

and the government, so that the folk wisdom can be fully inspired to create the space environment with more local characteristics.

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## ID 1461 | GOVERNING URBAN REGENERATION: PLANNING AND REGULATORY TOOLS IN THE UK

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### 1 INTRODUCTION

The PARCOUR (Public Accountability to Residents in Contractual Urban Redevelopment)<sup>1</sup> project involves a comparative analysis of urban development (of previously used land) led by public-private partnerships

<sup>1</sup> PARCOUR is a three-year international Research Project (2015-2018) funded jointly by the ESRC (UK), FAPESP (Brazil) and NWO (Netherlands). The participating universities are UWE (UK), Sao Paulo (Brazil) and Amsterdam (Netherlands). The focus is on 'the reuse of previously developed land' or what are usually termed Brownfield sites. This paper draws on the initial research on the UK case studies, no reference is made to the case studies in Brazil or the Netherlands, or to the comparative dimension.

and includes nine case studies (three per country) of regeneration projects in Brazil, the Netherlands and the United Kingdom (UK). This paper draws on the initial work of the project and investigates the forms of governance arrangements that have developed in the UK case studies (Bristol, Gloucester and Taunton). The paper discusses the planning and regulatory instruments that are used as part of the public-private urban development partnerships. The research is designed to explore the form(s) of governance that exist, the associated 'planning instruments' developed and whether these arrangements are able to deliver outcomes that are in the 'public interest'. In particular we focus on how the governance forms created when contractual arrangements are made between the public and private sector parties structure/influence the aims and delivery of urban regeneration. This relates to what van der Veen and Korthals Altes (2011) have termed as 'government by contract' and Raco (2012 and 2013) has described as 'planning by contract' and 'governance through detail'.

As part of the wider PACOUR project we seek to assess the extent to which planning and regulatory tools were able to provide some form of accountability to residents and other interested parties as well as to deliver outcomes that were in the 'public interest'. Indeed it is part of the project's aims to determine how the notion of the 'public interest' was constructed/understood and operationalised by the various parties involved in the development process in each case study.

Part of what we hope to do is to understand how contractual relationships, particularly between the public and private sectors, affected/influenced public accountability (in terms of transparency of decision-making) and the delivery of outcomes that were, at least in part, in the 'public interest'. The risk we perceive is that contractual relationships are shrouded in 'secrecy' under the guise of commercial confidentiality that obscures the 'public gaze' and runs the risk of effectively undermining both accountability and the 'public interest'. Thereby creating a form of 'subterranean governance' that structures the way in which these partnerships operate without being subject to any rigorous public scrutiny and accountability.

The following paper is therefore set out in six sections. Section two provides a summary of each to the three UK case study sites and the public/private partnership arrangement that exists on the site. Section 3 provides a summary of the UK national planning policy through the last 20 years. Section 4 outlines the research methodology and Section 5 presents the findings from the research to date. Section 6 discusses what the findings mean in the context of urban regeneration and includes the initial conclusions of the study.

## 2 UK CASE STUDIES

The three case studies sites were selected as each has developed a different type of public-private partnership approach to delivering an urban regeneration. The case studies of Gloucester and Taunton provide an assessment of regeneration of previously developed land in small to medium towns and cities in the UK, an area that is currently under researched. Each case study provides insight into the challenges faced by all parties in ensuring that public-private partnerships deliver schemes that are profitable and provide benefits to the location.

### 2.1 BRISTOL HARBOURSIDE

The redevelopment of Bristol Harbourside was a long and complex redevelopment history, dating back to the 1960s with the planned closure of the docks (Priest and Cobb, 1980). The local planners wanted to fill in Bristol's docks and use the land for offices and an urban motorway (*Ibid*, 1980). Following a significant level of public objection and the conversion of existing warehouses into arts and cultural centres this plan was eventually scrapped. This left Bristol with a large area of derelict land to the west of the city centre that was used primarily for city centre parking. In 1993 the local authority, and one of the area's land owners, Bristol City Council formed the Harbourside Sponsors Group with the area's other land owners (Bristol City Council, 1998; Clement, 2010). This body, along with funding from the National Lottery created a separate company called Bristol 2000 who delivered @Bristol science museum, a cinema (now an aquarium) and a public space called Millennium Square (Bristol 2000, 1996).

