even specialise on food production (Connor, 2014). It has provided initial training as well as practical experience for those who wanted to work in horticulture. It has made this area of Brentford more noticeable and more accessible, simultaneously creating an awareness of other similar projects elsewhere (Hurwood, 2014). Finally, it has provided short-term employment for young people whilst they learn how to care for plants (Byrne, 2014; see Figures 5.9 and 5.10).

Analytical framework: key themes

The two case studies form useful examples of the historical evolution in approaches to temporary use. They continue a lineage that started with the environmental concerns of the 1990s projects and the subsequent community food security and training emphasis of the 2000s. Additionally, they focus on making new use of waste materials through upcycling (Caravanserai) and on selling their produce in order to self-fund (Cultivate London). Beyond the historical evolution, however, they exemplify the tensions between short-term projects and longer term ambitions. In Caravanserai, the ambition to act as a model for local authorities wanting to inject some creative life into hoarded plots of land was frustrated by various planning, physical and financial obstacles over the course of the project, and by its lack of replication after closure. Conversely, Cultivate London has developed a model of working continuously across multiple sites and times, fulfilling a long-term agenda. The organisation has even made its way, in a new capacity, into the development that replaced it (tending their roof allotments). The sites present different aspects of the relationship with development actors, a relationship that appears to be more positive in the case of Cultivate London, accounting for its longevity.

The intention of the case study approach was to explore whether vacant land can be beneficial for local communities and urban resilience if officially brought into temporary use; and through comparative analysis to identify key themes that could be generalised. These themes are outlined in remainder of this section.

Environmental and social contributions in relation to urban systems, sustainability and resilience

Short-term projects on vacant land have been historically linked to cycles of resilience to crisis in socio-ecological terms. They reconnect people and nature; have been used to provide education, skills and civic-mindedness; and create participatory spaces where diverse groups can come together in mutual self-interest (Lawson, 2005).

True to this history, Caravanserai presents various facets of sustainability, through reactivating dormant open space, with the upcycling of construction waste, gardening sessions and small allotments in raised beds, and the hosting of low-budget activities and events. It engaged communities of interest – those wanting to learn more about food growing, upcycling and self-building – and was particularly successful in providing hands-on experience in construction to unemployed architecture graduates during the recession. Cultivate London educates on the origin of food, contributes to local resilience by training young unemployed and vulnerable people in organic cultivation through the business model of an urban farm, and turns otherwise bland spaces into green oases of edible and ornamental plants.

*Urban development as an incremental, collaborative process,
and emerging patterns of collaboration and synergies between
involved actors*

Short-term projects' influence on long-term development can be threefold.
First, they open up previously inaccessible land, making it known. Second,
they integrate small-scale community action and landowners' or develop-
ers' sustainability and corporate social responsibility programs, preparing
the ground for mixed communities. Third, they are live experiments with
land uses and activities that, if successful, might be incorporated into per-
manent development.

   To create and maintain the conditions of collaboration, appropriate
management is necessary. Contrary to popular belief, short-term projects do
not happen spontaneously. As Ash (2013) confirms, local authorities could
help by subsidising a post to deal with project administration and day-to-day
project needs. In collaborative development, community participation is
paramount but very difficult to achieve. Community engagement requires
investment in time, but short-term projects often do not have the luxury of
time to make an impact on communities. As Ash (2013) puts it:

> [Y]ou want to work with the grain of these things, and other people will
> come on board afterwards. Because some people are not initiators, some
> people are um … kind of joiners, so, you don't want to wait for every-
> body.

The trend towards the installation of short-term projects on vacant land
through collaboration with developers and landowners in the recent reces-
sion, showcased in Cultivate London, has led to a significant debate on the
extent to which these projects can be seen as 'creative conversations' or
as part of co-option (see Tonkiss, 2013). However, the near abandonment
of the Caravanserai by both the local authority and the developer suggests
that top-down initiatives are perhaps more of a 'tick-box' exercise than gen-
uine attempts to initiate change and to support the community. In contrast,
the case of Cultivate London is an example of a win–win situation, with
developers gaining in tax relief and corporate social responsibility, and the
organisation gaining in land resources and financial support.

Planning policy implications in the UK context

A major challenge for short-term projects is the considerable time that it
takes to set them up within current planning policies and procedures. If
short-term projects were to become part of policy, the gain for planning
would be that new thinking might emerge in relation to valuing land, wasted
resources and processes of place making. A 'light touch' framework for the
inclusion of short-term projects in planning would need to allow for flexibil-
ity and speed (in time, space and regulations), enable innovation and exper-
imentation (aided by their short-term character) and mediate for genuine

collaboration between different actors. Policy makers could help by not only 'licensing' short-term projects in a non-restrictive way, but also relaxing the planning permission processes and financially supporting some basic costs of their management.

Concluding thoughts

In this chapter, I have explored the issue of short-term projects on vacant land through empirical research in London in the latest downturn. Such projects seem to be moving into the mainstream while top-down involvement has become increasingly common. This is in contrast to traditional perceptions of vacant land as marginal and its usual appropriation and reclamation through activist, bottom-up action. However, it is consistent with less known historical cycles of resilience to crisis, for example philanthropic projects on vacant land since the late nineteenth century.

   This chapter has touched upon the special nature of London today, dominated by the property market, which renders it unique in relation to other places in the United Kingdom. This affects the extent to which the conclusions of this study can be generalised. However, the replicability of the projects' principles is perhaps a key contribution of the case studies. For example, Carvanserai's experimental ethos might make it an interesting model for local authorities UK-wide who are willing to accept "their liability" and "comfortable with the idea that some creative energy could be injected into a piece of land that otherwise is just hoarded" (Ash, 2013). Crucially, short-term projects are also important as a 'methodology' to 'prove an impact' and test whether there is a particular need for future projects (Ash, 2013). Indeed, one key lesson learnt from the study of short-term projects is that "if you're not allowed to experiment and fail, your likelihood of being successful is a lot lower" (Attorp, 2013). Cultivate London were very fortunate to have a lot of freedom, particularly in the initial stages of setting up the project. The support of the Housing Pathways Trust allowed them to persevere, despite a less-than-successful first year, until they succeeded (Attorp, 2013). The importance of allowing time for experimentation and for learning from what did not work, often a luxury in temporary land uses, cannot be underestimated.

   One significant conclusion is that short-term projects can link to very important longer term agendas, such as sustainability and food security. Establishing longer term policy routes for urban food growing is necessary, if food growing is to be integrated in the sustainability agenda of cities, and not just to be considered a temporary stop-gap between more permanent phases of development. One of the challenges that Cultivate London faces is that "every time [they] have to move, everything gets completely uprooted" (Attorp, 2013). This wouldn't matter so much if the training program was the sole purpose of the organisation. But as the business side of the

social enterprise is very important, too, "that huge upheaval every couple of years is a big problem" (Attorp, 2013). Indeed, because of the amount of space required, most of the growing projects in London are currently in the outskirts where land is more readily available. However, some of that use could be integrated in long-term developments or existing inner-city parks, if policy allowed (Attorp, 2013).

Equally important is the long-term impact on the community. Caravanserai, for example, was not exactly a community facility, an open public space, because it had to be locked up at night, it was behind hoardings and it needed active hosting and intelligent programming. But although the impact on the local community was limited, it did mobilise a number of communities of interest, from architecture students and interns, to local growers and performers. This was due to the activities Caravanserai supported and the way it responded to a broader need for an alternative to public spaces offered in new developments, which are too focused on consumption, but also an alternative to parks, which are less attractive for those who do not have dogs or children (Ash, 2013). As Ash puts it, "[R]epair, up-cycling and also creating new pieces with some ingenuity and sharing some skills is very much becoming the thing for a lot of young people because there's only so much shopping you can do if you haven't got much money anyway" (Ash, 2013).

One of the issues with the timescale of short-term projects is that they are often perceived as completed projects, while actually they are works in progress, with the uncertainty of the process of implementation having a direct effect on their evolution. In Caravanserai, from the beginning, there were issues with funding, because the local authority supplied the site free of charge, but did not financially support the project or even waive the planning permission fee, nor was there funding from the prospective developers (Ash, 2013). According to the competition's 'small print', all risks lay with the competitors for delivering an idea; however, any profit could be claimed by the council. This contradiction is indicative of the difficulties in fully thinking through temporary projects, even when those are the result of top-down initiation.

I have also hinted at criticism of top-down initiatives that appear only to be *promoting* short-term uses of vacant land without in essence *enabling* them – financially or otherwise. Proper involvement would require a designated local authority department, or the financing of an administrative post not usually available to short-term projects, in order to translate potential interest into financial or in-kind support. As Lawson (2005, p. 3) puts it in relation to urban garden programs in the United States,

> *such ventures rely on a network of citywide, national, and even international sources for advisory, technical, financial, and political support. Quite often, the local, often voluntary leadership relies on staffed organizations and policies generated outside the community.*

Despite these setbacks, the two case studies demonstrate a real need for urban spaces that are the subject of more participation and hands-on action, by a wider range of social groups. Although short-term projects cannot claim to offer solutions to all societal issues, they are able to test ideas that can be refined and integrated into more permanent developments. Hence the gains – social cohesion, environmental sustainability and open space provision – do not have to be only transient.

Acknowledgements

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6

Navigating the Rapids of Urban Development: Lessons from the Biospheric Foundation, Salford, UK

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Introduction

The story of the Biospheric Foundation is a remarkable one. It was established by Vincent Walsh in 2010 as part of his doctoral studies into complex ecological systems in urban environments. At the heart of the 10-year vision was the conversion of a disused, three-storey industrial riverside mill into an action-led research space to create and experiment with ecological systems. Within three years, a thriving agricultural space had been created, filled with innovative sustainable food systems including mushroom production, vermiculture and aquaponics. Outside the physical space of the mill, a productive, sustainable and low-maintenance Forest Garden was created, and an organic food store opened at the bottom of a nearby high-density block of flats to ensure local distribution of fresh produce for local people. The initiative met with much initial acclaim, receiving funding from the People's Postcode Lottery (2013) and scooping up awards such as the Green Apple, Green Champion Award (2014) and the Nick Reeves AWEinspiring Award for Arts, Water and the Environment (2014). By many accounts, it was a success. Yet the expected longevity did not materialise – what started as a 10-year vision to permanently change the urban landscape ended up as a fleeting experimental site.

This chapter presents a narrative case study of the Biospheric Foundation which seeks to emphasise experiences forged in the dynamics between individual and cultural contexts over time (Clandinin and Connelly, 2000). Narrative is emphasised as "a spoken or written text giving an account of an event/action or series of events/actions, chronologically connected" (Czarniawska, 2004, p. 17). The narrative has been co-constructed through 10 interviews undertaken between Perry and Walsh in which the interview was conceived as a reflexive space (May and Perry, 2013) to situate learning processes from a practice-based standpoint (Cook and Brown, 1999; Brown and Duguid, 2001). The interviews took the form of open conversations, recorded and transcribed to co-produce this subsequent narrative (Gherardi, 2000, p. 219; Polk, 2015). Importantly, the interviews were undertaken between 2012 and 2015 as developments were unfolding in real time; they represent a dialogic process of reflection, rather than a retrospective outside-in analysis. This chapter is therefore a story of lived experience, but one negotiated between interviewer and interviewee to capture complex, multi-layered and nuanced understandings of the case (Stake, 1978; Bruner, 1986). Walsh's original voice is included in italics. The narrative highlights the positionality and perspective of the individual community entrepreneur and the process of navigating mainstream urban development. Positioned as an in-depth 'practice case' (see the Introduction of this volume), this chapter devotes its length to presenting the richness of the narrative itself. Nonetheless, the Biospheric Foundation is ripe for subsequent theorising, showing how sites for experimentation may become "transient urban phenomena" (Bishop and Williams, 2012, p. 4) faced with the overwhelming weight of power relations between actors within a local political economy and temporary use developments.

From vision to practice

The vision of the Biospheric Foundation relied on locating and securing an appropriate building and piece of land within an urban community. A pivotal part of the vision was to situate the research "*where it was needed: you can't challenge the way people eat food, challenge behavioural change, without putting infrastructure right in the heart of communities.*" After initial investigations of suitable locations, the combination necessary to realise the project was found in East Salford. Irwell House was a 100-year-old disused mill on the banks of the River Irwell. More recently, it had housed a print works which used heavy industrial machinery and chemical products. The decline in the print industry and the expense of maintaining the building had led the owners to sell it to property developer Urban Splash in 2000. However, the financial crash and changing economic circumstances derailed this proposal, creating an opportunity for the Biospheric Foundation

to sign a two-year lease on the top two floors in 2011, providing around 6000 square feet.

The land between Irwell House and the river was a derelict, unmanaged, overgrown green space and was leased in 2011 from Urban Vision – Salford City Council's partnership organisation for regeneration and property development. This was an integral part of Walsh's plan for a Forest Garden to create a "*productive landscape using a hybridised approach.*" The Indices of Multiple Deprivation from the 2011 Census ranked the area around Irwell House in Salford's Irwell Riverside ward in the 1st decile of the Health deprivation and disability domain. There were multiple and complex socio-economic factors behind this relating to employment, poverty, education, housing, environment, community safety and transport, in addition to lifestyle factors such as smoking, alcohol, drugs, diet and exercise (Salford City Partnership, 2012a). Thus, the building, land and community were successfully identified as the basis for the Biospheric Foundation.

Realising the big vision for embedding the Foundation within East Salford required four steps for Walsh: first, positioning the idea with multiple communities of interest – developers, local authorities, residents and academics; second, developing and managing partnerships to deliver the systems and infrastructure; third, planning the longer-term development of the organisation and, finally, finding people with the desire, capability and capacity to take ownership of the vision. By accident rather than design, these steps were taken in a largely chronological, rather than parallel, order. The consequence was that selling the vision and working with mainstream interests crowded out the time and space for long-term organisational development or for building enduring relationships with people as part of a vision succession strategy.

Positioning the idea with multiple communities of interest

> "*The main tool is negotiation, understanding what all the city players want, in the way they see the world, not how I see the world.*"

Brimming with confidence and ideas from self-funded research trips in the United States, Ethiopia, Nigeria and Croatia, Walsh was convinced that rural innovations in eco-housing and living food environments could be applied and adapted to transform the social and environmental ecology of cities. "*A little bit of naivety*" started a chain of conversations with major property developer Urban Splash who were considering a range of options for developing eco-homes in different sites around Greater Manchester. Discussions were underway about eco-homes on a new development site called Tutti Frutti when the financial crash meant the site had become unviable. Walsh had successfully engaged the interest of senior staff within the company and subsequently negotiated the lease on Irwell House. This was a real challenge as Walsh was passed from senior visionaries in Urban Splash to the legal team: "*the easy bit was getting the symbolic support … the difficult*

bit was the day to day negotiations with the legal teams." Urban Splash subsequently agreed a peppercorn rent for Walsh taking the upper two floors of Irwell House. The commercial basis for such a decision was strong as Walsh successfully mobilised arguments that this would drive up land values in an area that was on the watch-list for development and that therefore aligned with pre-existing priorities. This was part of a strategy of raising the bar for the community by getting private sector developers to invest. Mobilising vision, science and charisma and positioning the idea within pre-existing strategies, plans and market opportunities for property and land developers were central in securing the initial assets for the project.

A lucky encounter opened doors with the local council: "*I was spending time in the area and sorting out the land and I happened to see the door open.*" Walsh developed relationships with one of the local councillors who was also chair of the residents' committee, Vertical Villages, and worked in the City Mayor's office. The councillor helped arrange access into East Salford structures and partnerships, including Salford NHS, Salix Homes (the council's social housing provider), Urban Vision, Salford City Council and its Community Committee. The land for the Forest Garden was secured from Urban Vision with support from the East Salford Community Committee as they could see the fit with the area's regeneration strategy and that the land could become a hub for horticultural science and educational learning. The planned development of the Biospheric Foundation responded to a range of Council priorities. Salford City Council's East Salford Community priorities included addressing health inequalities by targeting exercise and food literacy, with food initiatives including more information about healthy eating, better access to good food locally, and improving skills in food preparation and healthy cooking. Furthermore, the Council also recognised the area as a focus of major regeneration and investment for 'a modern global city' by 2025, taking advantage of its proximity to Manchester's city centre and to the BBC's Media City complex at Salford Quays (Salford City Partnership, 2012b). Salford City Council's ambitions to include this style of regeneration are evidenced by a number of planned and recently constructed developments across its brownfield sites: for example, Urban Splash's development of homes in 2016 in a 'new neighbourhood' (Urban Splash, no date) 100 metres from the Biospheric Foundation site.

Whilst the Biospheric Foundation was in the direct interests of the local authority and developers, the relationship with the local community was slower to mature. Walsh went to community meetings and sat on committees in the early days, "*at the back of the room, listening, assessing what was missing.*" Working on the Forest Garden for the first 14 months, even before negotiating with mainstream interests, created opportunities to talk to people informally, from dog walkers to kids. "*The community would come in and take the mint plants … it was developing as a real asset. I was told to put a 6ft fence around it, but I wanted to be as transparent as possible.*"

Unlike other areas along the Irwell Riverside, the ungated Forest Garden with its 80 fruit trees was not vandalised. The attitude from the community was largely benevolent, tolerant but distant. Residents' Associations were mainly focussed on the possibilities of taking advantage of new powers in the Localism Bill 2010 in relation to tenant management, dog fouling, parking, security and cleanliness of space, and this dominated the agendas of many community meetings. It was important that the community understood and accepted the vision, but they exhibited a degree of scepticism about its ability to be realised: "*they said to me 'we thought you were mad and it was never going to happen'.*" Yet there was sufficient shared ground for the vision to appeal: "*it is way out of their remit, the thinking of the Biospheric project, but that doesn't mean they didn't get it – they understood the overlying theme, that we need to produce more food locally and that this is a way to develop social, ecological and economic outputs.*" Endorsements and well-wishes were forthcoming, but the vision belonged to Walsh, a position he was not uncomfortable with: "*I want to be the kind of person who is trying to innovate and do interesting stuff for the community so it does take a little bit of arm's length.*"

Positioning the work within the context of academia was an equally important and absorbing task. Getting the right PhD team in place for a project that fell between disciplines was not easy and required multiple changes in the supervision team and department. Eventually Walsh found support from academic staff who could see the broader vision he was trying to develop. Whilst registered at Manchester Metropolitan University, academic partners in Queens University Belfast and Manchester and Salford Universities were also important. Developing the science behind the project meant adopting a more intuitive and practice-based approach to synthesising interdisciplinary work, as Walsh spent time visiting experts around the country. This 'practice review' enabled access to tacit knowledge and practical skills at the cutting edge of ecological systems implementation, in contrast to a more traditional knowledge acquisition process of 'literature review' in which information is gleaned from texts deposited in online and offline archives years after the work has been completed (May and Perry, 2011). Working with PhD students and non-academic partners, such as the Agroforestry Trust, was critical in undertaking the primary research and testing needed to develop the site, from soil studies to designing the forest system and carrying out 365-day solar capture on the environment to decide where to place the trees.

In negotiating with different communities of interest (developer, local authority, residential and academic), Walsh succeeded in positioning the project to align with existing agendas and strategies. This was by no means easy: "*the negotiations were really difficult to make sure we had the team in place to develop.*" The combination of chance encounters, deliberate positioning, risk taking and entrepreneurialism allowed the identification of key committed individuals who acted as gatekeepers and intermediaries to

wider coalitions of interest. These people were central in providing access, but also currency and credibility as Walsh situated the Foundation at the nexus of an integrated urban ecological agenda. Selling the vision was critical in a space that had no electricity or water and was just "*mothballed: I was literally selling the big vision, when there was nothing in the building.*"

Developing and managing partnerships

> "It was an exciting partnership and I am more than glad I did it … but it was really tight."

By the beginning of 2012 work had begun on the Forest Garden, but Irwell House remained undeveloped. Its transformation was catalysed by a partnership arrangement with Manchester International Festival (MIF), the world's first artist-led, commissioning festival of original, new work and special events, taking place biennially. Since 2011 MIF had already been working on plans for a vertical farm with a partnership of organisations in Wythenshawe in South Manchester and had commissioned a feasibility study for a farm to be developed. However, these plans did not come to fruition, and MIF needed to step back and find a pre-existing opportunity to take forward their aspirations for the 2013 Festival. Having lost valuable time in the build-up to the festival, they approached Walsh in early 2012 recognising that the three ingredients he had already assembled – a building, land and community – were ripe for partnership. The partnership between the Biospheric Foundation and MIF became known as the Biospheric Project.

In 2013 the Festival ran from 4–21 July with the strapline 'eighteen extraordinary days'. Despite this, the discourse around the Biospheric Project was one of longevity, as the Festival brochure proclaimed: "The project will help to put Greater Manchester at the forefront of this vital area of international research and activity and will continue to flourish beyond 2013" (MIF, 2013). In just under a year the partnership had grown around the initial investment with MIF and Salford City Council to enable the systems to be put in place in the building. These included the implementation of the Forest Garden, installation of the aquaponics and vermiculture systems, structural works to Irwell House, the design and implementation of automatic control and monitoring systems, and the installation of the roof system and aquaponics growing area. In March 2013, a year's rent-free use of a shop unit at the base of the Vertical Villages tower block was agreed with Salix Homes, which enabled the development of 78 Steps, the wholefood shop. With little capital, and despite the at times "*soul destroying*" experience of managing the logistics of the Whole Box scheme, Walsh was convinced that the shop was required as part of the overall vision. In April 2013 design started, and just three months later the shop opened alongside the launch of the Biospheric Project itself.

When the site threw open its doors to the public in July 2013, 2,375 people took part in different activities laid on to engage with the platform. Activities

were specifically aimed at children aged 3–11, including 10 classes within close proximity to the site in artist-led workshops bringing urban growing to life; and a program of related events, including tours, talks, films, how-to workshops and family sessions, exploring the potentials of new experiments into food, technology and design in urban environments. An independent evaluation concluded that the program had been very successful in delivering across a range of outcomes (Corkery, 2014). More than 180 people volunteered, 2000 recipe cards were handed out and 526 local children were engaged. People were said to develop a wide range of skills: in making jams, syrups and chutneys; growing mushrooms on paperback books and logs; building simple aquaponics systems; making wormeries and tending a forest garden. A wide array of press and social media documented key elements of the Biospheric Foundation and Biospheric Project's story.

The relationship with MIF was, according to Walsh, a good one: "*they helped me massively … helping me structure, getting the right people in, helping with volunteers and all that kind of stuff – where simply our team on our own wouldn't have been possible.*" The legitimacy offered by association with a large, international cultural organisation allowed other partners, who might traditionally be more risk averse, to come on board. It was also central in getting funding. The start-up of the Foundation since 2010 had been funded by a series of little pots of money from entrepreneurs, Walsh's own funds, money in kind and research council bursaries. The MIF partnership was a scale-changing investment of a quarter of a million pounds. Of the monies received, the majority was spent on systems, with additional funds raised from the People's Postcode Lottery for community engagement activities. MIF played "*a hard game with the money*" and held the purse strings, the necessity of which Walsh acknowledged: "*would I put £250,000 in someone's bank that had never delivered this kind of project before? No I wouldn't.*" Whilst Walsh's fee was reinvested in the Foundation, capital costs on buildings and improving the appearance of the space were met at the expense of revenue costs, particularly for staff. This led to an over-reliance on volunteers and underfunding in human capital: "*the money was to do the exciting stuff … we were a young organisation with no revenue costs and a lot of capital costs … well, capital costs don't get people to work here.*" There were also numerous delays in accessing funds; although first contact with MIF took place in January 2012, by the end of that year monies had still not been released, leaving an almost impossibly short window in which to create and install the systems.

At the same time, whilst the partnership delivered on-site renovation and development, the speed of the Biospheric Project drew energies away from the longer-term development of the Foundation. One consequence was that rapid decisions on systems and infrastructures meant that some aspects of the installation were not fit for purpose. Sufficient time had not been taken to negotiate the physicality of the building which had structural limitations

apparent only after time: "*when we first started developing this system, we didn't even think about the structural integrity of the building.*" Industrial systems developed elsewhere by Siemens were difficult to retrofit into an old industrial mill. This related, for instance, to the potential scaling of crop production for commercialisation and the inefficiencies of the building itself, leading Walsh to reflect that "*constructing a building with food production and distribution as its prime function from the design phase may be a more innovative way to develop true enhanced urban ecological systems.*" Large aquaponics systems need large propagation systems, yet the potential of the roof garden was limited to 500 seeds a month, rather than the 5000 needed; more fish tanks were needed to upscale the aquaponics system. In opening to the public via an international artistic festival, the emphasis had been on establishing a showcase for research that met aesthetic standards, with beautiful bio façades and pretty vertical growing systems. Yet this fell a way short of the investment required to achieve the vision of a world-class research laboratory: "*we had to cut everything down, we didn't buy the best stuff in … you won't feed a community from these systems.*" An independently commissioned contamination test in 2013 also revealed what Walsh had begun to suspect – that the legacy of industrialisation had left levels of heavy metals resident in the soil, limiting the productivity of the land.

Planning the long-term development

> "*There's a huge transition between starting a PhD, doing the 18-day festival fad thing and trying to create a business out of this with a 10-year vision.*"

The legacy of the Festival was a mixed one; the site had been developed, and money and time invested in the capital development of the systems and infrastructures. Yet these locked in and precluded future trajectories and developments in ways that could not have been anticipated. The commercial viability of the shop had not been tested, and expectations had been raised through international public profile-building and media. No longer seen as just an interesting PhD student from Wythenshawe, Walsh was the mushroom man, the entre- or eco-preneur. Publicly accountable for the vision, Walsh had not directly received the funds or flexibilities to deliver with budgets being held by respected and established organisations. Had a 10-year vision been mortgaged for an 18-day hit?

  Walsh had been spending 80 hours a week on the project: "*someone has to run it, the fish need feeding, the systems need clearing and soon … but that doesn't create a business model.*" Since its inception his focus had been on reinvesting any potential monies, using his PhD bursary to pay the rent, whilst he lived in the building and ate leftover produce from the box scheme and shop. From the end of the festival, the focus was on developing the business model and governance of the organisation to take the

Foundation forward and, by necessity, writing and submitting the doctoral research thesis. Of these, commercial viability was the fundamental challenge. "*It's been so so tight to keep this organisation running afterwards … revenue costs were never in the bid you see.*" This meant first revisiting the viability of the distribution system through the 78 Steps shop. The independent evaluation of the Whole Box model had concluded that the boxes had reached local people and that many had tried new foods for the first time, yet recipients did not transition into more regular shop customers. Whilst the wholefood shop did not start as a way to address the cultural preferences of the middle classes, local footfall proved insufficient in the long term. The shop became increasingly reliant on the patronage of more affluent customers coming into the area to buy organic food, whilst some local people continued to stay away. The educational mission of getting local people used to "*bananas, tomatoes and potatoes to eat mung beans, chickpeas and lentils*" required time, but financial sustainability could not wait. The shop was not profitable unless reliant on volunteers from the local community, necessitating different schemes being considered to move the shop to a more profitable location. The shop ultimately had to close in 2015.

Learning the financial lessons from MIF and the shop meant repositioning the approach to delivering the vision: "*to get a city involved in ecological systems, this way of doing it hasn't been very successful. You need to build an economic model around ecological systems. And doing it through a third sector organisation isn't the way to do it. We are always running after money … and I hate that because it reduces my ability to innovate.*" Whilst committed to the same long-term vision, the scale of the vision shifted: first, in realising that hyper-localised food systems could only work if they had strong economic models and, second, in realising the potential to upscale in order to challenge global food systems, dominated by markets, in an urban setting by recasting the relationship between technology and ecology. What appeared as a deracinating strategy of moving away from Blackfriars was rather a rescaling of the endeavour to tackle integrated ecologies at a systemic level in the city.

This shift in strategy meant diversifying away from the limitations of the physical space of Irwell House, the Forest Garden and the shop: "*if we can create a business model where we can supply high end restaurants and the money comes into the Foundation, we can continue doing more research and more projects within the community.*" To do this, Walsh determined to become less reliant on public funding and concentrate instead on private sector monies, perceived as being more flexible and less restrictive: "*some of the organisations, they have a thing that works and they continuously use that platform to bring in certain monies … they are also in bed with each other and because of it you get restraint.*" A number of commercialisation opportunities had already been noted: selling worms to fishermen along the Irwell; using fish for gourmet cooking nights; sharing vermiculture practices

to create a network of localised systems; developing a mobile wholefood pop-up shop in nearby Pendleton from shipping containers; greening transport hubs to improve community experiences; developing bio façades for supermarkets; investing in new commercial property developments; setting up an upcycling furniture lab; a Biospheric artist studio; and farming leaf crops or mushrooms. These represented different positions on the social-ecological-economic spectrum: for instance, the intended sites for the pop-up shops were also in areas of deprivation, whilst the commercialisation of mushroom production was aimed at top-end restaurants. The model was one of intended cross-subsidisation, with the idea being that a proportion of profits might then be reinvested in communities: "*we could choose what we do in communities, rather than going to funders to get permission.*"

   With this array of overwhelming possibilities, some took off more than others. Mushroom production proved to be effective, as Walsh received investment from a business angel for £100,000 to develop commercial mushroom farming in shipping containers. Mushroom production was achieved by using waste coffee as a substratum to grow local organic oyster mushrooms. Branded SHROOM, this retained the focus on localised food production to challenge global markets, but aimed to supply top-end restaurants. A successful exhibition and launch at Manchester Food and Drink Festival raised the profile of this venture, whilst fewer people knew about the unsuccessful pitch to the Pendleton Together partnership for the locally embedded mobile pop-up food store. Other funded activities included a commission for Manchester Museum to develop an ecological system in their learning space, giving rise to a new programmatic vision called Massive Change to develop 50 local ecological projects across the city-region and change the urban ecological system.

Finding people to own the vision

   "*I simply can't do it on my own; it's too large.*"

Whilst incubating these new ideas, Walsh also needed to develop governance structures around the organisation. The Biospheric Foundation had been set up as a Community Interest Company (CIC) in 2011, but the governance structures had remained undeveloped, particularly as there was little funding for human resource costs. The idea behind the CIC was that different projects would generate income to reinvest in research initiatives and that the CIC model would enable social and public funding sources to be accessed. Throughout, however, Walsh struggled with what the management team, advisory board or trustee structure should look like. Post festival, the aim was to get a team in place to deliver the vision, with people responsible for project management, operations, digital media and engagement, enabling Walsh to continue to innovate, "*look outwards and create opportunities.*" This in turn was reliant on developing a successful business model, creating a cyclical dependence out of which it was hard to break.

A new vehicle was created in 2015, the Biospheric Studio, as a company limited by guarantee to take forward the commercialisation strategy and enable greater innovation. Since 2014 it had also been intended that the Biospheric Foundation would be handed over to the community: "*my role at the moment is to develop the building into a sustainable model so I can hand over to people in the community.*"

The limitations on this strategy were that relations with the community had cooled: "*I don't think we have created a really good engagement tool for the local community to get involved in the project – that is one of the downsides of the project, to do with human resources really and bringing in the right funding to make it happen.*" Whilst the first six months had been spent listening and enrolling, relations subsequently weakened under the pressure of the MIF: "*I lost connection with them a little bit especially because of the Festival – some people say the project had gone a little commercial and you are getting these big sponsors in … soon, hopefully after my PhD, I can start integrating myself back into the community a little more.*" Yet this was a double bind. The lack of economic sustainability of the Foundation, despite its social and ecological potential, meant that the succession strategy was reliant on volunteers at a time when paid employment was most needed in the area.

The Biospheric Foundation's governance structures were unclear and changing, reflecting Walsh's comfort with 'the unknown', but this risk-taking, *ad hoc* and unplanned organisational structure was less transparent to others. The revised vision was not fully communicated to or positioned with the same interests that had initially supported the project. Some attitudes changed from tolerance to concern that the project had 'sold out'. "*There's lots of unhappy people … I'm definitely a person who would rather make mistakes than stay safe and I realise that some people just don't like working in that way.*" Whilst recognising the work that was needed, the pressures of the need to adhere to university timelines and requirements for the submission of the thesis also took their toll. Research was not "*top of the list for the community,*" but required time out from frontline engagement in order to be written up. This perceived double disengagement – to develop economic sustainability and complete the PhD – led to increasing criticisms which were finally overwhelming: "*it's been a juggling act to get everybody what they want to get out of the project.*" The Biospheric Foundation was liquidated with a series of unpaid debts in autumn 2015.

The Janus faces of urban socio-ecological experimentation

The Biospheric Foundation is part of an ongoing wave of urban experimentalism (Evans *et al.*, 2016; May and Perry, 2016), seeking to extend the frontiers of research and practice through developing new systems in a

closed environment, in which outcomes are unknown and learning takes place in real time. Its claim to distinctiveness lies in the way in which it sought to integrate and combine different systems through synthesising knowledge and expertise from across interdisciplinary research and practice. Other urban farming experiments can be found, but none with the scale, scope or integrative potential of the Biospheric Foundation. Furthermore, by "*positioning the research where it is needed*" and seeking to develop a cutting-edge experimental research laboratory in the heart of a community, it attempted to see the city itself as an ecological system that includes humans (Pickett *et al.*, 2001). The 'social' value of the social-ecological experiment was in its location in an area of poor access to fresh food and rising obesity and related health issues. Unlike some alternative food initiatives which have been criticised for their 'exclusionary' practices in constituting a 'middle class niche' (Caraher and Dowler, 2014), the Biospheric Foundation actively sought to engage with the needs of poorer households in the area where it was located. In tackling issues of access, availability and food quality, the Biospheric Foundation sought to test out how more resilient food systems could be created (Ardianto *et al.*, 2014) comprising both food security and food quality.

The Biospheric Foundation started as one student's PhD project with three years' bursary funding, yet the vision was for long-term systemic change with a 10-year timeframe: "*you can't get behaviour change in three years*." Irwell House was not going to produce enough food to feed the community, but would be a platform for testing systems that might eventually be upscaled. The initial systems were designed with sustainability in mind – growing requires patience, for instance using mushrooms to improve the fertility of the soil or fruit trees to test for contaminant take-up and make the case for remediation on a city-wide basis. To this extent the Biospheric Foundation sought to be pre-figurative of urbanisation processes that conceive cities as complex interdependent socio-ecological-technical systems, "a 'science/public health pathway' that recognizes synergies between horticultural innovation and the alleviation of poverty" (Karvonen, 2015, p. 280).

This 'prefiguration' (Gibson-Graham, 2006) consisted of harnessing the politics of possibility and instantiating potentially radical social change through challenging the status quo. The Biospheric Foundation was simultaneously about closed-systems experimentalism and positioning research in an area of deprivation, as well as taking on the global industrial food system and changing food cultures through local prefiguration of alternative possibilities (Sherriff, 2009; Allen, 2010). As a prefigurative experimental platform for urban socio-ecological systems and as an instructive case for community entrepreneurship and urban planning, the Biospheric Foundation achieved a great deal. The 'proof of concept' design and delivery of urban ecological systems in a community setting is undeniable. With a

small governance team and set of volunteers, the Biospheric Foundation quickly positioned itself with multiple epistemic communities and communities of practice. Articulating the vision of the Biospheric Foundation by aligning with the interests of different stakeholder groups enabled buy-in and enrolment, tolerance and interest, if not direct support. Partnerships with key city-regional organisations, as well as patronage and sponsorship, played a key role in the rapid transformation of the site as traditionally conservative organisations were able to outsource risk whilst gaining in reputation from association with urban innovation. The Biospheric Project was widely claimed as a success. Few doctoral studies could claim as much.

This was not, however, enough to avoid falling foul of the politics and perils of experimenting with mainstream urban development. The speed, scope and systemic vision of the Biospheric Foundation exceeded expectations and rapidly came to outstrip capacity. It is here that the Janus-faces reared its head. History, rootedness and engagement went alongside novelty, innovation and risk. This led to a duality of permanence and transience that is interdependent: an enduring conceptual impact through the innovative reuse of a building and site within a long-term vision – yet a fleeting, transient and impermanent presence in the locality in the face of economic and political pressures and the short-termism of 'next big thing urbanism'. Negotiation and navigation were not enough without attention to the micro-politics of implementation. Larger players following known rules-of-the-game held the purse strings and power and set agendas and timeframes. Whilst capital and infrastructure costs were forthcoming, support for human resource development – essential in the long-term embedding of the experiment in the community – was not. Quick decisions about retrofitting the building and installing systems created lock-ins and dependencies on technologies that were not fit for purpose. More importantly, the Biospheric Foundation showed clear limitations on funding ecological experiments for long-term survival in areas of social deprivation.

As such, the case speaks back to core themes in this collection – it prefigures a more dynamic, flexible and adaptive urbanism (Bishop and Williams, 2012) which might act as a muse to imaginations on "alternative urban futures" (Groth and Corijn, 2005, p. 506); it shows the value of temporary uses, DIY urbanism and experimentation (Ziehl *et al.*, 2012); it highlights how such initiatives can test ideas and show creative talent (Blumner, 2006). Yet it also highlights how greater attention needs to be given to the pathways between formal and informal interests in the city. Far from a permanent 'disruption of power' (see the Introduction), we see instead how such experiments shadow rather than change the mainstream and the dangers of co-option and taming in the navigation of urban development. "*It definitely tamed me. … It was frustrating because I like to do what I like to do … and I tend to do things in my own way.*"

Acknowledgements

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7

The Urban Voids of Istanbul

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During recent years, urban vacant land and buildings have received more attention as a result of the latest economic crisis. This led to foreclosures, evictions and the abandonment of whole neighbourhoods or individual buildings, as well as urban decay, particularly in the United States and Europe (Colomb, 2012; Tonkiss, 2013). The challenges brought by these voids have prompted debates about their role in urban development in different fields such as architecture, urban planning and human geography (Mell *et al.*, 2013; Parris, 2013). A major effort is being made to understand the negative effects of these sites on urban life and to reduce the risks associated with them, such as crime, bankruptcy, abandonment and a general urban decline. For this purpose, at the moment there are also attempts to convert them into productive sites used for communities and urban development.

However, there is also a need to go beyond the functionalist analysis which is dominant in recent studies. This regards empty spaces as something to be avoided, fixed or filled. The chapter does not see urban voids as something to be fixed, and will not seek solutions to 'fill' them. Rather, by adopting a more critical approach, the chapter will analyse how the value of urban voids (economic and symbolic) affects the ways in which they are used (permanent and temporary) and their role in urban development. For this purpose, the chapter will explore various forms of urban voids in Istanbul, the most populous city of Turkey. First, the chapter will explore Istanbul, and then it will provide a theoretical framework within which to analyse various forms of voids in the city. The chapter argues that there are two types of urban voids, physical and symbolic. Physical voids are concrete empty spaces, not used or occupied by anyone. Symbolic voids, because of their meaning in

Turkish society, are regarded as vacant even if they are occupied or used. The latter kind of void refers to abstract emptiness, which is related to people's perception of a particular place, rather than to physical emptiness. Then the chapter will explore three cases of physical and symbolic voids based on data collected through field observation in several parts of Istanbul and on media searches. The first case is that of ghostly historic homes, the second relates to vacant buildings squatted by activists for community benefit and the last is a symbolic void, viewed as empty and worthless by Turkish society, which is subject to abandonment, decline and removal from urban space and memory.

