THE RULES OF THE GAME: SCARCITY, REGULATORY REGIMES AND OPEN SPACE IN BROMLEY-BY-BOW

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In a plan of Swan Housing Association's recent development at Rainhill Way, external areas are shaded in three colours. The light green, spread around the refurbished and new build housing blocks, denotes 'Green Space'. A few darker green areas are 'Formal Playspace'. Somewhere in between the two is a swathe of orange marking 'Incidental Playspace'.

These coloured lines on maps tell a lot. Within five minutes' walk of Rainhill Way are numerous open spaces managed by other housing associations, private developers and Tower Hamlets Homes (the council housing management organisation), each with their own terms of classification and regulation. If we zoom out to the Bromley-by-Bow ward borders and plot all the nine areas recognised as open space by Tower Hamlets council, we find none of the open space at Rainhill Way on the map we produce. Mapping everything the council calls a park produces an even smaller cluster - just five spaces within the ward.

These simple maps take us directly to significant questions about how urban space is being produced, classified, measured and regulated in Bromley-by-Bow - and howthis relates to its use, interpretation and meaning by those who live there. The curiously precise delineation and classification of open space in a new housing development suggests considerable thought went into its provision. But whatthought, by whom, under what influences? And what does it mean to someone living at Rainhill Way or the surrounding areas in Bromley-by-Bow as they unwittingly chase a football across Incidental Play Space and into Green Space?

REGULATORY REGIMES

At one level, it is helpful to consider these questions in terms of institutions and how they work together in different circumstances to take and implement decisions. We can call the dynamic and complex interactions between powerful institutions that get exercised through governance structures and codified in policy and regulations 'regulatory regimes'. If we use the concept of regulatory regimes as a loose framework, it is helpful also to acknowledge regime theory, which places our context in the neo-liberal philosophy that has so shaped London's planning and regeneration policies since the early 1980s.

The collapse of municipal approaches to development over this period, the growth in public private partnerships, fragmentation of council housing and expansion of housing associations are reflected in the range of institutional actors involved in producing urban space in Bromley-by-Bow. Poplar HARCA, Swan, Barratt and Circle Anglia are all currently developing land or

buildings, which will provide new or re-shaped public open space. Development finance brings its own heavy influence to bear on what gets built and to what standards. A mixture of private financial institutions and the post-crisis remnants of Greater London Authority and local authority regeneration budgets are currently supporting various developments to a point of precarious 'viability' (with amenity and non-market elements such as playspace the first to give way in the face of any balance-sheet squeeze). As the state has reduced its role as a direct producer of urban space through building or finance, in favour of a regulatory and influencing role on the market, so the regulatory agencies have come to the forefront as the main lever of publically accountable control over urban transformation. London's complex planning and design guidance operates at a minimum three levels simultaneously, national, city-wide and local authority, with the London Legacy Development Corporation also holding planning and land assembly powers in part of Bromley-by-Bow and exerting its influence from the east. Wider government agencies, such as the police, contribute their own influence, as do bodies such as RTPI and RIBA in shaping professional practice and philosophy.

We find that in Bromley-by-Bow the regulatory regimes concerning the production and regulation of the built environment are as fragmented and complex as the space they produce. Yet the picture becomes complicated further by internal tensions in the multiple functions of institutions, not least the local authority, as the main regulator of day-to-day use of open space in the area. The management of Council owned trees is currently shared between several departments (66% Parks and Highways, 10% Housing, 2% other municipal areas). (Tower Hamlets Council, 2006)

The Tower Hamlets open space strategy lists nine areas in the ward which are classified as open space. These are areas that benefit from some planning protection and local authority interest in their preservation and good use. They are not all under council ownership and management, yet the council has laudably produced a document (London Borough of Tower Hamlets, 2012) to assist groups or organisations that wish to hold an event on any of these spaces. Tellingly the advisory note runs to 22 pages, lists 19 parts to an event plan, 11 suggested further readings, no fewer than 11 'key contacts' and 20 health and safety considerations. This is not to imply a criticism of those who produced the document but it illustrates the complexities generated by large organisations' external obligations and internal diversity of function, ironically highlighted when trying to simplify the public's free and creative use of open space in the borough.