This left the area to the west of the site open for redevelopment. In February 2003 land owners Bristol City Council, Transco (Gas), Secondsite Properties (now National Grid) and Lloyds Bank signed an agreement

with Crest Nicholson PLC to redevelop this area, following Crest successfully being awarded planning permission on 17 October 2001. This was Crest's third attempt to secure planning permission after the first two were rejected due to fierce public opposition. The development formed a public-private agreement that Crest Nicholson, their subsidiaries and contractors would deliver the regeneration of this site before handing the roads, pavements and open spaces back into the control of the City Council (see Heurkens, 2012, pp262-290 and Heurkens & Hobma, 2014 for discussions of the Harbourside development). The final development, although slowed down by the financial crash of 2008, was completed in 2014 and at present Crest Nicholson are in negotiations to return their remaining land holdings into the control of Bristol City Council.

## 2.2 GLOUCESTER QUAYS

The redevelopment of Gloucester Quays differs from Bristol in that Gloucester City Council was not the land owners of the site that was due for redevelopment. The now defunct government quango British Waterways entered into a public private partnership with Peel Developments in 2002 to redevelop the area of Gloucester Docks known as Bakers Quay. Peel Developments wanted to open a new shopping centre on the site. In addition to this Gloucester College relocated to the site and a new Sainsbury's supermarket opened on the western side of the docks.

This redevelopment was aided by the creation of the Gloucester Heritage Urban Regeneration Company (for a brief description of what a URC is see McCarthy, 2007, pp40-41) by Gloucester City Council in 2004 as a means of regenerating the city. This was a registered company with a formal status and was wound up at the end of 2014. This partnership, included Gloucestershire County Council, English Partnerships and the South West Regional Development Agency (SWRDA). English Partnerships and SWRDA were government organisations who provided funding and expertise to enable the supporting access infrastructure to be delivered, enabling the shopping centre to open in 2008. Due to the financial crisis of 2008 the regeneration of the housing element of the site has yet to take place, although negotiations are ongoing.

## 2.3 TAUNTON FIREPOOL

Taunton Firepool is the least developed of the three case study sites and as yet and much of the proposed redevelopment has yet to be realised. The development is a public private partnership between Taunton Deane Borough Council and developers St Modwen and the initial application for planning permission was rejected in August 2016. The primary reasons for rejecting this development were related to the design of the scheme and potential flood risk to the site. Like Bristol and Gloucester the development was delayed by the 2008 financial crisis, which forced a change Taunton Deane Borough Council's plans for the site to be used for office development to a retail led development.

Taunton Deane Borough Council, like Gloucester City Council created an alternative planning body to enhance the regeneration process and Project Taunton was set-up to operate as an arms-length organisation between 2004 and 2011. This was a partnership between the Borough Council, SWRDA and Environment Agency and delivered several infrastructure and flood alleviation schemes prior to being wound up.

## 2.4 SUMMARY

All three of our cases studies were engaged in redeveloping previously used land and all three developed public-private partnerships to carry out the redevelopment process. However, as can be seen from the brief descriptions above each developed a rather different form of partnership, which reflects past experiences (or lack of) with such activities and decisions taken by the relevant council in response to local conditions as they perceived them. What this highlights is that the term public-private regeneration partnership can cover a range of different organisational forms.

### 3 UK PLANNING POLICY 1990-PRESENT

UK planning policy can be broken into three distinctive levels: national, regional and local. The following section provides a summary of the regulatory instruments that exist at each level.

#### 3.1 NATIONAL LEGISLATION AND GUIDANCE

The Town and Country Planning Act 1947 provides the basis for the post-1945 planning system in the UK. This document has been supplemented and amended by a range of subsequent pieces of legislation, circulars and other pieces of guidance. The most relevant piece of planning legislation for our case studies is the Town and Country Planning Act, 1990. This act provides an overarching list of regulations to all areas of planning and is supplemented by legislation related to specific areas such as heritage and the environment. In addition to acts of parliament there has been several “*guidance*” documents issued from central government. These include general strategic guidance documents relating to planning to the more detailed technical guidance such as Planning Policy Statements (PPS). PPSs formed a comprehensive set of guidance designed to cover all areas of planning to ensure that things such as the local heritage and environment were protected.

Guidance documents are not legally binding but are designed to assist local planning authorities and this means that due to their prescriptive nature the authorities can choose to disregard the guidance if they believe it is not in their best interests to implement it. The Planning and Compulsory Purchase Act 2004 did however state that PPSs should be considered before planning would be granted. PPSs formed an important part of the regulatory framework during the early construction phases of the case study sites, however in 2012 the UK Government introduced the National Planning Policy Framework (NPPF), a 65 page document that replaced all existing PPSs (CLG, 2012).