Istanbul: global city of Turkey with no 'vacancy'

With a history of more than 8500 years, Istanbul is one of the oldest cities in the world, as well as the densest and most populated city of Turkey. It contains approximately 18.5% of the country's total population, and has approximately 14.5 million inhabitants and 2706 persons per square kilometre (Istanbul Nüfusu, 2015). It is regarded as the 'global city' of the country and its leading economic hub. Istanbul has experienced various forms and periods of abandonment during its long history; a history full of wars, conflicts, disasters and demographic shifts. More recently, since the 1920s, Istanbul has had three major transformations which have led to the emergence of vacant buildings and a more flexible approach to urban design and the built environment. The first was the gradual abandonment of non-Muslim communities as the result of the political context during the early Republic which aimed to create a homogeneous country based on a Turkish and Sunni Muslim identity. The second was rural–urban migration that started during the late 1940s and early 1950s, prompted by substantial and continuing industrial restructuring (Kahraman, 2013). The houses built illegally and informally by migrants on land owned by the state or the private sector were called *gecekondu*. This practice was allowed by the state, because migrants were seen as cheap labour and these settlements reduced the need to invest in social housing (Danielson and Keles, 1985; Kongar, 1998). The *gecekondu* settlements in Turkey can be regarded as examples of DIY urbanism which provided people with the opportunity to practice their ways of life and changed the landscape of urban peripheries and culture. However, they also led to the decline of urban space and prevented investment in decent social housing and well-planned cities.

Third, Istanbul has changed dramatically since the 1980s, as the result of the adoption of neoliberal economic policies, the abandonment of mass urban planning which protected urban heritage and green zones, and the opening of the national economy to global flows of finance and trade.

In addition, each successive government, regardless of political party, aimed at making Istanbul Turkey's 'global city', albeit one that reflected their own ideologies (Oktem, 2005). During that period, Istanbul became an important centre among Middle Eastern, Balkan and Black Sea countries (Keyder, 2000). For political actors, Istanbul would generate profit through real estate development such as new residential developments, five-star hotels, business districts and shopping malls (Sonmez, 1996). As a result, construction became an important factor changing Istanbul's landscape, built environment, demography and culture. During that period, companies in the construction sector transformed from small-scale firms providing housing for the lower and middle classes into large developers (Oncu, 1988).

Istanbul needs a continuous supply of extra land to fuel its growth. As the result of increases in land values (rents), Istanbul has received massive investment in the construction sector during the last decade. The ruling party of Turkey since 2002, the Justice and Development Party (JDP), gave priority to the construction sector as an important contributor to economic growth. At present, the construction sector generates land through two methods. The first is done through either damaging the remaining urban environmental sources and attractions or changing the urban topography by, for example, land filling. The second is urban regeneration achieved through wholesale destruction of old neighbourhoods (and the eviction of their residents) and the construction of new ones. The latter are marketed through discourses of innovation and modernism, in contrast to the old and authentic fabric of the city, which is portrayed as backward. As a result, Istanbul has a 'horror vacui', a fear of voids, which must be addressed by filling all empty sites, land or buildings and converting them into something new and profitable.

Different types of urban voids in Istanbul

Despite the fact that urban vacant spaces have been analysed through several approaches and described through various terms, there has not been much study of their meanings and values and how they affect the ways in which such spaces are used. The chapter argues that an 'urban void' is any space (either building or land) fully abandoned and/or not used by anybody. There are two forms of urban voids: physical and symbolic. Physical voids refer to physical spaces (land and buildings) that become vacant as the result of various factors: disaster, neglect, demolition and disputes between owners and/or local governance. In this sense, Istanbul has many physical voids, such as buildings (ruins, old industrial complexes and newly built developments) and vacant land between occupied buildings. By contrast, symbolic void refers to land or buildings which are regarded as 'vacant'

due to the cultural and ideological context, even if they are used and/or occupied. They must be removed from urban space and memory and replaced by something new.

The two forms of voids, physical and symbolic, have different values: economic and symbolic. First, the economic value of a void is related to its exchange value in the market. Any urban void, physical or symbolic, is usually regarded as something to be filled and fixed, so it can provide economic gain. This is related to the rent value of land, which is the profit made from a site that is gained without investing or spending any labour or money; instead, it is made by an increase in demand as a result of its scarcity, population increase or any change in land or planning regulations. Rent value of land became the biggest source of profit in Turkey in the 1980s in the high-inflation economy (Oncu, 1988; Sonmez, 1996). Since the 1980s, the construction sector has experienced two periods of growth: the first between 1982 and 1988 and the second between 2002 and 2008 (Balaban, 2013, p. 60). Indeed, between 2004 and 2007 construction grew by 12% per year, becoming the fastest growing sector of the economy (Balaban, 2013, p. 61).

However, a void does not only have economic value. It also has symbolic value, related to its symbolic (and cultural) meaning which can be interpreted through the phenomenology of the environment or the social experience of nature (Bell, 1997)[1]. In this context, things have life, based on the meanings given to them by people. The same also applies to spaces: when people give meaning to a space, it becomes a place. In this context, while 'space' is a concept which refers to physical dimension, 'place' refers to a meaningful space (Bell, 1997). A similar interpretation can be made of the 'sign value' of a commodity, which refers to people's agreed value attributed to that object, beyond its use or exchange value (Baudrillard, 1998). The sign value also becomes very important in the real estate and construction market. Baudrillard and Lefebvre argue that the value of consumption and signs and real estate and urban land would surpass that of industrial production in the future (Haila, 2006). While during the 1960s the productive sectors were important elements of overall economic activity, during the 1990s real estate became a major source of profit and acquired sign value, by which the image of a city becomes crucial to attract capital (Haila, 2006). In this context, Istanbul has many buildings with great sign value which enhance the city's identity and attract global investors. Examples include gated communities and high-rise developments built by star architects, which become signs of a particular lifestyle (safe and stylish). Additionally, historic homes or gentrified neighbourhoods are symbolically valuable and very expensive because they signify another type of lifestyle (aristocratic and bohemian). However, the sign value of a place does not only correspond to its positive symbolic

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[1] The chapter considers economic and symbolic values as the primary values given to an urban void. The chapter considers cultural value of a place as part of its symbolic value. Cultural value is the architectural and heritage value of a place.

meaning. A place can also be associated with various forms of stigma, such as crime, illegality and underground activities (Lee and Smith, 2004).

Based on this framework, the chapter argues that an urban site (even if it is occupied and used) can be regarded as 'void' as the result of its meaning in the dominant political and ideological context. This does not mean that these sites are not valuable, but they can be regarded either as unnecessary or as something inappropriate for that context[2]. Symbolic voids are material spaces, but unlike physical voids, they are not vacant physically, but regarded as such as the result of their meanings in that particular socio-cultural context. In Istanbul, symbolic voids are often the remnants of non-Muslim and/or non-Turkish minorities that are usually excluded from the monolithic nationalist discourse and public domain. As noted by Ovadya (2002), this is the fate of the built environment or heritage used or venerated by non-Muslim and/or non-Turkish communities in Turkey which have continuously been excluded from the national public realm that is based on a Turkish-Muslim identity. As an example, several churches and synagogues in Istanbul have been neglected by state authorities or 'concealed' with advertisements or new annexes which made them invisible elements of the city (Ovadya, 2002).

Three case studies

Three examples of physical and symbolic voids from different parts of Istanbul will now be analysed, in order to understand how their economic and symbolic values affect their vacancy, the ways in which they are used and their role in urban development. The first two are physically vacant buildings; one is a ghostly mansion, and the second is a vacant building in the city centre. The third is a symbolic void which is a high-art centre left vacant as the result of the current socio-cultural context.

Physical void: from ghostly historic homes to high-value offices

First, there are physical voids which can be considered to be part of the heritage of the city, such as the old mansions built for the Ottoman aristocracy. An important but under-analysed example are ghostly homes, which are (usually) very valuable homes. They became legendary and stories are

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[2] Symbolic value can be converted into economic value. For example, a symbolically valuable commodity (land or building) can have a very high economic value. However, as the chapter demonstrates, there is no direct correlation between the two values. As symbolic voids demonstrate, some land or buildings can have high symbolic value for particular groups but they do not have meaning for the mainstream and so they can be neglected, which can also reduce their economic value.

told about them from one generation to the next, strengthening the local history, memory and identity in a city said to be losing its valuable heritage at an unprecedented rate. The subjects of these stories range from spontaneous fires inside the houses to stoning from outside, to voices and murmurs heard all over the houses. They are ghostly in several aspects: first, they are inhabited by real ghosts; that is, the souls of the dead. Second, from a phenomenological approach, they contain ghosts of the past – memories left by people who lived there. Third, they are ghostly because they are symbols of a bygone era (Bell, 1997). These houses are very important trademarks of a culture which was removed with the departure of the Ottoman aristocracy after the establishment of the Turkish Republic. Some of these houses became stately managed museums or recreation sites, while others were purchased by the new bourgeoisie who damaged their vernacular architecture.

A famous manor house which was rumoured to be inhabited by ghosts is now occupied by a development company and used as its administrative centre. The house, called Cemil Molla Mansion (see Figure 7.1), is located on the woody hills of Kuzguncuk, on the Asian side of Istanbul. Kuzguncuk is

Figure 7.1   Cemil Molla Mansion from the sea.

a highly valuable gentrified neighbourhood consisting of old built environment, small shops, cafes and art galleries. It is a very green area of Istanbul containing parks, old cemeteries and renowned allotment gardens and is also located near the Bosporus, where the most expensive houses of Istanbul and Turkey are found. The Bosporus is a natural channel which cuts Istanbul in half, separating its European and Asian sides. The Bosporus is associated with the Ottoman aristocracy and the later Republican elites, and its beautiful topography, combining a view of the sea and of wooded hills, is enhanced by an old built environment. Both sides of the Bosporus are decorated with *yalis* – houses built near the sea – while the wooded hills host large mansions, overlooking the straits from above. Although it is changing in terms of the ownership and design of houses, because of the rivalry between the old and the new rich, it still retains its status among the expensive locations in Istanbul. Alongside homes for the rich, the Bosporus consists of small fishing villages going back to pre-Ottoman times, to the Byzantium period. As a result of this, the Bosporus still has a mixed and vernacular built environment left from Christians as well as Ottomans.

The house, a grade II listed building, was built in 1885 by an Italian architect, Alberti, for an important Ottoman Pasha and his family (Baraz, 1994). It was built in a mix of European and Ottoman styles and had the first network of electricity, central heating and telephone outside the Ottoman Palace (MESA Holding, 2016). The Pasha also built a small mosque near the house, by the sea, all of which lent the area the soul and identity of his family. This aristocratic family helped the local poor, and organised social activities and intellectual debates in this house. However, the family turned the house over to the state due to financial problems after the death of the Pasha during the 1940s. The house was left empty for almost 40 years, because it was thought to be inhabited by the ghosts of the family who did not want to leave their homes. All members lie in the family grave in the cemetery nearby. It was sold to a prominent development company, MESA, in 1986, but was left alone until the developer wanted to renovate it during the 2000s. Originally, the company aimed at converting the area (together with the house) into a new complex, but the protective regulations of cultural heritage prevented them from doing so. During its renovation in 2004 and 2005, it was rumoured that the workers did not want to work inside due to voices heard all over the property. For now, the house is used by the company as its administrative centre.

Generally, these houses create a dilemma: on the one hand, they are very valuable as the result of their economic and symbolic values. In addition, they can be regarded as 'positional goods', because there are very few of them – the result of the lack of available land to build houses like them (in a location with a view of sea, lake or wood). These positional goods provide the owner with high social position and respect (Bell, 1997). They are unlikely to be vandalised or squatted as the result of rumours about them, or their very valuable locations in Istanbul which prevent people from starting

fires or damaging them without being noticed. However, living in a manor house is also very expensive, because it needs lots of money to run (electricity, heating and management). Because of disputes between their owners or inheritors and local administrators, most of these houses are left in a state of disrepair and are not used by anyone, even if they are situated in prime locations and are in good condition. All these disadvantages keep these houses empty for a very long time until someone buys them at a price below their market value and then converts them into well-kept or profitable sites.

Physical void: squatting as an alternative space

There are also physical voids all over Istanbul which do not have any symbolic value, but can hold high economic value. However, some of them are not sold on the market, because of several factors: conflict between their owners which pushes back their sale; location and condition which prevent them from being used or renovated; disputes between owners and local governance, because some may not be built according to construction regulations; the death of owners; and the lack of people willing to buy or let them. These disadvantages prevent them from being traded in the formal housing market and allow them to be used in alternative ways – informally and illegally. A significant way to use them is squatting which takes place in different locations of Istanbul. This is done primarily by the urban middle classes and educated youth, who started squatting after the Gezi protests in the summer of 2013. These protests started as a camp in the centre of Gezi Park in order to prevent its transformation into a commercial complex. After the protests ended, people wanted to keep the spirit of these protests alive, through the 'neighbourhood forums', organised like an agora in different locations of Istanbul and some other smaller cities. During the autumn of 2013, several buildings were squatted by activists in Kadikoy, a district mainly inhabited by the secular middle classes, in contrast to Istanbul's peripheries which are dominated by the urban poor who vote for right-wing political parties. Kadikoy is well known for its night life, shopping and artistic facilities (such as cinemas and theatres) and is full of small boutiques, independent restaurants and cafes.

   The first example of such a building is the Don Kisot Sosyal Merkezi (Don Quixote Social Centre; see Figures 7.2 and 7.3), located in Yeldegirmeni, an old neighbourhood, and the second is the Caferaga Dayanısması Mahalle Evi (Caferaga Solidarity Community House), located in Kadikoy's historic centre. Both buildings were occupied by young people, intellectuals and other activists and used for similar purposes: coming together; exchanging ideas, particularly on the issues of neighbourhoods and communities; cooking together; and engaging in artistic initiatives (performances, poems and music). The Don Quixote Social Centre was also used as a shelter for the homeless. While it survived until November 2015, the Caferaga Solidarity

Figure 7.2   The Don Quixote Social Centre in 2014; the entrance door is on the left.

Community House was closed down by police in December 2014, because the occupied building belonged to the state authorities. While police cleared out the house, activists and artists protested against the eviction with street performances.

The future of these squatted buildings is unknown. They may encourage further squatting in different parts of Istanbul, a city full of empty buildings ready to be squatted for 'creative' purposes. This may also lead to alternative lifestyles, reminiscent of the experiences of Christiania in Copenhagen or Metelkova in Ljubljana, both old military sites squatted by activists, intellectuals and youth (Groth and Corijn, 2005). These initiatives, if they were to be extended all over the city or across different sites in different cities, may evolve into a chain of alternative lifestyles based on a new economic rationale and altruistic values as a result of community activity and engagement. However, this may only take place temporarily, since the squatters can change over time. In addition, the squatters might also pursue flexible lives. They may be full-time students or white-collar workers in their formal lives while acting as part-time urban activists in their squatted zones.

Figure 7.3   The Don Quixote Social Centre after its closure in November 2015.

As seen in both cases, the squatters may also be removed, as a result of top-down pressure from the state, local people or home owners, whose aim is to convert these sites into profitable or 'cleaner' spaces, free of the urban precariat and activists. This also demonstrates that different values are given to occupants/squatters of vacant buildings. Governments allow migrants to build *gecekondu* on state-owned land because they are seen as potential voters for them and cheap labour for business. In contrast, squatting by urban activists and the use of buildings by communities are seen as threatening and unnecessary in Istanbul because they might lead to crime or illegal activities (like drugs). This was also shown by Deslandes (2013), who argues that while some practitioners of DIY urbanism (such as creative artists) are seen as making a positive contribution to the use of empty buildings, other marginal and informal users (such as graffitists, vandals and rough sleepers) are seen as unproductive and undesirable (Deslandes, 2013).

Ironically, although squatting is not liked by locals, developers and the state, it can 'save' an area by acting like a hub in the neighbourhood, until developers find an opportunity to transform the area (Tonkiss, 2013). In this

respect, squatting in urban voids in potentially advantageous locations can constitute the first steps towards gentrification. This, in turn, may increase the rent value of the area or of the buildings occupied by activists, to the benefit of the buildings, the communities and the overall area. This may be the case for both the squatted 'voids' in Kadikoy already discussed in this chapter. For example, Yeldegirmeni, where the Don Quixote Social Centre is located, is an area which has potential to be gentrified. It has never been in decline or visibly inhabited by the 'social other' of Turkey (drug users, undocumented migrants, sex workers and so on). Rather, it is a neighbourhood which is almost fully occupied and which contains many vernacular buildings left from non-Muslim minorities, and several churches. The area now has a couple of independent cafes and is experiencing an increase in the number of shops and initiatives targeting the creative class (site visit, December 2015) which would lead to an overall increase in land and housing prices in the area.

The value (economic or symbolic) of these vacant buildings affects the ways they are used, for how long and by whom. As seen in the two examples in Kadikoy, these physically vacant buildings can be squatted, unlike the ghostly manor houses. While the latter are the symbols of a bygone era, the other vacant buildings can be squatted as the result of their 'ordinary' appearance. This allows people to use them temporarily, until their owners or political or other economic actors intervene. The Don Quixote Social Centre does not have any symbolic value and was not built by a prominent architect or in a particular architectural style. However, it was located in a potentially valuable place, and as a result of this, it was emptied in November 2015 by the will of its owner.

Symbolic void: the Ataturk Cultural Centre

In Istanbul there are some well-known examples of 'symbolic' voids, resulting from the socio-cultural, economic and ideological context. A prime, recent example of this is the Ataturk Cultural Centre (see Figure 7.4), which was built in a modernist style in 1969 and was used as the main location for high-art performances. Originally called the Istanbul Cultural Palace, after its reopening in 1978 following a fire, it was renamed the Ataturk Cultural Centre. It was closed for renovation in 2008 by state officials and in 2013 it was marked for total demolition, to be replaced with a baroque-style mixed-use building, bringing together shopping and arts. The removal of the Ataturk Cultural Centre is related to the policies and the logic of the JDP, which wants to transform Istanbul into a replica of the old Ottoman capital, targeting Turkey's Sunni Muslim majority as well as Muslim tourists from the Middle East (Eraydin and Tasan Kok, 2014). The main rationale behind the closure of the Ataturk Cultural Centre was the government's attitude towards Western high arts. They are regarded as inappropriate for Islam. Also, its name refers to Ataturk, the founder of the Turkish Republic, seen
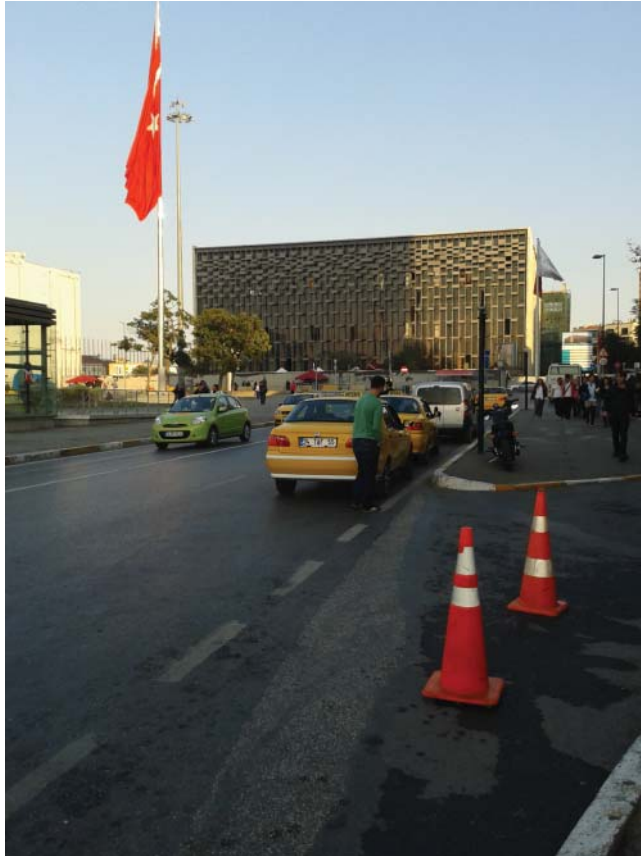
Figure 7.4 The Ataturk Cultural Centre, from Taksim Square.

as someone who damaged the peaceful life based on Islamic tradition during the Ottoman Empire.

Originally, Taksim Square, where the Centre is located, was designed as a 'modern' square by the early Turkish Republican elites to commemorate the founders and ideals of the Republic. During the 1970s, Taksim Square became a symbol of socialism, accommodating large left-wing demonstrations to commemorate May Day. Taksim Square is regarded as the heart of Istanbul, rooted in Republican ideals and leftist political activism, located in an area known as the 'Western' part of the city. The JDP aim to transform the area by: first, closing the Centre and replacing it with a commercial complex built in baroque style, reflecting their conservative taste; second, erecting a mosque in the centre of the Square to complete its symbolic conquest by Islamists, an ideal for decades (Bartu, 2000); and, third, rebuilding a replica of the Halil Pasha Artillery Barracks inside Gezi Park, a symbol of a Sharia uprising put down by the secular Ottoman army officers in 1909,

which was demolished during the Republican Period in 1940. The new building was rumoured to include a shopping mall and residences as well as a city museum.

However, this plan was criticised by urban planners, architects, protectionists, historians and activists who think that it would destroy the identity of the Cultural Centre and that of Taksim Square, the famous site where the Gezi Protests started in 2013. The primary aim of the protests was to protect Gezi Park, located near Taksim Square, from development and conversion into a consumerist site. During the protests, the Ataturk Cultural Centre was occupied by protesters and was covered by various banners and flags of activists' groups. However, when the police ended the two-week occupation of Gezi Park, the building was cleared of banners and ironically was used by the police as a meeting point. It is still vacant and, until recently, was covered with an advertisement for a Turkish movie 'Ertugrul' (see Figure 7.5).

More generally, symbolic voids like Ataturk Cultural Centre have a similar fate: general neglect, despite the efforts of their loyal communities that try to keep the buildings 'alive'. They are unlikely to be squatted because they are protected by their communities or the state (which would like to

Figure 7.5   The Ataturk Cultural Centre, covered with a movie advert.

convert these buildings into profitable sites). Although their economic value may be high, their symbolic value is debatable. This puts such voids at risk of demolition. The Ataturk Cultural Centre is a highly valuable building (economically and symbolically) and is located in the heart of the city, close to many attractions. While it is praised by the secular urban middle and upper classes, it is seen as a 'void' by most of the inhabitants of the city, and more importantly by political actors. The future of the Ataturk Cultural Centre is unknown: it may soon be removed from the memory of the inhabitants of Istanbul by accident – as is the usual fate of these kinds of sites – or it may be demolished and replaced by a new complex for profit and consumption. This would also destroy its identity as an arts centre. Alternatively, it could be renovated to its original state and opened for artistic performances as it was in the past. The option of renovation and re-instatement remains but has not been given serious consideration.

Conclusion

The chapter regards 'urban voids' as essential parts of the city, not only economically but also symbolically. It indicates the diversity of urban voids, rather than treating them as vacuums. This diversity relates to their meanings, uses and roles in urban development. The chapter discussed three cases of 'urban voids' in Istanbul and demonstrated how they are used by different actors. The chapter does two things. First, it indicates that there are two kinds of 'voids': physical and symbolic ones. While 'physical void' refers to physical space, 'symbolic void' refers to land or buildings which are regarded as 'vacant' and need to be removed from urban space and memory to be replaced by something new, because of the socio-cultural or ideological context. The chapter argues that 'emptiness' refers not only to the physicality of space but also to its symbolic meaning. Both might lead to neglect, further decline and abandonment.

Second, it demonstrates how vacant sites have different values (economic and symbolic). For example, ghostly manor houses and vacant buildings have different economic and symbolic values. While ghostly manor houses have high economic and symbolic values, as the result of their relation to the aristocracy and old wealth, other vacant buildings might have high economic value, as the result of urban land rent or other market factors, but low symbolic (and cultural) values. Rather, symbolic voids have high symbolic value for particular groups in a society, like minorities or any other group with a different lifestyle from the majority, or cultural value (architectural or historic) and economic value (due to their advantageous locations). However, they are nullified symbolically by the dominant paradigm which leads to their physical neglect.

The value given to these physical and symbolic voids also affects the ways in which they are used. As an example, vacant buildings squatted by activists are used temporarily, which may cause disputes between their owners and squatters, and between locals and squatters. The same squatted building can be used flexibly by different people for different purposes, such as the Don Quixote Social Centre in Kadıkoy. However, ghostly houses experience the reverse situation: they have high symbolic value and because they are regarded as the home of ghosts, they are protected from being vandalised or squatted. In addition, the public has a tendency to protect and observe them from a distance. This isolation leads them to be sold for lower than their actual value to large capital which transforms them into highly expensive real estate investments, such as the Cemil Molla Mansion. Symbolic voids provide a totally different framework for vacant sites: they are not physically vacant, but they are regarded as vacant as the result of the socio-cultural and ideological context. They can have high symbolic value for particular communities, while they are regarded as unnecessary or inappropriate by the majority. This may result in them becoming derelict, or being demolished or simply being forgotten, as in the case of the Ataturk Cultural Centre in Taksim. In contrast to other vacant sites, these symbolic voids are rarely sold, particularly when they are part of the heritage of the city. This puts them in continuous limbo; they are neither used nor sold.

Urban voids have diverse impacts on urban development. Some might contribute to a housing bubble, and others to urban decay. Some might be used by different actors in formal and informal ways. Some might open up possibilities for experimental and alternative lifestyles and act as breathing spaces, socially and spatially. Some might stay vacant because they are occupied by ghosts, and provide the city with an identity and stories to tell.

Acknowledgments

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8

Institutionalizing Urban Possibility: Urban Greening and Vacant Land Governance in Three American Cities

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State strategies in urban shrinkage

Contemporary political regimes are defined by their commitment to economic growth (Evans, 1995), and "the political and economic essence of virtually any given locality, in the present American context, is growth" (Molotch, 1976, p. 309). Cities fundamentally operate like 'growth machines', and this common goal often overrides whatever internal differences they may have. Specifically, government apparatuses pursue growth by forming cross-sector coalitions with property owners, developers, financiers, the media, and other interests. However, governments are also relational social institutions that strategically produce and reproduce nature across political territories over time (Jessop, 2008), and which are in turn shaped by the material ecological make-up of their territories.

As cities experience significant economic decline, tracts of land fall into disrepair and disuse, and their vacant properties become a spatially extensive management issue. US city governments tend to manage vacant land in a piecemeal way through underfunded and poorly organized efforts. Cities tend to be poorly equipped to manage vacant properties because planning and policy frameworks assume urban economic growth. "Traditional regulatory and planning systems … are based on the perceived primacy of stable and certain environments for investment as well as the avoidance of conflicting

land-uses" (Németh and Langhorst, 2014, p. 146). Therefore, in conditions of urban shrinkage, it is predominantly informal actors who intervene on vacant lands.

An emerging literature has documented the many ways in which these actors and groups attempt to transform vacant land for social, ecological, and economic ends. Grounded in these examples from design and community practice, this literature argues that systems designed to maximize stability significantly limit the development process by constraining flexibility, whereas temporary uses are "a manifestation of a more dynamic, flexible and adaptive urbanism, where the city is becoming more responsive to new needs, demands and preferences of its users" (Bishop and Williams, 2012, p. 4). Temporary uses often take place on former commercial or industrial parcels, temporarily transformed into spaces for cultural events or extreme sports, art installations, gardens, and other types of community gathering places (Hollander *et al.*, 2009). They may use the arrangement of vegetation and open space elements to indicate care and stabilize neighbourhood cultural and property values in the context of depopulation (Hollander *et al.*, 2009).

Temporary uses allow local entrepreneurs and interested parties to imagine new uses and then to act them out on site, often on a low-cost and short-term basis. As cultural or social events, temporary uses play out the visions of particular social groups. The fast timeline and incremental, flexible approach of temporary uses provide a visual and performative method for engaging with a range of planning concerns. As such, they have "the capacity to expose the ongoing conflicts and contestations between competing value systems, interests, agendas and stakeholders" (Németh and Langhorst, 2014, p. 147). However, the impact of temporary uses depends on their articulation within broader urban development trajectories. The translation of temporary into permanent strategies may re-inscribe uneven development patterns, just as they have the potential to disrupt them and lay the ground for socially just urban futures.

Environmental coalitions in urban shrinkage

Growth coalitions, urban sustainability, and economic development are entangled in a complex association. Molotch's initial work (1976) identified the crux of the antigrowth coalition to be rooted in the environmental movement, suggesting that environmental advocacy was placed at odds with growth coalitions. As the sustainable development discourse emerged in the 1980s, Logan and Molotch (1987) suggested that the trajectories followed by growth coalitions may directly incorporate pro-sustainability efforts as well. For example, the interest of Santa Barbara elites in tourism promotion led them to oppose offshore drilling, which would benefit

nonlocal actors while incurring costs to the locality (Logan and Molotch, 1987). Whereas the early literature had identified a basic tension between growth coalitions and environmental advocacy, the most recent literature appears to not only admit the possibility of alignment between environmental and economic agendas, but in fact absorb environmental interests within growth-oriented coalition building. Schilling and Logan (2008) proposed, for example, the systematic treatment of urban vacant land networks through the establishment of a comprehensive green infrastructure system, and this strand resonates with interest in the shrinking cities literature on green infrastructure more broadly (cf. Hollander *et al.*, 2009).

Despite nearly three decades of sustainability-oriented policy practice, however, multiple levels of government, firms, society, and academics continue to permit and justify the intensification and spatial extensification of natural resource extraction and consumption. In terms of urban land management, city governments have restricted the sustainability of urban land practices by controlling their temporal duration. Community gardens have been the predominant form of urban greening on vacant land since the 1970s. These gardens create new functions and values of urban space, in so doing contributing to neighbourhood identity and pride in conditions of widespread economic divestment (Schmelzkopf, 1995). They have largely been initiated, implemented, and managed by place-based civic organizations. Despite the widespread emergence and cultivation of community gardens on urban vacant land, legal scholarship has given it little attention (Schukoske, 1999) until very recently.

City governments have tended to play a supportive role during weak land market conditions, but if the land market improves, these gardens have come into conflict with city-wide plans (Lawson, 2004). Municipal governments in the United States have tended to associate permanent land uses with the built environment, while they have largely viewed greening as a temporary stop-gap measure to stabilize values until a parcel's land market picks up again (Drake and Lawson, 2014). Enduring community gardens tend to enhance land values with the effect of generating new investments in the broader neighbourhood, which drives their replacement by built development projects (Smith and Kurtz, 2003). The closure of neighbourhood-driven community gardens for built development represents a political loss for the gardeners (Schmelzkopf, 2002). Because the institutionalization of city protocols is critical to long-term urban environmental governance, the temporal strategies of urban governance deserve careful attention.

Methods

In order to study the influence of land markets on urban environmental governance, I examine the implementation of urban greening initiatives

in three cities with different land markets, using the prevalence of vacant land as an indicator of the strength of urban land markets. I select three historical cities in the forested northeastern United States: Boston, Massachusetts; Philadelphia, Pennsylvania; and Baltimore, Maryland. The cities are similarly densely populated, racially/ethnically diverse, and segregated urban areas. They also possess numerous active civic and neighbourhood-based organizations. The incidence of vacancy varies widely. Boston (90 mi^2) and Baltimore (92 mi^2) have similar land areas, but Boston has approximately 7000 vacant parcels, whereas Baltimore has 30,000 vacant properties. Philadelphia (141.6 mi^2) has approximately 150% of the land area of the other cities and possesses approximately 40,000 vacant parcels. I collected ethnographic data through 93 interviews and 3 months of participant-observation in each city. The purpose of these methods was to understand the ways in which political coalitions negotiate processes of economic change to preserve and maximize land values.

Civic environmental coalitions in weak land markets

This study examines the ways in which civic environmental coalitions succeed and fail in urban governance. These coalitions are basically concerned with the provision of land and water resources as public goods[1]. Not only do these environmental coalitions extend beyond the walls of public administration buildings, but their driving force tends to originate in civil society. Urban environmental governance depends on civic initiative in the formation, establishment, and growth of environmental coalitions. Public administrations partner with private firms and civic organizations in order to deliver urban environmental services. Partnerships can take different forms, ranging from public sector control over strategic planning and program development to joint decision making over the expenditure of funds to the creation, implementation, and monitoring of programs exclusively by organizations or firms. They match diverse resources among different entities for comprehensive service provision, including financing; strategic planning; programmatic innovation, development, delivery, and monitoring; and regulation and enforcement.

   Urban vacant land presents very different sets of concerns to public administrations in different land markets. I suggest that different land markets affect the behaviours of political coalitions on specific land parcels. Modern states are defined by their commitment to economic development. The pursuit of economic development overrides any other differences in priorities, values, and interests that these actors might have. Mayor's Offices tend to give political and budgetary preference to revenue-generating departments.

[1] Certainly, growth and environmental coalitions overlap in other spheres, including green building, renewable energy, and others.

Such pro-growth behaviours take root in specific economic conditions, and they, in turn, re-inscribe economic growth patterns. It is a terrain of ongoing economic growth that amplifies the voices and agendas of pro-growth coalitions, and which elevates their importance in urban governance.

During and following periods of economic contraction, urban vacant land becomes a management concern. The degree to which it does so depends on the volume of vacant land in a particular city. City governments largely prioritize revenue generation during booming economic times, but as the problem of vacant land becomes more spatially extensive, public administrations place increasing priority on the mitigation of its deleterious effects. Alongside this shift within City Hall, residents who live in neighbourhoods with high incidences of vacant lots have often prioritized their clean-up on a parcel-by-parcel basis.

Contemporary bureaucracies are not monolithic institutions that uniformly serve a given set of interests. Rather, public administrators express a wide variety of behaviours, strategies, and goals. A set of interests and voices in city government that is distinct from the growth coalition is that which is dedicated to the provision of public goods for the city's constituents. Public works and parks departments, in particular, focus their energy on maintaining baseline standards for quality of life. Through the vagaries of economic growth and contraction, this internal diversity remains intact within city government. However, governments tend to devalue the provision of public goods. As a high-ranking city official explained by example,

> I had a friggin' state representative who looked at our park funding and looked at our revenue. He said, "OK. You got USD $60M of park funding and only USD $20M in revenue. You have a USD $40M shortfall." I said, "You're out of your mind. This is a public service. We're never going to have expenditure and spending equity. So, get out of my office! … That's the wrong way to think about it."
> (Interview 62, 2 June 2014)

Despite the diversity of functions in government responsibilities, there is a tendency to undervalue services that are not directly tied to the generation of revenue. This has been particularly true in the last four decades, as neoliberalism relies more heavily upon revenue generation in the delivery of government services than did the Keynesian period preceding it. When city governments are forced to shrink their budgets, then, disproportionate cuts tend to come from departments that are not revenue generating, such as parks departments (Interview 1, 31 May 2012; Interview 62, 2 June 2014; Interview 77, 21 July 2014).

The success of efforts focused on quality-of-life measures especially depends on their strategic positioning in two ways. The first is the proximity of these efforts to the Mayor's Office. As a high-level public administrator pointed out, "I don't need to be the sun, I just need to be the moon closest to the mayor. I want to reflect his light – stronger than anybody else.

So, if you want to do that, if you're a smart leader and administrator in the public sector, you … stay close to the executive" (Interview 62, 2 June 2014).

Second, the strength of these departments also depends on the networks that they cultivate and maintain beyond the walls of city hall, and the political and financial resources they can leverage from those networks. In times of weak land markets, potential developers either leave the city or lie dormant, waiting for better times. At the same time, the intractable problem of urban vacant land forces city agencies to incentivize civic action in service of the public good of the city. Through the creation of new protocols and financial incentives, conditions of economic stagnation and shrinkage permit other voices to emerge and gain traction.

Civic organizations often employ greening strategies because they are low-cost interventions that stabilize land values. Dumping is perhaps the most common problem associated with open vacant land – and arson with abandoned structures – so residents frequently begin with the simple acts of removing debris, followed by cutting the grass and/or planting vegetation on the site. These acts are primarily geared towards the transformation of the physical landscape, but they also indicate a re-territorialization of a neighbourhood from multi-decadal processes of urban decay and destruction. They enhance urban ecology while also expressing political resistance and presence.

Windows of opportunity: political coalitions in Boston, Philadelphia, and Baltimore

At the height of urban crises in the 1980s, when neighbourhoods had been ravaged by urban renewal, economic divestment, and associated social problems, extensive swathes of the urban landscape were abandoned, with evidence of rampant arson on abandoned buildings and dumping on vacant lots. Bit by bit, residents self-organized to remove trash, mow down the weeds, paint fences, and install new plantings on vacated parcels. The exchange values of neighbourhood land had plummeted, but their use values remained. Although legally owned by absentee landlords, neighbourhood residents sought access to, use of, and control over community land. The recognition of these values and this collective ownership turned physical interventions into acts of resistance against the decay of urban spaces. Greening on vacant land marked a turning point in urban neighbourhoods in Boston, Philadelphia, and Baltimore (Medoff and Sklar, 1994; Walczak, 2002; Interview 38, 27 March 2014; Interview 75, 17 July 2014). This section will illustrate the ways in which these disparate acts of resistance intersected with broader urban political economic and governance processes in each of these cities.

Boston

Cleaning up vacant neighbourhood land in Boston entailed community organizing and catalyzed the creation of neighbourhood institutions. Some of these institutions have endured through the intervening decades, continuing to protect and build land values in their neighbourhoods. Clean-up campaigns in Dudley Square, Roxbury, for example, led to the formation of the Dudley Street Neighborhood Initiative (DSNI), an organization that purchases vacant parcels and creates affordable housing, parks, playgrounds, and gardens for residents. DSNI has accrued political power to the extent that it possesses eminent domain authority within its territory of the Dudley Triangle. Similar vacant lot transformations in another Boston neighbourhood of Codman Square, Dorchester, led to the creation of the Codman Square Health Center and the Codman Square Neighborhood Development Corporation. While vacant lot interventions in Boston have catalyzed the development of institutions that have helped to rebuild neighbourhood pride, identity, and land values, their leadership has largely remained in their respective neighbourhoods.

Meanwhile, City Hall has focused its limited efforts on vacant properties towards development initiatives. As one policy stakeholder with multi-decade experience in land development commented, "I wouldn't say the City of Boston … has any really coherent and particularly sophisticated way of thinking about how to dispose of public land, except when it's in the service of a bigger redevelopment effort" (Interview 92, 16 June 2015). At present, the city's strong real estate market has disposed the city of its large parcels in upmarket locations, so it actively guides large real estate development projects, such as in the city's new Innovation District, through planning and investments in transportation infrastructure. However, the selective ownership of vacant properties has formed a backbone of the city's development strategy for decades. Because Boston is under-zoned and does not use comprehensive plans to guide development, the city has "used real estate and undersigning in order to set up a situation where any big development would have to negotiate with the city around public benefits. So through owning pieces of strategic blocks it could tell developers, 'if you want to develop that block, you have to buy our piece of land, and you have to do x, y, or z in order to buy it'" (Interview 92, 16 June 2015). In this way, the City of Boston actively uses dispersed vacant properties in the service of pro-growth interests.

In the realm of civic programming, the municipal Department of Neighborhood Development (DND) maintains all properties owned by city and state agencies, although it does not possess adequate resources for its staff to maintain all of its properties (Interview 88, 10 June 2012). Despite this responsibility/capacity gap, DND implements a number of institutional controls restricting public access to vacant properties because it is a

landholding entity whose properties are a burden to the organization. As one of the department directors said, "our goal is to sell the properties" (Interview 13, 21 June 2012), and leasing land on a temporary basis to community organizations increases the department's liability while potentially impeding their goal of selling their properties.

DND makes land available for civic access or open space interventions based on economic criteria. Its criteria are that the parcel should not exceed 5000 sq. ft., so that it is not a buildable property, or that its location renders it unlikely to be developed in the next 20 years (Interview 13, 21 June 2012). The entities transforming vacant land tend to be highly professionalized non-profit organizations. The Boston Natural Areas Network (BNAN) is the largest landowner of community gardens on formerly vacant properties. The organization established itself precisely at the nadir of Boston's depopulation in the 1970s by purchasing city-owned properties and developing programming related to urban wilds and community gardens.

