



# Protecting the Right to the City in the UK:

## Urban Development through Community Land Trusts

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## Introduction

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One of the most effective ways that people are denied their 'right to the city' is through a system of private property that regulates access to, and control over, urban space on the basis of capital. The division of the urban fabric according to private ownership leads to a situation where land is primarily managed for the purpose of generating profit. In the words of David Harvey, "[w]e live, after all, in a world in which the rights of private property and the profit rate trump all other notions of rights."<sup>1</sup> Against a backdrop of land speculation and profiteering, the Lefebvrian ideal of active collective participation in the appropriation and production of urban space remains a distant prospect. Control over the city and how it is shaped remains in the hands of relatively few. Yet the idea of land and space being privatised is hardly natural:

"The first man who, having fenced in a piece of land, said "This is mine," and found people naïve enough to believe him, that man was the true founder of civil society. From how many crimes, wars, and murders, from how many horrors and misfortunes might not any one have saved mankind, by pulling up the stakes, or filling up the ditch, and crying to his fellows: Beware of listening to this impostor; you are undone if you once forget that the fruits of the earth belong to us all, and the earth itself to nobody."

*Jean-Jacques Rousseau, Discourses of Inequality, 1754*

Community Land Trusts (CLTs) provide an alternative to private land tenure. With their membership typically consisting of local residents and civil society representatives, CLTs are set up to ensure the democratic ownership and stewardship of local land and assets. The removal of land from the open market means that it can be managed for the long term benefit of the local community rather than the profit-seeking interests of external stakeholders. Against a tide of neoliberal marketization and privatisation, the CLT model is increasingly seen as a way to rescue the idea of collective rights to land and housing.

In this short report, I will consider the case for community land ownership in the UK. I will provide an account of the UK's current housing crisis, elaborate upon the UK's CLT movement, and then use the example of East London to show how the threats posed to people's right to the city are being addressed using the CLT model.

## The UK's Housing Crisis

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The UK is characterised by a lack of affordable housing for rent. The latest incarnation of this problem can be traced back to the 1980s. By the late 1970s, local authorities in the UK provided affordable housing to 6.6 million households (more than a third of society). The

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<sup>1</sup> David Harvey, 2008, 'The Right to the City', *New Left Review*, 53.

availability of council-owned property allowed the UK's working classes to rent accommodation and build resilient communities in inner-city areas.

Under the leadership of Margaret Thatcher's Conservative Government, however, the UK learned to aspire for home ownership (the recent ramifications of which are highlighted in Figure 1). Much of the country's social housing was privatised – between 1980 and 2009, a total of 4.39 million of houses owned by local authorities were either sold off to private landlords or demolished. The process was expedited through the 'Right to Buy' scheme which invites people living in rented council accommodation to take ownership of the property at a discounted price.<sup>2</sup> Over 2 million council houses have been sold in this manner since 1980.