#### 3.2 REGIONAL GOVERNANCE AND GUIDANCE

Regional Development Agencies (RDAs) played an important role in the regeneration of all three case study sites from their inception in 1999 and their abolition in 2012. In relation to our case studies the relevant RDA was the South West of England Regional Development Agency (SWRDA). Their work was supported by a Regional Assembly (SWRA) and the Government Office of the South West (GOSW). The most relevant document produced by SWRDA during this period was the Regional Economic Strategy, which outlined how SWRDA planned to deliver growth to the whole of the south west of England over the next 30 years. SWRA produced the Regional Spatial Strategy for the South West and although neither document was legally binding, local authorities were required to take them into account when producing their Local Development Frameworks/Plans. This was the case until 2012 when SWRDA was abolished.

Following the abolition of the RDAs the UK Government created another regional organisation, called Local Enterprise Partnerships (LEPs). The LEPs lack the spatial range, scope, funding and land holdings of the RDAs and are formed of voluntary partnerships between local authorities and businesses at a sub-regional level. As such they form a different type of public-private partnership. Through our research they have been described by an interviewee as “bidding vehicles” for central government funding, rather than a facilitator of urban regeneration in a similar way to SWRDA.

#### 3.3 LOCAL DOCUMENTS AND LAWS

Local Authorities were required to create Local Development Frameworks or Plans that set out where planning and development would be supported in the local region. These have been replaced with Core Strategies since 2012 that set out planning expectations to 2028. Local Authorities can also create supplementary planning guidance, specific to their locale that outlines what is likely to be permitted for development in the area. In the case of Gloucester this includes details specific to the protection of historic buildings within the city. Other key documents that need to be considered include conservation plans and local by-laws that outline what activities and development are permitted within the site and surround area.

National Planning legislation allows local authorities, as part of any planning agreement, to request financial contributions by the developer to pay for infrastructure works that enable the development to go ahead. This is called Section 106 (S106) funding. Section 106 refers to the Town and Country Planning Act 1990. This S106 payment is designed to offset the impact of the development and in the three case studies has been used to fund highway infrastructure improvements, public transport infrastructure and flood alleviation works. The S106 payment was replaced by the Community Infrastructure Levy (CIL) in 2011, which was to provide funding that was not specific to the development site, but could be spent anywhere within the local authority's area. In all three of our case studies such agreements were entered into, although it should be noted that private developers often sought to renegotiate these agreements after contracts had been signed (for an overview see Burgess, Monk and Whitehead, 2011).

## 4 METHODOLOGY

The PARCOUR project explores the contextual and historic basis of each of the three case studies identified above to analyse the elements of the regeneration process that are similar and those that are different within the regulatory framework of the United Kingdom. While the project has developed an overarching theoretical and methodological approach to structure the research, particularly the comparative dimension, (see Atkinson et al, 2015), in relation to the case studies the research uses an inductive grounded theory approach to generate data from interviews with the key people involved in the regeneration process. At present there have been eight interviews conducted in Bristol and Gloucester and six in Taunton. Utilising a 'snowballing approach' each interview has led to the identification of both key people and documentation related to the development. This has led to contact with the key people and requests for access to the documentation, where it is publically available.

The data gathered has been analysed using NVIVO software to identify the key themes and issues that have arisen in each case study. The data has been coded into four primary categories:

- Partnership;
- Governance;
- Planning; and
- Public.

The data in each of these codes has been broken down into further sub-codes to highlight how each development unfolded.

All 22 interviews to date have taken place face-to-face, as this has allowed the interviewer to interpret both the verbal and non-verbal language used within the interview (Denzin, 2009). Each interview was semi-structured to allow the interviewer to retain control of the discussion. This approach also allows the interviewee to bring forward new information that had not been found in the desktop study or in prior interviews, providing new information for the research.

A second phase of interviews will be conducted at a future date to identify the 'missing pieces' within each case study. This stage will include interviews with some of the original interviewees, as well as other people that have been identified through the research.

## 5 FINDINGS

For all three case studies the interpretation of national legislation and guidance, regional guidance and local documents sit with the planning authority. How this is interpreted and developed varies depending on each site. This section will discuss how this system worked and the issues this created in terms of governance and delivery of schemes that were seen to be in the public interest.