Philadelphia

Transformation of vacant lots in the New Kensington neighbourhood led to the creation of the New Kensington Community Development Corporation (NKCDC). In the late 1990s, a NKCDC survey found that vacant land was a high priority for neighbourhood residents (Interview 38, 27 March 2014), and it gained eminent domain control over its territory in order to access both public and private land parcels (Interview 45, 8 April 2014), forming a coalition with multiple entities to promote neighbourhood stabilization through vacant lot interventions. The coalition included non-profit organization Pennsylvania Horticultural Society (PHS) (PHS, 2014), federal agency Department of Housing and Urban Development (HUD), NKCDC, and multiple city agencies. Through this coordination, New Kensington became a pilot site for a HUD Empowerment Zone award and subsequently a municipal Neighborhood Transformation Initiative in treating neighborhood vacancies through an 'interim' land-based greening approach (Interview 45, 8 April 2014).

Subsequently PHS partnered with community development corporations to bring its 'clean and green' model to scale across the city. This program identifies parcels adjacent to proposed development sites; then it implements a simple landscape design, using perimeter tree plantings, mown grass, and post-and-rail fences to leverage investments by the CDC. PHS also hires neighbourhood residents to maintain the properties, and oversees this process. These two programs employ temporary and maintenance-oriented approaches to treat neighbourhood change in a holistic, process-oriented way. The programs also represent a land-based approach to neighbourhood stabilization and revitalization, which has become a nationally recognized model (for example, highlighted in Schilling and Logan, 2008).

Since 2003, PHS has received the bulk of its funding for this LandCare program through the city's general operating funds, while it has received up to 15% directly from HUD (Interview 38, 27 March 2014). At present, the main strategy that the city uses to manage its vacant land is in response to requests made through the city's 311 constituent hotline, and it formally lists its second vacant land management strategy as that managed by PHS, the Clean-and-Green Program (Interview 34, 19 March 2014).

The PHS LandCare program was able to jump from the neighbourhood to the city scale because PHS was a well-established organization founded in 1827, and it has retained independent and reliable means of revenue generation through its annual flower show. More immediately, the organization had developed its political authority and social networks through its tree tenders program – a national model for community-based urban tree care – over the course of the 1990s. PHS possessed relationships with city agencies, while it had cultivated extensive networks with community organizations across the city. PHS mobilized those connections focused on tree plantings and extended them to vacant land.

Similar to BNAN in Boston, periods of urban depopulation have provided opportunities for PHS's organizational growth. In particular, during the 1970s, the organization developed an interest in urban gardening on the vacant land that was becoming increasingly prevalent. In the 1990s, it started thinking about vacant land itself as an object of intervention. As a senior staff person recounted:

> In the mid-1990s, there was a crack epidemic. Community gardens were under siege by everything going on in the city. There was an increasing number of abandoned properties. More abandoned land, more abandoned housing. I remember visiting one community garden, which had been organized by two older women, and it was ringed with needles. How do you remain dedicated to this community garden every day with all of this stuff? So we started looking at abandonment more broadly.
> (Interview 38, 27 March 2014)

Just as PHS' neighbourhood greening model scaled up from New Kensington across the City of Philadelphia, associated community organizing efforts became springboards for political careers in city government. Specifically, the Nutter administration brought two New Kensington community organizers into high-level positions as the Deputy Mayor for Environment and Community Resources and a Deputy Director of the Philadelphia Redevelopment Authority. The latter was specifically brought into this capacity to address vacant land management.

In 2011, Councilwoman Sonia Quiñones-Sánchez began to advocate for a Land Bank bill that would streamline ownership of all city-owned properties. This proposed legislation sparked the interest of existing grassroots organizations and networks in Philadelphia, and the same year, the Women's Community Revitalization Project (WCRP), a community development corporation in Northeast Philadelphia, developed a new Campaign to Take Back

Vacant Land. The Campaign, which it staffs, quickly grew to 50 organizational members, ranging from labour unions to disability rights activists, religious groups, affordable housing advocates, and fresh food and farming leaders. The WCRP cites the prevalence of vacant land as the primary galvanizing force behind the coalition, which organizes around the banner of #developmentwithoutdisplacement. The coalition takes a popular education approach to advocacy, conducting teach-ins and workshops. It has stayed actively involved in the development of the land bank bill, securing and using the right to directly edit language in the bill. As a core organizer said, "we gathered enough groups with influence and power to say to our champion that we want to be involved as equals" (Interview 93, 15 June 2015).

In 2014, the city authorized creation of the Land Bank and subsequently hired Interface Studio, a local firm specializing in grassroots planning, to create a strategic plan. While the plan recognizes open space as a type of 'productive use', it self-consciously focuses on land acquisition for economic development (City of Philadelphia, 2014). Looking ahead to anticipated economic growth, the Land Bank will be challenged to articulate scales and priorities of collective ownership over its properties. This will affect existing (informal) green spaces as well as vacant properties. Community gardens already face eviction in the face of increasing investments, such as the Cohocksink Community Garden in New Kensington (Lazor, 2014). Another question relates to the agendas and plans of CDCs and the many other place-based organizations across the city. It remains to be seen whether their physical plans – for open space or economic development – will be meshed or subsumed under the city-wide strategic plan. Thus, Philadelphia has developed a staunchly non-market approach to vacant land management in recent decades, using non-market-based mechanisms to preserve use values and enable collective access, but the new Land Bank, in the context of a rebounding land market, will determine whether these principles persist into the coming decades.

Baltimore

In the late 1980s in a West Baltimore neighbourhood, a group of thirty-something artists and self-employed residents turned to their vacant lots, removing debris, cutting back the weeds, and planting trees. As one resident recounted, "It was definitely not an economic thing, it was a quality of life thing. It was a social activity. Then we got done, and the neighbourhood got better. One day we had 200 vacant lots, and another day we had equity" (Interview 75, 17 July 2014). In this case, the self-organized efforts coordinated energy and resources with a variety of different entities beyond their neighbourhood, including the University of Baltimore Extension and Yale School of Forestry & Environmental Studies (F&ES). The Extension gave the organizers essential compost for their gardens, and the Yale students developed a Community Forestry Handbook for the municipal Recreation

& Parks Department. As the same organizer noted, "They had the idea of community forestry, but they could point at us and say that we were doing it. Yale taught us all kinds of stuff, so it was mutually beneficial" (Interview 75, 17 July 2014). As urban greening became more popular, the Citizens Planning and Housing Association and Neighborhood Design Center picked up and distributed outreach materials developed by the students.

While the community organizers had sought the resources they needed to improve their neighbourhood, Yale F&ES, and then federal agency USDA Forest Service, drove what would become a powerful and enduring urban environmental coalition in Baltimore. F&ES developed the Urban Resources Initiative (URI) to address research needs identified by the city through summer internships. It established URI together with the Recreation & Parks Department and Parks & People Foundation through a fundraiser of Yale alumni in the Baltimore region, including the city's mayor at the time. Its first intern, Morgan Grove, returned to Baltimore after graduating from Yale to begin working for the Forest Service. In that position, Grove secured multi-year grants from the Maryland Department of Natural Resources and the USDA Forest Service to conduct use-inspired research, and its product, the Baltimore Ecosystem Study (BES) (Interview 73, 17 July 2014), became a nation-wide model for urban ecology scholarship.

Since the early 1990s, BES has enlarged the city's capacity to address land vacancy by creating a staffing position and supporting key civic organizations. Most recently through a joint USDA Forest Service and US EPA effort, the Urban Waters Federal Partnership, it has responded to longstanding concerns to create a full-time staff position in the Office of Sustainability solely dedicated to vacant land management (Interview 83, 5 August 2014). This support led to the publication of a 'City of Baltimore Green Pattern Book: using vacant land to create greener neighborhoods' (Interview 67, 19 June 2014). In 2014, the city also ran a design competition that connected landscape architects with community groups to generate new visions for neighbourhood open space. These efforts dovetail with two mayoral initiatives that explicitly encourage greening efforts as a method of stabilizing neighbourhoods and attracting private investment. Stephanie Rawlings-Blake's 2011 Vacants-to-Value initiative includes the construction of 'strategically placed new open space', while her 2014 Growing Green initiative highlights and integrates urban ecology best practices for application on city-owned properties (Baltimore Office of Sustainability, 2015).

The city's capacity for managing its property is so challenged that the city has made a strategic shift from 'gap tooth' demolitions to a comprehensive block-level approach (Interview 67, 19 June 2014). Moreover, the strategic management of vacant land by Baltimore City is hindered by the extremely fragmented ownership of public-owned properties. As a representative – from an office formally charged with public communication regarding city-owned properties – stated, "Almost every department owns property in the city:

the schools, fire department, Recreation & Parks.… There may be a list [of all the property-holding departments], but I wouldn't even know where to look for one" (Interview 94, 17 June 2015). Indeed, the main program implementing greening strategies on vacant land has been created, funded, implemented, and managed by Parks & People Foundation.

Over the last 30 years, the Parks & People Foundation has established itself as a multifaceted urban environmental organization, which managed an urban forestry grant portfolio of approximately US$3 million over the course of ten years in the late 1990s and early 2000s. Beginning as an urban Outward Bound program, PPF developed and expanded its programming related to sports, recreation, ecological restoration, and community development at different junctures based on strategic partnerships with various city agencies. Partnerships included the school system; Recreation & Parks, Housing Authority, Transportation, and other departments; as well as state departments, including the Maryland Department of Natural Resources, and of course the USDA Forest Service. Early involvement with Yale F&ES encouraged their foray into urban forestry programming, and then close coordination with Recreation & Parks prompted a focus on vacant land. As a senior staff person explained,

> *Those were the things that were thrown at us. The city was tearing down buildings and didn't know what to do with the property. They were giving them to Rec & Parks. That was one of the things that … Rec & Parks in the early days said to us: 'help us manage these dispersed, spread out, little pieces of land that we have nothing to do with, and don't even know how, and don't have the capacity or interest to deal with them.' And that is how we developed the community-managed open space concept, which has now gotten wedded into the language in regulation and plans in the city, which wasn't there before.*
> (Interview 76, 17 July 2014)

While Baltimore City continues to struggle with the basic management of its infrastructure and provision of fundamental public services, PPF is not only pioneering new concepts and programs for municipal regulations and plans, but also has fleshed out a long-term restoration strategy for the Baltimore region, called One Park: "The idea is that eventually, if we work on this for fifty to a hundred years, Baltimore residents will live in a park. All we're doing today is just trying to continue the Olmsted legacy that was provided through their Plan in 1905. We're just a part of the piece going forward" (Interview 70, 8 July 2014).

Political will and investment capacity: a counter-cyclical relationship

The three cases show that urban vacant land becomes recognized as a resource after it is confronted as a governance problem. The bigger the

problem of vacancy, the greater the political will that the government possesses in addressing and managing it through civic environmental coalition building. This is evidenced across the three cases. The Boston Redevelopment Authority uses vacant parcels as a tool to guarantee its involvement in large redevelopment efforts, given the lack of zoning and comprehensive plans to guide urban development. Apart from this, it maintains a number of institutional controls restricting greening interventions and temporary access by civic actors. In Philadelphia, vacant lot legislation, in the form of the Philly Land Bank, was passed through City Council before the Mayor signed off on it. Finally, Baltimore has now witnessed multiple mayoral initiatives designed to foster greening on city-owned property.

However, the bigger the problem of urban vacancy, the less capacity the government has to manage it, and the fewer incentives developers have to invest. The three cases also provide evidence to this claim. Boston's strategic ownership of property is designed to guarantee its involvement in redevelopment, and to position the city in such a way that developers must negotiate and possibly make concessions before carrying out a development project. In the last few years, Philadelphia has similarly sought to coordinate efforts related to vacant land management. Its Land Bank legislation has not only entailed extensive meetings with the Coalition to Take Back Vacant Land Philly, but also involved the creation of a new staff position at the Deputy Director level in the Philadelphia Redevelopment Authority, as well as a competitive bidding process and a full contract for a design and planning firm to elaborate a strategic plan for all of the city's properties.

Baltimore stands in contrast to both of these pro-active government stances. While Baltimore City articulates the sharpest and clearest urban ecological vision for vacant land governance among the three cities, devoting staff time and energy in not only the Mayor's Office but also the Office of Sustainability, its programming around vacant land is funded and staffed by external entities, particularly the USDA Forest Service and the Parks & People Foundation. It does not possess the resources to create its own programming, provide funding, or develop and implement a program. It appears, then, that the political will for land-based greening initiatives appears to be counter-cyclically related to the strength of the city's land market. The greater the political will driving a city to address vacant land, the less financial capacity it possesses to follow through on its goals.

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9

The Trajectory of Berlin's 'Interim Spaces': Tensions and Conflicts in the Mobilisation of 'Temporary Uses' of Urban Space in Local Economic Development

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This chapter aims to analyse the trajectories of 'temporarily used' urban spaces in Berlin since the late 2000s and the social conflicts surrounding their transformation over time. The contribution builds upon, and updates, previous work (Colomb, 2011, 2012; Novy and Colomb, 2013). The chapter first briefly outlines the explosion of bottom-up initiatives for the temporary use of vacant urban spaces in Berlin since the 1990s, and reviews how such uses have been mobilised in the local economic development and place marketing strategies of the Berlin *Senat* (city government) and associated agencies. The chapter subsequently analyses the tensions and dilemmas arising from the mobilisation of temporary uses as a tool of urban revitalisation by discussing their trajectories over time (survival and/or transformation *in situ*, displacement or disappearance), and the conflicts and forms of resistance which occur when such uses are threatened with eviction. The final section presents one prominent example of such conflicts – the debates and protests about the future use of the Tempelhof airfield, in which the potential displacement, reduction or transformation of 'temporary uses' played an important role. The resonance of that conflict fed into wider debates about the land sale and urban development approaches of the Berlin city government. It also raised challenging questions about the nature of grassroots

movements of resistance to top-down urban development and the way these have been perceived and portrayed by various actors. Finally, it has generated a conundrum for planners and landowners in Berlin about the future acceptance of temporary uses on vacant urban spaces.[1]

'Temporary uses' and 'interim spaces' in reunified Berlin

The fall of the Berlin Wall in November 1989 and the subsequent reunification of Germany brought about drastic changes in the governance, economy and socio-demographic characteristics of Berlin, which became a city-state in the German federal system. Berlin had to simultaneously face the consequences of the transition to a reunified city, a post-socialist city, a capital city and a post-industrial city. From 1991 onwards, the city government proactively promoted Berlin as a service metropolis of aspiring global status, seeking to entice major investors through various promotional and economic measures (Colomb, 2011). The first years of that decade were marked by a construction and real estate boom fuelled by optimistic growth forecasts, but the years of economic euphoria were short-lived. The boom came to an end in 1993 and left an oversupply of office space which took two decades to be absorbed. Until the second half of the 2000s, Berlin's economy displayed low growth rates and its GDP per capita remained below that of other German *Länder*. It soon became apparent that in a polycentric Germany, Berlin would not become a powerhouse of global importance on par with London or New York. This partly explains why demand for new commercial and residential developments remained comparatively low during those years.

   At the turn of the twenty-first century, Berlin had a significantly larger stock of disused and vacant sites than any other comparable European metropolis. A study by the *Senat* Department for Urban Development found 4940 hectares of vacant sites, of which 3125 were in the inner districts (delineated by the '*S-Bahn* ring') (SenStadt, 2011). The plethora of 'voids' (Huyssen, 1997) which punctuated the city's urban fabric was due to a number of factors: extensive bomb damage during World War II; the post-war division by a wall lined up with a *no man's land*; the modernist planning paradigm adopted in both the western and eastern parts of the city from the 1950s onwards, with its associated demolitions; and, after 1990, deindustrialisation and population decline, in particular in the eastern part of the city. Many of those vacant sites are publicly owned – in 2001 the

Liegenschaftsfonds, a company owned by the *Land* of Berlin, was created to sell public land and buildings. The small vacant plots between buildings (*Baulücken*) which dot inner-city neighbourhoods are often privately owned, and can be put up for sale by their owners on a Berlin-wide database which listed 550 such plots in 2010, that is, 110 hectares of developable land (SenStadt, 2010).

From the 1990s onwards, many of those vacant sites became fertile grounds for "a new wave of uncontrolled urban practices and ideas" (Cupers and Miessen, 2002, p. 78), for example flea markets, car boot sales, beer gardens, outdoor bars, community gardens, sports grounds, open-air theatres, camping sites or spaces of artistic experimentation. The German word *Zwischennutzung* ('interim' or 'temporary' use) was coined to refer to such activities. Bishop and Williams (2012, p. 5) define a temporary use through "the intention of the user, developer or planners that the use should be temporary." Till, however, proposes the term 'interim spaces' to grasp "the dynamic and open-ended sense of in-betweenness, interventions, and unexpected possibilities" present in such spaces (2011, p. 106), and to overcome the 'temporary–permanent' dichotomy which permeates the language used by scholars and planners to describe such initiatives. This dichotomy, Till and McArdle (2015) argue, suppresses critical thinking about the 'non-visible' advantages of such 'interim spaces' – those which stem from use value, healthy place-making, non-commodified forms of exchange and the creation of a different imagination of the city.

A study carried out in 2004–2005 found almost a hundred such temporary uses in Berlin, covering a diverse range of artistic, cultural, leisure, trade, entertainment, sports or gardening activities (SenStadt, 2007) (for case studies, see Groth and Corijn, 2005; Shaw, 2005; SenStadt, 2007; Stevens and Ambler, 2010; Till, 2011). Many had a leisure-oriented focus, epitomised by the more than 60 'beach bars' located near Berlin's canals and river (Stevens and Ambler, 2010) (Figure 9.1). By contrast, other temporary uses created spaces of "micro-political activity" (Cupers and Miessen 2002, p. 123), such as the *Wagenbürger* (caravan trailer) squatted sites (for example, the 'queer community living project' Schwarzer Kanal). This diversity of uses stemmed from the heterogeneous nature of their initiators: artists, entrepreneurs, 'culturepreneurs' (Lange, 2007), community groups, individual volunteers, political activists or socially excluded individuals (for a typology, see SUC, 2003). The extent to which such temporary uses have been possible, accepted or, on the contrary, repressed depends on the attitude of public and private landowners, which may range from sympathetic support – from those seeking to reduce maintenance costs or improve a site's symbolic value – to outright opposition when owners fear that "unwanted temporary users [will] block redevelopment and frighten away more profitable users" (SenStadt, 2007, p. 46).

Figure 9.1   Berlin's beach bars.

The mobilisation of 'temporary uses' in local economic development and place marketing policies

In Berlin, during the 1990s, temporary uses of urban space were, on the whole, neglected by policy makers, planners and public officials (Honeck, 2015a). The 'urban voids' represented "the ruins and ghosts of burdened, unwanted pasts, or the failure of the contemporary urban economy in bringing expected amounts of investment and growth" (Colomb, 2012, pp. 134–135). This changed in the first part of the 2000s, as the city entered a major fiscal crisis whose impact would burden the city's budget for decades to come, and which severely curtailed the local state's investment capacity (Krätke, 2004). The left-wing coalition which ran the city from 2001 to 2011 cut public expenditure, privatised or outsourced various public services, and continued to support proactive city marketing strategies to attract external investors, entrepreneurs and tourists. In that context, the phenomenon of the temporary uses of vacant urban sites began to capture the attention of local politicians, planners, economic development officials and city marketers. This was part of a broader shift in local policies towards the promotion of the cultural industries and the 'creative city', accompanied by initiatives to encourage 'creative spaces', of which 'interim spaces' reinvented by 'urban pioneers' were perceived as a key component (SenStadt, 2007).

The city marketing and tourism promotion agencies began to gradually include new images in their official promotional campaigns to renew the image of Berlin in the new millennium, buying into the 'creative city' mantra and selling the constant change, experimentation and trend setting taking place in the city as location factors (Colomb, 2011). Some of the 'off-beat', alternative or underground cultural and artistic scenes were integrated into official place marketing, for example the techno scene, as it was thought that "creatives want edgy cities, not edge cities" (Peck, 2005, p. 745). City marketing campaigns and the mainstream media (for example, Barkham, 2007) began to portray new types of spaces, including sites of temporary uses – beach bars, clubs, or artistic squats such as the Tacheles – as play-grounds for creative production, consumption and entertainment. The inte-gration of sub-cultures into urban marketing and development strategies to accrue distinct 'collective symbolic capital' (Harvey, 2002) is not unique to Berlin (see, for example, Shaw, 2005), but it took a particularly intense form there (Lanz, 2014). Berlin's then Mayor Klaus Wowereit famously declared that the city was "poor, but sexy" ("Hip Berlin," 2009), a statement which became an unofficial slogan for Berlin in the 2000s.

In parallel, the Berlin *Senat* took various initiatives to support the further development of temporary uses. Policy makers started to realise that the abundance of vacant sites and buildings – previously perceived as a sign of market weakness – could be promoted as a strength to attract more 'young creatives' (who did not wait for official policies to settle in Berlin in the first place). The Department of Urban Development commissioned a detailed study of temporary uses in Berlin (SenStadt, 2007) and launched various measures to facilitate such uses, for example through support to agencies acting as brokers between landowners and potential temporary users. The formal remit of the *Liegenschaftsfonds*, the company in charge of selling public property, was modified to allow temporary uses for non-profit, community-oriented activities on the public land in its portfolio. The federal building code and Berlin building code were modified in 2004 and 2005, respectively, to simplify the licensing system for temporary uses. Dedicated spaces for such uses were earmarked in a number of publicly owned vacant sites, most notably the site of the former Tempelhof airport, as detailed further in this chapter.[2]

In a context of expenditure cuts and of outsourcing of state responsibil-ities for public services and infrastructure, the economic and social roles of temporary users in creating publicly accessible spaces at no cost to the public purse have become highly valued by the city government (SenStadt,

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[2] For a thorough analysis of the process of institutionalisation of temporary use practices in Ger-many, see Honeck (2015a, 2015b, 2015c) and the InnoPlan project (http://www.inno-plan.org/index.html), who have conceptualized temporary uses as forms of 'social innovation' which gradually become appropriated by state and market actors, institutionalized, and further dis-seminated between cities.

2007; Rosol, 2010; see also Evers and Ewert (2013) on the Prinzessinnen community garden). Additionally, 'interim spaces' have been perceived as playgrounds for 'creative entrepreneurs', as milieux which can attract creative workers, firms, consumers and tourists (SenStadt, 2007, p. 41). At the same time, temporary uses have often been depicted by public authorities as an intermediary, 'second-best' option for vacant urban spaces in the absence of other development options, or as a prelude to more profitable ventures – that is, as 'urban pioneers' (SenStadt, 2007)[3] who turn sites into locations attractive for other firms and investors. This was the case with the Mediaspree development, where large companies such as MTV and Universal Music were reportedly attracted by the thriving independent music scene of the area (Bader, 2004; Bader and Scharenberg, 2010). By contrast, it is important to stress that only certain types of 'acceptable' temporary uses have been tolerated, marketed or supported by the *Senat* and related agencies. Those deemed too radical or politicised – that is, squats or encampments associated with the radical Left and *Autonomen* movements – were left out of promotional narratives, and their existence was often repressed or suppressed by Berlin's successive governments (Holm and Kuhn, 2011).

The dilemmas and tensions inherent in the mobilisation of temporary uses as a tool of urban revitalisation: trajectories, conflicts and resistance

> *There is a real danger … that critical forms of urban activism and intervention provide alibis (or, worse, seed-funding and ground-breaking) for more conventional rent-seeking urban development. Such urban alternatives are routinely compromised, frequently co-opted, sometimes corrupted and often doomed. Temporary projects are integrated into an austerity agenda so as to keep vacant sites warm while development capital is cool; to provide circuses – and in some cases bread – in the absence of public as well as private investment. (Tonkiss, 2013, p. 318)*

As the Berlin *Senat* began to harness 'temporary uses' for economic development and city marketing purposes, major challenges arose for the creators and users of 'interim spaces'. Firstly, the marketing of particular sites as tourist attractions – through formal campaigns or word of mouth and social media – increased their popularity. In some cases, the influx of visitors triggered a shift away from the original small-scale, experimental, informal and/or non-commercial nature of the activities. Some of Berlin's beach bars, for example, turned into highly profitable commercial enterprises visited

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[3] The title of the *Senat*-commissioned study on the potential of temporary uses for urban development in Berlin (SenStadt, 2007) refers to 'space pioneers', a striking parallel with the notion of 'pioneers' and 'new urban frontier' used by Smith (1996) in relation to the shifting geographies of gentrification (Colomb, 2012).

by a high-income clientele and became victims of their own success, as the qualities that constituted the original attraction were eroded. This process has more broadly affected many (sub)cultural venues in Berlin and has been a growing topic of discontent for the city's leftist political and cultural milieux.

Secondly, temporary users have often become unwitting players in processes of 'symbolic gentrification' (Holm, 2010), generating the right preconditions for further commercial redevelopment to take place on or around temporarily used sites. This was especially the case from the end of the 2000s onwards, as the Berlin real estate market 'picked up' again. This is captured by the German term *Aufwertung* ('valorisation') often used by public officials and developers, but criticised by opponents of redevelopment as gentrification in disguise. 'Interim spaces' are at the heart of the rent gap identified by Neil Smith (1996), marked by a tension between their actual use value (as publicly accessible spaces for social, artistic and cultural experimentation) and their potential commercial value. This is compounded by their mobilisation in local economic development, urban revitalisation and place marketing strategies, which often leads to their very destruction. This tension is inherent in the instrumentalisation of culture and creativity which occurs in the search for 'monopoly rents' which characterises capitalist urban development (Harvey, 2002). It is conflictual because it can produce "widespread alienation and resentment among the cultural producers who experience first-hand the appropriation and exploitation of their creativity for the economic benefit of others" (Harvey, 2002, p. 108). When temporary users realise that they "remain nothing more than gap-fillers until market demand permits a return to regulated urban planning" (Misselwitz *et al.*, 2007, p. 104), conflict emerges.

Until the mid-2000s, Berlin's sluggish economic and demographic growth meant that the pressures on vacant sites (and their temporary users) were lower than in other large European cities. Since 2005, however, Berlin's GDP and population have grown again, including in the years of recession experienced by most European countries immediately after 2008. The city's population (3.5 million in 2011) was foreseen to increase by 400,000 inhabitants by 2030 (SenStadt, 2012). Residential rents and house prices have steadily increased over the past decade, and the pace of real estate development has accelerated in areas where it had previously stalled. This has directly affected many temporarily used sites, whose users suddenly found themselves threatened with eviction or the non-renewal of their short-term lease to make way for the 'formal' (re)development of a site. Faced with this, the initiators of 'temporary uses' have chosen different tactics – adaptive, defensive or offensive (to use Andres' concepts, 2013).

Some (for example, club or beach bar operators) have accepted the temporary nature of their location, ceased their activity or moved to another site. Others have developed resistance strategies or "tactics of delay"

(Tonkiss, 2013, p. 320) to stay put, negotiating with owners or investors to find a compromise solution. Temporary uses in Berlin have consequently been going through various trajectories of survival *in situ*, displacement or disappearance. When they survive, they often undergo processes of transformation (by choice or by force), which may include expansion, professionalisation, commercialisation, and cooperation with or co-option by the local state and the market. In many cases, the transformation into a more 'permanent' use is accompanied by a transformation of the activity into a commercial venture (for example, as happened in the Arena building complex on the southern bank of the Spree) or into a cooperative or trust.

In other cases, in particular the more 'politically radical' temporary uses, users have had to tame their anti-capitalist or counter-cultural agenda and cooperate with the local state to gain legitimacy or to obtain the legalisation of their occupation. Van Schipstal and Nicholls (2014), in their analysis of two of Berlin's squatted trailer encampments, show how 'activist-residents' began to change their behaviour and introduced events (for example, cultural activities open to the public) which demonstrated their contribution to the 'creative city' agenda of the city government, thus carving out a micro-political space between co-option and autonomy. The authors show how the success of this strategy, however, depends on the cultural resources of the resident-activists and the local (district-level) political context. This process of cooperation with state or market actors, which also entails the opening of spaces to visitors or consumers, is usually contested and controversial among the members of such alternative political-cultural projects (on the contested transformation of Amsterdam squats into providers of cultural services, see Pruijt, 2003, 2004; Uitermark, 2004; Owens, 2008; and on Hamburg, see Fraeser, 2016).

In Berlin, some 'interim spaces' have become particularly popular and have been appropriated by residents and visitors – gradually becoming engrained into the collective consciousness as publicly accessible spaces of leisure, community activities or entertainment. When the temporary uses located on those spaces have been threatened with eviction, social mobilisations between initiators, users, local residents and sympathisers have emerged to oppose displacement and official redevelopment plans (for example, the Prinzessinnengarten in Kreuzberg,[4] whose land was transferred by the *Liegenschaftsfond* to the district authority to secure its long-term use as a community garden after a petition signed by 30,000 citizens). Interestingly, such mobilisations have often not only demanded the preservation of the existing use(s), but also called for more public input into the planning and redevelopment of the site. This was exemplified by the protests against the large-scale Mediaspree development. Since 2008 a loose coalition of actors has contested the privatisation of the waterfront, the construction of high-rise buildings and the displacement

[4] http://prinzessinnengarten.net/about/.

Figure 9.2   Graffiti against the redevelopment plans for the Mediaspree area in the YAAM beach bar: "Neighbourhood instead of profit search. Spree riverside for all!"

of existing temporary uses (Figure 9.2) in this vast area along the river Spree. The story of the social mobilisations surrounding this development project cannot be discussed here (see Scharenberg and Bader, 2009), but it is worth noting that the initiators of many temporary uses located in the area – artists, cultural entrepreneurs, bar operators, club owners – played a prominent role in the protests, defending their 'right to stay put' in the face of an urban development strategy ironically planned in the name of the 'creative city' (Novy and Colomb, 2013). Despite some initial successes, the social mobilisations did not manage to stop redevelopment in the area. Various temporary uses were forced to cease operation and close (for example, the Kiki Blofeld and Oststrand bars), or to relocate to a nearby site (for example, the YAAM cultural project in 2014 – see Figure 9.3) or to another part of Berlin (for example, the trailer encampment Schwarzer Kanal in 2010). At the end of 2015, several high-rise buildings were under construction in the area, including a luxury hotel which required the demolition of a section of the East Side Gallery, the highly popular remaining stretch of the Berlin Wall. Other temporary users, such as the initiators of Bar 25, were able to transform their activity into a permanent one by forming a cooperative, securing a long-term lease for a site in the vicinity of the original one, raising capital funds and developing a mixed-use concept plan for a new urban village which maintains some of the characteristics of previous temporary uses (Holzmarkt *et al.*, 2013).

(a)

(b)

Figure 9.3   (a,b) The struggle for survival of the youth cultural project and bar YAAM.

The contested future of the Tempelhof airfield

Tempelhof Airport was built in 1927 and expanded by the Nazi regime in 1936–1941 through the construction of a 1.2-kilometre-long terminal building. After World War II, the airport served as West Berlin's civilian airport until 2008 when it was closed. The former airfield – 368 hectares of public land owned by the city – was opened to the public in May 2010 as a large meadow baptised Tempelhofer Freiheit (Figure 9.4).[5] It was immediately appropriated by Berliners for leisure and sports uses, welcoming 1.6 million visitors in 2011 (Schalk, 2014). 'Temporary uses' were actively promoted by the *Senat* on three designated parts of the site through a selection process managed by the state-owned private company in charge of the development of the airfield. An annual selection committee assessed the applications presented by potential users under a series of themes (for example, sports and health, neighbourhood integration, inter-religious dialogue, knowledge and learning). Selected projects were granted a three-year agreement to use a patch of land at a symbolic annual rent of €1.5 per square metre, and their activities were evaluated every year. In December 2014, there were 19 such 'pioneer projects' (Tempelhof Projekt GmbH, 2014) (Figure 9.5).

Prior to 2010, several public consultations were organised by the *Senat* about the future of the airfield. That year, following an international competition, a masterplan for the site was approved, which foresaw residential and commercial developments over 50 hectares on the fringe of the airfield (4700 new housing units, and a business centre with office and retail uses), a landscaped park of 230 hectares, a new central library for the *Land* of Berlin and the preservation of existing temporary use projects 'that have proven their value'. Plans for an International Horticultural Exhibition in 2017 and International Building Exhibition in 2020 were also proposed, but eventually abandoned in 2013 for financial reasons. When the masterplan approved by the *Senat* was made public, growing dissent from opposition parties (the Greens and the left-wing party Die Linke) and other voices emerged against the proposal to build on the site. A citizens' initiative named 100% Tempelhofer Feld, which brought together a wide range of individuals, professionals and groups beyond left-wing and Green circles, began to campaign for a city-wide referendum on the future of the site, relying on the Constitution of the *Land* of Berlin which allows for a referendum to be organised on a particular issue if the support of at least 7 per cent of Berlin's electorate is mobilised. By January 2014, the initiative had successfully gathered more than 180,000 valid signatures.

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[5] Parts of the 300,000 m² terminal building are rented out for festivals, fashion shows and other events. The building also hosts the headquarters of the Berlin police and some private offices, but large parts of it remain empty.

(a)

(b)

Figure 9.4   (a,b) The former Tempelhof airfield, now used as a public park (Tempelhofer Freiheit).

(a)

(b)

Figure 9.5 (a,b) Temporary uses (urban gardening) on Tempelhofer Freiheit.

In the months leading up to the referendum, the future of Tempelhof was hotly debated in the city's public sphere. The topic became highly political in the context of Berlin Mayor Klaus Wowereit's rising unpopularity and the contested urban development politics of his coalition government (in particular regarding public land sales and housing policy). The 100% Tempelhofer Feld initiative opposed any land sale, any form of construction and any significant transformation of the site, and campaigned to retain the full meadow as a public park (100% Tempelhofer Feld, 2014). Various arguments were invoked: the ecological value of the site as a vast green lung and area of biodiversity, the social value of a large outdoor space which allows a wide-ranging set of activities not possible elsewhere (including the successful 'pioneer projects'), the historical value of the site (in particular its role as a symbol of freedom in the 1948 Berlin Air Lift) and the fear that any new development on the site would contribute to the gentrification of surrounding low-income neighbourhoods. By contrast, Mayor Wowereit and other *Senat* officials portrayed the fierce opposition to any development at Tempelhof as an indefensible, selfish attitude and an extreme form of NIMBYism, arguing that a city in debt, with a growing need for new housing, could not afford to leave such a huge piece of public land entirely unbuilt (Fahrun and Richter, 2014). The Tempelhof conflict thus raises challenging questions about the nature of grassroots resistance to top-down urban development, and about their perception and portrayal (by the media, local politicians and other actors) as 'progressive' or 'defensive/reactionary'. The opponents to the *Senat*'s plans for Tempelhof argued, however, that the city government should instead make the most out of the existing building stock through rent caps, housing renewal and social housing retention measures.

The referendum on the future of Tempelhof took place on 25 May 2014 with a high turnout (46 per cent of Berlin's 2.5 million voters). More than 64 per cent voted in favour of keeping the entire site unbuilt, while only 18.8 per cent supported the *Senat*'s development plan. The defeat was acknowledged by the Mayor and a law passed by the Berlin Parliament in June 2014, foreseeing the preparation of a management plan for the Tempelhofer Feld through a broad participatory process which began in the summer of 2014. Wowereit then announced his resignation after 13 years in office, in large part because of the double political blow of the Tempelhof referendum and the delays in the opening of Berlin's new international airport. The new mayor, Michael Müller, previously Senator for Urban Development, had actively campaigned in favour of the proposed masterplan and publicly deplored the missed opportunity to build new housing. He predicted that the issue would return on the political agenda in the future under growing pressures for new development (Abel, 2015).

The dispute over Tempelhof has led to a public debate about "who owns the field, who will be allowed to build there, why construction should be planned at this location at all, and most crucially, who will be entitled to

determine the field's future" (Schalk, 2014, p. 134). Temporary uses *per se* were only a small element in the controversies about the future of the site, unless one sees the entire opening of the former airfield to the public – and its subsequent appropriation and vehement defence by Berliners – as one giant experiment in the 'temporary use of space'. One of the critiques voiced against the *Senat*'s masterplan was indeed that the heavy landscaping foreseen would turn the meadow into a 'designer park' and obliterate the unique views, scale and endless possibilities offered by the former airfield, whose 'unplanned' nature is precisely what has attracted millions of people to it. Additionally, the Tempelhof conflict fuelled broader debates about the privatisation of public land, as various citizens' associations and actors began to question the systematic policy of selling public property to the highest bidder. The Initiative Stadt Neudenken (2014) has since then successfully pushed for a change in *Liegenschaftspolitik* (that is, the rules on the sale of public land in Berlin), whereby the mix of uses, the quality and the social value of the project proposed by a bidder/investor must now be taken into account in the adjudication of public land (Evers and Ewert, 2013).

The debates on the present and future uses of the Tempelhof site took an unexpected and dramatic turn in the autumn of 2015. The Berlin *Senat*, faced with a sharp increase in the number of incoming Syrian and Middle Eastern refugees,[6] decided to use some of the former airport's hangars as temporary shelters. In January 2016, around 2500 refugees were living in cramped conditions in three hangars. The *Senat* proposed to build additional temporary refugee accommodations to house up to 7000 people on the Tempelhofer Feld, on the 200-meter strip of land at the edge of the site that had once been earmarked for development in the rejected masterplan (Knight, 2015). On 28 January 2016, the governing coalition of Social- and Christian-Democrats in the Berlin Parliament approved the building of five temporary refugee shelters and associated facilities at Tempelhof, which are supposed to be dismantled by 31 December 2019. This will likely make Tempelhof Germany's biggest *de facto* refugee camp.

This unexpected 'temporary use of space' has been sharply criticised by local residents, opposition parties (the Greens and Die Linke), refugee support groups and the 100% Tempelhofer Feld initiative. They first criticise the very poor living conditions in the temporary shelters and blame the plan for potentially creating a humanitarian disaster: a 'ghetto in the park instead of integration in the city'. They advocate alternative solutions for the hosting of refugees, such as the use of vacant buildings or private volunteers' homes and a crack-down on illegal short-term holiday rentals (Conrad, 2016). Second, critics accuse the *Senat* of defying the democratic results of the 2014 referendum (100% Tempelhofer Feld, 2016) by preparing the ground for future construction on the fringe of the site 'through the back door', via a decision

[6] As of late November 2015, almost 30,000 refugees had applied for asylum in Berlin.

supposed to be temporary but which they fear will be permanent (Knight, 2015, 2016).

Conclusion

The blooming of temporary uses in Berlin has gained a lot of attention from urban scholars in Germany and beyond, who have stressed the innovative and positive nature of new forms of flexible, 'open source urbanism' (Misselwitz *et al.*, 2007), 'DIY urbanism' (Iveson, 2013), 'urbanism light' (SUC, 2003) and 'post-Fordist place making' (Stevens and Ambler, 2010) which differ from conventional state- or market-led development processes. A number of scholars have perceived them as possible spaces of transgression (MacLeod and Ward, 2002), exertion of the 'Right to the City' (Iveson, 2013) or 'commoning' (Tonkiss, 2013). Others have criticised them as 'apolitical' or too "limited, short-lived or slight to challenge neoliberalism" (as noted by Till and McArdle, 2015, p. 39), or on the contrary as complicit with 'roll-with-it' neoliberalism (Tonkiss, 2013), as 'the latest political vernacular of the creative city' (Mould, 2014), or as a form of 'low-budget urbanity' (Färber, 2014) to cope with the consequences of economic recession and austerity politics.