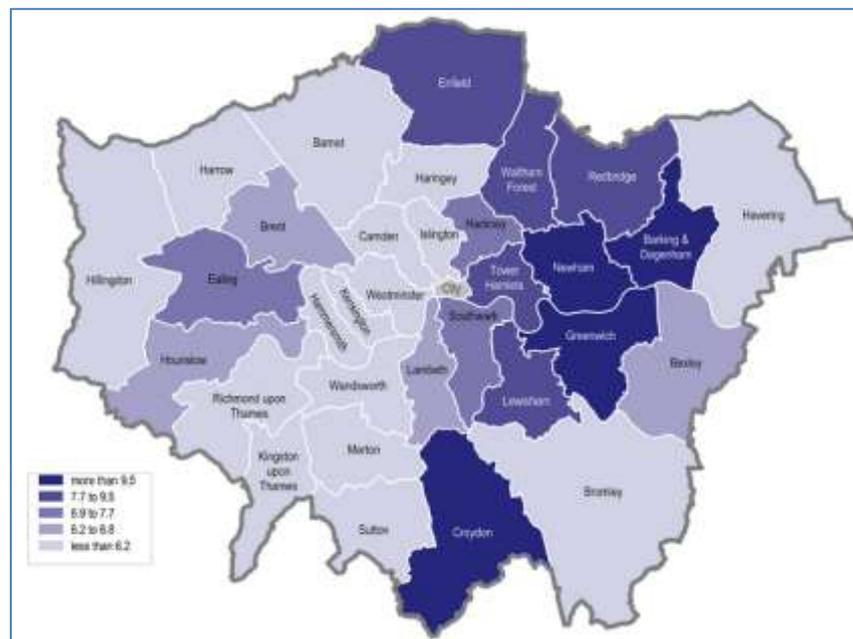


Figure 1: This map shows the average 2010-2011 rate of mortgage repossession per 1,000 mortgage holders for Boroughs across London. (Source: Trust for London and New Policy Institute)

Needless to say, the revenue that local authorities have generated through the sale of such public assets has only rarely been invested in new council housing. And this can only mean that the UK's stock of secure, affordable housing for rent has diminished. According to the 2012-2013 English Housing Survey recently published by the Department for Communities and Local Government,<sup>3</sup> the number of privately rented homes in England (4 million) has overtaken the number of social-rented homes (3.7 million) for the first time.

Thus, while *the need* for social (affordable) housing has not necessarily diminished a growing number of households are left at the mercy of private landlords in a largely unregulated rental market. Indeed, a significant proportion of the houses bought under the Right to Buy scheme have now entered the private rental market. In Tower Hamlets, London, 50 per cent

<sup>2</sup> The scheme has been revitalised under the existing administration.

<sup>3</sup> Department for Communities and Local Government, February 2014, *English Housing Survey: Headline Report 2012-2013*.

of the council houses sold in this way are now privately let. In areas where housing demand outstrips supply, inflation in the private rental market can quickly force long-term residents from the neighbourhood and lead to the disintegration of local communities.

Some critics have even suggested that the government may be spending more on subsidising private rents for low income households (in the form of housing benefit) than the cost of providing more social housing. This all works to benefit private landlords and further stigmatise those that seek financial support. Even where social housing is still available for rent, local authorities can charge up to 80 per cent of the local market rate under the 'Affordable Rent' scheme. In many areas, this can hardly be deemed 'affordable'. Policies such as the controversial 'bedroom tax' have further penalised those that rent from the council<sup>4</sup> while the combination of soaring land values and a strained public purse can only lead to temptation for local authorities to offload their housing stock.

In essence, the problem for many urban communities in the UK is that the open market has failed to supply sufficient housing for the wide-ranging needs of its residents. By current estimates, over 1.8 million households in England are currently awaiting social housing. The Institute for Public Policy Research projects that demand for housing will outstrip supply by 750,000 homes by 2025.<sup>5</sup> The combination of under-supply and rising costs can have all manner of social consequences, not least in the form of overcrowding, displacement and community instability.

## **The Community Land Trust Option**

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Against this backdrop, the possibility that land and assets might be held in perpetuity for the benefit of the local community is attracting attention. The idea is not especially new. The Digger movement of the 1650's envisioned a radical 'levelling' of society through the abandonment of private property rights in favour of the common ownership of land<sup>6</sup> and these ideals can be traced forward to the emergence of socialism and the cooperative movement.

Throughout the 18<sup>th</sup> and 19<sup>th</sup> centuries, political and social reformers in the UK continued to lay the ground for future moves towards collective ownership of assets. Often these went hand in hand with private initiatives, like the planned communities of reforming industrialists like Titus Salt at Saltaire<sup>7</sup>, and Bournville<sup>8</sup> founded by the Quaker chocolate making Cadbury family.

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<sup>4</sup> The UK's so-called 'bedroom tax' reduces the level of housing benefit available to households that are deemed to have a spare bedroom in a council-owned property.