The recently reviewed by-laws for Tower Hamlets parks are another case in point. Acknowledging the difficulties in coming up with an all-encompassing set of regulations through a democratic local body, and which need to retain their relevance decades into the future, the outcomes are, perhaps inevitably, curious. (The banning of a range of highly-specific activities can be productively seen in its inverse: If I cannot practise javelin, discuss, hammer or shot, could I pole vault and hurdle? What else can I do here?). However, it is perhaps more telling to look once again at where these regulations apply. They apply only in the parks. Or rather, the designated Parks of which there are just five locally. In this fraction of all the open space in Bromley-by-Bow, legalised regulations have been put in place that apply neither across other council recognised open space nor the extensive green and open spaces that surround the estates, be they marked on a map as Formal Playspace, Incidental Playspace, Green Space or simply unnamed and underused 'amenity space' looked after by one of the several housing providers in the ward.

This cuts to the core of the challenge of understanding how influence and decision making over public space in Bromley-by-Bow has been consolidated within institutional standards, that have

been made impenetrable by the fragmented and complex inter and intra-institutional structures, influences, interests roles and functions that shape them. The implications are significant at the institutional level - in terms of how space is planned and provided; how space is classified and measured (as adequate or inadequate) and how it is protected and regulated.

But it is at the lived level, the social and the street, where we need to reflect on how scarcities are constructed by this complexity of regulation. The institutional map is illegible on the ground, it only makes itself known when the boundaries of regulation are accidentally transgressed or challenged. How do people assign value and meaning to their open space and take ownership over it in this context? And how can they find strategies to engage with this institutional complexity of regulation to make it more meaningful or even change it?

ACCESS TO ALL - USEFUL TO ALL?

Sharon Zukin says that the essential characteristics of public space in urban environments are 'proximity, diversity and accessibility' (Zukin, 1995: 262). These features are important particularly as we are looking at public space in a diverse, densely populated area of east London. Moreover, we need to establish a definition of public space which goes beyond 'access to all', and looks to draw in principles which make public space enabling and useful to those who access it.

The characteristics outlined by Zukin are important in our analysis of public space provision in Bromley-by-Bow for two reasons: firstly, to consider whether the provision of public space meets the needs of the community living in the area, and secondly to conceptualise scarcity in how regulatory regimes affect both the provision and the use of public space. One of our main areas of interest has been whether a sense of ownership and belonging could be fostered without a person or the community owning or having the private right to access space. Public space exists to be shaped by those who use it; people have a right to the space and should have a sense of belonging but equally a level of ownership of the space.

'OPEN' SPACE?

Research conducted by Tower Hamlets Council suggests there is a significant deficit in open space. The statistic which is applied to this assertion is 0.4ha of public open space is available per 1000 residents in the area, compared to a 2.43ha standard set by the Mayor of London. This deficit in open space is reported in 2006 and again in the 2012 area Master Plan. But how this deficiency presents itself is as important as the deficiency itself; the vagaries in the way that open space is institutionally labelled, and hence measured, present an apparent physical lack of free public space that is not necessarily recognisable when walking through the area. But we also wanted to pay attention to the apparent limitations of the space that is available. We wanted to identify the missing elements that lead to public space not maximising its potential as meaningful and dynamic space.

The importance of open space/public space should not be overlooked. Numerous studies (Green Alliance/Demos) have concluded that those living in disadvantaged and deprived urban environments like Bromley-by-Bow, are negatively impacted by the lack of access to natural and open space. However, in assessing how public space could maximise its potential we looked beyond just a lack in terms of provision sufficient to the population, to how well space is being utilised by local people and whether it truly empowers them. Through the project we identified large amounts of open public space scattered throughout Bromley-by-Bow. This was 'un-designated' space, spaces of potential which were un-used, un-discovered and ignored in assessments of 'designated'

open space by the council.

In order to gain a good understanding of the Bromley-by-Bow area within the context of the research we carried out interviews with youth and community workers groups as well as making general observations when we visited the area. We identified the following as a series of circumstances around social regulation of open space produced in the community, by people, irrespective of the instructions in guidelines and regulations.