   The vast quantity of vacant space available in Berlin, and the freedom with which temporary uses were allowed to flourish on them, are rather unusual in comparison with other large European metropolises. What is not unique to Berlin is their enlistment by policy makers, planners and real estate investors in the name of the 'creative city' agenda, and the contradictions and conflicts which emerge when conventional urban development actors exploit the symbolic value achieved through temporary uses, often leading to the destruction of the latter. The developments of the past decade in Berlin thus illustrate and magnify the inherent dilemmas faced by the initiators of temporary uses everywhere:

> *between their temporary nature and the potential search for long-term survival; between their grassroot, unplanned character, and their inevitable encounter with top-down or formal planning and urban development processes; between their search for alternative cultural forms of insurgent urbanism and their inherent tendency to be appropriated by the market or pave the way for profit-oriented urban redevelopment processes. (Colomb, 2012, p. 147)*

The conflicts surrounding 'interim spaces' – some of which became solidly established and engrained into the public consciousness of Berliners – have recently made Berlin's planners, public officials and politicians realise the highly ambiguous nature of temporary uses: while they have an "inherent potential to enhance attractiveness of and revitalisation of certain parts of the city," they also "spatialise and visualise a resistance and temporary alternative to the institutionalised domain and the dominant principles of urban

development" (Groth and Corjin, 2005, p. 503). This generates a conundrum for state actors and private landowners: if allowing 'temporary uses' means that users may refuse to vacate a site once it is earmarked for redevelopment and instead galvanise public support in their defence, they may become increasingly reluctant to allow such uses in the first place. Berlin offers a fascinating setting to study those dilemmas and the tensions and ambiguous relationships between all the actors who make urban space in formal and informal, planned and unplanned ways.

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Note to reader: Unless otherwise stated, all URLs were last accessed on 11 December 2016.

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10

Pop-up Justice? Reflecting on Relationships in the Temporary City

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Tactics and interventions

On September 20, 2013, along a windy, cold and dead-end street in the Southbank arts precinct, at the edge of Melbourne's Central Business District, it took just a few hours for a band of volunteers to create an instantly funky park. They used a few milk crates, fold-out deck chairs, rolls of artificial turf, plants potted in PVC tubing, a plastic sandpit and some entourage in the form of people and street games. The temporary social space was initiated with volunteers for place-making consultancy Co-Design Studio as part of PARK(ing) Day. After a day out on the artificial grass, sharing ideas with passers-by and workshop participants about what they would like if the street was closed to traffic – which included more seats, cafes, markets, festivals, urban greening, a stage, artistic interventions and no cars – the volunteers shut down the pop-up park and went home. All of this happened 70 metres from a linear park buffered by residential towers (that leads to 70 hectares of public gardens) and 150 metres from a temporary arts space partly funded by the state government. The event was open to anyone, though one could book in advance for a group workshop. Despite the 'informal' aesthetic created for the temporary encounter, Co-Design

consultant Helen Rowe remarked in an interview that "it was quite hard to engage with people who lived in the immediate vicinity" (Rowe, 2015).

The fleeting park in Melbourne was one of many events held around the world on PARK(ing) Day. It may be understood as part of a wealth of practices – now increasingly prominent worldwide – that develop imaginative and practical counter-proposals to existing dynamics of spatial production.[1] While temporary urban interventions are often discussed as a group, this masks the very different aims, modes and histories between and within these various practices. Some have very long traditions (urban gardening, for example), others are relatively new (such as parkour), some are mobile (critical mass, for example), others are site-specific (various Occupy events, for example). Some seek primarily to highlight issues; others are more focused on the material enacting of alternatives. Some work with property owners (the Toronto Committee for Public Space's fence removal program, for example), others ignore or redefine notions of ownership (such as guerrilla gardening). Some directly contravene regulatory frameworks (as in many cases of graffiti); others operate – perhaps quite creatively – within the rules (such as PARK(ing) Day). Some directly address economic and distributive justice issues (such as fallen.fruit.org); others are more playful (yarn-bombing and guerrilla knitting, for example). These binaries themselves conceal the significant diversity within these practices. PARK(ing) Day itself encompasses a vast and diverse set of actors and activities – from anarchist students to multinational corporations, from makeshift meeting places to highly designed environments, undertaken once or repeated over many years, attracting political support and police prohibition, evolving into larger and more permanent events or disappearing altogether.

Temporary urban interventions have generated numerous labels, conferences, exhibitions and symposia, and a rapidly growing literature focused on urban 'informality', unintended uses of public space, the exploration of alternative modes of spatial production and the right to the city (Bloom *et al.*, 2004; Lees, 2004; Watson, 2006; Franck and Stevens, 2007; Borasi *et al.*, 2008; Chase *et al.*, 2008; Schwarz *et al.*, 2009; Hou, 2010; Begg and Stickells, 2011; Oswalt *et al.*, 2013; Beekmans and de Boer, 2014; Lydon, 2015). This grassroots creativity is often framed as a response to the corporate-driven urban development that intensifies the commercialisation, surveillance and policing of public urban space, and pushes cities towards entrepreneurial global competitiveness.

At their best, interventionist practices propose alternative lifestyles, reoccupy urban space with new uses, and reinvent daily life from the bottom up in the pursuit of more just cities. But positive outcomes are far from guaranteed. These practices risk underpinning real estate-driven strategies for

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[1] The kinds of grassroots urbanism discussed here could be traced historically, at least to the 1960s–1970s social movements and resistance to modernist planning and design of cities, and in many instances well before then. Historical study is beyond scope of this chapter.

urban regeneration; they have also been subject to co-option for smaller scale commercial purposes. Claire Colomb's extended study of Berlin (Colomb, 2011, 2012; Novy and Colomb, 2013), for example, recounts how temporary urban practices are mobilised by local government in the marketing of a city to attract new development. The temporary placement of art and culture (with all of its creativity) in a neighbourhood can also increase land prices through decreased property vacancies (Shaw, 2014). Another tension lies in the way that these practices can potentially feed degeneration rather than regeneration. The success of such projects can sometimes encourage major landholders and government to avoid responsibility for making more comprehensive forms of community investment (Davis, 2007; Metha, 2012; Rosler, 2013). The availability of facilities such as community gardens may be seen as a distraction from the need for more essential (and expensive) social services such as housing, schools and child care. At their worst, informal urban practices have been mobilised in the service of exclusion and displacement. As Deslandes (2013) notes, many of the sites in which temporary urban interventions are deployed were far from 'empty'.

The complex entwinement of temporary urban interventions and urban regeneration is palpable on vacant land in London at 100 Union Street, where over several summers, several short-term projects – including an orchard, medicinal garden, bar and lido – have been installed (Ferguson, 2014). The various facilities take on the language of public building typologies, but do so on private property. These were interim measures on the site while the property owners, Lake Estates, waited for planning permission for a future office building. Each project was constructed with a constellation of actors. For example, the creation of the 2010 'urban orchard' included contributions from The Architecture Foundation, Bankside Open Spaces Trust, Project ARKs, Wayward Plant Registry and over 150 volunteers. Lake Estates claim that the temporary projects assist in exploring the site. The temporary bar, said the developer, "highlighted the relationship the site, and the arches to the rear, can have with the street and to the city and to understand how they can be exploited as part of the public realm. This feedback has allowed us to adjust our original plans and we are now looking at incorporating this into the final office development" (Killing Architects, 2014, p. 33).

The question of who benefits from a project like 100 Union Street is complicated. Landscape architect Heather Ring from Wayward highlights the importance of a temporary project like the urban orchard for "creating a space where people come together" (Openvizor, 2011). Yet others have questioned whether the project might in fact "conceal the social relations of power under the guise of volunteer labor, creative knowledge and the injunction to enjoy" (Urban Controversies, 2015). As Tonkiss (2014) reflects, temporary urban interventions can "serve as a thin PR exercise and provide planning alibis for the speculative developments that follow" (Tonkiss, 2014, p. 167).

Justice in the city

Beyond the widespread celebration and dismissal of such projects and practices, there is a growing body of literature that seeks a more productive evaluation of these diverse activities. This chapter adds to this critical appraisal by asking two questions: how can these practices be separated, and how can they be linked? We offer partial answers to both. The first question focuses on how to evaluate individual projects by attending to their particularities. Can some sort of taxonomy be developed to identify which aspects of these practices are indeed positive, and which are more problematic?

   In seeking to determine what might be 'positive' or 'problematic', our emphasis is on justice. We take a pluralist approach to justice, and our analysis is informed particularly by efforts to move beyond Rawlsian concerns with procedures for equitable distribution. In contrast to this, we build on a recognition that inequality and injustice result not merely from poor distributive mechanisms, but also and significantly from a failure to recognise different needs and values (Young, 1990, 2006; Fraser, 1996). The modernist ideal of rational, expert-led planning must thus give way to more inclusive, participatory city-making processes. Justice requires not the melting away of group differences, but institutions that promote reproduction of and respect for those differences (Sandercock, 2003; Fincher and Iveson, 2008; Amin, 2012). Accordingly, democratic and inclusive participation is important not merely as a means to achieve more equitable distribution, but as a substantive goal in itself. We recognise also that justice must encompass consideration of future generations and the 'more than human' world (Schlosberg, 2002, 2009; Whatmore, 2006). Sustainability is thus an important question in evaluations of justice.

   The second question assists evaluating the collective impacts of these practices on the production of more just cities by identifying the components of projects that may be transposed beyond the particular. As Mimi Zeiger and Kurt Iveson have each argued, assessing the impact of temporary urban practices – and, particularly, whether they do indeed further a more just urban politics – cannot be a matter of simply evaluating individual projects. Rather, such an evaluation must also consider whether a bigger picture is emerging, and what is its nature. Iveson (2013) argues that building a politics to connect the practices is a matter not only of *appropriation* of the particular space in question, but also of *political subjectivisation.* This second point is important, Iveson argues, because there is no guarantee that these spatial experiments will produce wider change. What is crucial is thus that practitioners make themselves "parties to a disagreement over the forms of authority that produce urban space" (Iveson, 2013, p. 942).

   Such analysis raises many questions. Iveson echoes David Harvey's (2012) point that small activities, even when aggregated, are not enough to achieve more just cities. Yet Unger (2004) critiques such Marxist reasoning,

particularly the purported need to choose between "reformist tinkering" and all-out revolution (p. 211). Unger argues that even partial substitution of beliefs and institutions could in fact effect significant changes in social ordering and hierarchies (2004, pp. 64–65). While reconciling that debate is beyond the scope of this chapter, we raise it because we see value in both claims, and wish to highlight the importance of returning to the question rather than fixing definitive measures. However, we see the distinction between the individual and the collective as fuzzy, the line between large and small-scale change as permeable, the separation between the local and the regional, and even the global, as artificial. For us, the key question in considering both how to separate temporary practices and how to group them centres on relationships over time.

We agree that there is much to be said for 'reformist tinkering', and recognise the limitations of focusing on large-scale, revolutionary legal and institutional change (Fung, 2003). We agree also that analysis of connections, and recognition of the various 'parties' involved in the process of making cities, is crucial. We are thus posing two questions because we see these two issues as connected.

Across disciplines, relational theory has become increasingly influential (Nedelsky, 1990; Massey, 2005; Nedelsky, 2013). This recognises that identities are forged in and through relations of power, trust and obligation, as well as through absence, hiatus and exclusion. Any notion of identity – of individuals, communities, cities, particular urban interventions – must thus be understood in a relational way, as permeable and dynamic, shaping and shaped by experience in the world. A growing number of scholars are developing relational theory to emphasise the way in which cities shape, and are also shaped by, social relationships about which we cannot be neutral (Singer, 2000; Massey, 2004; Cooper, 2007; Alexander *et al.*, 2008; Davies, 2012; Blomley, 2013; Keenan, 2014). Since urban places – and the planning, property and other laws through which their production and inhabitation are regulated – routinely structure relationships, there is a need to focus on the kinds of relationships we want to foster, and how different physical and regulatory structures will best contribute to those.

Our analysis emphasises not only long-term or formal relationships, but also fleeting ones. As the literature on encounter emphasises, fleeting interactions are often important to questions of justice in cities (Amin, 2002; Fincher and Iveson, 2008). For temporary urban interventions, the notion of encounter thus points to the need to examine the more transient relationships involved. Do these projects encourage hybridity and experimentation? Do they create spaces for banal transgressions, convivial encounters, dialogue across difference?

In post-earthquake Christchurch, New Zealand, fleeting individual and anonymous acts collectively made a large impression. During the major task of rebuilding the city, in which over 70 per cent of city buildings have been demolished, more than 150,000 fluorescent orange traffic cones

have lined the city streets, directing traffic around hazards, demolition sites and uneven roads. Their ubiquity has made the cones a symbol of the post-earthquake city. A year after the disaster, artist Henry Sunderland asked people to place a flower in traffic cones in order to remember lives lost and those transformed by the earthquake (Bowring and Swaffield, 2013; see Figure 10.1a and 10.1b). Flowers have bloomed out of the orange

(a)

(b)

Figure 10.1   (a,b) Flowers in traffic cones in Christchurch, New Zealand. On February 22 every year since 2012, flowers are placed in traffic cones to commemorate the Christchurch earthquakes.
Source: Courtesy of Boles, Irene, 2013.

cones annually on February 22 since 2012, and the ritual has spread beyond Christchurch in recent years to other parts of New Zealand as well as Australia, England, Singapore and Mexico (Bennett *et al.*, 2013). The anonymous act is morphing as the annual commemoration of the disaster spreads. At the Auckland Museum in 2014, flowered cones were placed at the entrance of the building; in the same year, 185 traffic cones were placed outside Auckland's Pitt Street Methodist church to symbolise the number of people who died in the quake. While the remembrance is becoming institutionalised, it mutates as it crosses cultures, communities and campaigners.

Attending to the particular

Relational theory and encounter are central in framing our inquiry into how temporary urban interventions may be separated or distinguished. As we move on to address these questions in the context of specific examples, we emphasise the preliminary and *partial* nature of the answers provided here. Significant empirical work would be necessary to provide meaningful answers; our main aim in this chapter is to identify the questions that would guide future research.

To answer this first question, then, involves two parts. First, what are the relationships by which particular temporary urban interventions are constituted? Who is involved in their conception, construction and operation? Temporary urban interventions are sometimes described as a way to democratise the production of the built environment, enabling those whose voices have been overlooked to play a role in shaping their cities (Ramirez-Lovering *et al.*, 2008; Klanten and Hübner, 2010; Oswalt *et al.*, 2013). Yet the practice of temporary urbanism is often less open than it might at first seem. To act in the urban environment, particularly in ways that challenge existing conditions, often requires a level of political and economic security and stability that precludes the engagement of many people. Recent immigrants, particularly those with uncertain residence status, are much less likely to get involved (Dagenais-Lespérance, 2015). Participants from minority groups may also suffer greater penalties if they do participate: to play with the status quo and get away with it is a privilege (Lydon, 2014).

The degree to which temporary urban practices arise out of local communities is significant, given the tendency to valorise the local in discussions of such practices. This is exemplified by Rosler's (2013) dismissal of urban interventionist practices that do not recognise the long-term, intense commitment required for 'community immersion'. Particularly in the context of interventions led by visiting artists, Rosler laments the way in which such projects may render invisible the longer term work of existing

local communities. Yet Doreen Massey's caution against the romanticising of the local is also pertinent: a high public profile, a commercial model, a relationship of distance rather than propinquity – none of these features *necessarily* precludes progress towards justice. Evaluation of temporary urban interventions – and of alternative urbanism, more broadly – requires a thoughtful and continued questioning of the relationships that produce such practices, and of the broader relationships of which they form part.

The second part of this first question about specificity requires an examination of the relationships that these practices themselves enact. Who is involved in the consumption of the temporary practice? How do they interact? Which relationships are performed into – or out of – being? Questions of privilege and accessibility are important also in the way in which temporary urban interventions are used. Even if their creation might tend to be dominated by the relatively privileged, temporary urban interventions may still provide more equitable distribution of and access to resources, or (perhaps otherwise unavailable) opportunities for play, encounter with strangers and dialogue across difference.

A playful relationship between private companies and the public was the key to an action to create debate on the many potholes in the roads of Panama City. In order to draw attention to poor road infrastructure, *Telemetro Reporta*, a daily current affairs TV show, in collaboration with advertising agency P4 Ogilvy and Mather, has created El Hueco Twitero (The Tweeting Pothole; see Figures 10.2a–d). When a vehicle drives over a puck-like device planted in a pothole, a witty Twitter message is directed via RF transmitters at Panama's Ministry of Public Works, such as "Fix me! I'm endangering lives!" and "Hit me baby one more time. OK no, just avoid me." There are some longer tweets too: "@mopdePanama, I'm tired of being blamed every time a car crash happens when drivers try to keep away from me. REPAIR THE STREETS!!! #DecentRoads" (P4 Oglivy, 2015). This entertaining way to complain about poor urban infrastructure mimics the in-real-life tactic of overloading bureaucracy with complaints and petitions in the hope that it responds to the demands.

The tweeting potholes, which are moved randomly throughout the city every few days in order to broaden their impact, draw together diverse actors. The temporary intervention is conceived by commercial media companies who then construct and operate the event in tandem with drivers who trigger Twitter. The intervention relies upon the amplification of the event through traditional and social media channels, which is then consumed by the public along with government Twitter account operators. While El Hueco Twitero draws significant media chatter about the condition of roads, there is minimal direct and physical interaction between local government or citizens and the initial protagonists. Within this particular operation, we could conclude that relationships are asymmetric and short-lived. Yet one might also examine whether these fleeting interactions open up possibilities for more

lasting shifts in the ways in which citizens, corporations and the city are – or are not – connected.

More materially, an operation constructed by media and advertising professionals could also have ramifications for road users who might otherwise have been unable to influence relevant government departments. Whilst a

(a)

(b)

Figure 10.2   (a–d) Tweeting potholes in Panama City. The Tweeting Pothole is a campaign by advertising agency P4 Ogilvy and Mather to draw attention to poor road infrastructure in Panama City.
Source: Reproduced with permission of Publicuatro Ogilvy Panama.
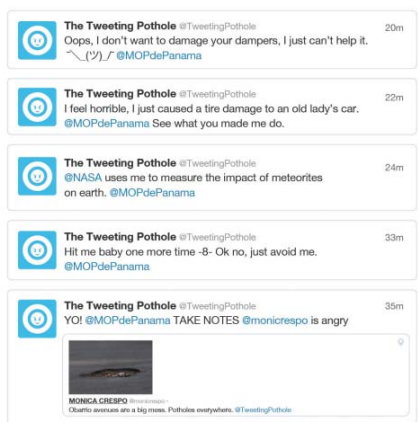
(c)

(d)

Figure 10.2   (*continued*)

fleeting, humorous (almost flippant) intervention, El Hueco Twitero also bore the possibility for challenging or entrenching the city's existing spatial relationships. Which roads were chosen? Where? Who would benefit most from their improvement?

Attending to the collective

In evaluating the impact of temporary urban interventions in the development of just cities, the second question asks: how can temporary urban interventions be linked? What is their collective import, their status (or success) as a movement, their impact in achieving more just and sustainable cities? This is the more temporally and spatially expansive question, focusing on the myriad relationships that these practices reveal, create, challenge or entrench.

One minor act, the creation of a book exchange the size of a mailbox that was a tribute to a schoolteacher in 2009, has grown into a movement with 32,000 little book libraries now located worldwide (Aldrich, 2015; see Figures 10.3–e). Individually, some little libraries contribute to stronger local relationships among neighbours, building literacy through providing reading material and encouraging cultures of sharing within the community. However, one might ask whether their collective presence could also have less desirable consequences: reducing the stock available to second-hand bookstores and charity shops, or devaluing and perhaps providing support for the downsizing of institutional libraries (Mattern, 2012).

Evaluation of impacts must, as Massey (2004) argues, recognise the importance of relationships between spaces. As cities around the world have endeavoured to increase their competitiveness by attracting and raising the profile of creative practitioners (Florida, 2012), temporary urban interventions have frequently been employed as part of those efforts. As such they have been critiqued for triggering processes of gentrification and displacement by increasing property values, feeding into exclusionary processes of place marketing and competition between urban areas, and further marginalising those people and places with less cultural capital (Andres, 2013; Deslandes, 2013; Tonkiss, 2013). In this context, ostensibly positive local practices might have other negative impacts when considered on a wider scale.

Perhaps the most common trope invoked in discussions of temporary urbanism, the right to the city, suggests two ways to approach the question of collective impact. Following Henri Lefebvre's famously open-ended exposition in 1968 (Lefebvre, 1996) – the right to the city has since been

(a)

(b)

Figure 10.3   Little libraries across the world are linked by the idea of exchanging books; however, they can be implemented by different actors – such as by local government, property developers or the community – which results in different purposes and outcomes. (a) Little Library, Montreal. (b) Little Library, Sydney. (c) Little Library, Melbourne. (d) Little Library, Berkeley. (e) Little Library, Perth.

(c)

(d)

(e)

Figure 10.3   (*continued*)

interpreted as both a claim for inclusion[2] and a call for revolution.[3] If temporary urban interventions do indeed contribute to greater justice and sustainability in cities, we might ask whether they do so by broadening or improving existing frameworks for the production of urban space, or by a more radical critique and/or re-conceptualisation of those frameworks. Again, as with the distinction between reformist tinkering and revolutionary reform, the line between the two approaches is far from clear. An important question is thus whether, and to what degree, temporary urban interventions challenge existing legal and/or power structures. More critically, why do they do so? Seeking permission from the owner, council, state government or some other authority might be useful in situations where illegality or criminality could distract from the real questions at issue. For 'Keep Australia Colourful' Day, an event celebrating the often-controversial practice of street art, ensuring that the murals painted were legal was seen as important to build the alliances necessary for more democratic transformation of urban spaces in the longer term (Iveson, 2010).

However, working within established frameworks may also have the effect of reinforcing them, particularly through activities where existing power relationships are performed (Gibson-Graham, 2008; Blomley, 2013), such as seeking permits and approvals. More cynically, less subversive interventions may also provide greater opportunities for co-option by commercial interests. Coca Cola's 'Roll Out Happiness' truck, for example, provided pop-up parks with a clear marketing focus (Beekmans and de Boer, 2014, p. 230). Rather than focusing on whether or to what degree temporary urban interventions challenge existing legal structures, a focus on the particular relationships involved allows for more nuanced examination of the issues.

Legal frameworks, and particularly legal frameworks relating to the use of land, have in many instances changed – and arguably been improved – as a result of illegal behaviour (Peñalver and Katyal, 2007). In the case of little free libraries, some of the projects have challenged planning regulations around temporary structures in several US jurisdictions. In Shreveport, Louisiana, the placement of books as acts of civil disobedience encouraged reform in a review of the municipal zoning code (Burris, 2015).

The direct challenge to property frameworks through squatting was an important catalyst in the campaign to save Govanhill Baths in Glasgow, Scotland. After serving the local community since 1917, the bathhouse in Govanhill was closed by Glasgow City Council in 2001. A public campaign

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[2] The right to the city has been incorporated by international and non-governmental organisations in policy and legislative proposals such as the World Charter on the Right to the City, and even in legislation by a number of states (Brazil, Ottawa, France). These approaches typically enumerate a range of rights as constituting the over-arching right to the city, largely by adopting pre-existing rights from other human rights instruments (such as rights to housing) (Mayer, 2009, p. 369).

[3] For example, Mark Purcell has argued that the right to the city is a radical claim that enfranchises city-dwellers with respect to *all* decisions that produce urban space, thus extending participation beyond citizens and beyond just those decisions involving state action (Purcell, 2002).

Figure 10.4   Govanhill Baths, Glasgow. The main pool of Govanhills Baths is now used as a theatre space.
Source: Edwardx, https://commons.wikimedia.org/wiki/File:Govanhill_Baths,_Glasgow_24.JPG# /media/File:Govanhill_Baths,_Glasgow_24.JPG under 3.0 by https://creativecommons.org/licenses /by-sa/3.0/.

to reopen the pools developed almost immediately, including activists occu-pying the building for 140 days in 2001 until the police forced them out (Paddison and Sharp, 2007). The local community continued to campaign for the reopening of the facilities under the auspices of Govanhills Baths Community Trust. In the interim period, it co-ordinated several temporary projects within the space – art installations, a skate park, theatre perfor-mances (see Figure 10.4) and music gigs – which temporarily reimagined the site. After years of campaigning, the building was reopened as a community hub in 2012, and is now being revitalised in three stages, which includes recommissioning the swimming pools.

Conclusion

On the pages of a glossy magazine, a blog or Instagram, various temporary urban interventions can easily be conflated. What we have addressed in this chapter is the need to look closer, beyond their form, at the relations that constitute and are constituted by these practices. More specifically, we have sought to reckon with both the particular and collective opportunities and

dilemmas they invoke as interventions that are oriented towards questions of justice in the city.

Our focus has been on identifying the questions necessary for a critical consideration of temporary urban interventions. Two questions were posed as especially pertinent. First, how can these practices be assessed individually – how can their particularities be comprehended and evaluated? Second, how can alternative practices be assessed collectively – how can we identify their broader, collective contributions to developing more just and sustainable cities? For us, the crucial issue in addressing both of these questions centres on relationships, through which we can consider the way in which these practices might contribute to efforts to increase spatial justice. As we move beyond the brief examples sketched above, a thicker examination of various temporary urban interventions may in turn reveal ways in which this two-part analytical framework could be refined.

Reflecting on our preliminary analysis, the extent to which temporary urban interventions and practices should be insurrectionary or subversive remains open. Smaller scale approaches – 'reformist tinkering' – may harbour more potential to embed temporary urban interventions into broader struggles for justice in the city. More cynically, however, they may also provide greater opportunities for co-option by commercial interests. In seeking to examine temporary urban interventions and their impacts, it is important to recognise the limitations of focusing on linear, large-scale, revolutionary legal and institutional change that may result from their proliferation. Change – and progress towards justice in the city – can be evolutionary rather than revolutionary and become evident long after the temporary project has ceased, as transitions occur through the accumulation of many casual interactions at different scales. Change can stem from an experimental outlier, and it can also fail to result from an action that in other instances has produced positive outcomes. As temporary urban interventions are increasingly adopted in cities worldwide, on-going attention to relationships – both the particular and the collective, the proximate and the distant – must be emphasised.

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11

Planning, Property Rights, and the Tragedy of the Anticommons: Temporary Uses in Portland and Detroit

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Introduction

This chapter attempts to expand understanding of temporary uses as a tool for revitalization by using the framework and literature of the Tragedy of the Anticommons and of informality. It explores how temporary uses have emerged as a potential solution to the twisted collection of intersecting property rights and regulations that have limited the redevelopment, rehabilitation or reuse of underutilized properties. It begins with an explanation of the concept of the anticommons and an analysis of underuse and stalled revitalization using this lens. Particular emphasis is placed on the underlying logic of US planning and regulatory regimes in both hindering the development of temporary uses and providing spaces for their creation. This framework is then used to examine how actors have attempted to navigate the uncertain position of temporary uses within these local regimes through the presentation of two examples: food carts in Portland, Oregon, and pop-up shops in Detroit, Michigan. These examples are used to highlight specific challenges faced in the complicated task of navigating local land use regulations, retail markets, political environments, and informality to successfully create viable activities that contribute to revitalization.

The Tragedy of the Anticommons

The concept of the anticommons was developed by Michael Heller in 1998, building on a concept introduced by Frank Michelman in 1982. Conceptually, the Tragedy of the Anticommons was described as symmetrical to the Tragedy of the Commons. The Tragedy of the Commons describes a situation where too many actors hold the right to use a particular resource and lack the right to exclude others with the same right from using that resource. Behaving rationally, each individual actor will maximize their use of the shared resource even if this results in overuse of the resource to the point of its destruction (Hardin, 1968). Typically cited examples of Tragedies of the Commons are overgrazing, overfishing, and climate change (Heller, 2008). In contrast, an anticommons exists where every individual in a society has the right to exclude all others from the use of a given resource; that resource can be used only with the unanimous consent of all members of the society. As a result, the resource is prone to underuse, sometimes to the point of being unused altogether (Heller, 1998).

As a thought experiment, the Tragedy of the Anticommons was fascinating, but not terribly useful because it was nearly impossible to identify a real-world example of this type of scenario. Building from this initial concept, Heller (1998, 2008) elaborated a situation where not everyone, but instead a limited number of actors, possesses the right of exclusion. In effect, no actors have privilege of use, and each actor requires the cooperation or permission of others to use the resource. Using the case of post-Communist Russia, Heller used the anticommons to explain the proliferation of both empty storefronts and informal street kiosks. In this case, four main actors possessed overlapping rights to commercial storefronts: owners, users, investors, and regulators. Without the cooperation of each actor, the storefront would remain empty. In contrast, operating an informal street kiosk was comparatively simple as it only required the assent (and payment) of only two actors, the police and the mafia (Heller, 1998).

Heller's original (1998) and more recent (2008, 2013) analysis of the problem of anticommons has focused primarily on property rights, specifically that "wasteful underuse can arise when ownership rights and regulatory controls are too fragmented" (Heller, 2013, p. 10). Others have emphasized the problem of coordinating and assembling those rights (Schulz *et al.*, 2002; Fennell, 2009). Fennell (2009) describes the anticommons as being primarily a problem of assembly. Assembling the fragmentary rights held by different actors into a single whole requires incurring transaction costs (often from simply finding out with whom one must negotiate) and overcoming strategic holdout behaviour. The more actors that are involved in this process, the more difficult it becomes as "misreadings and miscalculations become more likely … and mundane transaction costs associated with identifying and communicating with the other parties rise as well" (Fennell, 2009, p. 14).

Anticommons and real estate development

The literature on the anticommons suggests, and I argue here, that real estate development is particularly vulnerable to this dilemma, because it is more prevalent in situations where vertical exclusionary rights exist, where there are few substitute goods, where projection of future value is difficult, and where delivery is 'lumpy' (Schulz *et al.*, 2002; Fennell, 2009). Real estate development in the United States often requires navigating multiple layers of hierarchical, sequential review and permitting, often involving multiple levels of government, and this increases transaction costs and coordination difficulties. As each individual property is essentially unique – even the exact same building on a different parcel is not a perfect substitute – real estate is particularly prone to strategic holdout behaviour. Real estate typically has a very long usable life compared to other goods, potentially lasting through multiple economic cycles and multiple changes in consumer preference, making miscalculations of its most efficient use and potential value more likely. Finally, while certain financial instruments can spread the return on a real estate development out over a longer period of time, real estate development is inherently lumpy, potentially increasing holdout behaviour.

My argument here is that, while Heller's example was of post-Communist Russia, the situation occurring in many US cities with regard to redevelopment can be described as an anticommons scenario. The abundance of vacant lots, abandoned buildings, and empty storefronts in some locations may not be simply the result of a lack of market demand for goods, services, or real estate. Instead, an anticommons exists where the participation of too many actors is necessary to successfully redevelop, reuse, or revitalize these properties. Property owners and government regulators both have direct rights to exclude, while investors, users, and often neighbours may possess actual or de facto rights of exclusion. 'Strategic' positioning by these actors and the high transaction costs associated with assembling their cooperation may prove too substantial a barrier. This argument is implicit in much of the literature on temporary uses that advocates using temporary uses where permanent development is infeasible or "the realisation of the future function is delayed for various possible reasons, including planning processes, financial complications or unexpected technical issues" (De Smet, 2013, p. 2).

As with Heller's original case, the successful execution of a real estate redevelopment in the United States typically requires the cooperation of property owners, investors, regulators, users, and possibly neighbours. Property owners will seek to maximize the rent or value they can extract from a property. In doing so, they may misread the market, overvaluing their property or setting rents too high for users, particularly new, start-up businesses. Based on these assumptions, they may choose to hold out with the hope that they will eventually be able to secure their asking price or rent and lease terms.

This problem was particularly pronounced during the recent Great Recession when many property owners retained unrealistic expectations about their properties based on the previous market. Property owners may also be constrained by equity partners or an existing mortgage that requires a specific return. In many cases, the desire to bring in a tenant to glean some rent is overridden by the need to generate a specific net operating income or a fear of extending a long-term lease cutting off the ability to sign a more lucrative tenant.

While they are not always involved, most redevelopment projects in the United States require the participation of lenders or equity partners. There are a limited set of circumstances where public financing for development exists, and these programs almost universally require leveraging of private financing. Reliance on private financial partners affords them real or *de facto* rights of exclusion. Lenders and equity partners will demand that certain benchmarks be met in order to extend financing which may be difficult to meet in redevelopment projects, particularly those in weak markets. Lenders or equity partners may also be familiar with specific markets or products and less willing to extend financing to projects outside these knowledge areas. Additionally, lending standards in the United States were tightened after the Great Recession, limiting individual lenders' judgment about the suitability of a project, and making it more difficult to undertake a redevelopment of a vacant site or a renovation of an outmoded space. New regulatory standards imposed to avoid the lax underwriting that facilitated the downturn may limit investor interest in projects with greater perceived risk. Lenders may also finance the users of redevelopment sites. New, start-up businesses may seek to enter an untested market, may be unfamiliar to lenders, or may lack a proven track record. In both cases, the transaction costs associated with identifying, negotiating, and securing financing may be prohibitive.

Users may also possess real or *de facto* rights of exclusion. They may demand certain types of spaces or they may be capable of paying only a certain level of rent. These may not match those offered or required by the property owner. Also, available units may be too large or too small or lack the improvements to facilities such as electricity or ventilation necessary to accommodate the tenant. For existing sites, users may also have long-term leases that afford them veto power over redevelopment proposals. Users without leases might also make claims on the space, citing squatters' rights or using popular appeals to support their claims.

Neighbours often have partial veto power over redevelopment projects as well. Neighbouring residents, businesses, and property owners can intervene in approval processes, raising official or unofficial protests and appealing against regulators' decisions. Some cities also recognize official neighbourhood organizations and require that they be informed and consulted on certain development decisions prior to issuing a regulatory

decision. All of these can complicate or stymie a proposal either by leading to an outright rejection by regulators or by adding costs through required changes or delays.

Planners and regulators can also complicate the ability to quickly or easily revitalize vacant space. Regulations including zoning and building codes are designed to promote order and efficiency and to protect health and safety. Obtaining approval to redevelop or rehabilitate a property involves processing fees, document requirements, staff reviews, and on-site inspections, which can impose substantial transaction costs. In simple cases, it may only be necessary to seek a Certificate of Occupancy verifying that a user is allowed to occupy a space. However, redevelopment of a site, substantial renovations or tenant improvements, or a change in use[1] can trigger a more comprehensive review. The approval process is often multilayered with applicants needing to satisfy multiple regulators reviewing the proposal's compliance, typically in sequence (that is, zoning approval is required before seeking building approval). In many cases, additional reviews such as environmental assessments are required or public incentives such as tax credits are sought which may involve interaction with an additional level of government or quasi-governmental agency. In many cases, the specific actors within these agencies tasked with reviewing proposals do not have the authority to deviate from the specific standards set forth in plans, codes, or rules. Finally, plans and regulations in the United States tend to focus on the long-term, 'permanent' use of a site. These long-term projections can lead to miscalculations or disagreements about the most efficient or equitable use, resulting in holdout behaviour.

Anticommons, informality, and temporary use

The role of plans and regulations in creating an anticommons situation bears additional exploration, particularly as it relates to temporary uses. As described in the Introduction to this chapter, the literature on temporary uses includes extensive discussions of how temporary uses can provide solutions to many of the problems presented above, including providing cash flow, reducing up-front costs, testing concepts, and activating spaces (Blumner, 2006; Haydn and Temel, 2006; Overmeyer, 2007; Oswalt *et al.*, 2009). In essence, temporary uses temporarily resolve an anticommons by providing incentives to avoid strategic holdout behaviour (for example, property owners holding out for the most lucrative user) and reducing transaction costs

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[1] Change in use reviews are required when changing from one use class to another, such as from office to retail, but may also be triggered by changes within a category if the uses are not sufficiently similar. For example, a review would not be required for a change from a millinery to a flower shop, but would be required for changes from a bank to a boutique or from retail to restaurant.

(for example, legal costs associated with lease negotiations). Conversely, public sector plans and regulations and bureaucratic inflexibility in applying these regulations are often cited as being an impediment to temporary uses. While there are benefits to the public sector from allowing temporary uses, doing so undermines a fundamental justification for the plans and codes they are enforcing.

The most common types of plans and regulations governing real estate development in the United States – comprehensive plans and zoning ordinances – are predicated on identifying long-term, 'permanent' uses for sites. This serves several purposes. First, comprehensive plans are intended to provide a guide for capital improvements expenditures. The longtime frame of these plans is intended to better match the time horizons for large capital improvement projects and to insure that capital expenditures are made in a way that best supports future growth. Second, it provides a guide for property owners, investors, business, and residents on intended future growth, allowing them to calibrate their own plans and investments to match. Zoning codes, like the plans on which they are (usually) based, present a snapshot of the pattern of 'permanent' uses that are desired, or at least acceptable. Third, both comprehensive plans and zoning codes represent built consensus. Significant time, effort, and capital are expended to arrive at a broadly acceptable agreement on what constitutes an appropriate future for a city.

The problem facing public sector regulators is that public sector plans and regulations are not intended to promote temporary uses or facilitate immediate, flexible responses to changes in demand. Rather, they are to provide certainty. Yet part of their strength comes precisely from this lack of flexibility. Early arguments in favour of zoning made this case explicitly.

> *With a city entirely zoned, they [realtors] could assure purchasers of residential property that their neighbourhoods would never be encroached upon by business, while on the other hand, zoning would give business property a touch of monopoly value … with the definite implication that such action on the part of the public authorities had resulted in giving the property a higher and more assured value than it would otherwise have. (Munro, 1931, p. 203)*

Changing plans or regulations, granting exceptions, or allowing temporary uses too often would undermine this confidence and devalue the consensus represented by a plan. Returning to the anticommons framework, planners and regulators have a very strong incentive to engage in strategic holdout behaviour and not to encourage long-term or even temporary uses that deviate from the agreed permanent use.

This dilemma may explain why observers of temporary uses have noted a tendency for temporary uses to seek out informal spaces and solutions. One group advocating more temporary and interim uses in Cleveland acknowledges that actors might find it simpler to act illegally than to try to conform to plans and codes, encouraging actors to "do your best to follow all the

rules and keep everything by the book, but you make compromises and take short-cuts when absolutely necessary" (Pop Up City, 2014, p. 1). While some temporary uses have engaged in illegal activities, many have sought out the 'spaces of exception' created by planning and regulatory regimes (Roy, 2005; Porter, 2011). A widely cited example of this is Park(ing) Day, where groups pay parking meters and then temporarily turn the parking spaces into miniature parks. While turning a parking space into a park is not strictly permitted, neither is it specifically prohibited. The silence of most plans and zoning codes on temporary uses creates an opportunity (and challenge) by situating them in an ambiguous position. They are not the permanent uses formally allowed to exist, but they are not specifically excluded either. Rather, they are informal uses that exist outside the bounds of, or within the unregulated spaces created by, the normal planning and regulatory regime.

Many temporary uses exist, at least initially, in these informal spaces. This position is often seen as a challenge requiring revision to local plans and policies to formalize it. Formalization of these informal uses is typically dictated by powerful interests (Gebhardt, 2013). Returning to Heller,

> *existing rights-holders, including local government agencies and the private actors who have invested in reliance on the current property regime, may cling tenaciously to their rights. Many now have plausible claims that their rights have vested, and redefining rights to bundle them more sensibly would amount to a compensable taking of their property.* (1998, p. 641)

The tendency toward informality also appears in the solutions that have been devised and advocated to respond to the constraints imposed by planning and regulatory regimes. Rather than deviations from existing plans and regulations, solutions focus on lowering transaction costs through informal activities and policies, such as dedicated staff to provide technical support and facilitate permit applications, permitting and licensing templates, site inventories of spaces for temporary use, and informal coordination across government departments and agencies (Blumner, 2006; Haydn and Temel, 2006; Overmeyer, 2007).