### 5.1 BRISTOL HARBOURSIDE

As discussed in Section 2.1 it took Crest Nicholson three attempts before they were eventually granted planning permission to redevelop the Harbourside site. This was because the first two applications,

submitted in 1999 and 2000 were rejected due to issues over the quality of the outline planning applications. Objections came from both the public and the Church of England, due to the proximity of the development, in particular a multiplex cinema, to Bristol Cathedral (Combe, 1999). In March 1999 Crest Nicholson were asked by the Council to withdraw their application and find a 'different solution' (Onions, 1999). The second application was rejected in January 2000, with the City's Planning, Transport and Development Committee stating:

*"The development would fail to provide sufficiently a coherent network of well-defined streets and spaces 'appropriate to Bristol city centre and this prominent historic urban context'" (BCC, 2000).*

As part of our interviews, one interviewee who was part of the planning committee in 2000 said that the scheme was rejected as: *"there was no imagination, nor thought or any detail of urban design"*. In this case the planning committee were making their decision based on the Planning Policy Guidance 15 (Planning and the Historic Environment), by stating that the development did not fit within the historic context of Bristol. This also links back to Bristol City Council's own 1998 Planning Brief for the site, which the proposal by Crest Nicholson did not adhere to. In this case the public interest was served by the local planning authority by ensuring a development did not go ahead that did not match the type of development that was expected, both by residents, interest groups and the planning department in Bristol.

### 5.1.1 HARBOURSIDE SPONSORS GROUP

The Harbourside site had been difficult to redevelop due to the mix of landowners based on the site. In addition the land owned by British Gas (Transco) would need decontaminating to enable the development to take place. Bristol City Council therefore set up a formal agreement with the other land owners in 1993 to promote and facilitate the regeneration of the site (CABE, 2001; Clement, 2010; Huerkens et al., 2015). Each member of the Sponsors Group signed a non-legally binding agreement called the Harbourside Accord, where each party agreed to work together and take their profits out of the scheme at the end of the redevelopment process. The Harbourside Sponsors Group provides an example of an important governance arrangement that enabled the redevelopment process to happen at this site. Bristol City Council had two roles within the redevelopment process, both as the planning authority and the land owner. This meant that there were competing agendas within the Council in terms of delivering the scheme. The member of the planning committee admitted: *"there was a lot of pressure to approve the scheme"*, from within the city council. The head of the Planning committee, Cllr Helen Holland, had to step aside from this role, due to a conflict of interest in the planning application due to her role as part of the Sponsors Group. Nevertheless, the planning committee stood firm and decided to reject a scheme that they felt was wrong for the city.

### 5.1.2 REGIONAL SUPPORT

The Harbourside Sponsors Group were very supportive of Crest's application and in October 1999 wrote to the local paper, the Bristol Evening Post, outlining the benefits that would be brought forward if this development were to take place. One of the reasons they highlighted for supporting the scheme was that the development would bring forward £18.5m of funding from SWRDA (Evening Post, 1999). It is through funding, rather than strategic policy that the regional support was the strongest, as this funding would be used to enable the site to be decontaminated and pay for the infrastructure links for the scheme. This provides an example of how regional governance provided a powerful ally to, and catalyst for, local authorities wishing to bring regeneration forward. It is doubtful whether at least two of the projects could have progressed without this external (financial) support.

### 5.1.3 DELIVERING THE PUBLIC GOOD

As discussed in Section 2.1, Crest Nicholson were eventually successful with their third planning application. This is because they completely redesigned their masterplan for the site. This was in part due to the extensive level of public consultation that was undertaken between the 2<sup>nd</sup> and 3<sup>rd</sup> applications, where Crest Nicholson and the City Council set up the Canon's Marsh Consultative Group (CMCG) that

included consultation with all the key stakeholders at the site (Bassett et al., 2002). The inclusion of these groups within CMCG meant that many of the issues, such as sight lines between the harbourside and the cathedral were retained in the masterplan. However, several of the interviewees were dismissive of the CMCG approach, with one interviewee calling it “*PR dressed as consultation*”. One of the key members of the Sponsors Group also admitted that the CMCG was a means of “*suppressing the loud noise*” from the protest groups, enabling the development to move forward. Despite this the protesters felt their concerns were listened to and the scheme was eventually given planning consent in 2001.

