OUR LAND

Final report of the Liverpool City Region Land Commission

CLES

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The Liverpool City Region Land Commission

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Executive Summary

The Liverpool City Region (LCR) Land Commission was launched in September 2020, at the initiative of Metro Mayor Steve Rotheram. Facilitated by the Centre for Local Economic Strategies (CLES), the Commission gathered together thirteen experts on democratic land reform, ranging from activists involved in community land trusts, makerspaces and social enterprise incubation to academics and national planning policy reformers and international campaigners for the commons. They were invited to "think imaginatively and come back [...] with radical recommendations for how we can make the best use of publicly-owned land to make this the fairest and most socially inclusive city region in the country". This report, prepared by CLES, is based on the deliberations and contributions of the Commissioners and presents their key findings and recommendations.

Chapter one sets out the approach of the Commission, the policy context of the Liverpool City Region Combined Authority (LCR-CA) and local authorities in the LCR, and existing policies to promote an inclusive recovery from Covid-19 in the region. **Chapter two** explores the history of ideas and practices around land ownership, focusing particularly on the history of the Liverpool City Region, in order to gain a deeper understanding of present-day challenges around land justice. It tells a story in three acts.

Act one, **the invention of a commodity**, describes how the "common land" of medieval England was enclosed, and how land came to be understood as a commodity to be bought and sold. The dispossession that resulted was part of a wider process of exploitation, in which colonialism and the transatlantic slave trade were central. Act two, **the countermovement,** describes the push back against this social dislocation. Act three, **the market strikes back**, describes how marketisation since the 1980s has led to a reassertion of the idea of land as a commodity, coming to be treated primarily as a financial asset and the object of speculative lending and investment. While new luxury developments spring up in Liverpool's city centre, poverty in the north of the city has been left largely untouched. For many Black Liverpudlians, regeneration was associated with heavy-handed programs of rehousing following the Liverpool 8 (Toxteth) riots, further dispersing the Black community.

We believe that the story does not end here. The next act is ours to write. But what would a more socially just approach to land look like?

To explore this question, **chapter three** surveys a range of emerging alternative models and policies for promoting socially, environmentally and economically beneficial forms of land use. It first considers a range of **alternative models of ownership**, emphasising that "outright ownership" as commonly understood is but one possibility within a broad spectrum of models of tenure.

It next considers the range of **regulatory and policy instruments** available to promote more socially, environmentally and economically beneficial use of land. These include instruments associated with the planning system, policies to promote the responsible stewardship of land and policies which secure "social value" from the use of public land and property assets.

How, then, can we move towards a more just approach to land in the Liverpool City Region? Chapter four makes 13 key recommendations. These offer concrete, realisable steps which can serve as staging posts towards a fundamentally different future. The recommendations are set out in three "baskets".

A NEW VISION, FRAMEWORK AND GOVERNANCE FOR LAND IN LCR

INSTRUMENTS TO ADVANCE SOCIALLY, ENVIRONMENTALLY AND ECONOMICALLY BENEFICIAL LAND USE

INFRASTRUCTURE, MEASUREMENT AND DATA

A NEW VISION, FRAMEWORK AND GOVERNANCE FOR LAND IN LIVERPOOL CITY REGION

1   Recognise and convey the true social purpose of land.

A key basis for necessary changes should be an official recognition from the LCR-CA that land must be understood as much more than a commodity. It should be recognised that land is a gift of nature, that in the end "belongs" to none of us. The LCR should therefore develop a long-term vision, in which all land use is progressively directed towards achieving social well-being and environmental sustainability with financial return for local communities.

2   A local duty to consider all land in LCR in terms of social justice.

Wherever possible, questions around land should be approached through the prism of recognising its true value, and of realising its true social, economic and environmental potential. In this, all land in LCR, whether publicly or privately owned, should be broadly considered in terms of one or more of four "pathways" for socially-just land use identified by this Commission.