Case studies

This section presents two case studies that highlight several aspects of temporary uses and their relationships to the anticommons and informality. The first case, food carts in Portland, Oregon, examines the ambiguous and informal space often occupied by temporary uses and the ways in which allowing these uses can lead to their entrenchment. The second case, pop-up retail in Detroit, Michigan, explores the emergence of an active program to use temporary uses to revitalize neighbourhood commercial districts and the difficulties of translating between the temporary and the permanent.

Food carts in Portland, Oregon

Unlike many cities, Portland has long allowed street vending and street food. Hot dog carts, catering trucks, and coffee carts were fairly common activities by the mid-1990s. All food service businesses in Portland, including food carts, were and are required to obtain a license from the Multnomah County Environmental Health Department and are subject to semi-annual inspections. Up until 1997, these licensing regulations prevented mobile food vendors from preparing food on-board or from occupying a location for more than a few hours at a time. Instead, food had to be prepared at a commissary to which the mobile unit had to return every evening. Rule changes in 1997 allowed food to be prepared on-board and units to remain parked in a single location provided they remained capable of moving. These changes, and the relatively low cost of obtaining a license, facilitated growth in mobile food vendors in the county from under 100 in 1997 to over 300 in 2000 and nearly 800 in 2013 (Multnomah County Health Department, 2014).

While these rule changes allowed more freedom for food carts to operate, they initially occupied a legally ambiguous position under City of Portland codes. Food carts operating in the public right-of-way are subject to elaborate and detailed rules regarding location, design, and hours of operation (Portland Municipal Code Section 17.26). However, no such regulations existed to govern food carts operating on private property. These food carts occupied an informal space left by the regulatory regime as they were neither explicitly allowed nor explicitly prohibited by Portland's codes or regulations. Growing interest in food carts in the early 2000s put pressure on the city planners to develop a formal approach for regulating the operation of food carts on private property. Rather than create a new ordinance and set of regulations, city planners chose to reinterpret existing codes. As long as they were less than 16 feet in length and had a working axle and wheels allowing them to be moved at any point, food carts were deemed commercial vehicles. They were allowed to operate on private property in non-residential zones and exempted from most zoning and building codes. Food carts could not have any permanent structures – awnings or canopies could not touch the ground – and had to be fully self-contained – they could not have plumbing facilities (City of Portland, 2014). This flexible interpretation of the city's Zoning Code accommodated food carts by allowing them to operate more freely, but this did not remove similar barriers to other temporary uses which remained difficult to develop (Dann *et al.*, 2009).

Interest in food carts swelled during the Great Recession amongst both entrepreneurs (many of whom had lost and/or were unable to find employment) looking to start an inexpensive business and property owners searching for a way to secure some return on underused property (Burningham, 2009). The initial investment required to obtain and outfit a

functioning food cart was as little as one-sixth the amount required to secure and furnish a brick-and-mortar restaurant, and property owners could secure between $400 and $1000 per month in rent from a food cart on a simple, month-to-month lease with few site improvements (Forbes, 2012; Wallace, 2014). Studies of Portland's food carts indicated that they were generally viewed positively by neighbours and property owners, particularly for their contributions to 'street vitality' and 'perceptions of safety'. However, the more intense use of the site raised concerns about negative impacts, especially related to parking and trash (Kapell *et al.*, 2007, pp. 24–25; Rogers and Roy, 2010).

As a result of the regulatory regime adopted by the city, Portland's food carts have clustered into food cart pods on private parcels throughout the city. This spatial arrangement is quite different from that of other major US cities and has contributed to the positive regard with which Portland's food carts are held. Portland's food carts are now widely known for creating highly eclectic environments both aesthetically and gastronomically. Each food cart pod has its own identity which is often associated with the neighbourhood within which it resides. Downtown pods typically lack amenities, while many neighbourhood pods have tents, seating, and restrooms. The pods have created activity on numerous formerly vacant lots or along the edges of parking lots. While estimates of the total impact vary, food carts have also had a positive effect on tourism.

The development of food cart pods on private property has allowed the development of a unique food cart culture marked by diversity and longevity. While the long-term, stationary nature of Portland's food carts is an important element of their success, this has also resulted in the entrenchment of these temporary uses. Portland's real estate market has recovered from the Great Recession, and there is significant demand for land for development. Over the last year, development proposals were announced for two long-running food cart pods. The resulting outpouring of support led to the rescinding of one of the proposals. The property owner of a third pod received an unsolicited bid for his property, but rejected it in favor of keeping the food cart pod. One of the first and best-known of these pods is located on a prominent parking lot near the center of downtown. While this parking lot has long been identified as a prime development site and falls within an area with the most permissive zoning in the city, the owner of the parking lot has expressed no interest in developing it further. The guaranteed return from the food carts and the potential negative reaction to the carts' removal outweigh any potential return from a new development. The entrenchment of many of Portland's food cart pods raises interesting questions about what constitutes 'temporary'. While these pods continue to be regarded as temporary by the property owners, operators, and regulators, they remain in place indefinitely.

Pop-up retail in Detroit, Michigan

Detroit is a well-known example of a shrinking city, having lost 63% of its population since its peak in the 1950s (World Population Review, 2015). Within this context, pop-up retail has become a popular component of revitalization strategies over the past several years because it offers a potential solution for few proven markets, shrinking market bases, and high retail vacancy rates. Temporary retail uses have emerged as a way to demonstrate market demand, increase vitality, create an identity, and cultivate entrepreneurs.

A variety of neighbourhood actors have worked as facilitators of temporary retail, including business improvement districts, neighbourhood organizations, and community development corporations focused on commercial development. In addition, a city-wide program called REVOLVE has been started by the Detroit Economic Growth Corporation, an organization working to promote neighbourhood economic development. This program is specifically aimed at using temporary, pop-up spaces to recruit new businesses, encourage public and private investment, and change the image and narrative of neighbourhood business districts (Revolve Detroit, 2014, p. 9). They recruit, vet, and link potential businesses and properties in target neighbourhoods. They assist start-up businesses with training, support, and funding. They provide a checklist for potential pop-up businesses that explicitly identifies costs and processing times for required tasks including business licensing, permitting, and lease negotiations (Revolve Detroit 2014, pp. 27–30). Also provided is contact information for permitting, insurance, and equipment rentals as well as sample lease agreements.

One example of the use of pop-up retail spaces is the Chalmers Square redevelopment in the Jefferson-Chalmers retail district near the boundary of Detroit and Gross Pointe. Chalmers Square was a redevelopment project that renovated three vacant, historic buildings into a mixed-use building with 47 affordable apartments and 17,000 square feet of retail space. The project was put together over a ten-year period by the local business association, who facilitated transfer of the buildings from city ownership to the private developer and the completion of the Phase 1 environmental site assessment. While the residential units were absorbed fairly quickly, the retail units were not (Jefferson East Business Association, 2013). The Jefferson East Business Association, working with the property owner and the American Institute of Architects, developed a plan to open the spaces for pop-up retail. Seven pop-up retailers were recruited to fill the five storefronts to operate on a temporary basis during the annual Jazz on Jefferson music festival. The event was dubbed June on Jefferson and ran through June and July 2013, succeeding in both providing short-term cash flow for the property owner and allowing several new businesses the opportunity to test the market (Clark, 2014).

One of the new businesses that operated during the event, the Coffee and (_) shop selling coffee and whatever baked goods the owner felt like making that day, chose to transition from a temporary to a permanent use. The temporary unit lacked permanent improvements, including kitchen facilities. During the pop-up run, the owner baked the goods at a separate location and brought them to the shop. The shop attracted a strong neighbourhood following, but closed at the end of its predetermined temporary run. After a short hiatus, the owner decided to attempt to open a permanent business in the temporary location with the strong support of neighbourhood residents. Coffee and (_) was allowed by the city to reopen the temporary business while undertaking the necessary work to prepare the space and acquire the necessary approvals (Trudeau, 2013).

Despite having the support of the Business Association and a cooperative city staff, the process has lasted over a year. Initially, the city threatened to force her to close the shop while she pursued her permanent Certificate of Occupancy at the expiration of the Temporary Certificate of Occupancy. After the intervention of the Business Association, she was able to stay open for the duration of the process (with only a brief closure to finish construction). It took months of work to comply with historic preservation, building, and sign permit requirements (Trudeau, 2013, 2014; Revolve Detroit, 2014).

Revolve Detroit uses this case as an example of the difficulties of transitioning from temporary to permanent use. The lessons learned from this particular case are instructive. They highlight the significant difference between planning for and executing a temporary use and a permanent use. Additional due diligence is necessary to understand the existing space and what level of investment and approval will be necessary to maintain a permanent business in that location (Revolve Detroit, 2014). Designing, financing, and building a permanent space require knowledge and expertise well above those needed to cobble together a temporary space. Interior space, fixtures, furniture, and signage that might have previously been borrowed or rented, one of the hallmarks of temporary uses, must now be bought or built. Permits for permanent uses are considerably more expensive than those for temporary uses. The level of scrutiny applied to permanent uses by the local authority is also much higher. Permanent uses must meet all city codes including zoning, structural, mechanical, plumbing, and electrical.

While temporary uses may be allowed to operate in spaces not intended for that type of use (for example, the coffee shop occupying a retail space without a kitchen), permanent uses may not. Changes in use, even those that may not require a zoning amendment such as a change from a retail to a restaurant use, may trigger an additional review resulting in added time and cost. Even without a change in use, becoming permanent will require obtaining a Certificate of Occupancy. Technical assistance on a variety of subjects, including business operations, access to capital, legal assistance, and local authority approvals, is very often necessary to insure a successful

transition from a temporary to a permanent use. Lease negotiations can also be time consuming and complicated.

Conclusion

The two cases presented in this chapter illustrate that temporary uses may be valuable contributors to revitalization. The Tragedy of the Anticommons may help to explain why some uses, particularly temporary uses, may be difficult to develop by drawing attention to the role of fragmented property rights, heightened transaction costs, and rigid regulatory regimes in complicating revitalization activities. They demonstrate the ability of temporary uses to provide a short-term solution to the anticommons and emphasize the importance of providing an avenue within planning for temporary uses. However, these cases also reveal some of the potential drawbacks of temporary uses, including entrenchment and transition problems.

In the case of food carts in Portland, food cart owners were able to identify and occupy an informal space within the regulatory regime by locating their carts on private property. This helped resolve an anticommons by greatly simplifying the process and relationships these owners needed to navigate to develop and operate their carts. Supportive property owners and politicians provided space for planners to formalize this arrangement by permissive interpretation of existing ordinances and codes, navigating a narrow path between upholding existing plans and codes and facilitating the temporary use of vacant lots and parking lots. While this manoeuvre is widely regarded as successful, as Portland's food cart pods have gained local and international acclaim, they have also become deeply entrenched. The strong claim asserted by the food cart operators to the sites they now occupy has created a new anticommons, albeit one that might not be particularly tragic. However, it does serve as a cautionary note.

The Detroit case vividly illustrates the use of temporary use to activate vacant retail space and reads like an example of best practice. As part of a larger citywide effort to use pop-up retail to attract small entrepreneurs and investors to struggling commercial districts, the June on Jefferson event achieved multiple ends. It filled Chalmers Square's empty retail spaces temporarily, providing the property owner with a short-term return and the business operators with an opportunity to test the market and their concepts. The event also raised the profile of the commercial district city-wide. The process was facilitated by a city-wide non-profit and a neighbourhood business association working with a receptive city government which lowered the transaction costs for the actors involved. The event also resulted in a best-case scenario with one of the pop-up retailers deciding to transition to a permanent use. However, the process of transitioning was very difficult with the regulatory regime creating particularly significant barriers. The

transition took much longer and was much more costly than anticipated. This demonstrates that, while temporary uses may provide a short-term solution to an anticommons, they do not necessarily resolve it.

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12

Valuation and the Evolution of New Uses and Buildings

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Introduction

It is a basic tenet of urban economics that redevelopment will occur when the value of land for new development exceeds its value in its current use by the cost of demolition (Munneke and Womack, 2014). Additional value may be generated by some combination of: increases in the density or functional efficiency of established forms of development; shifts to higher order, more highly priced, extant uses; or the introduction of new, more profitable, building forms or uses. Advocates of temporary uses argue that second-hand spaces support the evolution of the latter. Such spaces provide a permissive, low-cost environment within which innovative new uses and structures may be tested (see, for example, Ziehl *et al.*, 2012). In this way, temporary uses contribute to faster and more flexible urban change.

However, there has been surprisingly little consideration of the way that new uses, locations and building types evolve. Partial exceptions include studies of retail warehouses (see, for example, Henneberry, 1987b; Brown, 1990; Swain, 2003) and science and business parks (see, for example, Henneberry, 1984, 1987a, 1988). These show that the emergence, diffusion and acceptance of new uses and built forms is a long, contested process. The market can only price these developments accurately and policy can only support them effectively when they have become formalised and established. This has significant implications for the role of temporary uses in urban development. If innovative uses and building designs cannot be priced or are

significantly underpriced, then redevelopment will slow or stall and cities' ability to cope with change will be impaired.

We address this issue in three stages. First, we establish a theoretical framework. This is based on cultural economy and focuses on the way that actors involved in production and consumption work together to fix the characteristics of a good, so that it can be traded. We elaborate the framework by considering how a good, once defined and quantified, is made calculable. This is a pre-requisite of valuing and valorising the good. Second, we consider how some of these operations are performed in relation to real estate by examining the dominant approach to valuation, the comparative method. We explore how the method is applied to innovative new buildings and uses and its effect on their development. Third, we conclude by identifying the implications of comparative valuations for the process of change in the urban built environment.

The acceptance of the new

Constructing goods and making markets

Markets provide settings where actors on the supply and demand sides develop mutual understandings about one another's needs and the ways that these may be embodied in goods. In this way, markets help to develop and formalise rules and conventions for actors' behaviour and their relations with one another. It is only when reliable assumptions can be made about these matters – when there is a sufficient level of trust that expectations about them will be fulfilled – that markets can function effectively (Callon and Muniesa, 2005).

The use of the plural is fundamental here. There is no such thing as 'the market'. "Instead, there are markets and markets; and then there are more markets" (Law, 2002, p. 25), each framing transactions of different types of good or service. Araujo (2007; drawing on Barrey *et al.*, 2000; Miller, 2001; Callon *et al.*, 2002; Power, 2004; Callon and Muniesa, 2005) argues that, for a good to be traded, its properties must first be stabilised and singularised. Only when the qualities and quantities of a good are clearly defined and fixed does the consumer and producer know what s/he is buying and selling. The processes of objectifying and distinguishing a good's properties occur simultaneously. The work is done by many and varied agencies that contribute to the financing, design, production, marketing, sale, purchase and consumption of the good. Each agent has a particular set of expertise, tools, practices and capabilities. They may cooperate, compete or be unconnected with one another (Callon and Muniesa, 2005).

Specific assemblages of agencies with particular sets of competencies support the development of various goods and the operation of markets for them (Barrey *et al.*, 2000). Special attention has been given to the highly

institutionalised processes of counting, calculation and control pursued by these agents because "It is through [these] … practices … that the disparate ways of producing and providing goods are made visible in economic terms" (Miller, 2001, p. 394, square brackets added).

Calculative practices have three dimensions (Miller, 1994): their technologies (incorporating language, techniques and procedures), their rationales and their relations with the wider economic domain. Particular technologies require actions that conform to the logic of the calculations undertaken. For example, the introduction of DCF (discounted cash flow) analysis of investments altered the way that opportunities were represented (to) and assessed by managers. In turn, calculative technologies are mobilised by underlying rationales through which economic processes are made operable. For example, choice may be exercised through managerial decisions based upon evaluations of investment opportunities. This rationale – that the technology enables the making of choices in markets – provides support for its further elaboration and diffusion. By these means, calculative practices (re)constitute the economic domain. Theoretical, economic abstractions such as complementarity and substitutability are made real in particular forms such as definitions of goods and comparisons of them.

Three things (at least) follow from this conceptualisation of goods and markets. The first is that agents are continually involved in the processes of the qualification and quantification of goods: the definition and 'fixing' that allow goods to be subject to calculation and valuation. The second is that the nature and distribution of calculative power between agents in an assemblage (the form of the prevailing calculative regime) will frame the evolution of the assemblage and its related good(s) and market(s). The dominant agents, practices and goods set the terms of exchange (Lovell and Smith, 2010; after Callon and Muniesa, 2003). The third is that there is a constant tension between stability and change.

As markets, goods, technologies and institutions become more established and formalised, the processes of calculation and exchange become easier because uncertainties are reduced for market actors. But while these conditions allow markets to operate more successfully and effectively in the short term, they present barriers to long-term change (Callon *et al.*, 2002). The path from innovation to acceptance for new goods or for methods of quantification or calculation related to them becomes long and challenging.

Examining the evolution of a good

The above elements of cultural economy provide a framework within which to examine the evolution of a good (see Figure 12.1). A good may evolve from an innovative novelty to a widely accepted and used product. Essential to this process is the definition of the good. It must be qualified and quantified if it is to be calculated and valued. This work is undertaken by the assemblage of agencies involved in the development and trading of the good

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┌─────────────────────────────────────────────────────────────────────┐
│  Relation with wider economic domain (e.g. market economy)            │
│  ┌─────────────────────────────────────────────────────────────────┐ │
│  │  Rationales for behaviour / practices (e.g. exercise of choice,   │ │
│  │  promotion of competition, pursuit of efficiency etc.)            │ │
│  │  ┌───────────────────────────────────────────────────────────┐   │ │
│  │  │  Assemblage (of agencies) around good(s) / market(s) that │   │ │
│  │  │  undertake research, design, finance, production,          │   │ │
│  │  │  marketing, purchase, consumption                          │   │ │
│  │  │  ┌─────────────────────────────────────────────────────┐  │   │ │
│  │  │  │ Evolution of good: introduction – growth – maturity │  │   │ │
│  │  │  │ – decline                                           │  │   │ │
│  │  │  │ Definition of good: qualification – quantification  │  │   │ │
│  │  │  │ – calculation – valuation                           │  │   │ │
│  │  │  └─────────────────────────────────────────────────────┘  │   │ │
│  │  │  Calculative practices: language, techniques, procedures  │   │ │
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Figure 12.1   The evolution of a good.

through design, production, marketing, purchasing and so on. Such work, particularly the calculative practices brought to bear by these agents – and the language, techniques and procedures embodied in them – influences the social construction of the good. The assemblages and calculative regimes are underpinned by rationales that reflect the nature of the prevailing wider economic domain.

Moreover, the new good must evolve in an environment that – at least initially – is populated by established assemblages applying established calculative practices. In order to survive and develop, the good faces a fundamental challenge. It must subject itself to and comply with the requirements of the dominant agencies and (calculative) practices to gain their support. The achievement of compatibility and acceptance will take time and comes at a price. Alternatively, promoters of the good may try to alter the make-up of the assemblage and the nature of the (calculative) practices that it pursues. In this way, the new good will disrupt old ways and introduce new ones that may reinforce or undermine existing economic rationales.

We use this framework to examine important aspects of the evolution of new urban land uses and buildings. Our focus is on the calculative practices that relate to the valuation of real property. We focus on the comparative approach to property valuation. We consider the agents that perform, use or otherwise benefit from this practice. We examine how this calculative regime influences the definition and development of new types of property. The comparative approach to valuation is conceptually simple and its application is ubiquitous. It is the most commonly used property valuation technique. Comparison is also applied to many other goods in other markets both by professionals and by the general public. It therefore provides an accessible subject. But, precisely because of its ubiquity and simplicity, the material influence exerted by comparison on, *inter alia*, urban development often goes unrecognised.

Our exposition of the comparative approach to valuation and its related techniques and procedures is based on two sources. First, a review of the standard valuation texts used on surveying courses that have been accredited by the Royal Institution of Chartered Surveyors (RICS), the relevant professional body. Second, an analysis of the documents produced by the RICS through which it controls the conduct of the comparative approach in practice. This is followed by a consideration of the way such practice may affect the evolution of new types of property. This is based on a review of relevant literature and exploratory in-depth personal interviews with a valuation academic, senior valuers in a property valuation firm and a bank, and a representative of the RICS.

The comparative approach to property valuation

Defining the subject of valuation

Before a good can be valued, it must be defined and quantified. This process has become highly formalised in relation to the measurement of the physical extent of real property. The RICS, the profession that regulates valuations in the United Kingdom, has produced a *Code of Measuring Practice* (RICS, 2007). Different area measures are used for different types of property: gross internal floor area (GIA) for industrial and warehouse buildings (and ancillary offices), large shops and stores, retail warehouses and some residential and development property; net internal floor area (NIA) for smaller/unit shops and offices; and gross external floor area (GEA) for some residential and development property. The RICS is currently contributing to the development of a uniform international code of measuring practice (the *International Property Measurement Standard*).

Formal procedural conventions such as those above represent only the currently accepted methods of defining what is to be valued. They change with the design and use of buildings and the practice of measurement. One example is the emergence of 'business use' buildings (Class B1 introduced in the Town and Country Planning (Use Classes) Order 1987). Business use combines elements of light industrial and office uses measured in different ways. In 1989 the RICS Working Party on Measuring Practice "did not, on balance, feel that market practice had evolved sufficiently to make a recommendation on whether B1 buildings should be measured on a gross internal area (GIA) or a net internal area (NIA) basis" (RICS, 1993, p. 1). By 1993 the Working Party had "formed the view that the appropriate method of measurement for these buildings is NIA" (RICS, 1993, p. 2). Only when the area measure was fixed could consistent valuations of business parks be undertaken. The establishment of this standard took six years.

Definitions of characteristics of real property other than its physical extent are less formalised. However, informal conventions and understandings

have evolved in practice. They relate to a property's location, construction and built form, lease structure and tenant quality. Such characteristics are important determinants of the value of investment property and must therefore be addressed by the comparative valuation method (Blackledge, 2009; Crosby *et al.*, 2014). While more consistency in measurement should result in more consistency in valuation, the subjectivity and judgment inherent in the application of some definitions will inevitably affect calculative practices.

For example, locations are often labelled as 'prime', 'secondary' or 'tertiary', but the characteristics that distinguish these categories are poorly defined and vary over time and between (sub)markets (Schroders, 2010). As the property investment market has matured, so an 'institutional specification' has evolved that covers most aspects of design and construction, including (depending on the building type): layout, floor loading, floor plate (depth, planning grid), frame, cladding/fenestration, roof, floor-to-ceiling height, offices and toilets, lighting, heating services, loading doors, site coverage, forecourt, car parking and so on (see, for example, Darlow, 1983; Morley *et al.*, 1989).

Lease structures evolved in a similar way through the development of a standard institutional lease. By 1990 around 90% of properties measured by Investment Property Databank (IPD) had a 20/25-year term, no breaks and upwards-only rent reviews every 5 years; placed all repairing and insuring responsibilities on the tenants; and restricted assignment and sub-letting (DETR, 2000). These long leases are now rare. But, while varying terms and break opportunities have been re-introduced, landlords still try to apply some standard terms (ODPM, 2005; IPD, 2014). Tenant quality is also difficult to define precisely. However, credit information and company accounts, where available, are helpful indicators of tenants' standing and performance.

The principles of comparative valuation

> *The comparison approach is the simplest and most reliable method of valuation. It is used whenever possible. … It requires comparison to be made between the property to be valued (the 'subject' property) and other similar properties that have been the subject of recent transactions or are currently on the market ('comparables'). … Adjustments are then made to allow for the advantages and disadvantages of the subject property in relation to each comparable to arrive at a figure that can be considered the current market value of the subject. (Blackledge, 2009, p. 134)*

There are five internationally recognised valuation methods and all contain elements of comparison. They are: direct sales comparison, income capitalisation (based on comparable data on rents and capitalisation rates/yields), replacement cost (that uses comparable data on building costs, depreciation

rates and land values), the residual method (that incorporates the previous three methods to estimate development viability) and the profits method (that uses comparisons of business performance) (Wyatt, 2013).

Valuation of investment property is normally undertaken via the investment approach. It requires an analysis of sale and letting transactions similar to the subject property in terms of location, building and notional or actual lease structure. The units of comparison normally used are a price per unit of size of the property for rent and a yield based on the current relationship between the rental income and the sale price (commonly called a capitalisation or cap rate) (Wyatt, 2013).

"The quantity and quality of transactions is the key to all comparable valuations" (Baum and Crosby, 2007, p. 104). The quantity of comparables available for each valuation is difficult to judge. Even in the United Kingdom, a very mature, frequently traded, transparent real estate market, the number of capital transactions is not recorded accurately. Figure 12.2 indicates the percentage of properties by number that are bought into and sold out of the IPD annually. Some properties will be traded between data suppliers, and some will be properties sold out of or new to the dataset. Average sales over the period were 8.5% of the stock; the equivalent proportion for purchases was 6.5%. Probably less than 1% of the stock is traded every month on average. The proportion is significantly less than this in market downturns.

Regarding quality, a perfect comparable would be physically identical to the subject property, in the same location, held on identical lease terms (with regard to term, to lease expiry/break, ratio of passing rent to rental value, tenant covenant and so on; Baum and Crosby, 2007) and transacted on the same day as the subject property is valued. In addition, to supplement the capital transactions, there need to be data on recent lettings on similar terms.

The comparable ideal is impossible to achieve. Even if lease and physical issues affecting value were identical, two properties cannot occupy the same location. In practice, the requirements for similarity of locational, physical and lease characteristics may be relaxed slightly without compromising the accuracy of the valuation model to any great extent. However, this assumes
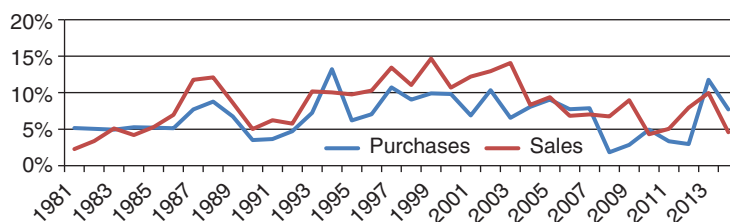
Figure 12.2 Purchases and sales as a percentage of stock (by number), MSCI, 1981–2012.
Source: Adapted from IPD (2015), *IPD UK Annual Property Digest 2014*.

that a transaction is very recent and that the transaction price is not itself subject to variation. Different sets of buyers and sellers – and their advisors – will have different views on the relations between qualities, quantities and prices.

These problems would not be significant if the differences between the timing and the locational, physical, leasing and tenant characteristics could be assessed accurately. This is not the case. Overall, the quantity of transaction evidence has not been sufficient to isolate the impact of the individual characteristics. Consequently, "the valuer may, and often will, need to make a qualitative judgment based on experience and a broad knowledge of the local market" (RICS, 2012, p. 10).

Intuitive adjustments of comparables cover all four characteristics. Location is sometimes defined by reference to prime and secondary pitches, but the criteria are arbitrary. The same goes for building quality indicators. Lease terms are adjusted by quantitative rules of thumb. Attempts to standardise a new product often included the practice of using the lease contract to specify that the rents of newer types of property should be tied to those of established property types. An example is that of retail warehouses, whose rents were tied to industrial rents in the 1970s and 1980s (Sayce *et al.*, 2006).

Valuation accuracy

Despite these attempts to create a stable framework for the comparative valuation process, the quantity and quality of comparables discussed above lead to the inevitable conclusion that the outcome will not be precise. The best test of this imprecision is the comparison of valuation outcomes with the actual outcomes that valuations are trying to mimic; that is, actual exchange prices in the marketplace. Valuation uncertainty is accepted by all stakeholders in property markets (IVSC, 2013) and within the courts (*Banque Bruxelles Lambert SA* v *Eagle Star Insurance Co Ltd*, [1995] 2 All ER 769). It also has a major influence on the way that valuers behave and on the outcome of the valuation process. Valuers report single-point estimates of value that are less than perfectly accurate.

Valuation accuracy (sales price compared to previous valuation) is often distinguished from valuation variation (difference in the valuations of the same asset by two or more valuers). Variation studies are few and far between, but there are a number of accuracy studies. Studies of valuation accuracy (see Crosby (2000) for a review; and, more recently, Cannon and Cole, 2011; IPD, 2014) show that, over a full market cycle, valuations are lower than prices. The analyses are consistent with a hypothesis that appraisals are lagged indicators of value. Valuations fall further behind sales prices in appreciating markets; but the situation reverses in a falling market, with valuations falling at a lower rate than prices. This is a rational response by valuers to valuation uncertainty (Quan and Quigley, 1991). When asked to revalue property, valuers will note past valuations and past transactions

of comparable properties as well as current transactions. Therefore, valuations will anchor on the past and are unlikely to respond perfectly to new information, especially in downturns when transactions rates fall. In these circumstances, attention to valuation uncertainty increases (IVSC, 2013).

Other influences on comparative valuation

Valuers may be sued for negligent valuations. Crosby *et al.* (1998) show that valuers in Commonwealth Courts have sometimes been judged on the competence of their valuations by reference to the result rather than to the process. In addition, the margin of error imposed by the courts was much smaller than the degree of inaccuracy inherent in any rigorously conducted valuation. A rational response to these circumstances would be for a valuer to produce a conservative valuation, particularly for bank lending purposes, as banks are the major appellants in negligence cases.

   The behaviour of clients and other stakeholders may affect the valuation outcome. Pressure could be applied to produce valuations not completely in accord with the valuer's best estimate of value, despite the rational desire to be conservative and anchor on comparisons. The client influence literature, relating mainly to bank lending and performance measurement, identifies instances where clients have persuaded valuers to change the valuation, usually upwards but occasionally downwards (see, for example, Graff and Webb, 1997; Smolen and Hambleton, 1997; Diaz, 2002; Levy and Schuck, 2005; Crosby *et al.*, 2010).

The institutional context of the application of comparison techniques

Thus far, concern has focused on the technical detail of the comparative valuation process and the uncertainty surrounding the outcome of such valuations. The approach was grounded in methodologies adopted in other asset markets. It has evolved its own special language (for example, 'equivalent yield') and calculative technologies (for example, bespoke valuation software by KEL/Argus). It will also be evident that – especially in relation to physical measurement – some formalisation of practice has occurred. We now turn to a consideration of the agents that operate the calculative practice of comparative valuation and those that use its results. Their character and behaviour affect the way that these valuations are undertaken and have implications for the reproduction of the urban built environment.

Professional control of property valuation

The RICS is the dominant professional body for valuers in the United Kingdom. It regulates the conduct of comparative and other valuations. It

publishes *Professional Valuation Standards*, whose use is mandatory on members. The RICS also issues other codes, guidance notes and information papers steering the valuation process and advising on calculative practices. The current edition of the *RICS Valuation – Professional Standards* (RICS, 2014), known as the Red Book, incorporates the *International Valuation Standards.* The aim of the Red Book is to assure users concerning the conduct and outcome of valuations. It does not stipulate valuation methods. It gives advice on methods but not within the mandatory professional standards, using guidance notes and information papers instead (www.RICS.org).

Professional standards and guidance have a bearing on negligence. Even in the case of guidance, the courts will take expert evidence from other practitioners. A valuer departing from normal practices and methods or, worse, departing from mandatory standards without good cause is vulnerable to being found negligent (Crosby *et al.*, 1998). This combination of a strong, formal basic framework with a flexible, informed application is mirrored in the relationship between the RICS and the degree courses that it accredits. To achieve accreditation, institutions and degree programs must meet certain threshold criteria but there are no specific, detailed requirements about how valuations should be taught. Nevertheless, long practice and the use of standard texts have resulted in much commonality in the teaching of comparative valuations.

The concentration of valuers and their clients

The concentration of UK power, wealth and decision making in London has been a matter of long-standing concern. In combination, significant agglomeration effects, harsh scale economies and the operational methods of investment institutions (Clark, 2000) have resulted in the very marked organisational (Blake and Timmermann, 2002) and spatial concentration of the UK pension, life assurance and general insurance systems in London and the South East (Martin and Minns, 1995). These agents, together with banks (retail and other UK and overseas), property finance intermediaries, property agents and consultants and property companies, have developed a dense web of social interrelations (Pryke, 1994) that constitute 'the London property nexus' (Rowley and Henneberry, 1999).

London has long been the dominant operational base for the leading commercial property agents (Leyshon *et al.*, 1990). Its influence is reinforced by its overwhelming share of the leading firms' senior staff of whom "almost 85 per cent were based in the London office" (Leyshon *et al.*, 1990, p. 80). Apart from, *inter alia*, fund management and investment analysis, such firms offer appraisal and valuation services to major property investors. Because larger firms can capture economies of scale in performing high-volume, high-frequency, low-fee, periodic appraisal work, valuations are increasingly being undertaken by a small number of large service providers (Baum *et al.*,

2000). The top five valuation firms valued 69% of property in the IPD annual index by capital value in December 2008, and this rises to 75% for the IPD monthly index (Crosby *et al.*, 2010). Thus, the production and consumption of high-level commercial valuation services are very concentrated.

The calculative regime of comparative valuation

The agents that perform or use comparative valuations constitute a calculative regime. The regime supports the 'current way of doing things'. This stabilises the definition, quantification, calculation and valuation of properties that are subject to comparison and the markets within which they are traded. Those at the core of this regime are higher education institutions that educate and train surveyors on professionally accredited courses, the RICS that develops and enforces professional valuation standards and procedures, and companies that undertake valuations in practice. Some actors, such as clients of one form or another, benefit because the risks involved in valuing and trading property are much reduced as a result of this work. Other actors, such as those involved in the design and development of new types of buildings and uses, are faced with a challenge. Either they must gain the regime's acceptance of their innovations or they must change the constitution of the regime or the way that it operates to the same end. Neither is easy.

The focus of the chapter is on the former. Through our elaboration of the calculative regime of comparative valuation, we have begun to indicate the difficulties that must be overcome for novel uses and buildings to become accepted elements of that regime. The estimated value produced by a valuation is uncertain, and some valuations are easier to produce than others. There is no ambiguity concerning the basis of valuation or the data requirements: data related to transactions of similar properties provide the best evidence of the exchange price of the subject property. A major source of valuation uncertainty is the lack of evidence of similar transactions. The heterogeneity of property, the risks inherent to valuation, valuers' need to protect against potential negligence claims and the intuitive calculative practices that they adopt in relation to transaction analysis and lease pricing – all may lead rationally to conservative valuations, that is, to under-pricing. The literature on valuation accuracy, lagging and smoothing supports this conclusion, despite possible risk of client influence that could produce the opposite effect. The potential for valuation variation and the response to it is clear.

It is reasonable to hypothesise that reducing this variation becomes harder as the quantity and quality of comparables decrease. Valuers are less likely to get a good quality and quantity of comparables for properties put to novel uses or in unusual locations, or for properties of a non-standard physical design or type, or with non-conforming lease terms. Consequently, they are likely to undervalue these properties, because of a natural tendency to err

on the side of caution. Our interviewees provided support for this position. Investing in or lending on property "is a risk issue … you don't want to be pioneering" (Senior valuer, bank, December 2014). Thus, when dealing with unusual instructions, "valuers hide behind 'waiting for the evidence'" (Senior officer, RICS, December 2014).

Three broad strategies are adopted to deal with novel interests in property. The first is caution. An example is the introduction of turnover leases in shopping centres in the United Kingdom in the 1970s and 1980s. The unusual turnover element of the lease (the top slice of 20% of the [estimated] rent that is related to some measure of store turnover) was either valued at a higher yield than the standard bottom slice or the standard yield was applied to only part of the top slice. Both approaches reduced the estimated value of the shop. Only when data covering several years of the operation of turnover leases became available could they be valued robustly at yields that accurately reflected their risk.

The second strategy is to deal with the unusual by relating it to the usual. Currently, rents for waste transfer stations are linked to industrial rents (Senior valuer, bank, December 2014) – in a way similar to the treatment of retail warehouses 20 years ago (see above). The third strategy is to avoid the constraints of comparative valuation by altering the financial structure of the investment so that the "actual asset is nearly irrelevant" (Senior valuer, international valuation firm, December 2014). Thus, for a range of property types (including student accommodation, care homes, social housing, large food stores and hotels), the value is based on the contracted income stream and the default risk of the operator.

The first two strategies may lead owners and investors to pay less for these properties. Consequently, developers may adopt a profit maximising approach by developing in tried and trusted locations with tried and trusted designs and seeking to pre-let on standard lease terms to well-established tenants of good covenant. This reproduces an environment antipathetic to the evolution of innovative land uses and developments. These constraints on innovation are particularly marked at the 'top end' of the property market and are likely to become more so. The RICS is actively promoting the development of international measurement and valuation standards as a response to increasing levels of cross-border investment and development activity. This will result in greater commonality of practice between countries and across property types. It will also reinforce the calculative technologies used by the current regime. Establishing new uses and building types could become a more difficult and time-consuming process.

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13

Public Policy and Urban Transience: Provoking New Urban Development through Contemporary Models of Property Based Finance in England

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Introduction: public policy and urban transience

This chapter explores the influence of contemporary public policy in England upon transience and permanence in the built environment. It does this by investigating how new models of urban finance, specifically the recently introduced Business Rate Retention Scheme (BRRS), could provoke new urban development in certain sectors of the commercial built environment and exacerbate inertia and dereliction in others. Transience in the physical urban environment is taken to mean the state or fact of lasting for only a short time. In which case, its meaning is relative to the definition of 'short' and, consequently, may alter, depending on the entity to which it relates. Thus, a building life of 20 years may be short compared with an average building life of 30–50 years; and a use that exists for 2 weeks or 2 months may be short compared with one of 2 years or longer.

The recent turn towards issues of transience and permanence can be associated with increased levels of vacant land and premises in the post-industrial city (Buckholder, 2012); an engagement with DIY, guerrilla and tactical urbanism (Deslandes, 2013); an emphasis on temporary and informal uses (Colomb, 2012; Bishop and Williams; 2013; Oswalt *et al.*, 2013); and the pragmatic steps involved in transferring a temporary activity

into a mainstream process (Andres, 2013; Crosby and Henneberry, 2015). However, this chapter focuses on a particular aspect of the political economy, of the interplay between economic conditions and the institutions of law, custom and government that influences and drives transience in the urban built environment (Wissoker *et al.*, 2014). In doing so the chapter responds, in part, to a problem outlined by Lehtovuori (2012) and Henneberry (2016), that a lack of comprehension in relation to the influence of political economy on the built environment "may shadow from view the radical and transformative socio-spatial potential of urban interventions … reducing architecture and urban design to 'local' or 'objectual' embellishment without any broader social role" (Lehtovuori, 2012, p. 74).

   Transience is a natural characteristic of the real estate development process. Buildings are produced in response to socio-economic circumstances to meet extant demand. As that demand evolves through economic restructuring, technical innovation, social change and so on, existing buildings and uses become obsolete and new buildings and uses are required to replace them – a 'natural' building development cycle (Barras, 2009). Transience within this conceptual framework might be considered to occur at two levels relating to the temporality of 'permanent' buildings and uses and, when their redevelopment is stalled, to the passing uses that are made of derelict or vacant land and buildings in the interim. The chapter makes the claim that new models of decentralised public finance policy could accelerate the building development cycle, provoking 'long-term transience', as local government attempts to use the proceeds from taxes on new property to fund public services.