* Surveillance: promoting a sense of safety through connection, such as parents sharing the tasks of keeping an eye on young children when they went outside to play.

* Spatial ranges: determining where young people interacted and agreeing safe distances with their parents on how far they could travel to play, how this influenced the places where children chose to congregate and how what was allowed by one parent might influence an overall group.

* Sacred places: discovering places through exploration; the young people discovered their 'own' special place which they visited regularly to play and look for foxes and named this place 'Bamboo' They associated 'Bamboo' with a certain level of possibility and danger which made it more attractive to them. This idea of discovering sacred places resonates in Anna Minton's (2009) book Ground Control where she writes about a lack of open space for young people to discover.

* Negotiation: the potential of negotiation to forge creativity and shared interest; this was illustrated by an example given in Bob's Park where a woman with a young child negotiated sharing space with a group of young boys who were playing football. There is an assumption that this very rarely occurs - due in part to the expectation that institutionalised authority will step into disputes - however if encouraged it could happen more frequently helping those using public spaces to interrelate.

* Territoriality: claiming spaces and appropriating ownership; young people had many stories of being chased out of areas or told off by adults for activities such as drawing on pavements with chalk, suggesting regular small tussles over ownership and meaning of spaces that hint towards potential for a more dynamic view of meaning in public space.

These features, we suggest, are co-created by the community but under-utilised through a lack of encouragement and opportunity. Strategy and governance documents currently underestimate the worth of these circumstances of social interactions. They allow people to explore the sphere of possibility and engage with others to negotiate the use of space in a way that lets it be defined by them, and not for them. How can we get to Lefebvre's idealisation of social space as a 'means of human reappropriation through the development of counter space forged through artistic expression and social resistance' (Lefebvre in Butler, 2009; 11)? How public space is viewed and the understanding of social space needs to be adjusted or redressed to mould it in such a way that it allows for space to represent a creation/ensemble of interaction and social relations by users and those who provide public space. We can argue that the use of space in this way is utilised and produced more effectively and frequently by those with wealth or access to provision and resources. For those living in deprived areas where there is an obvious lack of resources there are barriers to this realisation, and the empowerment to act can take longer. Naturally this is more complicated than simply those who have wealth and those who do not but what is being emphasised here is that public space is always under construction by its users, therefore re-appropriation of space for those who may not have a strong sense of ownership needs to be assisted through a grassroots or community led strategy.

Figure 5-1 'Formal Playspace' - Rainhill Way. Source: Carlos Manns.

The purpose then of an open space or play space strategy should be to go beyond a set of guidelines and regulations that define and portion the amount of space available to local people. It needs to list a set of apparatus that allows social action to be envisioned or realised. This is an approach to thinking about the provision and arrangement of space as enabling, and as a socially dynamic concept as well as a physical construction. Making the important distinction between use of public space as currently measured and highlighting why it is crucial to define or redefine uses. Communities are diverse, consisting of a collection of identities expressing and co-existing together, therefore it is logical that public space will need to be negotiated. Although commonality and establishing common features is useful, it can be more useful to explore the differences that need negotiation and encourage a more relational perception of open space, making a case for strategies for a public space always under construction and reconstruction by its users, open to possibilities, diversity of meaning and shifting moments of ownership.

STRATEGIES WITHIN INSTITUTIONAL STANDARDS AND WITHIN SPACE

When it comes to possible strategies it might be necessary to take a double approach: as observer and as practitioner, allowing as much reflection on the discoveries as action on the ground. The importance of strategies - besides the shape - includes the capacity of a middle-man to integrate purposes and resources, to allow the coexistence of a diversity of visions and to navigate in the politics of the intra-institutional structures as well as the spatial and social of lived space.

'THIS IS YOUR PLAY AREA'. MEANING AND VALUE OF OPEN SPACES

In Bromley-by-Bow, under the private-public institutional mechanisms of 'public space' provision which are set under pre-existing scarcities - financial and land constraints among others - resources are maximised and redistributed as an institutional provision of 'benefit', within a financially sound solution-making approach from developers. This structured institutional provision transforms the perceived value of common areas of space and finds its legitimacy on a label where space use and function is determined beforehand. Spatial outcomes in the shape of community assets are then value-modified through these forces.