3   A permanent land commission for LCR.

This would act as a "sitting" cross-sector working group, taking overall responsibility for embedding these recommendations. It would be made up of senior politicians and officers from across the region, key players in the private and social sector, and representatives from the citizen observatory (see below).

4   A citizen observatory and a participatory research process.

The observatory would be a citizen-led body for the continued assessment, monitoring and generation of ideas for innovative policies around land - and putting them into action. It would also be responsible for launching an in-depth, well-resourced participatory action research process to ensure that future actions to reform land use are shaped and driven by the aspirations of LCR citizens.

INSTRUMENTS TO ADVANCE SOCIALLY, ENVIRONMENTALLY AND ECONOMICALLY BENEFICIAL LAND USE

5 A "new commons" for LCR.

This new body would provide a framework to bring together the LCR-CA, local authorities and a wide range of community organisations and social businesses to advance the socially productive use of land across the Region. It would have three key roles. First, to identify underused land and public property in LCR on an ongoing basis. Second, to act as a conduit between the LCR-CA and community organisations, working to make land available to community organisations through a variety of mechanisms. Third, to act as an "accelerator" or "one-stop-shop" for community organisations undertaking socially valuable projects on this land, providing coaching and technical support, as well as facilitating access to finance by underwriting loans or acting as a focal point for social investors.

6 Progressive use of the planning system, through three lines of action.

First, more extensive and ambitious use of the planning system to allocate land for socially valuable uses. Second, extracting greater value from land value uplift, to be reinvested for collective benefit. Finally, given the significance of the transatlantic slave trade in the history of the region, the LCR-CA should also explore additional forms of land value capture to secure funds for reparations. These could be used, for example, to support Black-led organisations pursuing socially, environmentally and economically beneficial uses of land.

7 A framework for the responsible stewardship of land.

The principle should be adopted that land should not be allowed to become derelict or left vacant for an indefinite period of time, to the detriment of the local community. To drive the move towards a more responsible approach to land reuse, a framework should be developed on the model of the one produced by the Scottish Vacant and Derelict Land Taskforce. Alongside this, an industry charter for responsible land stewardship and a set of implementation guidance should also be produced, and a designated team should be created to work with landowners to embed these practices.

INFRASTRUCTURE, MEASUREMENT AND DATA

8   Investing in green infrastructure.

Realising the true value of land will also require greater recognition of the value of green infrastructure; both for its social and wellbeing benefits, and to combat the climate crisis. This should involve retaining the green belt, more development on brownfield land, exploring the creation of market garden cities, maintaining and enhancing funding for public parks across the LCR.

9   Social value and measurement.

We need a more sophisticated and systematic way of assessing the social value of different potential forms of land use, in order to link land disposal to social value more clearly. The LCR-CA should carry out further research to identify or develop appropriate social value frameworks (and metrics), which would facilitate a more socially generative use of land. This should be an important aspect of LCR-CA's forthcoming social value strategy. Social value should also be embedded in the LCR Spatial Development Strategy.

10   Set up an open access online map of publicly-owned land in LCR.

This map would show all land and properties owned by councils, the NHS, central government and other public bodies within LCR. It would provide community groups and residents with a way of more easily seeing and understanding what public land and assets exist in the City Region.

11   Publish an annual report on land ownership and use in LCR.

This would include a range of statistics and analysis including, for example: the overall breakdown of land ownership; amount of public sector land sold off to the private sector in the past year; amount of land deemed to be vacant and derelict; how far land is being used to benefit the greatest numbers of residents; and how far land in the LCR is being used in a way that contributes to, or helps combat, the climate and ecological emergencies.

12   Lobby central government to open up the Land Registry.

So we can see who owns land. Search fees should be dropped, and a comprehensive map of land ownership in England and Wales released publicly. This would make it easier for community groups and residents in LCR to also identify privately-owned sites where they may wish to enter into discussions over asset purchase or collaboration for community housing, food growing, amenity space or other projects. Releasing maps of private land ownership would also make the planning system more democratic and transparent, by showing clearly who has an interest in a site or proposed development.