There were, however, several questions on whether the scheme delivered a ‘public good’. In general all interviewees agreed that the site was an improvement on the derelict site and car park that was there before, but many felt that it could have been “*so much better*”. Despite being approved for outline planning permission several of the buildings constructed during the development have been criticised for their quality in terms of both their construction and design. The Civic Society also continued to challenge each building through the planning process to ensure that they were delivered to a higher standard than was proposed by the developer. With the completion of the final building in 2014, the final public space was opened with the Millennium Mile providing a path through the site from the SS Great Britain to the south of the site, through to the centre of Bristol. In this sense the area has therefore provided a public good in terms of creating a space for people to use and access around the whole of Bristol Harbour.

## 5.2 GLOUCESTER QUAYS

The redevelopment of Gloucester Quays differed from Bristol, as discussed in section 2.2 the City Council were not the land owners. This meant that the public-private partnership was created between a non-departmental government organization British Waterways and the developers, Peel Holdings. Both parties came to a formal agreement to develop their land together in 2002 and this agreement stayed in place until 2012 when the UK government abolished British Waterways and they became a charitable trust called the Canal and Rivers Trust (CRT). At this point Peel Holdings purchased the remaining development land at the site from CRT. The Gloucester Quays development plan included a shopping centre, a new campus for Gloucester College, housing, a supermarket and a new 4\* hotel for Gloucester.

### 5.2.1 PLANNING APPLICATION

In the early 2000s the planning system in Gloucester was seen to be in a ‘log jam’ with little activity taking place. The College had identified a site within the Peel/British Waterways site to relocate to, but British Waterways were not willing to release the land unless they received planning consent for a shopping centre. The college had been awarded £30m towards the costs of the relocation by the Department for Education and they had secured the sale of their existing site in the city centre to SWRDA, but they were at risk of losing both if an agreement was not met over how the development was to proceed.

In 2003 all the key parties were summoned to Westminster to agree to clear the ‘blockages’ and allow the development to go ahead. Within the meeting it was agreed that British Waterways would release the land and that Gloucester City Council would take Peel/British Waterways planning application to the full council, instead of the planning committee, to ensure that the decision was given the highest priority. British Waterways were criticised by one interviewee for being: “*too commercially minded and not considering the public good*”, when it came to initially preventing the development of the college from going ahead. Planning was eventually granted and the shopping centre opened in 2008.

### 5.2.2 GLOUCESTER HERITAGE URBAN REGENERATION COMPANY

Due to the issues associated with the redevelopment of their own land, Gloucester City Council, along with partnering organisations set up the Gloucester Heritage Urban Regeneration Company (GHURC) in 2004. This comprised of four main government bodies: Gloucester City Council, Gloucestershire County Council, SWRDA and English Partnerships. Each of these bodies provided funding for GHURC, giving it a budget of £750,000 per annum to facilitate regeneration. The GHURC proved to be a useful vehicle in enabling funding from both SWRDA and English Partnerships, as well as Section 106 funding, to be invested into new transport infrastructure. This included the construction of the High Orchard Bridge, which provided a

link to the shopping centre car parks. In addition GHURC invested £7m in enhancing the links between Gloucester Quays shopping centre and Gloucester city centre.

The GHURC was incredibly inclusive in terms of engagement with both the business community and local community groups, often giving them sight of confidential documents prior to their release. This enabled a dialogue to be open between the community and the decision makers. By doing this GHURC was able to overcome both any local opposition (particularly from shop owners in the city centre) and to break the previously existing 'log-jam'/inertia that had surrounded the redevelopment of the area and the city more generally.

### 5.2.3 DELIVERING A PUBLIC GOOD

Like Bristol, the Gloucester Quays redevelopment saw the enhancement of a derelict site close to the city centre. Due to a combination of the consultation process and the mixed use development that was delivered, there has been little or no public criticism of the development. This may be because of low expectations, with many interviewees saying that prior to the shopping centre being completed many residents commented: *"We'll believe it when we see it"*. The main criticisms of the redevelopment came from the existing businesses within the city centre and a local covenant was put in place that stated no existing shops would be able to relocate to the site. The shopping centre therefore became an 'outlet centre' rather than a new city centre. Also access from the city centre to the development was put in place through a range of improvements in public connectivity. In terms of the public good, all interviewees were very happy with what has been provided at the site to date. The college has been successful and expanded the number of students, creating footfall in the area, and the shops have created a new destination in Gloucester that was a 'no go zone' prior to 2004. The development has therefore been seen as a success.