Written boards on pitches and playground will put emphasis on phrases such as 'this is yours', insisting on the 'right to use'; typological use will promote mono-activity and lack of variability, as well as fragmentation of space and territorial adaptation40 especially from younger groups.

Kids will inherently challenge boundaries and concepts, especially those that have been imposed on them. A fence that has been removed, or a space that finds another use will challenge the regulatory regime, but not at the policy level of control apparatus which retrofits - in a vicious cycle - the imposition of institutional regulation in design and regulates behaviour in space through estates regulation and guidelines.

These dynamics rarely promote a sense of belonging in changing a sense of private ownership. From early design phases processes have not been properly set in place that can allow others' interpretations on what and how these provisions can be, nor allow instances of future adaptation. Under the existing regulatory regime design has little room for other possibilities since design practices are exercised under constraints that reinforce structured institutional mechanisms of regulation which promote ownership, functionality and object-based outcomes.

RULES OF THE GAME. DEFINING STRATEGIC ACTIONS FOR OPEN SPACES IN BROMLEY-BY-BOW

A strategy could draw possibilities of working mainly at spatial and regulatory level, drawing on Brian Massumi's (1997) idea that an 'emergence of codes of rules follows the emergence of an unformalized proto-sport'. This understands the game as a constant process of emergence and evolution, where 'circumstances arise that force modification of the rules' (Ibid). This process allows a wide range of variation of events, uses, activities and actions to appear which are endemic to a game.

For Massumi, regulation 'has all the reality of a formation of power' and 'will then capture and contain the variation'. We see this formation of power and further containment of variation as a potentially inclusive and open process. A further codification is a framing derivative that a regulatory code can arrogate to itself the 'role of foundation', setting only precedence for further game play.

In the context of Bromley-by-Bow a strategy could have as its main objectives:
* Redefine value of open space;
* Unlock common areas and public space for other uses and other interpretations;
* Promote challenging regulatory regimes by enabling groups to establish their 'rules of the game'; and
* Build sense of belonging, allowing flexible and inclusive processes and common-sense.
* Give access to open space and facilitate spatial resources as common assets for a more comprehensive approach to the area.
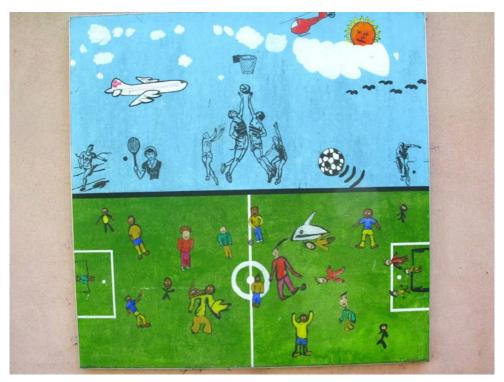
This might be achieved by:

Figure 5-2 New rules of the game? Community art, Bromley-by-Bow. Source: Carlos Manns.

* Allowing more variability of possible activities that can take place. Variability can allow space for experimentation; for negotiated design processes where pre-conceived rules can be superseded by grassroots regulation and common sense;

* Enabling future residents as well as architects and planners, associations and other actors to access decision making and to participate in the role of foundation of any code or regulation;

* Participation and evolving negotiations: these can open up other meanings of space provision, meaning and values. It can bring a possibility of less dependency on institutional determinacy in favour of more socially driven regulatory scopes with their potential for an enhanced range of meaning and value for spaces.

* These opportunities for participation and evolving negotiations must stay open to circumstances where community surveillance, spatial ranges, discovery of new places, negotiations and territoriality among other circumstances can happen.

Some initial exploration with grassroots groups reveal many that are already encouraging young people to exercise different activities that are in an indirect way challenging the standard use of spaces. Others are seeking to implement new community-led activities in restricted open areas. Working strategically at the grassroots level offers the observer and practitioner opportunity to explore with users the impact of a top-down provision and regulation of public open space on such aspirations. This role can then evolve to assisting in identifying entry-points to interventions that can both reveal existing regulatory structures to scrutiny and open up the possibility of change.

References

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