13   Lobby central government to task the Land Registry with establishing a register of options over land.

This would show where developers have an interest in a site even though they haven't purchased it outright, further improving the transparency of the planning system.

1. Introduction

The Land Commission and a fair, inclusive and just Liverpool City Region

1.1   About this report

The Liverpool City Region (LCR) Land Commission was launched in September 2020, at the initiative of Metro Mayor Steve Rotheram.

The power to hold a land commission was afforded by LCR's devolution deal. The LCR Combined Authority (LCR-CA) was keen to make the most of this opportunity, and to explore opportunities to make better use of publicly owned land in the City Region. The Land Commission was established as the first in England to review the use of public land for community wealth building.

> "The unprecedented circumstances of the Covid-19 pandemic, with all its economic consequences, make it even more important for us to ensure that we can wring the maximum possible community value from our land assets to encourage sustainable economic recovery.
>
> "I've brought together a Commission made up of senior figures from the worlds of academia, property development and planning. I have challenged them to think imaginatively and come back to me with radical recommendations for **how we can make the best use of publicly-owned land to make this the fairest and most socially inclusive city region in the country.**"[1]
>
> *Mayor Steve Rotheram's statement on the launch of the Commission.*

The Commission gathered together thirteen experts on democratic land reform, ranging from activists involved in community land trusts, makerspaces and social enterprise incubation to academics and national planning policy reformers and international campaigners for the commons. It was facilitated by leading think-and-do-tank, the Centre for Local Economic Strategies (CLES). The Commission met for five online meetings between September and December 2020. This report, prepared by CLES and based on the deliberations and contributions of the Commissioners, presents its key findings and recommendations.

1.2   The approach of the Commission

From the outset the Commission adopted a distinctive approach, both in terms of methodology and "theory of change".

Rather than proposing "universal coverage" of the topic and launching an open call for evidence, the Commission took a deliberately nimble approach, working as a problem-solving group and temporary think-tank. It drew on the expertise and experience of its members - many of whom have decades of experience "on the ground" in the LCR - and sought to produce selective, action-focused recommendations rather than simply describe the issues or convey general principles.

In terms of theory of change, the Commission recognised the need for deep systemic change and took inspiration from Brazilian philosopher Roberto Mangabeira Unger's concept of "radical social innovation".

"We live under a dictatorship of no alternatives: only a small and inadequate set of ways of organising different fields of social life is on offer in the world. The goal of the social innovation movement, under its maximalist understanding, is to help overthrow that dictatorship.

"Taken at its maximalist best, the social innovation movement must undertake the small initiatives that have the greatest potential to foreshadow, by persuasive example, the transformation of those arrangements and of that consciousness. It must launch such initiatives even as it seeks to redress recognised and immediate problems in a particular piece of society."[2]

Roberto Mangabeira Unger

The Commission was highly aware of the need to produce recommendations that would be realisable in the real world, leading to action and tangible improvements. At the same time, the Commission was conscious of the systemic problems around land, and aimed to develop recommendations that would move towards addressing them - rather than simply

tinkering at their edges. They resolved, then, to develop recommendations which - though incremental - would take intentional steps in a radical direction.

1.3　Policy context

The specific mission of the Land Commission was closely connected with the LCR-CA's wider policy agenda, and its drive for a fair, inclusive and just LCR, as well as connecting closely with work being done at local authority level. It is also closely linked with the region's agenda for an inclusive recovery from the Covid-19 pandemic.