## 5.3 TAUNTON FIREPOOL

Taunton Firepool, has to date been less successful than the other two sites. The land was a mix of ownership between National Rail, who owned the land now known as Firepool Lock, and Taunton Deane Borough Council, who own the former cattle market site. It is more complex than the other two case studies given that it covers several different sites, albeit in the same area but not physically connected. At present Crest Nicholson are in the process of building out the Firepool Lock site, whilst St Modwen's proposal for the cattle market site was rejected in August 2016.

### 5.3.1 PLANNING APPLICATIONS

National Rail sold their former goods yards (Firepool Lock) to Abbey Manor Developments, who subsequently sold the land to Crest Nicholson. In addition social housing developers Knightstone Housing developed 200 affordable homes on the site, with a £3.5m grant from the Homes and Communities Agency (formerly English Partnerships) in 2012 (BBC, 2012). This provides a public good in terms of the quality and availability of social housing in Taunton.

The second site has been more problematic to deliver. The Cattle market closed in 2001 and Taunton Deane Borough Council sought to redevelop it. The initial plans were to use the site to construct offices, but this plan was unsuccessful as Taunton Deane Borough Council were unable to get an 'anchor' organisation to agree to be located on the site. This meant that St Modwen's second application was based on providing retail on the site, but again this application was rejected. The issues were for similar reasons to both Bristol and Gloucester, in that the aesthetic quality of the design was considered to be poor, with one interviewee describing it as a: *"wriggly tin roof development"*, and the fear that it would take business away from the city centre. The second issue highlighted was the potential for flooding, despite extensive flood alleviation work being delivered by Project Taunton.

### 5.3.2 PROJECT TAUNTON

Project Taunton was set up as an arms-length organisation by Taunton Deane Borough Council, SWRDA and the Environment Agency in 2004. Project Taunton was described by one interviewee as a “URC lite”, as the organization was designed to facilitate development, but without the bureaucratic structure or funding levels of the GHURC in Gloucester. Project Taunton was successful in delivering flood alleviation through the development of Long View Meadow, an area that was designed to capture flood water and prevent the town centre from flooding. Project Taunton failed however to deliver the redevelopment of the cattle market site, primarily due to the global economic downturn reducing the demand in office space in the town.

### 5.3.3 DELIVERING THE PUBLIC GOOD

In terms of delivering the public good, it is still uncertain what will happen to the cattle market site. The development of Firepool Lock does provide, both social housing and a new road link, although that is yet to open due to a dispute between the County Council and their contractor who constructed the new road. The delivery of the flood alleviation project constitutes a public good, as the land used forms a public park, when it is not flooded, and allows the redevelopment to take place, should St Modwen be successful in being awarded planning permission. It is clear from this application that the planning department at Taunton Deane Borough Council have acted in accordance with planning guidance, both on a national level, and locally in respect to ensuring that the cattle market site delivers a scheme that provides a benefit to the community.

## 6 DISCUSSION AND CONCLUSION

It is important to note that we have only conducted the first phase of our fieldwork vis-à-vis the case studies and at this stage it is not possible to draw any firm conclusions regarding the issues we are investigating. While we have had access to many of the key individuals (for interviews) and documents a considerable amount of work remains to be done. In particular the private sector developers have been the most difficult to meet with. Moreover, to date we have had limited access to the contracts signed between the public and private sectors (only in the Bristol case have we obtained the contract). Nevertheless a number of things have begun to emerge.

Each local authority has sought to address the development of previously used land in their area in somewhat different ways. As noted above each developed different approaches to the partnership arrangements they put in place. For instance in the case of Gloucester a formal body, the GHURC was set up, while in Taunton an ad hoc arms-length body, Project Taunton, was set up. While in the Bristol case, which took place over a much more extended time period than was the case with the other two, a range of bodies played a role, some ‘informal’ role as with the Harbourside Sponsors Group, which then set up Bristol 2000 to deliver aspects of the redevelopment. Subsequently remaining elements of the development were delivered through a variety of ad hoc arrangements involving the City Council and the developer.

In part these different ‘governance arrangements’ reflected past experiences (or lack of) with regeneration and the local politics of each town/council. In the cases of Bristol and Taunton they also had to contend with the fact that the local authorities were significant land-owners and there was a potential conflict of interest that needed to be addressed. Although interestingly it was Gloucester City Council, which owned none of the relevant land, that decided to go for the most formal arrangement by setting up a URC. Bristol did not do this, even though the option was available post-2000, perhaps reflecting the council’s earlier hostility to the setting up of an Urban Development Corporation and the fact that a developer had been selected before the option to set up a URC was available. In the case of Taunton Project Taunton rather than a URC due to a lower level of funding being made available. The idea was to take the best bits of a URC and create a dynamic organisation that could “talk to businesses” and not be seen as an extension of the Borough Council.