<sup>5</sup> Institute for Public Policy Research, 2011, 'The good, the bad, and the ugly: Housing demand 2025'

<sup>6</sup> <http://bcw-project.org/church-and-state/sects-and-factions/diggers> (accessed February 2014)

<sup>7</sup> A history of Saltaire is available at [http://www.saltairevillage.info/Saltaire\\_World\\_Heritage\\_Site\\_1028.html](http://www.saltairevillage.info/Saltaire_World_Heritage_Site_1028.html)

<sup>8</sup> Bourneville Village Trust was incorporated in 1900. See <https://www.bvt.org.uk/> (accessed February 2014)

In 1898, Ebenezer Howard published his seminal work, *Garden Cities of To-morrow*.<sup>9</sup> His utopian vision of self-sustained communities living on land leased from a local trust was seen as a way to prevent land speculation and suburbanisation, and keep local housing at an affordable level for the city's workers; in short, as a way to capture value for community benefit. Howard's work led to an experiment in practical land reform with the construction of Letchworth Garden City outside London in 1903 and several other such settlements in the following years.

While Howard's 'garden cities' met with limited success in the UK, the idea of managing land for community benefit gathered momentum elsewhere. In 1950s India, for instance, Vinoba Bhave led the Gramdan 'village gift' movement which saw rich landowners donate some of their land to village trusts. Such land was then leased to the landless who could use it to earn a living. Similarly, American civil rights activists in the 1960s sought to recover land for the African-American population. Their efforts culminated with the establishment of the world's first Community Land Trust (CLT) in 1969 and there are now over 240 CLTs in the US.

Back in the UK, through the 1990s and 2000s rural communities in Scotland set up community trusts and foundations as a way to purchase the islands and estates on which they resided. With local land often owned by absentee landlords, many communities found their tenure increasingly insecure.<sup>10</sup> The Land Reform (Scotland) Act 2003 has formalised the rights of communities to buy their land should it come up for sale (and, for crofting communities, irrespective of whether it comes up for sale). The succession of community buyouts of land in Scotland continues to this day.

Learning from developments in Scotland and experiences elsewhere, a number of academics and housing and community developers in England began to recognise the value of Community Land Trusts (CLTs) as a way to empower communities. This led to a National CLT Demonstration Programme which ran a number of rural and urban pilot studies from 2006-2008.<sup>11</sup> Whilst still in its infancy, the UK's CLT movement is gathering momentum. The National Community Land Trust Network (NCLTN) was established in 2010 to act as the umbrella body for CLTs in England and Wales which now number over 150. The body works to raise awareness of CLTs, create an environment for their success, and provide advice and support.

While many of the UK's CLTs are only in the early stages of land management and the potential value of their work therefore remains unclear, there are exceptions. Presenting itself as a social enterprise and development trust, Coin Street Community Builders was established in 1984 to take over and develop a 13-acre derelict site on London's south bank. The takeover, led by local residents, was seen as a way to spark a resurgence in what was

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<sup>9</sup> Initially titled *To-morrow: A Peaceful Path to Real Reform*

<sup>10</sup> Examples include the community purchase of the North Assynt Estate in 1993, the Isle of Eigg in 1997, and the Isle of Gigha in 2002.

<sup>11</sup> Led by Community Finance Solutions with support from Carnegie UK Trust and Tudor Trust.

then a dying residential community and a weak local economy. 20 years on and the South Bank is a hub of activity. The area has seen the development of co-operative homes, shops, galleries, cafes, parks, sports facilities, event venues, and a range of community support programmes. The requirement that all members of the company live locally ensures that developments meet with the needs of local residents. Whether CLTs continue their surge in the UK remains to be seen, but there are various projects worth keeping an eye on. Perhaps none more so than the East Community Land Trust (ECLCT).

## **Development and Redevelopment in East London**

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Since the expansion of London beyond its city walls began to accelerate in the 18<sup>th</sup> Century, areas in the north-east of the capital have come to characterise images of urban Britain. Indeed, the 'East End' has come to be seen as a microcosm of the structural trends affecting the country more widely.<sup>12</sup> Through the rise of textile manufacturing and the Spitalfields riots of 1769,<sup>13</sup> through various dock expansion projects in the 19<sup>th</sup> Century to cater for a burgeoning British Empire, and more recently through the Canary Wharf and Olympic Games developments, the history of East London has attracted considerable attention. More often than not, however, it is images of overcrowding, crime and poverty that have come to dominate popular understandings of the area.