Conceptual framework

Broadly speaking, urban development is taken to mean the social, cultural, economic and physical development of cities, alongside the parallel drivers and causes of this process. Although Adams (2012) argues that the definitive account of the property developer is yet to be written, the processes of urban development can be broadly broken down into:

- The activity of (re)development, building management, obsolescence, vacancy/dereliction and redevelopment;
- The parallel processes of occupier behaviour within the market;
- The impact of location and its position within the wider economy and institutional environment on the building development cycle (subject to relative demand and structures of local rent); and, in the context of this book,
- How temporary, interim and meanwhile uses fit into these systems.

Several conceptual models of the development process exist (see, for instance, Goodchild and Munton, 1985; Ball, 1986; Guy and Henneberry, 2000). However, the model introduced here is closest to Healey's institutional model (1992). She separated the process into the development project, the social networks involved in the project, the actors' motivations and the local societal circumstances.

If we examine this broad framework in more detail in the commercial property market, we can see that transience can relate to the relative permanence of physical buildings before they are altered or redeveloped in response to physical obsolescence or external stimuli such as new occupier requirements and technological change (Drane, 2013; Muldoon-Smith and Greenhalgh, 2016a). Transience can also be illustrated by the parallel use and movement of business between physical premises as they make new location decisions. For instance, 'filtering' describes the movement of businesses between properties as they filter up the property ladder into better quality premises or down the property ladder into lower quality premises.

Furthermore, 'take up' or 'absorption' describes the rate at which businesses occupy property within a specific time period. In addition, displacement is often related in the classic gentrification literature to the push factors of new, wealthier businesses which increase local property prices and consequently price out the original business community (see Smith, 1979; Marcuse, 1986; Lees *et al.*, 2010). In commercial property markets, displacement can also be related to the mismatch between the buildings that firms occupy and their actual needs (see Fothergill *et al.*, 1987; Harris, 2002; Greenhalgh and King, 2013). In this instance, the pull factors of new premises and attractive socio-economic conditions elsewhere can provide an incentive to move from existing locations (Greenhalgh and King, 2013). Viewed in this way, commercial real estate is not a rigid construction set in stone; rather, it is a "transient manifestation of human activity" (Barras, 2009, p. 2).

Moreover, in certain locations urban development also responds faster to occupier need, due to buoyant socio-economic conditions which assist commercial viability. In others, that response may be slower, due to adverse economic conditions. This is because commercial real estate markets and their locations are not uniform; instead they have their own distinctive traits, rhythms and cycles of change (Bryson, 1997; Barras, 2009). Finally, transience can also relate to the temporary use of commercial stock, as meanwhile and interim uses move into vacant premises in order to exploit advantageous rental conditions or to minimise the holding costs associated with vacancy and dereliction on behalf of the landlord. This occurs in the interval between one building use being succeeded by the next. It is in these circumstances that temporary and meanwhile use strategies – such as pop-up business centres, peppercorn rents and easy-in/easy-out conveyance procedures (Graham, 2012; Ziehl *et al.*, 2012) – tend to be deployed to deal

with periods of economic inactivity (Oswalt and Rieniets, 2006; Bishop and Williams, 2012).

All of these terms, whether they relate to physical buildings, occupier behaviour, location or temporary and meanwhile use, are suggestive of urban transience. Yet, they operate in different ways subject to the unique nature of local real estate markets and the prevalent institutional context (Beauregard, 2005). This uniqueness influences the way that public policy plays out at the local scale and defines its impact upon transience and permanence in the urban built environment.

In the proceeding sections of this chapter, this broad conceptual framework will be used to examine how local public finance policy in England may affect transience in the urban built environment, sometimes intensifying and sometimes subduing transience, dereliction and vacancy in that environment. First of all, the chapter briefly traces the evolution of local government finance in England before unpacking the BRRS. It then combines the conceptual framework with an analytic framework (first introduced by Muldoon-Smith and Greenhalgh, 2015), based on a broad typology of 'premium', 'stranded' and 'redundant' locations in England, to examine the relationship between new public policies based on fiscal decentralisation and the central concern of this book: transience, vacancy and dereliction in the urban built environment.

Fiscal decentralisation and the urban built environment

The recent turn towards fiscal decentralisation in England can be associated with the international trend towards decentralised government provision and subsidiarity (Rodríguez-Pose and Gill, 2003), 'roll back' and 'roll out' neoliberalism (Peck and Tickell, 2002; Peck, 2010) and urban financialisation and infrastructure provision (Pike and Pollard, 2010; Christopherson *et al.*, 2013). Moreover, in England, it can be viewed as a result of the need to adapt to measures of austerity introduced since 2010 (MacKinnon, 2015) and as an outcome of the argument for enhanced territorial powers required to support growth-based market reforms (Brenner, 2003; Cox, 2009; Goodwin *et al.*, 2012; Clifford and Morphet, 2015).

In the international literature, local methods of urban finance have received much critical attention. During the last 15 years, Weber (2002, 2010, 2015) has subjected the Tax Increment Finance agenda in North America – and its association with global financialisation and local textures of obsolescence in the urban built environment – to close scrutiny. Aalbers (2012) and Gotham (2009, 2016) have also made notable contributions in relation to the international mortgage securitisation market, the sub-prime mortgage fallout and disaster relief funding. Yet, in comparison, there has been less academic analysis in England (although Strickland, 2013; Halbert

et al., 2014; Muldoon-Smith and Greenhalgh, 2015 have begun to make inroads recently).

This lack of research can be partly explained by the traditional structure of local government finance in the United Kingdom under which central government has administered public finance to local authorities in England (although it has more recently devolved financial governance to the administrations in Scotland, Wales and Northern Ireland). Until recently, the United Kingdom had one of the most centralised government finance models in the world. Figure 13.1, based on research conducted by the Organisation for Economic Co-operation and Development (OECD, 2010), illustrates this situation. The OECD calculated that local authorities in the United States, Spain, France, Germany and Japan all have greater control over local budgets than do their counterparts in the United Kingdom.

According to the Department for Communities and Local Government (DCLG, 2011), traditional methods of financial redistribution (most notably, the Formula Grant methodology introduced by Margaret Thatcher's Government in 1989) denied local authorities control over locally raised income. These methods deprived local authorities of the ability to raise income and capped their spending powers which, in turn, reduced the financial certainty that is needed to plan investment over the long term.

In response to this perceived lack of control, the partial localisation of business rates was introduced in 2013. Furthermore, the full localisation of business rates was announced at the Conservative Party Conference in 2015 and is due to come into effect by 2020. After 2020, the local business rate, a tax levied on commercial property, will become one of the primary methods
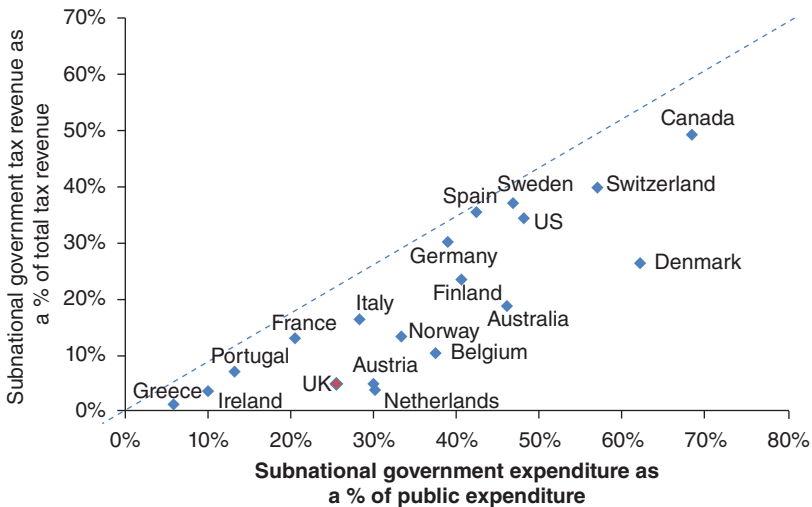
Figure 13.1   An international comparison of local fiscal autonomy.
Source: Scottish Parliament (2015).

of funding local government in England as the Revenue Support Grant (RSG) is reduced and eventually phased out in favour of a local government finance model in which local expenditure is entirely funded by local resources. This means that the performance of local commercial (office, retail and leisure property) and industrial real estate markets will become a central concern for not only local authority financial planning and investment but also the wider business sector and the local electorate (Muldoon-Smith and Greenhalgh, 2015, 2016b). The consultation document for the BRRS concluded that in the future,

> *Developers will find local authorities have greater incentives to grant planning permissions for appropriately-sited and well-planned non-residential development in order to go for growth.*
>
> (DCLG, 2011, p. 12)

The speed at which this new policy was introduced in 2013 and its imminent expansion in 2020 make it imperative to understand its implications for the commercial built environment in England. The current government discourse associated with fiscal decentralisation in England suggests that it is an uncontested good for all locations. This chapter scrutinises this assumption through an underlying research question:

How do new models of urban finance, such as the BRRS, influence transience in the urban built environment?

Figure 13.2 describes the seven-stage process at the heart of the BRRS model in England.

The first stage in the development of the business rate retention model in 2013–2014 was to set a baseline for each local authority. Then, in order to achieve a 'fair' starting point, Central Government calculated a tariff or top-up amount for each local authority (stage 2). Those authorities with business rates in excess of their baseline level of funding are asked to pay a tariff to Central Government; those authorities with a business rate yield below their baseline would receive a top-up grant from Central Government (top-ups and tariffs are adjusted in proceeding years against RPI). This results in a distinction between tariff and top-up authorities that recognises that some local authorities will receive more business rate income than they did under the previous Formula Grant system while others will receive considerably less. In future years (stage 3), local authorities will keep a significant proportion of any growth in business rates above the initial baseline. If business rates decrease or do not grow as much in future years, they will see revenue fall. If some local authorities experience disproportionate growth, such as those with high business rate tax bases, a levy (stage 4) is imposed to recoup a share of this growth in order to redistribute it to those authorities that see significant reductions in business rate income (this facility will be abolished when full localisation comes into effect in 2020).

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│       1. Setting the baseline        │
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                  ↓
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│     2. Setting tarriffs and top-ups  │
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┌─────────────────────────────────────┐
│        3. The incentive effect       │
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┌─────────────────────────────────────┐
│      4. A levy recouping a share of  │
│         disproportionate benefit     │
└─────────────────────────────────────┘
                  ↓
┌─────────────────────────────────────┐
│       5. Adjusting for revaluation   │
└─────────────────────────────────────┘
                  ↓
┌─────────────────────────────────────┐
│        6. Resetting the system       │
└─────────────────────────────────────┘
                  ↓
┌─────────────────────────────────────┐
│              7. Pooling              │
└─────────────────────────────────────┘
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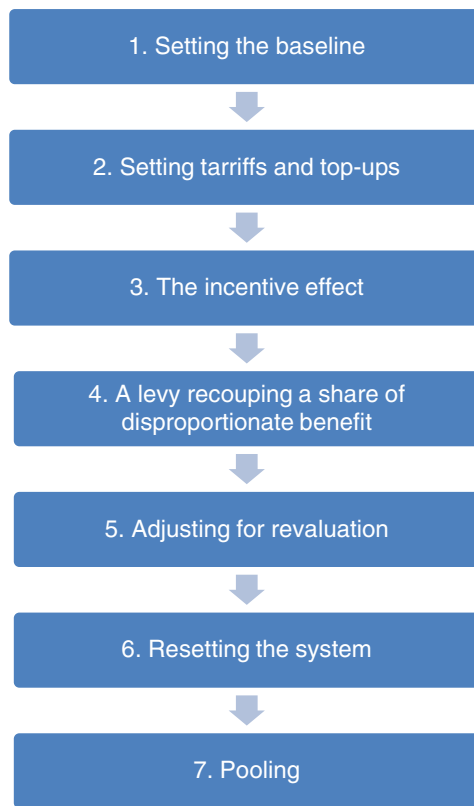
Figure 13.2   The Business Rate Retention Scheme (BRRS) model in England.

The model is adjusted to take into account movements in the business rate yield resulting from periodic national valuation assessments. Then, every 10 years (stage 6), the model is evaluated and reset (the next reset is scheduled to take place in 2020) to ensure that local authority resources meet the needs of service pressures sufficiently and that the gap between growing and disadvantaged areas is not too great. The final stage, pooling (stage 7), gives local authorities the opportunity to pool their resources with neighbouring authorities.

For the purpose of this chapter, attention is focused on stage 3, the incentive effect, and stage 5, the adjustment for revaluation. The incentive effect means that local authorities in England are encouraged to increase the size of their business rate base in order to create revenue to pay for local service provision, economic development and urban regeneration. The original BRRS, introduced in 2013, gave local authorities the potential to retain 50% of their business rate income and up to 50% of any growth in business rate revenue arising from the construction of new employment (commercial and industrial) space (the legislation was announced and adopted in less than

6 months). The remainder was returned to Central Government and redistributed in England in a similar way to the previous Formula Grant method of funding. The Chancellor's recent announcement has increased the retention rate from 50% to 100%, and local authorities will be expected to stand entirely on their own two feet after 2020. This means that all areas will now have access to 100% of their business rate proceeds, removing the previous era of redistribution and equalisation between locales. Previously, only geographically defined locations, such as Enterprise Zones (EZs) and Accelerated Development Zones (ADZs), had access to these benefits in order to kick-start economic and urban renewal.

To summarise, there are traditionally two methods of extracting value from the commercial built environment in order to generate growth (new money) in urban finance. The first involves building new properties in order to create new business rates. The second involves investment in the current property stock and its surrounding area in order to increase the value of existing assets. However, the reality is that local authorities in England are only really able to benefit from the former. This is because they already receive empty property rates (notwithstanding the problem of empty property rate avoidance) on existing property, while any relative value uplift on existing property is typically stripped out during the national revaluation exercise (for a more detailed exposition of this process, see Muldoon-Smith and Greenhalgh, 2015).

Analysing the operation of this new arrangement is important, because the synergy between fiscal decentralisation and commercial real estate has the potential to alter the dynamics of urban development and, in turn, of transience in the commercial built environment. The proceeding section reflects upon this situation and the central research question, suggesting that in certain locations the pace of (re)development could be increased by new models of urban finance, while in others it could be retarded due to locational constraints, the inability to generate value out of the existing built environment and weak economic conditions.

Financing urban transience

This section examines the relationship between BRRS and the central concerns of urban transience, dereliction and vacancy. The analytical framework is based on a broad typology of locations in England, namely:

'Premium locations', those locations that have the space and economic conditions to accommodate and stimulate new development under the BRRS
'Stranded locations', those wealthy areas without the space or inclination to develop new commercial property. Inherent value in the existing

commercial urban built environment is stranded in these locations because it cannot be exploited under BRRS.
'Redundant locations', those locations with sub-optimal economic conditions that hinder new commercial development under the BRRS.

The analytical framework is a broad hypothetical construct that was developed by Muldoon-Smith and Greenhalgh (2015) to make sense of the impact of BRRS in England. The formulation of the outline typology is based upon the potential ability of local authorities to capitalise on their urban resources through the BRRS model of urban finance (Leyshon and Thrift, 2007; Weber, 2010).

Premium locations

New models of urban finance have the greatest capacity to provoke new development in premium locations because they have the ability to capitalise upon their buoyant property markets. Such locations are relatively autonomous because they have the economic characteristics to justify viable development. Recalling the work of Harvey Molotch (1976) into the urban growth machine, in these locations growth coalitions, including the public sector, developers, investors, financiers and their respective intermediaries, have the potential to determine, shape and reshape commercial urban development in order to create economic growth.

The implications of this situation for transience in the commercial built environment are various: the physical built environment will (presumably) be in a permanent state of transience as it is regularly reconstructed in order to maintain levels of business rate portfolio growth. Furthermore, it has already been observed that it is not possible to capture any relative increase in the value of existing property over time, necessitating the further redevelopment of these premises in the medium to long term. Take up, filtering and displacement will be at their most dynamic in these locations as occupiers have new property alternatives to move into. The initial consequence of this activity is that periods of vacancy and longer term dereliction should be minimal as the incentive for new development (and its viability) accommodates the evolving needs of occupiers. In large part, this will remove the opportunity for the types of meanwhile and interim use described by Bishop and Williams (2012) and Deslandes (2013).

Positive perceptions of risk, security and growth in these locations create attractive propositions for global property investors (although Henneberry and Roberts (2008) have indicated that these perceptions are not necessarily founded upon empirical reality). Consequently, such locations have the inherent ability to exploit and strategise their real estate development, creating and securitising growth (the taking of an illiquid urban asset and reformulating it into a tradable commodity through financial engineering)

and, in turn, linking into international circuits of capital and financialisation. These locations are able to exploit the mechanisms through which place-based assets are increasingly transformed into financial products in the global marketplace (Aalbers, 2008; Gotham, 2009, 2016; Newman, 2009). In England, these locations are typically few, a consequence of their relative size, and include the central London boroughs, the 'core cities' of Birmingham, Bristol, Nottingham, Sheffield, Manchester, Liverpool and Newcastle (and their cousins over the border: Edinburgh and Glasgow) and increasingly the 'Metros' (which include Reading, Oxford and Cambridge) described recently by the Local Growth Commission (DCLG, 2014).

However, without careful consideration, in the medium to long term, the trend toward business rate expansion underwritten by new floor space construction in premium locations could lead to a period of overbuilding. This can occur when real estate developers, financial markets and urban planners act in concert to develop new income-generating structures in order to expand the business rate tax base and create profit (Molotch, 1976; Weber, 2010) without consideration for the local balance of employment land and floor space. Similar outcomes have previously occurred in Enterprise Zones in England (Greenhalgh *et al.*, 2003) and in relation to Tax Increment Financing initiatives in North America (Weber, 2010). In both situations, increased property development took place without an associated increase in the quantum of occupier demand. A process of filtering and displacement of existing property occupiers in a flight to new, higher quality buildings followed. This resulted in increased levels of vacancy in older buildings.

This situation has implications for transience; any increase in vacancy, especially in older secondary properties, has the potential to create higher levels of occupier filtering. This is because the types of firms that generally occupy secondary properties are themselves more susceptible to disturbance. Changes in employment trends and recessions disproportionately affect this market, whereas new prime stock will generally hold up well, as evidenced in the recent recession/economic downturn. In buoyant locations this opens up opportunities for the conversion of buildings into alternative uses, for instance between office and residential, signalling the instability of previously consistent segments of the commercial built environment (Muldoon-Smith and Greenhalgh, 2016a). However, in those locations without market viability, or a derived demand for alternative uses, the consequences are likely to be more permanent levels of vacancy and transient and interim occupation as landlords attempt to avoid empty property rate tax and occupiers seek cheap property alternatives.

Stranded locations

New models of urban finance have less influence upon rates of development in stranded locations. Such locations are the closest example of

the formalised and permanent urban built environments described by Whitehead (1987) and Bishop and Williams (2012) that transpired during the twentieth century. Although these locations can possess buoyant business rate portfolios, they may find it difficult to exploit the growth incentive in the BRRS. This is because the current formulation of the BRRS, particularly the 'stripping out' of value up-lift, hinders these locations from generating new income from their existing built environment assets. In large part, this is because of the historic nature of the built environment, restrictions on the availability of land upon which to build new properties or, more simply, a general satisfaction with the current composition of commercial real estate in such locations.

Local authorities like Westminster Council, the holder of one of the most valuable business rate portfolios in England (£2 billion, more than Birmingham, Manchester, Sheffield, Liverpool and Bristol combined according to ODPM, 2004), argues that its hands are tied because it cannot maximise the income from its property resources (a consequence of restricted expansion space and the lack of appetite for redevelopment or conversion). Westminster should not see any decline in tax relative to their baseline funding level (assuming the accuracy of the baseline assessment). However, they will not be able to manage their existing assets in order to generate any new growth because of the primacy given by the BRRS to new floor space construction. Historic towns and cities with a plethora of high-value listed properties, such as Liverpool, Oxford, Cambridge, Durham, York and Bath, could find themselves in a similar situation.

This indicates that the effect of the BRRS upon transience is not just predicated on the ability to build buildings, it is also path dependent, constrained by what has been built previously. In these locations, take-up and absorption, filtering and displacement take place with less regularity. Although commercial building stock is often of high value, in contrast to premium locations, stranded locations have a relatively stable, long-lived built environment. In these locations, the nature of historical development and the effects of legislation and institutional norms, such as conservation and land use planning, have solidified the commercial built environment (Whitehead, 1987; Bishop and Williams, 2012).

Redundant locations

It is difficult for new models of urban finance to influence commercial development in redundant locations. Redundant locations are disadvantaged because of their weak property markets. Such locations have either marginal or negative development values and cannot generate high enough rental levels to cover the costs of new development. Concurrently, these locations may also be shrinking because of economic change and demographic adjustment. These locations also exhibit an inherited commercial

built environment that, in contrast to stranded locations, is characterised by relatively high levels of obsolete and redundant land and buildings, a consequence of their previous economic functions. Redundant locations often have older, secondary property markets, which exhibit depressed rental levels and low levels of occupier demand. These locations are typified by smaller towns – rather than big cities – in the North and the Midlands, such as those in the Potteries and the Black Country ('Rustbelt Britain', 2013).

In these locations, it is unlikely that new models of urban finance will provoke new development. Instead, it is more likely that they will exacerbate already well-ingrained incidences of dereliction and vacancy in the commercial built environment. Examples of this situation are evident in North America, most notably in Detroit, where the municipal government has been bankrupted partly by the erosion of the local business tax base. However, the consequence of this situation is an increase in the supply of low-cost commercial space that permits 'acceptable' and 'unacceptable' forms of DIY urbanism (for a critical appraisal of these heavily loaded classifications, see DesLandes, 2013). Acceptable forms of DIY urbanism may include cheap business start-ups or pop-up cinemas and restaurants (Graham, 2012; Ziehl *et al.*, 2012) that support new economic development (Colomb, 2012), while unacceptable uses may include underground music venues, graffiti and vandalism. Detroit, in many ways the poster child for DIY urbanism, offers an insight into the major themes of this chapter, public policy and transience, which may be related to England in the future. This is because this location depicts the negative side effects of government finance strategies that are reliant on local property taxes. However, the same location also illustrates the temporary and informal DIY strategies that emerge in response to this situation.

Discussion and conclusion

Reflecting on the underlying research question 'How do new models of urban finance influence transience in the urban built environment?', our findings suggest that in certain premium locations, what were relatively permanent features of the commercial built environment (Bishop and Williams, 2012) could be taken down and replaced (or converted into new use) in order to expand the local business rate tax base. In these locations, the physical process of urban development is dynamic, as real estate development, financial markets and urban planners produce new income-generating structures in order to maintain economic growth. In other stranded and redundant locations, the speed of (re)development could be slower because of the constrained nature and quantity of available development land and less buoyant economic conditions.

The privileged treatment of new build development and repurposed floor space in the BRRS provides an incentive for premium locations to reinvent themselves by constructing new buildings or converting existing buildings into new uses. Yet, this predilection could also create the risk of unwarranted commercial real estate development without any relation to manifest occupier demand. Under these conditions, new properties could be created, not because there is any demonstrable need for them, but, rather, because they are an expedient means of funding public services. The potential consequences of this situation are twofold. Firstly, it could result in lower levels of occupancy and greater levels of vacancy as existing occupiers leave older premises and move into a new property with greater regularity. Secondly, and consequently, this could result in more transient occupation as unstable and fledgling business move in.

Certainly, the BRRS has the capacity to stimulate two forms of transience in the commercial built environment. Firstly, in premium locations the BRRS has the potential to accelerate the development of additional commercial property. Secondly, we suggest that it is just as potent in those locations where it does not have traction, those locations with weak economic conditions. This is because inactivity creates the conditions for DIY urbanism, and experimentation through informal and temporary use. However, the current formulation of the BRRS only values the former and we contend that this is a missed opportunity. An example of this is the discrimination against the existing commercial built environment that results in a situation where the potential value of new business start-ups does not even feed into the BRRS financial mechanism.

The BRRS has a less immediate impact in stranded locations, particularly those locations that are reliant on their existing commercial built environment. In these locations, the BRRS is a cause of urban inertia because value cannot be extracted from these existing local assets. In the short term, the appeal of attractive historic buildings is likely to retain existing occupiers. However, in the medium to long term, the likely consequence is increased rates of depreciation and obsolescence because there is no growth incentive to invest in these properties. The subsequent occupation of these buildings is then likely to be short term and temporary because of the characteristic of businesses associated with poorly performing property. This indicates that increased transience in one part of the urban development process (for instance, the physical activity of redevelopment in premium locations) can reduce the manifestation of transience in another part (for instance, temporary occupation in premium locations). Conversely, elsewhere, inertia in the urban development process (for instance, in the physical activity of redevelopment in stranded and redundant locations) can increase the incidence of meanwhile and interim use.

Without doubt, this new method of financing local public services, the BRRS, opens up new questions for urban development and potentially erodes

the traditional dialogue and scrutiny process that takes place between private developers, planners and the public interest. This disruption suggests a new relationship between local government and the private market (Adams and Tiesdell, 2010). Local authorities are now in an invidious position where they must maintain an appropriate balance of employment land and premises, but at the same time must work with developers to fund the future cost of public services.

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14

Tackling Hardcore Vacancy through Compulsory Sale Orders

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Introduction

This chapter is about the semi-permanence of urban vacancy and the potential of institutional reform to tackle it. Its specific focus is on urban vacant and derelict land, and especially that found within or adjacent to towns and cities in Scotland. The argument within the chapter is that vacancy has become a semi-permanent feature of the urban landscape as much because of institutional barriers as because of economic or physical ones.

The chapter is thus located in an understanding of the significance of institutions as the 'rules of the game' through which urban development and redevelopment take place. Such rules are themselves enlivened by relations between those people and organisations whose strategies, actions and interests are crucial to the way in which rules are interpreted and reinterpreted. The chapter proposes both an institutional explanation for land market failure, and a radical institutional solution, grounded in property rights reform.

The chapter now proceeds in five main sections. The first task is to establish what is meant by semi-permanent or 'hardcore' vacancy and to ascertain its scale. This task is accomplished in the next section which draws on official statistical sources in both England and Scotland. Greater attention is paid to the Scottish statistics, not simply because of the geographical focus of the chapter, but also because they are actually much better than the English ones. In the third section, an institutional explanation of hardcore vacancy is put forward to balance the economic and physical explanations that often

dominate policy discourse. The section draws on an extensive literature, which goes back almost 40 years, on ownership and valuation constraints to urban redevelopment; and it explores what this has to say about the institutional failings of land markets.

The fourth section then proposes the introduction of Compulsory Sale Orders (CSOs) to require specified land (and potentially property) which has been vacant for an undue period of time to be sold by public auction, irrespective of whether it was held in public or private ownership. The section sets out and elaborates the main features of CSOs, as recently recommended to the Scottish Government by its Land Reform Review Group (LRRG, 2014). It argues that the power of CSOs to reform market practices and cultures would derive as much from their existence on the statute book as their deployment in practice. In other words, merely knowing that land might be subject to a CSO when it has been vacant beyond a set time would often be sufficient to change owner behaviour.

The justification for such a radical reform of property rights to address land market failings is explored in the fifth section. To reconcile the public and private interests, which semi-permanent urban vacancy might appear to place in dichotomous opposition, the chapter seeks to engender debate around the responsibilities of property as well as its rights, especially in relation to sustainable development and community empowerment. The potential of CSOs to provide a radical institutional solution to an institutional problem is then summarised in the final section of the chapter.

Hardcore vacancy

Hardcore or semi-permanent vacancy has been defined as land which has been vacant or derelict for more than nine years (English Partnerships, 2003). In that report, it was estimated that some 16,523 hectares, or around a quarter of all vacant or derelict land recorded in England in 2001, could be classified as hardcore. The report argued that development tended to 'circle around' persistently unused sites, making little actual impact upon them. Geographically, hardcore vacancy was found to be concentrated in former heavy industrial regions such as the North West and Yorkshire & Humberside, which together accounted for around half of the overall total. In contrast, only 2% of land defined as hardcore vacant was located in Greater London.

These official figures came from research undertaken by Roger Tym and Partners (2001) which drew on the National Land Use Database (NLUD) of all vacant and derelict land (or 'previously developed land' as it became known) in England, produced that same year. No further figures for hardcore vacancy in England have ever been produced, even though NLUD itself was published annually from 2001 to 2009 by English Partnerships and its

successor, the Homes and Communities Agency. Moreover, NLUD was not then updated until late 2014, when the 2010 statistics appeared, along with raw data for 2011 and 2012. Again, none of these most recent updates contain any information on length of vacancy. In the absence of official statistics, an independent assessment by CPRE (2014a), using data obtained directly from local planning authorities, calculated that by 2012, hardcore brownfield land in England had increased to 17,740 hectares, a 7% rise on the 2001 figure.

In contrast to England, the Scottish Vacant and Derelict Land Survey (SVDLS) has been published on an annual basis since 1993, with preliminary surveys having been undertaken in 1988 and 1990. The source presents a wealth of detailed information on the land itself along with the socio-economic characteristics of the areas within which it is located. Alongside each year's headline figures, it is possible to track the annual flows into and out of vacancy and dereliction and to see what proportion of the total has been vacant or derelict over time.

The latest survey (Scottish Government, 2015) records 2366 hectares of vacant urban land and 8509 hectares of derelict land in Scotland for 2014, making a total of 10,875 hectares. As Figure 14.1 shows, this total has hardly changed since the late 1990s. Over the same period, Scotland's towns and cities have continued to spread outwards, with intense development pressure often experienced at the urban fringe. Yet, almost 65% of the vacant and derelict land recorded in Scotland in 2014 is evidently developable within ten years, and around half of this is considered developable within five years (Scottish Government, 2015). Although these figures are based on judgements made by individual local authorities and cannot be cross-checked independently, they suggest that lack of development potential is not the most plausible explanation for continued high levels of vacancy and dereliction in Scotland.

Since Figure 14.1 presents only 'overall stock' figures, it disguises limited annual 'inflows' of new vacancy and dereliction and 'outflows' of vacant and derelict land reused or reclaimed. Between 2003 and 2006, for example, annual inflows (including 'unexplained changes') averaged just below 720 hectares per annum, and outflows just above 770 hectares per annum, so reducing the total stock from 10,596 hectares at the end of 2002 to 10,386 hectares at the end of 2006. As this suggests, whatever success has been achieved in reusing vacant and derelict land in Scotland has largely been matched by a steady stream of new vacancy and dereliction.

Vacant and derelict land in Scotland is geographically concentrated, with 64% of the total found in the six worst affected local planning authority areas. With one exception, all these areas are located in the former heavily industrialised Central Belt of Scotland. The exception is the Highland area, which accounts for almost 13% of all vacant and derelict land in Scotland. However, half the total amount of vacant and derelict land recorded in Highland is attributed to just two redundant military airfields, with a
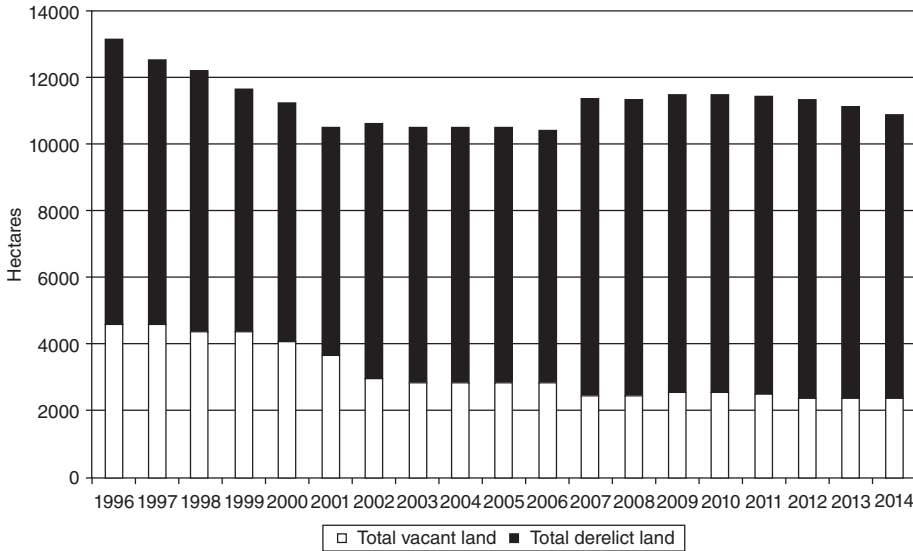
Figure 14.1   Total vacant and derelict land in Scotland, 1996–2014.
Source: SVDLS Annual Reports 1996–2014.

further 19% due to one large redundant port. Once these exceptional sites are acknowledged, the focus of attention shifts to the five areas in the Central Belt where vacancy and dereliction are concentrated. These are North Ayrshire and North Lanarkshire (each roughly 12% of Scotland's total), Glasgow (just under 11% of total), Renfrewshire (just under 9% of total) and Fife (just under 8% of total).

The most recent SVDLS provides information for all but 6% of the land included in the survey on the time period over which it has been vacant or derelict. The results are shown in Figure 14.2 both for Scotland as a whole and for the five areas, apart from Highland, most affected by vacancy and dereliction. Some 4300 hectares of land in Scotland have been vacant or derelict since at least 1991, equating to 42% of all such land for which such information is available. If hardcore vacancy is interpreted as land that became vacant or derelict before 2006, this amounted to around 83% of the Scottish total, reaching 86% in North Ayrshire and 89% in Fife.

Failure to confront hardcore vacancy disproportionately affects some of the most deprived communities in Scotland. Almost 29% of Scotland's population live within 500 metres of a derelict site, and 54% live within 1000 metres. Moreover, as Figure 14.3 illustrates, the more deprived datazones become, the more their people are forced to experience derelict land. Significantly, this concentration has become even worse in recent years, possibly because land that has been reclaimed tends to be located in the more prosperous parts of settlements.

According to the Scottish Government (2015), some 305 hectares of derelict and vacant land were reclaimed or returned to active use between
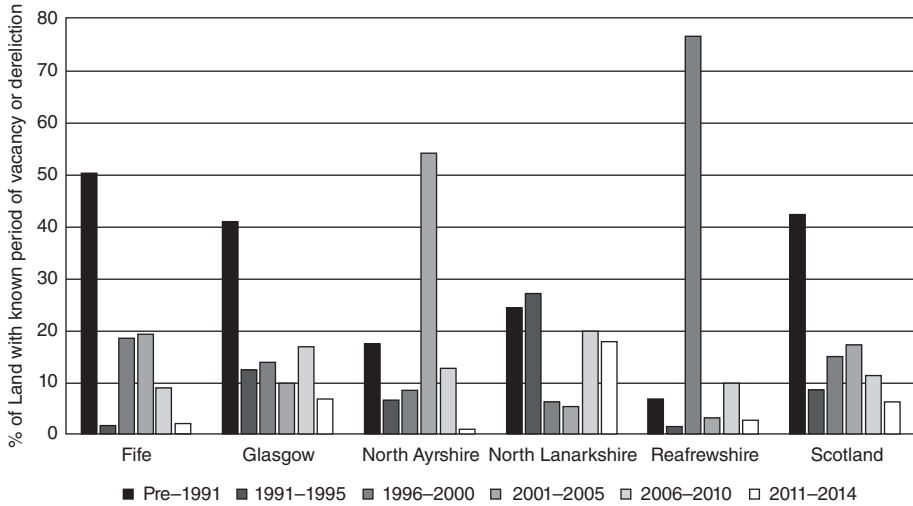
Figure 14.2   Length of vacancy and dereliction in Scotland.
Source: Scottish Government (2015).
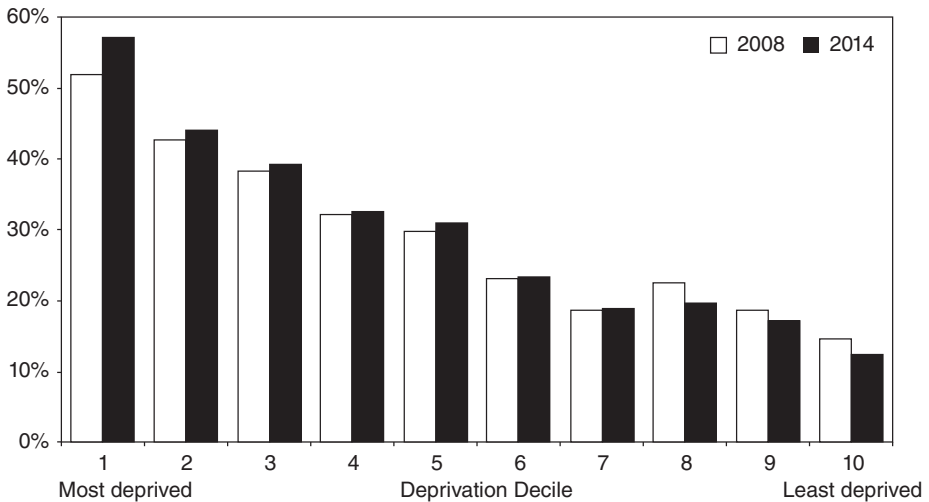
Figure 14.3   Percentage of Scotland's population living within 500 m of derelict land by deprivation decile, 2008 and 2014.
Source: Scottish Government (2015).

2005 and 2013 as a result of annual expenditure of around £8–10 million under the Vacant and Derelict Land Fund. Much as any such government action is welcome, the limited scale of what has been achieved under this fund, and indeed by other means through which land has been reclaimed or brought back into use, suggests that without a radical change in direction, urban Scotland can look forward to a future in which very high levels of urban vacancy and dereliction are likely to persist for several decades to come.

An institutional explanation of hardcore vacancy

Critical success and failure factors

Although there is now a wealth of literature on 'brownfield' land in general, remarkably little is focused on hardcore sites. A notable exception is the work of Dixon *et al.* (2011) who tried to pinpoint 'critical success factors' enabling long-term barriers to redevelopment to be overcome through a comparison of the development history of ten hardcore sites in Manchester (England) and Osaka (Japan). To do so, they adopted an agency approach, seeking to link economic and property market change to the strategies of key stakeholders. Although they identified no 'universal model' of urban regeneration easily transferable from one context to another, they did suggest that success in tackling hardcore vacancy depends principally on "the presence of strong markets; seeing the recession as an opportunity; long-term vision; strong brand; strong partnerships; large-scale developments; and prioritising infrastructure" (Dixon *et al.*, 2011, p. 975).

According to Dixon *et al.* (2011), continued disuse of hardcore brownfield sites can threaten the economic competitiveness of cities, impair the tax base, impede job creation, damage the quality of life and undermine efforts to tackle contamination. Alongside success factors, they therefore provide clues to what might be described as 'critical failure factors' accounting for persistent vacancy. In Manchester, for example, earlier low demand was matched by a downward spiral in economic and social conditions, poor infrastructure and lack of expertise in exploiting tax relief. But "unrealistic values and expectations, often based on high densities," also played their part (Dixon *et al.*, 2011, p. 973). In Osaka, contamination was seen as less significant than "fragmented ownerships and development control as well as lack of agreement with landowners" (Dixon *et al.*, 2011, p. 972). This highlights the need to interpret economic and physical constraints within an institutional context.

Yet, it still remains tempting to see hardcore vacancy as essentially a physical or economic problem caused by the presence of contamination or other physical constraints, and by the lack of enough 'end value' to pay for their remediation or treatment. The weakness of this explanation is that it largely disregards the important role of development actors in mediating physical or economic problems, sometimes making the unexpected happen and sometimes thwarting the expected. Land markets provide a critical setting through which this process of mediation takes place since the path from redundancy to reuse usually involves and often requires a change of ownership, and can be frustrated when owners hold land off the market (Adams *et al.*, 1988). For example, Adams *et al.* (1985) found that the transaction rate for industrial sites in the Cheshire–Wirral corridor was almost twice that for those which had been developed compared to those

which remained vacant. As this suggests, setting in place measures to encourage and indeed accelerate the transfer of vacant land from passive to active ownership should be an important focus for urban land reform.