The developments also reflected what the relevant planning committees and councils hoped to achieve through the development process and how they chose to interpret relevant national legislation. This refers

not simply to planning legislation but also other environmental and heritage legislation. In the case of the latter two it became clear during the course of our initial work that in all three cases they set certain 'limits' (i.e. acted as a form of regulation) on the developments and what could (and could not) be done. In particular the legislation related to flood risk was a major limitation on the Taunton project, and this required significant public sector investment to ensure the sites were able to meet relevant standards, but this applied, albeit to a lesser degree, to the other two sites as they each were structured around water areas.

What is clear from our initial research is that national bodies, notably English Partnerships, played an important role in terms of providing resources for important infrastructure work (e.g. site remediation) essential to the development of relevant sites. Similarly the regional level, SWRDA, was significant in being able to focus significant resources on the sites, bring people together and where necessary 'knock heads' together. The abolition of the regional level would appear to be a serious loss in terms of current and future developments as LEPs lack the resources and powers to fill the gap left by the abolition of the RDAs. In addition key individuals (or small groups) also played a significant role in bring key actors together, mediating disagreements and addressing uncertainties at critical points in the development process.

One respondent noted that other organisations such as the Confederation of British Industry (CBI) were organized on a regional level and this meant that the staff at each organisation knew each other in a working capacity making it easier to bring proposals forward. The situation is now fragmented and this means that there is a lack of spatial planning undertaken to ensure that schemes join together between sub-regions.

The preceding paragraph points to a wider issue related not just to the termination of the experiment with regional government but also the abandonment of any pretense of engaging in strategic spatial planning (Baker and Wong, 2013). The LEPs may, in some places, offer a partial replacement in terms of 'strategic spatial planning from below' but as Baker and Wong (ibid, p99) argue "The problem is that this may only happen in a few isolated areas, producing pockets of surviving strategic thinking in a surrounding strategic vacuum.". In other word any 'strategic' thinking about planning and (economic) development will take place in a fragmented and isolated manner, arguably accentuating competition between locales and creating yet more 'winners and losers'. Moreover, LEPs are unlikely to take into account issues such as environmental impact(s) and social cohesion.

In all three areas there were either no, or relatively, small numbers of people living there, so this removed many obstacles to the developments. However, there were often significant 'spill overs' from the proposed developments that did elicit, often strong, objections from within the wider city or adjacent areas affected by the developments. In the Bristol case much of the debate was around the impacts on sight lines across the city and the design quality/impacts of the proposed development. In Gloucester the main concern was the impact on existing city centre businesses. While in Taunton similar objections were present along with concerns about the design quality of what was (is being) proposed and the impacts of infrastructure provision (e.g. a road associated with the development).

It also appears that there have been 'renegotiations' around exactly what the developers were to provide in terms of agreements linked to S106, although the full extent of these renegotiations remain unclear at the moment. But this is very much in line with what the literature has highlighted elsewhere (see Burgess, Monk and Whitehead, 2011). Factors such as the economic crisis in 2008 meant that developers needed to renegotiate S106 agreements to ensure they were able to continue the regeneration process. Financial pressures meant that many developers went out of business and this meant that local authorities had to make tough decisions about whether the development should continue without the S106 agreement, or remain unfinished.

Perhaps the most difficult issue to address is the extent to which the developments have been able to deliver projects that are in the 'public interest' or enhance 'public good' (see Atkinson, 2015). Setting aside the tricky issue of defining what these two terms mean theoretically and in practice, in a somewhat simplistic manner one can argue that in the cases of Bristol and Gloucester areas that were previously derelict or used for purposes such as car parking have been regenerated and made accessible to the people of each city. Site visits reveal areas that are now being used by people and they are now undoubtedly vibrant places that people visit and engage in a range of relevant leisure, shopping,

educational and commercial activities. In the Gloucester case there appears to be general satisfaction with the development, although this perhaps reflects a starting point of 'low aspirations'/disbelief that anything would happen. While in Bristol opinions are somewhat more divided and nuanced with a number of our interviewees feeling that more could have been achieved, particularly in terms of the overall design quality of the area and of individual buildings. Concern was expressed over the use made of several of the buildings in terms of their single-use (e.g. as offices) rather than the original mixed-use designation (e.g. the inclusion of more cafes and other leisure facilities), it was felt that more mixed-use of some buildings would have drawn more people into parts of the site and enhanced the presence and flows of people. It also has to be kept in mind that the redevelopment of Bristol site took place over an extended period of time and that there were considerable external changes (e.g. within the national economy post-2008) and internal changes within the city that affected the nature and pace of the development. The Taunton case is rather different, partly because of its fragmented nature and also because of the fact it is an on-going process. Nevertheless, there is a general agreement that these sites need to be brought back into use, the debates are about 'what type(s)' of use, the design quality of what is being proposed and the impacts on the existing city centre.