Waves of immigration to East London during the 18<sup>th</sup> and 19<sup>th</sup> Centuries put pressure on the local supply of housing and meant that wages for working in local industries were undercut. So while the area's dockworkers and factory workers allowed investors to reap the rewards of colonial expansion, their own living quarters descended into squalor. According to the 1881 census, around one third of the area's one million residents were living in poverty. With disease rampant, the life expectancy of an East End labourer was less than 19 years. The living and working conditions of East London inhabitants in the 19<sup>th</sup> Century led to many social reformers of the time focusing their efforts in the area. During the 20<sup>th</sup> Century, the East End of London suffered further: firstly with significant damage during the blitz and secondly from industrial decline in the 1970s.

Yet, recent decades have seen considerable effort invested in regeneration. The West India Docks on the Isle of Dogs were closed in 1980 allowing for the construction of the Canary Wharf business district. The area is now home to many of the world's leading banks, professional service organisations and media corporations. Just a couple of miles downstream, the Royal Victoria Dock has been replaced by the ExCeL exhibition and conference centre which has hosted a wide range of high profile events since opening in 2000. Visitors to the venue can make use of London City Airport, located just a mile or so further to the east and also situated on a former 'docklands' site. The reincarnation of East

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<sup>12</sup> 'East London' refers to the north east region of the city encompassing the Boroughs of Barking and Dagenham, Hackney, Havering, Newham, Redbridge, Tower Hamlets and Waltham Forest. The 'East End' is often used in specific reference to Tower Hamlets.

<sup>13</sup> When local silk-weavers protested against the lack of tax on imported silk

London received further impetus in 2005 when London beat Paris to host the 2012 Olympic Games.<sup>14</sup>



*Figure 2: Satellite image highlighting dockland developments in East London (Source: Google Earth)*

Canary Wharf      ExCeL Centre      London City Airport

With any of these developments, however, the question immediately arises of who they serve. How much investment in Canary Wharf improves the lot of those East London residents most in need? If investment in grand construction projects trickles down into surrounding communities then it is all too often in the form of soaring land values that soon put rental costs out of reach for local residents and entrepreneurs. It is a process occurring across East London. The tremors of regeneration are felt in the gradual influx of middle-class bohemians and speculators; in the transformation of local grocery stores and bookmakers into coffee shops and artisan bakeries; in the segregation of urban space from those that previously wandered free.

### **The East London Community Land Trust**

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Members of The East London Communities Organisation (TELCO)<sup>15</sup> sensed that London's bid to host the 2012 Summer Olympics represented both a threat and an opportunity. If areas of East London were to benefit from the staging of the event whilst being protected from runaway inflation in land value, it was essential to act. And so the TELCO team sought to have long term community sustainability built into the Olympics bid. They campaigned for the site of the proposed Queen Elizabeth Olympic Park in Stratford, Newham, to be set aside

<sup>14</sup> Five London Boroughs were officially proposed to host the bid: Newham, Tower Hamlets, Hackney, Greenwich and Waltham Forest.

<sup>15</sup> TELCO is the East London branch and founding body of Citizens UK which is an alliance of community organising groups. It was set up in 1989 to galvanise the community into action on local issues.

for affordable housing development using a CLT framework. Their efforts laid the ground for the establishment of the East London Community Land Trust (ECLCT) in 2007.

The ECLCT are yet to secure full rights to manage the legacy of Stratford's Olympic Park for community benefit but they have been given license to carry out a pilot. The site for development is St Clements Hospital in Mile End, Tower Hamlets, which is located just a couple of miles from the Park. Built in 1849 as a parish workhouse to house the destitute and infirm, the building was used as a psychiatric hospital from the 1950s until its closure in 2005. Ownership of the site freehold was passed from the NHS to the Greater London Authority (GLA) before being handed to the ECLCT and house-builder, Galliford Try, in 2012.