The importance of ownership strategies and constraints

An ownership constraint can be said to exist where development is unable to proceed because the required ownership rights cannot rapidly be acquired through normal market processes (Adams *et al.*, 2001). Such constraints derive from the distinctiveness of land as a commodity, the imperfect nature of the land market, the behavioural characteristics of landowners and the institutional context for land ownership, exchange and development. As Table 14.1 shows, there are five main types of ownership constraint, each of which can be further subdivided into more precise categories.

How significant are such constraints? In a detailed investigation of 80 large redevelopment sites in four British cities (Aberdeen, Dundee, Nottingham and Stoke-on-Trent), Adams *et al.* (2001) discovered 146 separate ownership constraints which disrupted plans to use, market, develop or purchase 64 of the 80 sites at some point between 1991 and 1995. As Figure 14.4 shows, two important types of ownership constraint concern owners unwilling to sell and those apparently willing to sell but not on terms acceptable to potential purchasers.

Table 14.1　Typology of ownership constraints to urban redevelopment

Ownership unknown or unclear	• Title deeds incomplete or missing • Ownership in dispute
Ownership rights divided	• Land held in trust • Land subject to leases or licences • Land subject to mortgages or other legal charges • Land subject to restrictive covenants • Land subject to easements • Land subject to options or conditional contracts
Ownership assembly required	• Ransom strips • Multiple ownership
Owner willing to sell but not on terms acceptable to potential purchasers	• Restrictive terms or conditions of sale • Unrealistic expectations of price
Owner unwilling to sell	• Retention for continued current use for occupation • Retention for continued current use for investment • Retention for continued current use for making available to others on a non-profit basis • Retention for control or protection • Retention for subsequent own development • Retention for subsequent sale: indecision • Retention for subsequent sale: postponement • Retention for subsequent sale: uncertainty • Retention for subsequent sale: speculation • Retention for no specified purpose: inertia

Source: Adams *et al.* (2001) where further explanation of each category can be found.
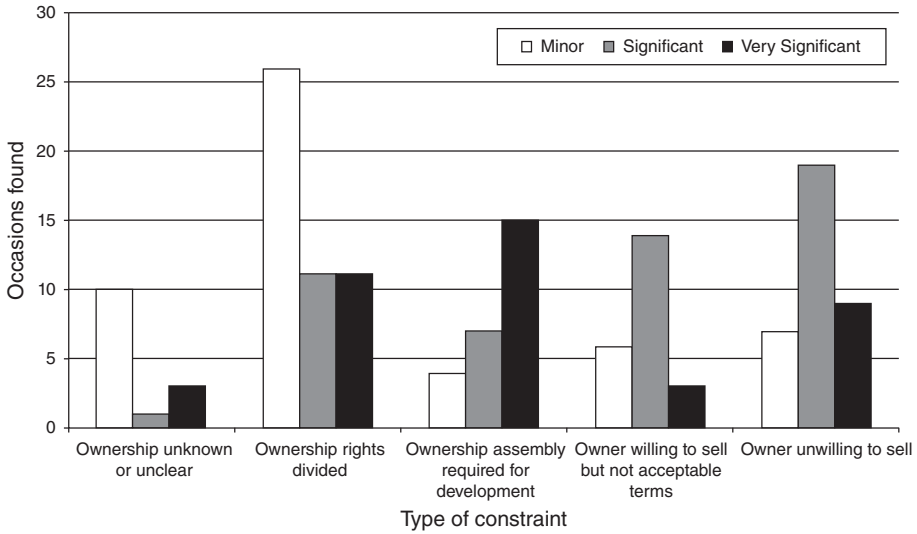
Figure 14.4 Extent of disruption caused by ownership constraints.

Owners apparently willing to sell but not on acceptable terms proved disruptive on 21 of the 80 sites, with 23 individual cases of disruption recorded in total. Four of these cases were attributed to restrictive terms or conditions of sale. For example, one building company advertised plots for sale on an industrial estate in Stoke-on-Trent but required any potential purchaser to commission it to design and build any development. More importantly, some 19 separate cases were discovered where vendors set unrealistically high asking prices or held unrealistically high expectations of land value, below which they were not prepared even to consider offers. In 16 of these cases, the owners' unrealistic prices or expectations significantly or very significantly disrupted another party's plans to use, market, develop or purchase the site.

The impact of this was most acute in the fragile markets of Dundee and Stoke-on-Trent. A classic example concerned a former marl pit of 8.5 hectares in Stoke-on-Trent, half of which had redevelopment potential. It was on the market in 1997 for £860,000. At interview, it transpired that the owner, a local developer, believed its open market value to be £600,000, but would accept £500,000 if offered immediate payment. This sum was calculated on the basis that it would cover the original purchase price of £220,000 paid in 1987, the £220,000 spent in interest charges over ten years and approximately £60,000 of other expenditure. However, the owner admitted that a professional valuation of the land undertaken for his bank suggested that it was worth only £260,000. Crucially, as subsequently

argued, a best professional valuation of £260,000 does not necessarily mean that the land would have reached this estimate, if actually sold on that date.

The four cities research also showed that some owners were simply unwilling even to consider offers from potential purchasers, whatever the price offered. The research identified 35 individual cases among the 80 potential redevelopment sites, where owners chose to retain land in their ownership, even though they had no immediate development plans themselves. These 35 cases were accounted for by owners who wanted to keep the land for later sale (12 occasions), for their own current (under) use (10 occasions), for their own later development (8 occasions) or for no specific purpose whatsoever (5 occasions). Such owner reluctance to sell land with redevelopment potential affected 29 of the 80 sites, and caused significant or very significant disruption to another party's plans to use, market, develop or purchase the site in 80% of the instances where it occurred.

The research confirmed what many other commentators had long suspected or argued, and indeed continue to do so. Almost 40 years ago, for example, Edwards (1977, p. 206) asked "Why if there is a widespread exodus of capital, with manufacturers and statutory undertakers locating their investments elsewhere, do land values in the inner cities remain so high that the re-use of obsolete land and buildings is impeded?" A decade later, Gloster and Smith (1989, p. 3) suggested that in the recession of the early 1980s "companies were reluctant to sell at sensible prices, if such prices were below historic cost or book value." Around the same time, Howes (1989) also argued that owners might be unwilling to sell at prices below those which matched book valuations or recouped historic acquisition costs financed through loans.

Later contributions have come to remarkably similar conclusions. The Urban Task Force (1999, p. 223) considered that "landowners often have unrealistic expectations of what their site is worth or feel unable to release sites because of the inflated values that are recorded in their accounting books," although, strangely, it seemed to believe that the problem was largely confined to public-sector landowners such as the National Health Service and Ministry of Defence. The Brownfield Guide published for practitioners by English Partnerships (2006, p. 29) noted that "Unrealistic price aspirations of land owners can make the site assembly process time consuming and costly." From his own practical experience, Syms (2010) thought it common for landowners to hold unrealistic expectations of both land value and actual prices likely to be offered by potential developers. Most recently, CPRE (2014b, p. 12) argued that "Brownfield site owners are hesitant to sell their land because they speculate that the value may increase in future and as a result brownfield sites within urban areas may remain vacant for a significant amount of time."

The significance of valuation constraints

Since keeping land vacant incurs no taxation and relatively few holding costs, many landowners are under no pressure to sell, and are quite prepared to wait until that tempting offer finally arrives, even if it never does. Crucially, however, owners' unrealistic expectations of what their land might be worth can be reinforced by the culture and practice of professional valuation, so creating specific valuation constraints to urban redevelopment. Although these are conceptually a subset of ownership constraints, valuation constraints deserve special mention. They occur when estimates of value diverge materially from prices actually achieved in open market transactions. Significantly, they reinforce owners' unrealistic expectations of price as well as owners' decisions to keep land off the market.

   In the regeneration context, valuation constraints arise because of the inherent difficulties involved in estimating how much vacant urban land and property are actually worth. Professional valuation works best when there is plenty of recent comparable evidence to draw upon. Yet, actual transactions in vacant urban land are relatively few in number, with the prices paid per hectare varying substantially. Moreover, "Since the size, location and particularly the physical condition of each vacant site endow every transaction with individual characteristics, it becomes extremely difficult for the valuer to generalise a particular level of prices from a recent set of transactions" (Adams *et al.*, 1985, p. 172). This is compounded by structural economic change, which usually requires some write-down of former patterns of value to stimulate new activity. If the comparative method of valuation reinforces the reluctance of owners to acknowledge the extent of structural change, urban land markets can grind to a halt.

   Compulsory purchase is not really much help here, even if were widely implemented by local authorities, precisely because the valuation assumptions inherent within compulsory purchase law and practice encourage undue reliance on past evidence. Ironically, owners willing to sell vacant urban land may do better out of compensation from compulsory purchase than if their land were sold at public auction. While the former is based on a valuation or estimate of price, with all the difficulties that involves, the latter involves an actual market transaction which automatically reflects the extent of structural change within the area. The chapter therefore now turns to the concept of CSOs, which would require land which has been vacant or derelict for an undue period of time to be put up for sale by public auction.

Compulsory Sale Orders

It can be argued that the most effective way to achieve a fair and realistic price for real estate that is hard to value, such as vacant and derelict land, is to

put it to public auction. Auctions enable sellers to fulfil any responsibilities they may have to achieve the best possible price and help resolve the inherent difficulties involved in the valuation of abnormal assets. Auctions are a well-established and widely used means of sale within land and property markets. A brief glance through the weekly pages of *Estates Gazette*, for example, will soon reveal several notices of forthcoming public auctions, mostly involving numerous sales at the same auction, and often including plots of vacant land. CSOs seek to take advantage of this experience and expertise by ensuring far more vacant land is sold by public auction.

Although the auction process has been extensively used to handle the sale of vacant urban land, relatively few owners appear willing to entrust such land to auction. Such reluctance is likely to arise if owners believe that auction prices would be lower than what they think might eventually be achieved by waiting indefinitely for a purchaser. But, from a public policy perspective, this is precisely the point. Significantly, auctions can play an important role in the process of 'price discovery' by which information is conveyed from one submarket to another. For example, in Hong Kong, where auctions are widely used to ensure that public land is sold in an accountable and transparent manner, Chau *et al.* (2010, p. 480) found that "lower than expected land auction prices have a significant negative market-wide and local impact on real estate prices while higher than expected land auction prices have little or no impact." The immediate and very public sense of market realism engendered by auctions could thus provide an important stimulus to urban regeneration by ensuring that vacant urban land is made readily available at reasonable prices to whoever can put it to best use.

The concept of CSOs was originally proposed as 'Community Rights of Sale' by the current author (Adams, 2013), and subsequently recommended to the Scottish Government by its Land Reform Review Group (LRRG, 2014). CSOs would enable local authorities (and possibly other public agencies and even community groups) to require that land which has been vacant or derelict for an undue period of time be put to public auction. This would require a new statutory register of vacant and derelict land to be introduced, as an enhanced version of the existing Scottish Vacant and Derelict Land Survey. After a period of three years on the register (commensurate with the validity of most planning permissions), any site could be subject to a CSO, irrespective of whether it was in public or private ownership. Owners served with a CSO by the local authority would be required to offer the land for sale by public auction within a six- to eight-month period, with local authorities having reserve powers to act if owners failed to comply or to comply satisfactorily.

There may be circumstances in which the owners would wish to object to the inclusion of land within the register. Alternatively, other bodies such as community groups may consider land has been omitted. A formal procedure would therefore be needed to require local planning authorities to consider

and respond to such proposed changes. Such requests would be decided on the purely factual basis of whether the particular sites did or did not meet the required definition. However, there might be some limited right of appeal against the local planning authority's decision, either to the Directorate for Planning and Environmental Appeals or to the courts.

The LRRG also recommended that the notice served on the owner requiring the land to be sold by public auction would be accompanied by a planning statement prepared by the local authority, explaining what types of development may or may not be allowed in future. This would set out any existing planning permissions and relevant development plan allocations and policies. The statement, which would be published online by the local authority, would be expected to be included in the sale particulars.

Although anyone could participate in the auction, it would be important to discourage speculative purchases by parties who then continued to keep the land vacant. To avoid this, all purchases under a CSO would be subject in law to an implied grant by the new owner enabling the local authority to take ownership of the site three years thereafter if no development had by then commenced, at a valuation to be set at that date by the District Valuer. Alongside the planning statement, this would help ensure that bids made at the auction were based on realistic, not speculative, proposals.

If the land remained unsold at auction, a period of time, possibly three years, would have to elapse before another CSO could be served. Such an unproductive outcome would probably be exceptional since, in most circumstances, a community organisation or local authority might be expected to make at least a nominal bid for the land, especially as no reserve price would be allowed. The intended notice period of six to eight months for the auction would also help to generate interest and proposals for the future use of the site.

The impact of CSOs is likely to be far wider than the actual numbers served, since the possibility that land which has lain vacant for an undue period of time could be put to public auction is likely to have a profound impact on both owner psychology and valuation practice. Transaction evidence from any auctions that take place will provide an important future benchmark. By curtailing the power of owners to hold out indefinitely for what they perceive to be an appropriate land value, CSOs will facilitate more effective market operations by creating a better balance between development and land ownership interests, making development more viable, especially at the margin.

Balancing property rights and responsibilities

Rights in land, unlike the land itself, are socially constructed and re-constructed over generations. They have developed and evolved as

statute and case law have reshaped relationships between holders of different property rights over many centuries. This process has involved increasing recognition that property rights are matched by property responsibilities. So, for example, under the Occupiers Liability (Scotland) Act 1960, property occupiers have a duty of reasonable care to see that no-one suffers injury or damage by virtue of some danger on the premises. Over time, both the nature of, and balance between, property rights and responsibilities evolve. This process of evolution can happen gradually as case law develops and more formally as new legislation is passed. In this context, the increasing importance of sustainable development and community empowerment in the economic and social regeneration of Scotland suggests that there must come a time when it is no longer acceptable to the public interest for an owner to retain land or property indefinitely without use or sale. As the LRRG argued (2014, pp. 122–123), "Keeping urban land and property vacant when someone else could put it to beneficial use impedes the chances of achieving sustainable and resilient settlements." The introduction of CSOs thus reflects the view that landowners have important public responsibilities as well as private ones.

Bringing vacant and derelict land back into use can be of particular benefit to deprived communities, especially where it facilitates community-led regeneration. Over the past decade, rural land reform in Scotland has encouraged a flowering of community enterprise by enabling local communities to access land from which they were previously excluded by extensive private estates (Satsangi, 2009; Scottish Government, 2012; Skerratt, 2013). Communities in urban Scotland who may wish to create allotments, open space and small-scale housing or employment schemes can draw on this experience, provided they can access unused land at realistic prices.

In this context, the Community Empowerment (Scotland) Act 2015 provides for abandoned or neglected land in Scotland to be purchased by appropriate community bodies for the purposes of sustainable development, even if there is no willing seller. Lengthy and demanding procedures need to be fulfilled, including ministerial approval, before this power can be exercised. Nevertheless, the Act establishes the principle in Scotland that neglect or abandonment of land can be a cause to deprive owners of their land. When questioned on whether this provision would be compatible with the European Convention on Human Rights, the Minister assured the Scottish Parliament that "The Scottish Government is content that section 48 concerning a right to buy neglected and abandoned land is compatible with Article 1 of Protocol 1 of the European Convention on Human Rights (ECHR)" (Scottish Government, 2014). Conceptually CSOs would be an extension of the existing community right to buy neglected and abandoned land, rather than an entirely new proposal.

Conclusions

In the post-industrial era, the potential for cities to re-invent themselves demands the ability to take land and buildings left vacant by economic change and transform them into sites of future opportunity. Owner attitudes and strategies are crucial in enabling this to happen. Cities without the desire or capacity to regenerate will spread outwards as they grow, leaving the doughnut effect so evident in many parts of North America. In the United Kingdom and Europe, where sustainable urban development has long been associated with the idea of keeping cities compact, constraints on outward expansion have been reinforced by regeneration policies intended to meet development needs through the reuse of redundant urban land.

Much new activity has been generated on reused land in Scotland over the past 35 years, despite its often pepper-potted nature. In Glasgow alone, former docks and shipyards are now home to the Braehead Shopping Centre, the up-market Glasgow Harbour development, the Scottish Exhibition Centre, the BBC, STV and Science Centre, for example. Such success stories show what can be achieved through the creative reuse of urban land, but they are not necessarily typical of Scotland's urban landscape. Indeed, beyond such limited nodes of prosperity lie thousands of hectares of vacant and derelict land, much of which has remained unaltered for many years.

Many people look to the planning system to bring such vacant urban land back into use. While the planning system has immense power in preventing unwanted development, its ability to generate desirable development, at least on its own, is really quite limited. So we need to link the planning system to other policy tools if we want to see significant regeneration take place. Traditionally, this has involved developer subsidies and compulsory purchase. Both are potentially expensive (and therefore less likely at a time of austerity), and both address symptoms of the problem rather than the problem itself.

This chapter has instead argued that where holders of property rights so neglect their responsibilities that sustainable development and community regeneration are impeded, the case for reform is strong. The prime example of this in urban areas is that of keeping land and property idle, when its transfer to another owner, be that a local community, an entrepreneur or a public authority, would help bring that asset back into use and so create new employment, new housing and so on. The chapter has proposed the introduction of CSOs, not as a mechanism for greater government intervention in land markets but, in fact, quite the reverse. In principle, CSOs offer an institutional solution to an institutional problem. Indeed, they would reconstruct the 'rules of the game' within land and property markets to make those markets work more efficiently on their own account, with minimal government intervention. If, by so changing market practices and cultures, CSOs were able significantly to reduce the stock of vacant and derelict land

in Scotland, and relieve the blight experienced on a daily basis by its most deprived communities, they must surely be welcomed.

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15

Frameworks for Temporary Use: Experiments of Urban Regeneration in Bremen, Rome and Budapest

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In most European cities, the scarcest and most unevenly distributed resource is space. However, in recent years, as a consequence of the real estate bubble's explosion and the resulting financial meltdown, a significant surplus of available space emerged even in the most dynamic city economies. The lack of financial resources across Europe has led municipalities to re-interpret their existing infrastructure and to re-activate it by involving new functions and new actors.

The responses to the problem of empty properties appear at various levels of urban planning and governance. The inflexible planning system characteristic of the modernist era has been gradually replaced by 'soft urbanism', allowing for experimentation and for trying possible functions at test sites, before fixing them through large investments. This open-ended planning system also gives more emphasis to the temporal dimension of developments, enabling temporary uses and successive phases in the development process. However, conditions for temporary use vary significantly in different cities.

The Temporary Use as a Tool for Urban Regeneration cooperation project was conducted between December 2013 and March 2015. Funded by the European Union's Urbact program, TUTUR consisted of a transfer of practice from Bremen's temporary use agency, ZwischenZeitZentrale, to various European cities. In the framework of the project, 'receiving cities' were meant to investigate the possibility and prepare the implementation of a

'temporary use agency', to be established in cooperation with municipalities and local stakeholder groups. The cooperation included cities as diverse in their political, economic and social contexts as Rome and Budapest, revealing unexpected difficulties and advantages in all locations.

In this chapter, we address the main issues brought up by the TUTUR project. What legal frameworks are necessary for the short and long-term reuse of vacant properties? How might transparency and a participatory framework be established around a municipal real estate stock as well as around a chosen site and its potential reuse? What are the modalities of cooperation between municipal offices and citizen initiatives? Furthermore, the text also offers a comparative perspective: the case studies focus on the processes the authors helped to elaborate in Rome and Budapest.

The conditions of temporary use

Vacant real estate is an important element of all property systems; without available properties, it would be impossible to find flats, shops and offices to rent. However, above a certain rate, vacancy is harmful to everyone. Owners pay charges on their unrented shops, apartments or offices, while the unused properties are deteriorating, losing their value throughout the process and negatively affecting surrounding properties as well. The commercial activity of a neighbourhood is gradually degraded by the presence of vacant properties that do not generate any traffic and that deprive entire groups of potential customers of local shopping facilities. Boarded-up houses and shops with lowered shutters worsen the public safety of an area, where nobody sees what happens on the street. Abandoned properties create increased risk to public health and increased costs to municipal governments.

The flexible, temporary use of empty properties is a planning tool introduced in various European cities, effectively bringing together various stakeholders. It can engage an important number of municipal and private actors and property owners, as well as community organisations, to elaborate potential uses of existing infrastructure and resources. Ideally, transforming empty properties to allow them to adopt new uses offers advantages to all. Owners profit through the renovation and preservation of the building, users access affordable work and living spaces, residents enjoy their revitalised neighbourhoods, merchants benefit from increasing traffic and sales, and the design professions gain new work opportunities and expanded professional perspectives.

Temporary use offers a seemingly simple solution for vacant properties, by generating win–win situations through the engagement of property owners and users. However, there are many conditions that need to be fulfilled in order to create successful temporary use: available spaces, open-minded property owners, engaged groups of potential users, regulatory flexibility,

and a clear vision and transparency of public real estate development. When all these elements come together, they constitute the necessary conditions for successful temporary use, but structural change requires national lawmakers, municipal departments, private owners and potential users to coordinate their activities by creating pertinent cooperation frameworks. These frameworks need a flexible legal structure that enables quick decisions and an enhanced sensibility for local needs and resources. The structures allowing for temporary use can be heterogeneous. Land banks usually acquire vacant properties, first to clear their titles and to demolish, refurbish or repurpose them, and then to resell them or make them available for community use.

Temporary use agencies act as mediators: they construct links between owners and potential users, build networks, and identify resources on both the owners' and the users' side. They can be a private initiative such as Coopolis, Berlin, or HausHalten, Leipzig; or they may be initiated from within the municipality but operate outside of it, like ZwischenZeitZentrale, Bremen. The latter are independent enough from municipalities but cooperate and exchange information with them, without being constrained by the administrations' cumbersome bureaucracy.

Creating appropriate frameworks is crucial in establishing temporary use practices. They can function as structures of a more inclusive planning system, where community initiatives contribute to the regeneration process without being instrumentalised or exploited, and where their investment in formerly vacant spaces also benefits property owners and surrounding neighbourhoods.

Transferring models

Temporary use has been an increasingly attractive model in European cities in recent years. Ideas and practices for reusing vacant buildings have been exported, transferred and imported through professional networks, non-governmental organisations (NGOs), policy entrepreneurs and cultural actors, as well as through formal knowledge and policy transfer frameworks. There are many ways to transfer practices from one city to another, and each has its advantages and disadvantages. Some countries have extended policy exchange networks linking their cities. In Germany, the pilot projects supported by the Nationale Stadtentwicklungspolitik, the national urban development policy program, are meant to elaborate models and policies to be transferred later to other German cities. The Bremen-based ZwischenZeitZentrale, a pilot project of the Nationale Stadtentwicklungspolitik, has been a model for temporary use agencies in other German cities, like Stuttgart. National policy exchange is facilitated by a shared language and similarities in the different cities' cultural and administrative contexts.

Besides national efforts to internationalise their achievements (and explore new markets for their professionals), there are also international frameworks for knowledge transfer like the European Union-funded Urbact program, bringing together municipalities in policy development and implementation networks, including the TUTUR (Temporary Use as a Tool for Urban Regeneration) project. Successful international transfers, however, need to fulfil many conditions. Some practices, for instance, while attractive to some administrations, are uninviting to others. When speaking in an interview about the possibilities of learning from international temporary use practices, Jutta Kleedorfer – the head of Vienna's MA21 and initiator of Vienna's temporary use program – explained that her ideas are better received at the City Council when they are related to Swiss examples rather than to Dutch ones (Kleedorfer, 2012).

As Dorina Pojani and Dominic Stead (2014) describe in their article analysing urban policy and planning practice transfer mechanisms between the Netherlands and recipient countries, there are several additional challenges in the transfer of ideas and practices. Pojani and Stead cite cultural habits, social setup, language, planning traditions and legislation and financial resources among the contextual variations that might obstruct policy transfer. Besides contextual constraints, Pojani and Stead write, unrealistic objectives as well as

"the failure to involve political elites in transfer processes and the institutional discontinuity that less stable countries experience have prevented the transfer of Dutch planning policies" (Pojani and Stead, 2014, p. 14).

Diane Stone (2012) also highlights the importance of internal constellations and organisational features in the success of policy transfer:

> *Factors that are internal to a system such as the power dynamics of political interests and the socio-historical make-up of a polity can be a more powerful determinant of what is adopted more so than external factors.*
> (Stone, 2012, p. 485)

Temporary use, as a relatively new and attractive practice, has been popularised through research, exhibitions and publications as well as professional exchange. The cities of Rome and Budapest have been involved in this exchange, mostly through informal networks established by professional organisations and non-governmental advocacy groups. In an attempt to elevate this exchange to a higher level and to involve municipalities, public officers and policy makers, professionals in Rome and Budapest initiated the TUTUR knowledge transfer project. Writers of the application, planners from Budapest and Rome, looked at various municipal strategies that could be implemented in their cities. After negotiating with municipal officers from Amsterdam and Vienna, they decided to settle on the Northern German city of Bremen, and its temporary use agency ZwischenZeitZentrale.

Municipality-initiated temporary use: ZwischenZeitZentrale, Bremen

The Bremen-based ZwischenZeitZentrale (ZZZ) was one of the first temporary use programs established by a municipality in cooperation with an NGO. It was born from the recognition of the need for new tools to revitalise vacant sites and building stock and to keep young professionals and creatives in the city. In Bremen, the requisite elements of successful temporary use came together in a fortunate setting.

In the 1980s and 1990s, Bremen went through a post-industrial transformation similar to that of many other cities in Europe: with the closure of shipyards and the old port, empty industrial areas occupied all the riverfront of the River Weser. A high rate of unemployment and changes in shopping behaviour led to empty shops in various parts of Bremen. The city also experienced a decrease in its attractiveness: despite the presence of universities in town, statistics depicted an increasing outmigration of young graduates, mostly towards its neighbour Hamburg or to Munich and Berlin. In the late 2000s, the city of Bremen came up with the idea of a temporary use agency for the whole city as a pilot project of the Nationale Stadtentwicklungspolitik, a program of the Federal Ministry of Building. The impulse for a temporary use agency in Bremen came from the Department of Economics, Labour and Ports in 2007. The agency, concentrating on the urban redevelopment area of Überseestadt, prepared a survey of temporary uses, as a first step.

As Kai Stührenberg, head of the department, explained, temporary use was seen first of all as an economic regeneration strategy.

> *Temporary use is very important because we have to deal with very small companies, freelancers, people who don't earn much money, mostly in the beginning of their career, so it's very important to have low rents and to have very inspiring surroundings. We found out that if you have an old building with a special atmosphere, it helps people have better ideas: they elaborate projects, go into networks. More than in other economy areas, for the creative industries and the arts, the atmosphere of the buildings is very important.* (Stührenberg, 2014)

Through an open call in 2009, the municipality selected a group of architects (Atelier Autonomes Architektur – AAA) with significant experience of revitalising spaces in Bremen, Hamburg and Berlin to run the agency, baptised ZwischenZeitZentrale. Their assignment gave the agency from the beginning significant visibility and a good network of institutions and potential users for the vacant spaces. In the first month, the website (www.zzz-bremen.de) was launched, providing an overview of empty structures for interested owners and users. Based on this inventory, ZZZ invited various stakeholders to participate in discussion: public and private owners, housing associations, neighbourhood organisations, schools, representatives of the cultural and creative scenes, and district managers (Schnier, 2014).

Besides helping them to find space, the agency offers various services for potential temporary users; ZZZ helps initiatives with concept development, rental rates, insurance issues, permits and legal documents, safety precautions, community building, funding and sponsorship opportunities, as well as marketing.

The implementation of the project includes mediation of the requests of users to the owners, the identification of suitable vacancies, the examination of spaces' usability, the public relations for the projects, the acquisition of additional funding for individual projects, communication with the different locations, the development of property and reports on the progress of the project. Although it has direct access to the Bremen Municipality's vacant building stock, ZZZ does not only address publicly owned buildings. Part of the agency's mission is to engage private owners in temporary use activities.

> *In the case of private buildings, it's always a negotiation, you have to tell the investors or the owner of the property what kinds of projects you want to do, how the project can help the building be more attractive. It happens that nobody wants to go into a building, and after a few years, with the help of a good project, it becomes interesting for new customers. It's worth money to make temporary use.* (Stührenberg, 2014)

Between 2009 and 2012, ZZZ supported around 50 projects of different scales, from 30 m^2 to 4500 m^2. Within these three years, over 500 initiatives turned to ZZZ to request empty space for offices, ateliers, workspaces, event locations, cultural hotspots and for-profit economic activities which are granted the temporary use of the spaces on the grounds that they will cover all operational costs. The supported projects included initiatives from a diversity of target groups: neighbourhood-oriented social projects, activities supporting children or the elderly, and local organisations working on education, history, art, gardening, unemployment, migration and schools (see, for example, Figure 15.1).

The key to ZZZ's success, besides the strong political and administrative support given to the agency's work, is the efficient coordination achieved between different stakeholders – municipal departments as well as private actors. To support the project within the city administration, different departments were brought together in a Steering Group and an Advisory Board – "the first time these departments work together on a project and sit together at the table. … A lot of information is exchanged and many problems can be solved before they pop up" (Schnier, 2014).

While the Advisory Board, which meets every six months, helps the agency with strategic counsels and guidance, the Steering Group, meeting every 4–6 weeks, coordinates the various interests of the involved departments and the municipal enterprises. In these meetings, the focus of the upcoming projects is set, current projects are discussed and solutions are developed together. The Steering Group consists of high-level managers of the Department for the Economy and Ports Bremen; the Department for Environment, Construction and Transport; the Department for Finances; the Department

Figure 15.1   The temporary Kunsthalle in Bremen.

of Culture; Real Estate Bremen and the Promotion of Trade and Industry Bremen. The Advisory Board's members are the Municipal Housing Company, Owner Representation Bremen, the Centre for Built Environment Bremen, the Chamber of Architects Bremen and the Association for Cultural and Creative Industries.

In ZZZ's concept, the agency's strong links to private actors and the cultural and creative scenes are just as important. Hence the choice was made to establish an independent agency, operating outside of the municipality but relying on internal resources.

> *We have many buildings owned by the administration, and the ZZZ makes the link between them and the potential users: they know the projects and the buildings, they act as translators between the administration's bureaucracy and people who have a different language. It's very good to have an institution between the customers and the administration, and this is ZZZ. … ZZZ is the first of its kind in Germany. Previously we had a normal, conservative agency, that didn't work. ZZZ comes from the creative scene, they are from the scene, and this is the main factor for success. Many other cities come to Bremen and look what we do here.* (Stührenberg, 2014)

The streamlined coordination also enables experimentation beyond standard regulations. Similar to De Ceuvel in North Amsterdam – a new neighborhood built from unused boats, closely observed by the Amsterdam Municipality and supported by their suspension of certain zoning prescriptions and rules – the Bremen Municipality allows a flexible take on certain regulations. While there is no formal difference in safety regulations related to short-term

Figure 15.2   The Plantage9 incubator building in Bremen.

and long-term uses, the municipality accepts commonsense judgements and only requires a full-scale safety system for the latter. Similarly, while many public administrations would struggle with choosing the right organisations for the right spaces, the Bremen Municipality allows ZZZ to choose the tenants for the assigned spaces (Figure 15.2), without slowing the process with public competitions.

Undoubtedly, Bremen's temporary use policies and the practices enabled by ZZZ require a strong, flexible and highly innovative public administration, with confidence in decision making and a large amount of trust between various actors. When endeavouring to transfer Bremen's model to Southern and Eastern European cities, many of these elements are rather difficult to find.

Formalising activism: temporary use experiments in Rome

Vacant properties in Rome are the result of factors common to many other cities, such as the economic crisis and demographic changes, but also of the mismanagement of publicly owned real estate portfolios and excessive construction without corresponding demand. Still today, the City Plan approved in 2008 foresees the urbanisation of 15,000 hectares,[1] even though the city has barely registered any demographic growth in the last few decades, because inhabitants moved to other towns in the metropolitan area in search of cheaper rents (Caudo, 2014). Rome's anachronistic zoning

plans, originating from the boom years of the 1960s, have produced many unsold apartments that have stood empty for years (Erbani, 2013). In March 2014, the heavily indebted City of Rome received a bailout from the Italian government, with an agreement forcing the city to follow further austerity measures, cutting budgets in culture, education and social services. These measures only aggravated the crisis of eroding services in Rome. Recent years have seen the closure of dozens of cinemas, theatres, schools, libraries and markets, and this has added to the numbers of unoccupied houses as well as to vacant industrial and commercial spaces in peripheral zones.

The Rome Municipality has long been aware of the problems and opportunities represented by empty buildings and spaces. Before he was appointed as the head of urban planning, the university professor Giovanni Caudo said in an interview:

> *Rome would need a plan … to reuse and regenerate existing buildings. … A plan that enables a pact in favour of the city, with the entrepreneurs of the construction industry oriented towards the transformation of existing real estate and not relying on changing land use.* (Erbani, 2013, p. 93)

Regeneration as opposed to expansion has also been an important concern of the new mayor's program, as expressed in a communication by the mayor's office.

> *Thus begins a journey of urban regeneration, that we see as the core of our work. Urban regeneration means to recover unused spaces and to return them to citizens, promoting productive activities in the interest of communities, creating new jobs and improving the neighborhoods of our city.* (Marino, 2014)

In 2013, the Rome Municipality set itself to enumerate its own properties by creating an unprecedented database of public properties. The creation of the database was complemented by additional mapping initiatives. As part of the TUTUR project, the already existing architect-run online platform 'City-Hound' helped to identify vacant properties within Rome's 3rd District. Within the pilot area, the platform holds information on over 70 abandoned properties including schools, industrial premises, shops, infrastructure and green spaces, some of which have become test sites of the municipality's temporary use program. This mapping effort was pursued within the Conferenze Urbanistiche (Urbanism Conferences) held in 2014 by the Planning Department in collaboration with the 15 districts, in order to identify sites where zoning change was necessary. The mapping process revealed the constant presence of abandoned properties sharing a common history: derelict industrial areas and green spaces, and closed schools, cinemas, theatres and marketplaces, many of them shut down because of administrative problems, complicated assignment procedures and a lack of experiments with new functions and management models.

Despite the ambition of the administration to focus on the existing urban fabric and abandoned spaces, and to reuse them with the involvement of citizens, the practical implementation of these objectives has been difficult

to achieve. Decades of corruption at various levels of the administration have resulted in irrationally rigid laws for the management of real estate by the Rome Municipality and by its in-house companies. This inflexibility made cooperation with actors outside the municipality and involvement in civic initiatives for the regeneration of vacant spaces highly complicated and time-consuming.

In contrast to the seamless cooperation between Bremen departments and administrative bodies, the Rome Municipality is highly fragmented. Cooperation and communication between the departments are often hijacked by political competition. While the Department of City Planning (Assessorato della Transformazione Urbana) was hosting the TUTUR project, the municipality's Real Estate Department (Assessorato del Patrimonio), whose participation was essential to a project addressing vacant properties, came up with its own mechanism 'Patrimonio di idee' to assign public abandoned properties to associations. Other public bodies and municipal departments have also competed with each other to come up with progressive policy frameworks for the reuse of vacant land and properties. 'Terre Pubbliche' was the Lazio Region's competition for the assignment of abandoned public land to a young cooperative of farmers, initiated after the occupation of Borghetto San Carlo. 'Delibera per spazi Verdi' was promoted by the Environment Department to assign abandoned green land to neighbourhood associations for playgrounds and gardens. The parallel, uncoordinated emergence of these initiatives is a sign of the incapability of the administration to create an inter-sectorial governance model. Nevertheless, because physical spaces do not always follow administrative boundaries, what is managed separately by municipal offices often does not match reality.

Limited by the Planning Department's field of competence, that is, regulation instead of intervention, the local implementation of the TUTUR project focused more on developing processes around chosen locations, instead of elaborating standard procedures. The choice of two areas in the 3rd District was made because of the diversity of the areas and the district's open-minded, cooperative leadership. The Montesacro area presents various typologies of abandoned properties and is building a network of local services with the involvement of the local community, such as culture (through the school theatre), economy (through the reactivation of the market; see Figure 15.3) and information (through the House of the District information point). In particular, the added value of this intervention lies in its easy replicability in other neighbourhoods of the city.

Differing greatly from Montesacro, the Viadotto dei Presidenti is an unfinished infrastructure, which was started in the beginning of the 1990s to host the new metropolitan rail system. Today, nearly 2 km of an unfinished elevated viaduct stand in the middle of the social housing neighbourhood, creating a barrier rather than a connection. In pursuit of a plan to reconvert the viaduct into a cycling lane, the area was transformed in October 2014

Figure 15.3 The Viale Adriatico Market in Rome after a community intervention.
Source: Courtesy of Alessandra Glorialanza.

into a local laboratory with a bicycle workshop, a children's playground and a meeting room for local associations (see Figure 15.4). The temporary reuse of the viaduct gave a chance for the local community to prefigure the long-term perspective, to prepare the ground for the transformation of the infrastructure to a cycling and pedestrian path. Apart from providing a solution to a local need, the value of this project lies in the symbolic power of transforming, through participation, a large infrastructure that has been abandoned for over 20 years. Because of the involvement of Senator Renzo Piano's research team, national attention was focused on the viaduct, helping to secure the allocation of funding for the site's long-term regeneration.

The transfer of the Bremen model to Rome met various obstacles. First, after decades of widespread corruption at various administrative levels, many real estate management laws (as opposed to urban development regulations) intended to make cooperations more transparent gave an insurmountable rigidity to processes. For instance, a law regulates the rents of many properties owned by the municipality or public companies. However, it does not take into account location or desired use, and guarantees that many spaces, especially at more peripheral locations, will remain unoccupied because of the irrationally high rents. The undifferentiated level of rents for various uses reduces the possibility of community involvement even in the simplest cases. The rent to organise an outdoor community event on an abandoned piece of land would be the same as that for a commercial fair.

Second, there is no proper legal framework within which the municipality might cooperate with external partners. If a community invested its energy in a parcel or a building, the only way to bring its mission

Figure 15.4 Event at the Viadotto dei Presidenti, Rome.
Source: Courtesy of Alessandro De Tullio.

to the municipality is to put pressure on the administration. To move beyond voluntary engagements (and the exploitation of citizens' work) and remunerate collaborators' work, the municipality is obliged to launch a public competition, whose evaluation criteria might or might not include the applicant's familiarity and previous engagement with the project.

What appeared to be one of the main challenges within the TUTUR project is to embed the pilot phase within a structural change of mindsets, policy and practice. Even though the city has many good practices in the reuse of abandoned properties, they are highly dependent on personal constellations and cannot be formalised into policies or frameworks, especially with the continuation of the political instability that caused the Mayor to resign in October 2015.

Establishing trust: public and private initiatives for temporary use in Budapest

Budapest has suffered more from the economic crisis than many other European cities. The recession, the obsolescence of many building types and the mismanagement of real estate properties owned by private as well as public owners have emptied a significant proportion of the city of its previous functions and use. The city witnessed several waves of privatisation. From the early 1990s, formerly state-owned properties, including housing and institutions alike, were privatised or given to municipalities. District

municipalities, given a high level of autonomy in relation to the Budapest Municipality, developed their own real estate management processes. These were different in each district, but consisted mostly of selling their assets to private parties – from retail units, through housing and schools, to hotel and hospital complexes – in the hope of filling their budget gaps. These waves of privatisation left many buildings and spaces abandoned in the city. For example, many of the school buildings that were put on the market in 2007 were not sold, have been unused for years and have suffered rapid physical deterioration. A similar fate affected cinemas, theatres, school buildings and thousands of retail units, placing a significant financial burden on municipalities (Polyak, 2014).