More generally we need to situate our case studies within debates over the wider planning system and forms of governance. As is well known the wider context in which the UK operates is seen as a 'neo-liberal regime' which has had significant impacts on both planning and governance at a variety of different scales. However, this overarching notion of neo-liberalism has increasingly been recognised as too general and lacking a recognition that there are varieties of neo-liberalism. Moreover, it has been acknowledged that even within a particular country there have been 'phases of neo-liberalism'. For instance Allmendinger and Haughton (2014) have sought to distinguish between the 'roll-back' version of the 1980s, the 'roll-out' variety of the 1990s and 2000s. Our case studies largely fall in what they term the 'roll-out' phase which is characterized by "...a variety of market supportive state forms and modes of governance." (ibid, p11). Arguably the case studies we have considered exhibit examples of how local, regional and national bodies sought to support and facilitate market based developments in different ways related to local contexts. In addition they go on to point out that:

This approach also placed a growing emphasis on partnerships as a means of promoting public and private sector coordination and improved policy integration. In this new accommodation, the state's reworked role was not simply to de-regulate, divest, and open up markets. The role of government was also to reregulate and where necessary invest in ways that reconcile a continuing pro-growth agenda with wider societal issues, not least growing concern about environment and citizenship. (ibid, p12).

We can also detect concerns with these elements in our case studies as each of them has, in different ways, sought to address these wider issues. Part of the problem, however, is that we also need to consider what Taşan-Kok and Korthals Altes (2012) have referred to as the 'capacity to act' and Servillo, Atkinson and Russo (2012) have termed the 'mobilization process'. In both cases the authors are referring to the ability of (local) governance arrangements or 'systems' to get things done. As Servillo, Atkinson and Russo (2012, p.359) point out:

This requires the existence of links, often articulated through organizational arrangements (for example, partnerships) between stakeholders, local authorities, agencies and citizens, in order to identify, create and mobilize assets and develop policies to achieve specific...strategies.

In each of the case studies our local authorities and the associated partnerships they have developed displayed differential capacities to act by mobilizing assets, developing relevant strategies and putting them into practice. Indeed, it is clear that without 'external support' from regional and national bodies they were unlikely to have been able to push the development process along.

In terms of the governance issue and our concern to address the argument that contemporary regeneration processes and their associated public-private partnerships involve complex legal and regulatory activities that frequently involve forms of privatisation which may be subject to 'governance through detail' (Raco, 2012; 2013) articulated through 'government by contract' (van der Veen and Korthals Altes, 2011) or 'planning by contract' and (Raco, 2012; 2013) we have as yet little to say that is concrete. However, our initial work in scoping out the various institutional/organisational relationship in which our partnerships were embedded revealed a bewilderingly complex web of relationship involving national, local, regional, governmental, quasi-governmental, private (for profit) and non-profit bodies. When

mapped out these relationships are most aptly described as resembling 'a bowl of spaghetti'. Such a situation is hardly conducive to transparency and accountability, making it difficult to identify where decisions are taken and who can be held to account for them.

More generally the forms of governance we have observed in our case studies strongly resemble what Levi-Faur (2011) has described as hybrid forms of governance along with hybridized forms of regulation (Levi-Faur, 2010) that involve a range of regulatory forms. He argues:

We need to conceptualize a world order where governance is increasingly a hybrid of different systems of regulatory control; where statist regulation co-evolves with civil regulation; national regulation expands with international and global regulation; private regulation coevolves and expands with public regulation; business regulation co-evolves with social regulation; voluntary regulations expand with coercive ones; and the market itself is used or mobilized as a regulatory mechanism. (Levi-Faur, 2011, p.17)

Disentangling the various forms of regulation (not least that exercised by the planning system) and their relationship will be a major task of our future work if we are to understand how governing and planning by contract operates in our case studies.

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