The agreement assures that at least some of the historic site will be used to provide permanently affordable housing. Community ownership of the land ensures it is protected from the inflationary pressures of the open market and that the price of homes can be linked to local income levels. In terms of specifics, of the 252 homes that will be built 51 will be made available for affordable rent at a level below 80 per cent of the open market rent. 23 will be for sale at permanently affordable levels. This will be ensured by linking the house prices at times of onward sale to local income levels rather than the open market. Community involvement in the design of the site means that a community centre and café will also be included in the development. Construction work is expected to commence later this year and to last for three to four years. In the meantime, the site has staged the ECLCT's Shuffle Festivals which are used to showcase local culture and creativity.<sup>16</sup>

## Conclusion

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As an area historically tainted by poverty and overcrowding, and more recently the displacement brought about by rapid development, East London is an obvious candidate for the further trialling of the CLT model. The ECLCT has taken on this project. The conversion of an old hospital into affordable housing is certainly a step in the right direction towards protecting East Londoners' right to the city. The UK's CLT movement will gather further momentum if London's Olympic Park can also be secured for community benefit.

Rights to the city are threatened by models of urban development that prioritise the generation of profit. In a system where "the rights of private property and the profit rate" trump all others,<sup>17</sup> runaway inflation in the value of land brings an increase in living costs. Local people are forced to leave their neighbourhoods or compromise on their living conditions. Established communities are gradually weakened. The problem is further exacerbated by the sale of public assets (namely, social housing) to private investors. The effects of these processes are in evidence across the UK.

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<sup>16</sup> Further information about the ELCLT can be accessed at <http://www.eastlondonclt.co.uk/>

<sup>17</sup> David Harvey, 2008, 'The Right to the City', *New Left Review*, 53.

Yet, against this tide of neoliberal marketization, CLTs provide an alternative to private land tenure. These are the latest in a long succession of movements and initiatives that have put some form of collective and communal living at their core. This history extends back long before Ebenezer Howard's vision of garden cities owned and managed through trusts at the turn of the 20<sup>th</sup> Century.

Throughout this article I have hinted at the rich world of collective living. Yet, the influence of this world is rarely limited to living arrangements. The autonomous, self-organising Radical Routes<sup>18</sup> network is another successful initiative in the UK. The network brings together housing cooperatives that work across the UK to support each other and encourage new co-operatives. As a part of the struggle for a more equal society, Radical Routes coops are more than simply housing units. They can be seen as centres for a wider social movement against neo-liberalism within each city, and are backed by their own ethical investment initiative called Rootstock<sup>19</sup>.

At the other end of a possible spectrum lie initiatives like the Findhorn eco-village<sup>20</sup>, inspired by religious ideals and a close identification with the environmental movement. Or the recently completed Lancaster Co-housing<sup>21</sup> project at Halton Mill in Lancashire, where individuals can buy into a new intentional planned community with some degree of collective living, whilst crucially retaining their individual private stakeholding.

Stakeholder models, whilst being important in innovating sustainable design and promoting community living, are a far cry from the more radical collective, democratic run communities espoused by the Diggers. Privately funded co-housing excludes those without the economic power to pool their wealth within an ethically responsible and well planned but ultimately exclusive development.

Building on previous struggles for community asset ownership, CLTs are being used to rescue the idea that access to land and housing should be a collective right. They allow for the value of local assets to be removed from the open market and to be captured for the benefit of the community in perpetuity. The CLT is a model of democracy which means that all decisions about the management of land are made in accordance with the interests of local people.

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<sup>18</sup> Website of Radical Routes: <http://www.radicalroutes.org.uk/> (accessed February 2014)

<sup>19</sup> Website of Rootstock: <http://www.rootstock.org.uk/> (accessed February 2014)

<sup>20</sup> Website of Findhorn eco-village: <http://www.ecovillagefindhorn.com/> (accessed February 2014)

<sup>21</sup> Website of Lancaster Co-housing: <http://www.lancastercohousing.org.uk/> (accessed February 2014)

## ABOUT THE AUTHORS

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Jez Hall is a director of Shared Future CIC and long been involved in the not for profit and participatory democracy world. He has had a long interest and involvement in cooperative and community led initiatives, including working for a community architecture charity, supported community enterprises as a social enterprise business consultant and coordinates the UK participatory Budgeting Network.

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