By the early 2010s, many district municipalities elaborated their systems to allow NGOs and tenants delivering important services to rent spaces for a reduced price. However, the lack of transparency of these local systems, as well as their widely differing regulations, made the whole system very arbitrary. This benefited well-informed, politically linked tenants rather than public utility organisations. The strict separation in the district regulations between social, cultural and economic uses – neglecting the entire field of social economy – made rental opportunities unattractive for many non-profit initiatives, reluctant to give up important revenue sources. Furthermore, in most of the districts, the length of the bureaucratic procedures to create a lease agreement made it completely unpredictable, and discouraged potential users and temporary users from taking up a tenancy – thus leaving many storefronts and offices abandoned.

Many actors recognised that the system of reduced rental agreements could work in a much more efficient and transparent way if it was coordinated at the city level. They also recognised that the longer properties stand empty, the larger initial investment they will need to be brought back into the commercial circulation, as well as for temporary use. In 2012, the Budapest Municipality's Planning Department began to acknowledge the problems and opportunities of vacant properties. As the then-new head of the Department, Sándor Finta, explained in an interview:

> I believe that before we launch long-term, large and expensive development projects, we need to bring life into the unused urban spaces and buildings, making life more pleasant at a low cost. ... One of the key problems of Budapest is the emptying of downtown shops, partly caused by the recent proliferation of shopping malls both in the city and in the agglomeration. This process could be reversed if small shops could sell unique products of quality – be it food or products of the creative industry – that cannot be found in the malls. Of course, this would also require an important number of people with adequate purchasing power. As a first step, we could help young creatives settle down in the areas in need of activity. Starting with a low rent, these initiatives could gain strength over a longer term. Inner city districts could become famous

> *for hosting creative quarters so that both inhabitants and tourists know*
> *where to go if they're searching for local brands and products. It is surpris-*
> *ing that none of the districts have seriously considered this possibility.*
> (Finta, 2015)

In 2013, the Planning Department launched a public competition looking for ways to valorise empty storefronts. Unhappy with the results of the competition, which focused too much on the visual appearance of the storefronts, the Department joined forces with the NGO Hungarian Contemporary Architecture Centre (KÉK) to elaborate a more thorough plan for temporary use. KÉK is a professional organisation that is strongly embedded in the cultural, creative and activist communities, but also has links to universities, research institutions and the public administration. It had been working on a program for temporary use (see Figure 15.5). This included a crowdmap inviting users to upload vacant properties on a shared online platform, and a series of lectures and workshops looking at the possibilities to transfer practices, models and policies from various European cities to Budapest (Patti and Polyak, 2014). KÉK also contributed to the Urbact cooperation project on temporary use that the Budapest Municipality could only join as an observing partner.

  Addressing the vacancy issue at the city level required good coordination between the Budapest Municipality and the autonomous district municipalities. A good dataset of the publicly and privately owned properties, including the vacant and available ones, was also needed. While starting to elaborate a long-awaited, previously non-existent database of the properties owned by Budapest Municipality, the Planning Department also made a call to

Figure 15.5   Site visit at Budapest's Nyugati Grund.
Source: Courtesy of István Keresztes.

the district municipalities and private owners to add their properties to the database. The call had little impact: very few district municipalities and even fewer private owners contributed to the municipal map. This failure was repeated in the Municipality's 'Coming Soon!' program, in which district municipalities and private owners were invited to offer their unoccupied properties for short-term creative, cultural and social uses, by adding them to a general pool administered by the Budapest Municipality. On the one hand, the low participation in the pool reflected the highly fragmented administrative structure of Budapest in which districts have a high level of autonomy and often very different objectives from those of the city. Only two peripheral districts participated with their most hopeless properties, and even the Budapest Municipality's own Real Estate Department declined to join. On the other hand, the unwillingness of private owners to enrol reveals their lack of trust in the municipality's actions.

Another obstacle was the gaps between language, expectations, capacities and working methods of the municipality and civic actors (Figure 15.6). Efforts to reuse a 6000 m^2 vacant school building as a creative incubator were halted because the location was estimated to be too big and not central enough by representatives of the creative sector. The temporary use of a vast green space behind the city's most central railway station came to a standstill because of delays to the soil pollution tests to be delivered by the public owner and because of the public bodies' insistence on standard project documentation formats, incompatible with the working process of community initiatives. The professionalism, efficiency and engagement of

Figure 15.6   Workshop with municipal officers and NGO representatives in Budapest. *Source*: Courtesy of István Keresztes.

the partners were constantly questioned on all sides, reflecting a culture of deep suspicion in all cooperations and experiments, despite serious efforts to bring all (civic, municipal and professional) actors to the table. KÉK's proposal for a tax reform similar to those in various European countries was judged to be unrealistic because all taxation-related decisions are made at the national level.

After the failures of the 'Coming Soon!' program, the cooperation between the Budapest Municipality and KÉK came to a standstill. Despite the investment of significant resources in the partnership, reorganisations in the municipality's structure made cooperation with the public administration even more unpredictable, with less engagement from the administration's side and poorer results expected. Therefore, it is not surprising that KÉK, after working more successfully with private owners and being increasingly approached by initiatives looking for rental opportunities exclusively in private properties, began to shift towards cooperation with private owners and real estate funds. Consequently, the main principle of the ZZZ model – that is, the elaboration of efficient public–non-governmental partnerships for temporary use – was not achieved.

Conclusions

While both processes are still ongoing, the Rome and Budapest experiments to introduce a municipal framework for community involvement in the regeneration of vacant spaces share similar diagnostics. The most important achievements of both experiments resulted from the activities of particular constellations of owners and prospective users that engaged with inspiring locations. They depended more on personal dynamics than on formal frameworks.

The challenges met by the policy transfer process in both cities demonstrated clearly that the success of knowledge exchange depends largely on the agents of the transfer: while initiatives from the civic society may reach a number (and often a critical mass) of civic servants, the lack of solid political support makes these initiatives very vulnerable. The role of political agency in contexts where institutional continuity is not ensured cannot be underestimated: unless political leaders embrace these initiatives and make them part of their agenda, administrations have very limited space to manoeuvre and innovate. This is particularly true in societies where the absence of public consensus about urban development prospects and the lack of trust between public administrations and the civic society make public servants very cautious about the possible consequences of pushing the boundaries of regulations. Overregulation is therefore a feature not only of legal systems but also of administrative regimes.

The conversion of abandoned spaces into temporary public spaces and the process of rethinking the functions of underused buildings in Rome's 3rd

District depended on open-minded and curious local administration person-
nel, and engaged local actors, community activists and professionals. The
process came to a halt when political support evaporated and community
stakeholders began to lose their short-lived confidence in the administration.
Paradoxically, the legislative vacuum following the Italian capital's political
crisis in 2015 opened up new spaces for experimentation: although lack-
ing political oversight and decision-making capacities, civic servants found
themselves liberated from political pressure for a limited period.

In Budapest, curiously, the cooperation between NGOs and the public
administration proved most successful in agreements with private owners:
the success of the one-month Festival of Empty Shops in Budapest (see
Figure 15.7), that opened long-term unrented (mostly privately owned)
spaces for various creative activities, was based on personal sympathy
between the owners, users and mediators; the role of municipalities has
gradually evaporated from the process. Aware of the public administrations'
latest corruption scandals, the political constraints of their decision-making
space and their chronic incapacity to respond to community needs, many
citizen initiatives grew disillusioned with public entities and turned to the
private sector to establish pockets of 'public spaces' within privately owned
properties.

The lack of efficient administrative dynamics and the dependence on
personal sympathies are conditions that are certainly hard to align with
municipal policy measures, but might be provided by introducing incentives
for experimenting with one's costly, long-term unoccupied spaces, and flex-
ibility in the municipal decision-making and cooperation processes. It is

Figure 15.7 Festival of Open Shops in Budapest.
Source: Courtesy of Dániel Dorkó.

also clear in both cases that real innovation in municipal policies cannot be achieved without having the support of the various departments and public bodies necessary for implementing the plans. This is particularly true in the case of knowledge transfer. Transparency is also critical for realising systemic change in municipal real estate management. The lack of inventories of publicly owned properties and data about their occupancy adds a significant amount of time to the planning of municipal interventions or civic initiatives. Another important element of cooperation is trust. As long as the various actors in regeneration projects – civic organisations, design studios, development companies and municipal departments – are not aware of each others' motivations, objectives and ways of working, cooperation is very difficult to orchestrate.

If these conditions are far from being met in contemporary Rome and Budapest, the experiments certainly help to articulate the most important questions. How do we create links between particular projects and general visions? Is policy capable of helping unique processes without standardising them? In public competitions, how do we take account of resources that have already been invested in sites? How do we create an interface between municipalities and civic initiatives where the latter can effectively approach the former and the other way around? How do we introduce flexibility in administrations without losing transparency? These are the challenges future initiatives will have to address when building up innovative frameworks for the reuse of vacant properties in Rome and Budapest.

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16

Conclusions: The Tensions and Dilemmas of Transience

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Transience and transformation are essential elements of the evolution of social systems. Without change, there is stasis and, ultimately, decline. But this need for change gives rise to tensions within systems: tensions that pose dilemmas for actors at every level of those systems. On the one hand, a more stable system is easier to operate than a volatile system. On the other hand, as the system's elements become more fixed, it becomes less capable of timely, effective responses to changing circumstances. What is the appropriate balance to be sought between predictability and flexibility so that a system's long-term performance is maximised? Issues of power complicate this question. The prevailing character of a social system will reflect the extant distribution of resources and influence within it. Change in the former inevitably has implications for the latter.

  The role of temporary uses in urban systems may be considered in this context. The institutional structures and processes of an urban system – economic, social, political, technological, cultural and environmental – determine the behaviour of that system and are related to the system's power relations. When cities respond to new conditions, both functional and political economy factors come into play. Changes may be supported or resisted by established actors not because of the extent to which they enhance or detract from the performance of the urban system but because of the degree to which they reinforce or undermine current power relations. Critical analyses of temporary uses are particularly concerned with those uses' potential to affect extant arrangements. This potential – and the means of fulfilling it – is also the key focus of the

book. However, before this point is addressed, time needs to be discussed. Hitherto, time has been a neglected aspect of studies of temporary uses (Henneberry, Chapter 1).

Time, transience and temporality

> **transient** … *passing away with time, not durable or permanent; tempo-rary, transitory … passing through, passing from one thing … to another. (OED; Brown, 1993, p. 3369)*

The city continually evolves, carrying forward influences from the past and moving towards a promised future (Lehtovuori and Ruoppila, Chapter 4). It is a constantly changing collage of layered physical and socio-economic elements. Thus, time is as inherent to urban character as space. And a focus on transience, on the passing of time and on transformation allows temporary uses to be viewed from a remove, facilitating their consideration within a wider context. Individual temporary uses may be fleeting, but transience – and the difference, multiplicity, variety, alterity, otherness or heterotopia that it allows – is a permanent feature of the city as a whole, essential to its operation and quality of life. Empty or under-used space is a natural and necessary part of urban form.

Within this longer, wider view, Bennett (Chapter 2) develops an alternative perspective on the temporality[1] of buildings and the materials that constitute them. Buildings are often composed of recycled materials from previous buildings. These elements may be more or less directly appropriated. Compare the 'quarrying' of materials – stones, timbers and so on – incorporated more or less whole into 'new' buildings with the use of the treated remains – in the form of reconstituted stone, RSJs manufactured from scrap metal and so on – in 'new' structures. But, whatever their provenance, this shift in focus reveals the materials as that which endures and buildings as more transient and changing assemblages of those materials. Buildings are simply temporary stabilisations of matter particular to their time.

This conceptualisation allows two aspects of transience in the urban built environment to be considered, both linked to the 'natural' building development cycle (Muldoon-Smith and Greenhalgh, Chapter 13). Changes in buildings' economic, technological, social and cultural environment gradually render them obsolete. New buildings and uses more suited to current circumstances are then required to replace them. When such redevelopment is delayed, passing use may be made of the under- or un-used land or buildings in the interim. If things – affecting building design and technology and/or the uses arising from an evolving society – change, then

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[1] The "characteristic of existing and operating within a specific temporal location" (Howlett and Goertz, 2014, p. 478).

the speed of obsolescence and the duration of the building cycle will also change. More rapid change produces shorter building cycles and more transient buildings (and *vice versa*). More frequent building cycles also result in the need for more frequent redevelopment and, therefore, increase the potential for transient use to be made of sites if that redevelopment stalls.

Consequently, a distinction may be made between transience, on the one hand, and temporary use, on the other. Indeed, it may be possible for the urban built environment to become more transient as the building cycle accelerates but, because of continual redevelopment being supported by strong demand for new buildings, for temporary uses to decline for want of suitable sites. Variations in the socio-economic environment across time and space will produce different outcomes in terms of building cycles, redevelopment processes and the opportunities for temporary uses (for example, between strong and weak economies or between periods of growth or recession).

But what of time? The literature on temporary uses treats it as a construct that is linear, one-directional, uniform in flow and common to all entities. This position is challenged by Livingstone and Matthews (Chapter 3) who develop the concept of 'transient spatialities' to describe the particular and multifarious engagements of time with space that constitute our changing urban environments. Cities are spatial *and* temporal representations of social processes. The forms of 'transient spatialities', at individual and aggregate levels, are subject to – and influence – wider physical, social, economic, environmental, political, technological and cultural forces, such as those arising from globalisation and neoliberalism. Those forces are accelerating spatial and temporal fragmentation.

Different actors and groups perceive, experience and use time – the distant and more recent past, the present and the future – in different ways in different contexts. Social activities, such as learning and working, shape time with rhythms and flows (such as the working week, the weekend, school terms and holidays, and so on). Community time has a form distinct from that of other temporal structures. Policy making embodies specific treatments of time to which individuals and communities are subject. A direction (forward) is created and a future-to-be-reached is described. These different temporalities contribute to tensions and conflicts within and between spaces that reflect power relations in society. They may give rise to heterochronies where traditional time may be disrupted. Such liminal spaces are spaces of ambiguity and paradox offering the potential for transformation. They may allow some to impose temporalities on others – or for such attempts at dominance to be resisted.

Livingstone and Matthews (Chapter 3) illustrate this through two examples. In the first example (food banks), food parcels may only be collected in specific places at specific times and may only be distributed to individuals or families three times. Users experience a space that

emphasises poverty and a process that breaks with their traditional use of time. Yet the operation of food banks is also an exercise in power by the local community offering, however remotely, the possibility of reconstituting social relations. In contrast, in the second example the local community was disarmed by changes in the 'transient spatiality' of the neighbourhood of Wester Hailes that arose from new network technologies. The community newspaper disappeared, a victim of the distanciated propinquity of the internet combined with a relative lack of access to it. Interest in historic images of the area posted on Facebook that reflected the long-term, general place attachment of the residents was not matched by an interest in immediate issues.

So, when studying transience and temporary uses, we need to consider whose time is being used and to what it is related. When alternative approaches to the development of a neighbourhood are being negotiated, this may involve: the future time of the strategic planner related to an end state prescribed by the plan, the more immediate time of a new small business within which it must establish itself, and the 'long' time of the local community that wishes to maintain continuity with its roots in the past. The degree to which these different temporalities are reflected in decisions about the area's future is just as telling of power relations as the distribution of other resources. It is the position of transience and temporary uses within this wider structure of resources that is our next concern.

The structural position of transience in the urban system

The complex mix of different types of urban spaces – that range from the complete formal footprint of large capital to the unplanned other-ness of temporary uses – allows the powerful and the powerless to exercise their claims to the city. It also presages the two main interpretations of temporary uses: that they are instruments of planning and management, testing options and thereby contributing to urban development; or that they are spaces of intrinsic value, offering the potential for novelty, innovation, hope and change (Lehtovuori and Ruoppila, Chapter 4).

Lehtovuori and Ruoppila (in Chapter 4) argue that the unique places created by temporary uses are the products of the specific relations between particular spaces and the different groups that appropriate them. Some actors see themselves as working in the cracks of a system to improve things, rather than as challenging the system itself. This mirrors the first interpretation of temporary uses. Other actors promote the insurgent use of cities' private and public spaces to pursue alternative approaches to urban development, whether or not that pursuit complies with state regulations. This mirrors the second interpretation of temporary uses.

Thus, there is a tension between those who argue for temporary uses as a means of developing an alternative society and those who see them as a way of changing or improving an existing society. For the former, this means that the tenets of existing society must be challenged. To comply with them would result in co-option, absorption or some other defeated state. For the latter, established processes and structures must at least be engaged – possibly complied with fully – in order for temporary uses to become a significant part of extant society and thereby to change it, by however little.

A major influence on the form and development of a temporary use is its structural position in time and space. Lehtovuori and Ruoppila (Chapter 4) and Colomb (Chapter 9) allude to Andres' (2013) proposition. This is that the approach to temporary uses mirrors the shift from weak planning and place shaping by alternative actors during times – such as economic downturns – when established institutions have limited ability to act, to place making by those same institutions when circumstances change – prompted, for example, by renewed economic growth. Such changes alter the structural position of temporary uses in economic, political, social and cultural terms. In the first period, temporary uses are much more likely to be accepted and/or needed by established institutions for the contributions they make by occupying under-utilised sites, testing potential new uses and so on. In the second period, unless they can be harnessed and exploited by mainstream actors, temporary uses may then hamper formal plans for new, long-term development. This shift in position and status gives rise to tension and conflict. Furthermore, the position of specific temporary uses on one side or the other of this dichotomy – and the position of the dichotomy itself – is contingent on continually changing circumstances.

Spatial structural positioning

Foo (Chapter 8) examines the performance of the economies of different urban regions as an influence on the approaches that are adopted to deal with vacant land. In the United States, planning and policy frameworks assume continued urban economic growth. In the absence of that growth, the tensions between, on the one hand, formal, fundamentally powerful actors that are weakened by these circumstances and, on the other, predominantly informal actors who advocate alternative means to address them, are marked. Drawing on her studies of Boston, Philadelphia and Baltimore, Foo argues that the different market conditions in these cities affected the way that specific parcels of land were treated. The greater is the prevalence of vacant land in a city, the more of a problem it is perceived to be by city governments, traditional growth coalitions and affected residents and businesses, and the greater are the efforts made to deal with it.

Greening does not generate significant direct income, as opposed to the value of green spaces' contribution to urban quality of life. This gives it little leverage in the neoliberal agenda of growth coalitions. But when growth stalls, so does their power to act. In contrast, the flexible, quick, low-cost approaches adopted by neighbourhood groups to pursue urban greening enhance their political participation and influence – and their ability to resist mainstream agendas.

In Boston, community greening is restricted to those few districts that have strong neighbourhood organisations. The city avoids any sale or leasing of land that it owns if that would act as an obstacle to urban growth and development. In Philadelphia, greening coalitions are stronger, more numerous and more active. Their environmental programs are integrated with those of the city. The same is the case for Baltimore, although here it is external agencies that have funded the necessary work in the face of the city's inability to do so.

The three cases illustrate Andres' (2013) proposition in spatial rather than temporal terms. Urban vacant land is considered first as a problem and only later as a resource. The bigger is the problem of vacancy – and the more limited is the economic potential for dealing with it in traditional ways – the greater is the political will (or necessity) to adopt alternative, non-market approaches.

Temporal structural positioning

In Berlin in the mid and late 2000s, many alternative temporary uses were incorporated into the city's marketing strategies and its *Senat* supported the further development of temporary uses because "the economic and social role of temporary users in creating publicly accessible spaces at no cost to the public purse ha[d] become highly valued by the city government" (Colomb, Chapter 9, p. 135). However, this valuation was a much-qualified one. It related to temporary uses as pilots or pathfinders for more valuable long-term developments, but not as lower value alternatives. When growth resumed, surviving temporary uses became barriers to place making. They were now economically sub-optimal and politically problematic: problematic because of the popular support they enjoyed and the dilemma their co-option or removal might pose for elected representatives. It also related only to 'acceptable' uses. Those uses that were considered too politicised or radical were ignored and often repressed.

There were also implications for the temporary users themselves. Official marketing resulted in dramatic increases in interest in and customers for many uses, undermining their alternative, experimental nature while increasing their economic viability. They became victims of their own success – or, at least, of the success foisted upon them by others. They also became unwitting contributors to gentrification and other forms of re/development by acting as symbolic precursors to those actions.

This prompted resistance by temporary users and their supporters, and conflict with the establishment. Their dilemma was whether to preserve their alterity – by closing down or moving to another site not subject to development pressure – or to change in order to survive *in situ*, a change that might include cooperation with, or co-option by, the local state and the market.

Socio-cultural structural positioning

Tanulku (Chapter 7) extends consideration of structural positioning through her study of the contrasting, emergent properties of two types of urban void (the spaces that are or may be occupied by temporary uses). Real, physical voids are unused, empty spaces. Abstract, symbolic voids are considered to be empty from the perspective of powerful actors who ascribe no value to – or deny the value of – the extant uses of them. These voids and their (none) uses are the product of changes in economic and symbolic values.

A particular image of a city – the aggregate of the symbolic and economic values of the various elements of its physical built environment – is required to attract external capital. That image must incorporate the 'right' mix of impressiveness, modernity, social status, culture, bohemianism and so on. It must avoid sources of stigma, such as crime, backwardness, contamination and 'otherness'. Sites that display the latter characteristics may be treated as voids because their uses have no value in the eyes of the dominant actors in the particular socio-cultural context. In contemporary Istanbul, "remnants of non-Muslim and/or non-Turkish minorities … are usually excluded from the monolithic nationalist discourse" (Chapter 7, p. 105), a discourse of innovation and modernisation. Thus, voids emerge that are particular to this context.

'Ghost houses' are physical voids whose vacancy is prolonged by the tension between their high economic and symbolic values, and the rumours and urban legends relating to them that detract from those values. These houses, built by the Ottoman aristocracy and the early Republican elites, are signifiers of high social status but represent a bygone era and contain the ghosts of the past. The latter cause their renovation to be postponed despite their economic value and prime location, resulting in them falling into disrepair.

Physical voids resulting from market processes are filled by various temporary uses that – as in Berlin – are viewed quite differently by the authorities. Migrants are allowed to build homes (*gecekondu*) illegally on land owned by the state or by private actors because they are seen as potential voters for the government and as a source of cheap labour for business. However, squatting by urban activists or local communities is seen as unnecessary and even threatening. The former is tolerated – at least until a more profitable use can be found for the sites; the latter is not.

The Ataturk Cultural Centre is a symbolic void. The current government regards Western high art as inappropriate for a Muslim community. In

addition, the centre is a physical reminder of Turkey's earlier Republican ideals. The Centre shares its current fate – left in a limbo characterised by general neglect often combined with the threat of demolition and redevelopment – with other symbolic voids.

The transition from temporary to established use

Taking the structure of a society as given, temporary uses may arise completely spontaneously or be supported wholly or partly by the state or established private actors (Lehtovuori and Ruoppila, Chapter 4). To sustain themselves in the long run (if such longevity is desired) – and depending on their initial position and evolving circumstances – very little or a great deal of support from mainstream actors may be required. This will determine how and by how much the uses are transformed, commodified or displaced – or cease. Temporary uses are experimental, so one would expect only a few to be successful in the long term. Additionally, one should not expect such uses to become permanent or to stay in the same place. Temporary uses may be recurrent (for example, repeating annually) or migrant (moving from place to place, as opportunities arise).

Top-down

The relation between the short- and the longer-term existence of temporary uses was the focus of Kamvasinou's (Chapter 5) analysis. The context was the brief hiatus of activity that occurred after the Global Financial Crisis in the fundamentally strong property market of London. She considered two top-down initiatives to use temporary uses to open up stalled land for alternative activities prior to more permanent development. The main aim, therefore, was to make use of an idle urban asset (space) to enhance the city's quality of life and to smooth the path to redevelopment. Both projects were intended to contribute to – and, ideally, enhance – mainstream social relations, not to challenge or restructure them.

Kamvasinou develops a conceptual framework within which to consider the role of temporary uses in urban development based on complex systems theory and collaborative planning theory. Urban systems result from emergent processes that involve the interplay of numerous urban elements and actors. Thus, temporary activities that enhance individuals' skills and capabilities (social capital), if reproduced horizontally (across space) and linked vertically with systems higher up (involving, for example, local authorities, charities and business organisations), will have much wider, more lasting effects on broader urban systems (such as communities) than mere physical installations. For example, temporary uses may strengthen communities, allowing them to be co-authors of the (local) urban development process. It

was precisely the extent to which the initiatives did or did not engage with wider socio-economic networks that determined their fates.

The Canning Town Caravanserai occupied its site on a series of short-term leases. The site was not financially viable because of its location (little pedestrian footfall and low 'visibility') and the lack of finance from either the council or the developer. Recourse to intermittent, *ad hoc* funding hindered the management and development of the project. Community support was similarly patchy. The Caravanserai closed after five years (2010–2015). In contrast, Cultivate London is a well-established organisation with good links to local councils, developers, other businesses and community groups. It has a robust operational model that utilises multiple sites as urban farms (including Brentford Lock, the subject of the case study) on a temporary basis over time to pursue continuously its long-term agenda. Both, however, present interesting models for experimentation that, under the right conditions, are replicable elsewhere.

Bottom-up

Perry *et al.*'s (Chapter 6) history of an individual, bottom-up initiative, the Biospheric Foundation, illustrates the challenging and tension-ridden process of trying to transform an alternative approach to urban life from an experimental project into an established, viable, large-scale initiative that will have a significant, long-term impact. The Foundation planned to explore and to demonstrate how a more resilient food system could be created by pursuing urban farming in a deprived area. It required longevity both to change the food culture in its locale and to scale up its activities, so that their impact would be other than marginal.

Ultimately, the Foundation was unable to make this transition, despite its early success. By positioning itself such that it engaged with the interests of the building owner and the local authority, it was able to negotiate a viable starting position. The use of two floors of a disused former mill and print works, adjacent derelict land and a vacant shop on the ground floor of a nearby tower block was a sufficient basis for testing the idea in the short term.

However, the mainstream players provided resources in ways and at times that supported their own agendas. Finance to meet the capital costs of the initial set-up was made available, but the longer-term revenue support required for business development was not forthcoming. Attempts to generate such income through the pursuit of commercial activities and the over-stretching of the limited existing human resources distracted attention from the Foundation's community links. Income from the former was insufficient to compensate for the failure to generate long-term buy-in from the latter. However insightful were the new understandings generated by the Biospheric Foundation, a significant and lasting impact is achievable only by developing a

vehicle that is capable either of challenging mainstream approaches or of succeeding on the mainstream's terms. The Foundation did not survive for long enough to try either strategy.

Negotiating regulations

In considering the roles and evolution of temporary uses, Gebhardt (Chapter 11) pays special attention to the role of plans and regulations in creating, maintaining or removing anticommons (the tendency for property rights and regulations to become so complex and fragmented that they hinder or prevent the alignment of stakeholders' interests necessary to pursue a proposed development). Temporary uses may temporarily resolve anticommons – and, in some cases, offer long-term solutions – but rigid plans and regulations and/or their rigid application often impede temporary uses.

   Such plans and regulations offer greater clarity and certainty to property owners and users but at the cost of restricting flexibility and innovation. The balance is a fine one. Allowing too many departures from or exceptions to these plans will undermine them. Allowing no variation will result in stasis. This is why temporary uses often operate in spaces of exception or informality within planning and regulatory regimes. They find room for manoeuvre without challenging extant policy and legal structures. Informality also tends to characterise the way that authorities may support temporary uses. The provision of technical advice and of information about suitable sites, and informal co-ordination across government departments and agencies, is helpful. But it is help to work within existing rules more effectively, rather than to challenge or to break them; it is help delivered through the more sensitive or imaginative operation of those rules, not through changing or removing them. Thus, practice is altered while principle is maintained. However, difficulties may remain, as illustrated by Gebhardt's case studies.

   In Portland, Oregon, planners interpreted existing codes in a way that allowed food carts to operate with minimum regulation. They were treated as commercial vehicles, so did not have to comply with most zoning or building codes. As long as they operated on private property rather than on public rights of way, they were not subject to detailed rules covering location, design, and hours of operation that applied to the latter. Food carts have become an entrenched feature of the city. In some cases, this has resulted in profitable use of sites with little prospect of other long-term uses. In other cases, it has prevented or complicated long-term development. In Detroit, the city allowed a business to run on a temporary operating certificate while the many works and approvals necessary for permanent operation were completed. However, this process took over a year, during which the business was threatened with closure but, following lobbying, was allowed to continue operations under a temporary certificate.

Negotiating market institutions

Discussion in this section has largely been around the challenges of transition from short- to long-term status for individual uses, with an emphasis on the demands of regulatory compliance, financial requirements, levels of expertise and so on. Crosby and Henneberry (Chapter 12) move the focus on to how a new good – such as a novel land use or building structure – must be qualified and quantified (its characteristics fixed and measured) for it to be calculable. Once made calculable, the good may be valorised: valued and priced. Accurate definition and pricing of a good are crucial to the existence and development of that good. The former is necessary for a good to be traded in a market. The latter, determined by that trading, will mediate the demand for and the supply of that good.

However, these processes – of qualification, quantification, calculation, trading and valuation – are not automatic. In a complex developed mixed economy, particular networks of actors with specific expertise support the development of different goods – such as land uses and/or types of building – and the operation of the markets for them. But the existence and operation of these networks give rise to inherent tensions. As they become more established and formalised, trading and pricing of goods become easier. But this very stability, this establishment, becomes a barrier to adaptation and change because the path from innovation to acceptance for new goods is made longer and more challenging.

Crosby and Henneberry consider the network that supports the property market, particularly those elements that relate to property definition and measurement, and to valuation. They illustrate the substantial influence exerted by a specialist profession (the RICS) over these processes, an influence that is being reinforced by the globalisation of codes and practices. To these can be added the weight of informal conventions and understandings developed by the main market actors: developers, investors, funders and users. Finally, there is the effect of the dominant method of valuation – the comparative method that relies on the availability of information about recent transactions of similar properties to estimate the price of a subject property. All these factors discriminate against new forms of property. Novel properties are ill defined. Consequently, they are considered riskier and they are conservatively valued (under-priced). This reduces their viability and hampers their longer-term development.

Assessing structural change

But how might we assess the possibility of temporary uses effecting structural change? Thorpe *et al.* (Chapter 10) consider what role temporary uses might play in processes of spatial production. They argue that, with communicative and collaborative approaches dominating planning theory

and practice, the potential for temporary uses to move from alternative to mainstream positions is considerable. But any such transition is fraught. Temporary uses may feed degeneration rather than regeneration. The features that they provide (access, events, services, culture, green space and so on) may allow landowners and government to avoid their responsibility adequately to provide and fund such facilities for their communities. Even worse, some 'acceptable' temporary uses have been used to exclude or displace other 'unacceptable' temporary uses from sites.

Thorpe *et al.* (Chapter 10) begin to address the dilemmas and tensions arising from temporary uses by using justice as the criterion. They take a pluralist approach to justice, considering questions of recognition and participation as well as of equitable distribution of resources. In seeking to identify the questions necessary for a critical consideration of temporary urban interventions, they argue for careful consideration of the relations that constitute and are constituted by these practices. More specifically, both the particular relationships involved in individual interventions and those that arise at higher levels – the regional, the national and the global – require assessment. Are the actors who conceive, construct and use these interventions rooted in the local community; do they include members of minority or other less favoured groups; do they privilege certain groups over others; do they provide opportunities for encounter and dialogue across difference?

Even temporary uses that are 'blameless' when taken in isolation may, when considered on a wider scale, contribute to urban competition that marginalises those places and people with less cultural capital. Consequently, account must be taken of how temporary uses relate to established institutions and power structures. Do temporary interventions work to open up opportunities for participation, or to entrench existing inequalities?

Thorpe *et al.* (Chapter 10) also consider whether myriad small changes are sufficient to have a significant impact on established urban structures and processes or whether only radical, revolutionary change will achieve this. While milder interventions may be more vulnerable to co-option by commercial interests, they should not be dismissed. 'Softer' interventions may be valuable in broadening the range of people involved in urban development and in related debates. On-going assessment of the relationships produced and privileged through such interventions is thus crucial.

Policy and transience

As we have seen, the law has difficulties in adapting to a world of more transient buildings and uses. It assumes that real property should – and will – be subject to perpetual care and good management, thus minimising vacancy and dereliction. Legislative and/or policy changes based on this view may

have perverse effects. One example is the removal of 'empty premises relief' from Business Rates (Bennett, Chapter 2). By increasing the costs of holding vacant buildings, this was intended to encourage their reuse and/or redevelopment. However, it was enacted in April 2008, at the height of the Global Financial Crisis when owners' financial positions were significantly weakened. Building rates are levied on buildings (not on vacant land) that are capable of gainful occupation (because they have the necessary facilities and services) and are not used by exempt activities (such as charities). Mindful of this, owners demolished buildings or stripped them of roofs and/or services or arranged (often token) occupation by charities to avoid paying Business Rates. The result: a dramatic increase in dereliction, demolition and temporary uses.

Muldoon-Smith and Greenhalgh (Chapter 13) continue in the same vein in their analysis of the Business Rate Retention Scheme (BRRS). Under the BRRS, after 2020, the local business rate (BR) will become one of the main sources of local government funding, as the Rate Support Grant (RSG) is phased out. BR is a tax levied on commercial and industrial property, so local government income will be largely determined by the rental value of the local business property stock. Furthermore, because any appreciation in the value of existing property is 'stripped out' during periodic national revaluations, local income will only increase if the local tax base (the stock of business properties) increases. This introduces a major incentive for local authorities to encourage property development in their areas.

The impact of the BRRS will vary with the characteristics of local authorities. Those with the space and economic conditions to support new development are in a position to exploit the BRRS. Those lacking one or both of these characteristics are not. The initial effect in the former locations will be an increase in the pace of development, with shorter building cycles resulting in increased transience of the stock as a whole but little temporary use. Eventually, over-supply may act as a break and offer opportunities for temporary uses. In locations with physical or policy constraints on development (and relatively strong economies), little will change. In locations with weak economies, the static or declining value of the building stock, coupled with their inability to pursue viable redevelopment, will result in continuing obsolescence and an increase in low value and temporary uses.

Adams (Chapter 14) presents a formal, structural challenge to established methods of dealing with vacant and derelict land in Scotland. This is a persistent problem that affects a great many people: 83% of vacant/derelict land may be classified as hard-core or semi-permanent because it has been in this state for more than nine years (indeed, 42% has been vacant for more than 25 years). Vacancy and dereliction are concentrated in the formerly most heavily industrialised areas of the Central Belt of Scotland. In 2014, 29% of Scotland's population lived within 500 metres of a derelict site; and the more

deprived was the area, the more likely this was to be the case (the equivalent figures were 57% for the most deprived decile and 13% for the least deprived decile).

Adams highlights one form of the tragedy of the anticommons as a major cause of continuing vacancy: ownership constraints. Landowners, prompted by unrealistic expectations or requirements (for example, relating to historic and book values) of land value, property rights problems or simple unwillingness to act, withhold sites from the market. Compared with possible speculative gains, the cost of holding vacant land (as opposed to vacant buildings) is low, so there is little pressure to sell. This institutional barrier to the reuse of vacant sites could be addressed by Compulsory Sale Orders (CSOs). A CSO would require land that has been vacant or derelict for an undue period of time to be put up for sale by public auction. It would apply to any site, whether in public or private ownership, that had been on a statutory register of vacant and derelict land for more than three years. Each CSO would be accompanied by a planning statement that sets out what development of the site would or would not be acceptable.

This proposal would result in a substantial change to the institutional structure of the land and property market. It would alter both landowners' behaviour and valuation practice. Owners would have to be more proactive as a result of a re-balancing of their rights and responsibilities. Auctions would provide more comparables for valuations and aid price discovery, thereby improving the operation of the land market.

Like Gebhardt and Adams, Patti and Polyak (Chapter 15) consider the complex network of actors that relates to a vacant site. Each actor has a different set of resources, motives and objectives. For action to be taken, a certain level of coordination – of common interest – between the actors must be established. Public and private agencies at various levels can help to achieve this: through appropriate (flexible) legal structures, through dissemination of relevant information (transparency – via land registers, price data and so on), through the creation of clear plans for the future of an area, through stakeholder engagement and intermediation (between and within groups of actors with direct and indirect interests in sites – between departments of the municipality and between the municipality and other public and private actors) and other similar means.

They studied how Rome and Budapest might learn from the approach of Bremen in this regard. Bremen established a semi-autonomous temporary use agency. Its successful operation required a strong, flexible and highly innovative public administration, general confidence in stakeholders' decision making and a great deal of trust between the various actors. These conditions did not exist and could not be replicated in Rome or Budapest. In Rome, there are very rigid laws relating to the management of the city's real estate that were enacted to prevent corruption. They made cooperation with private and other actors complex and protracted. In addition, the

municipality is a highly fragmented organisation, with much internal competition hindering coherent and efficient policy responses.

In the Budapest municipality, district authorities have a high degree of autonomy and real estate strategies have multiplied. The result is a lack of transparency, large variations between districts in the regulations relating to the same functional matters, and lengthy bureaucratic procedures. To this can be added a basic lack of trust between the various actors that caused each to question the integrity, professionalism and objectives of the others. The resulting poor relations between the Budapest Municipality, the districts and private actors led to the failure of the former's initiative to establish a vacant land register and a list of properties available for short-term use on low rents.

Conclusions

Transience is an essential aspect of urban systems. Cities must adapt to change if they are to develop and evolve. However, temporary uses are not the only engine of change in the urban built environment. The waves of capital investment that are embodied in successive building cycles are the main vehicles of long-term urban transformation (Barras, 2009). But temporary uses are important for their potential to exploit spaces where 'the usual relations' no longer pertain and, thereby, to generate innovative approaches to urban development. By these means, temporary uses may influence the fundamental trajectories of cities. Sometimes this may be by improving established ways of doing things. At other times, it may be through major adjustments that result from the disruption of mainstream processes.

However, the simplistic equation of alternative, disruptive, large-scale changes with 'better' changes should be resisted. In the first place, it is not clear which uses challenge the mainstream and which do not. A temporary use's structural position in an urban system is contingent and emergent. It varies over time and across space as economic, social, cultural and other conditions vary. What may be deemed a helpful and acceptable use to established institutions in one set of circumstances may be seen as a problematic, unacceptable use in another. What may be viewed, at the outset, as a challenging and fulfilling alternative use to its proponent may lose its allure if it becomes successful in conventional terms. The mutability of the conceptualisations of temporary uses held by the various actors in the various urban systems cautions against the use of fixed or insufficiently differentiated frames of reference within which to study them.

Secondly, substantial, revolutionary innovations may have greater impacts than incremental, evolutionary changes – or they may not. For both possibilities, relationships over time are important. It takes time for many small acts to build to a large act. It takes time for one large act to be planned and implemented. Thus, any assessment of the impact of temporary uses must include

the temporal and spatial aggregation of their effects. In addition, account must be taken of how temporary uses relate to established institutions and power structures. Initial compliance, while reinforcing the status quo, may also result in greater immediate impact. Conversely, challenges to established planning policies through illegal land uses may lead to longer-term policy reform.

The uncertainty and ambiguity of the status and potential impact of temporary uses pose challenges for urban actors, whatever their roles. The way that these actors define such uses in relation to their own interests, resources and objectives affects their responses to them: whether to support or to resist them, whether to pursue or to avoid them. In turn, these responses will influence the success of the temporary use (itself defined differently by different actors). For these reasons, temporary uses also pose challenges for research: that it recognises the multiple interpretations and positions of temporary uses, and that it explores how these perspectives affect our understanding of those uses.

Acknowledgements

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Index

Note: Figures are indicated by italic page numbers, Tables by bold numbers, and footnotes by suffix 'n'