1.3.1　The Liverpool City Region Combined Authority

The LCR-CA was established in 2014 as part of the national devolution agenda.[3] It comprises six local authorities: Halton, Knowsley, Liverpool, St Helens, Sefton and Wirral. The LCR Devolution Agreement (2015) identified a number of key strategic opportunities and powers that the LCR-CA would have, including:

- To identify key employment and residential sites (this is an ongoing devolution requirement, which is in development as part of the draft LCR Spatial Development Strategy).

- The formation of the LCR Brownfield Land Register[4] (established in 2019), which identifies over 700 brownfield land sites across the six local authorities, accounting for 1,813 acres of land that has the potential of delivering 42,000 homes.

- The creation of Mayoral Development Corporations, which will support the key delivery of sites through Mayoral Development Zones.

- The ability to undertake Compulsory Purchase Orders (CPOs) to support and aid scheme delivery. The following powers can be facilitated through the creation of a Mayoral

Development Corporation to establish key site delivery and will be exercised with the consent of the local authority in which the powers are being used.

- A pledge to deliver a LCR Land Commission, supporting the better co-ordination of land use and the release of public land assets.

The 2017 manifesto[5] of the first LCR Metro Mayor, Steve Rotheram, contained a number of ambitious targets, and promoted inclusive and sustainable land use, and successful land delivery. Since the announcement of the LCR Devolution Agreement (2015) and the appointment of the LCR Metro Mayor, a number of devolution opportunities and manifesto pledges have already been undertaken in the LCR, including:

- The declaration that fairness and social justice should be at the heart of everything the LCR-CA does, by promoting good cities and towns, built not only on sustainable economies, but also access to education, public services, decent work and decent, affordable homes for all.

- A plan for a greener, fairer housing market, linking to key objectives set out in the LCR Housing Statement (2019 – 2024)[6]. Recommendations include regenerating neighbourhoods and promoting the delivery of new housing on brownfield and vacant land. The Housing Statement also emphasises the importance of working collaboratively with developers, housing associations, local authorities and Homes England to support the successful delivery and remediation of land.

- The Metro Mayor Housing Challenge. This sets out an intention to establish approaches to support the ageing population, self-build initiatives and sustainable, community-led neighbourhood design. This includes a pledge to work with local authority partners to tackle the quality of development and to renovate empty homes and land through use of strategic planning and housing powers.

- The draft LCR Local Industrial Strategy, published in March 2020, which outlines a set of economic ambitions for the LCR, and provides the basis of the LCR Build Back Better

Economic Recovery Plan. In particular, the draft Local Industrial Strategy sets out a key priority to address thriving and distinctive places. LCR residents should have access to high quality, secure and affordable homes within thriving neighbourhoods, with goals to tackle disadvantage and decline across the City Region, allowing for neighbourhoods to flourish, harnessing culture and revitalising LCR town centres as renewed focal points for communities, jobs and tourism.

There are a number of other relevant LCR-CA initiatives and strategies under development, including:

- The Draft LCR Climate Action Plan, currently under development following the LCR-CA's declaration of a climate emergency in November 2019 and pledge to achieve net-zero carbon by 2040[7]. The LCR Climate Action Plan will set out ambitious targets for how the LCR will achieve net-zero carbon emissions.

- The LCR Spatial Development Strategy, which will set out a 15-year strategic plan, supporting a number of pledges set out in the Metro Mayor's manifesto. It aims to establish a number of policies to ensure high quality development, and a sustainable approach to the built environment and land use.

- The LCR Town Centres Commission, established in January 2020 to investigate how to ensure a prosperous and sustainable long-term future for the City Region's town centres. The final report of the Commission, offering a range of recommendations for policymakers and proposing a vision for the role of town centres at the heart of their communities, was published in February 2021.

1.3.2   Local authorities in the Liverpool City Region

Local authorities in the LCR also have a number of powers, policies and strategies in place which are relevant to achieving successful, thriving and vibrant land use.
The Localism Act (2011) introduced new powers for communities to produce neighbourhood

plans.[8] These provide a powerful set of tools for local people to shape development in their communities. Five of the six local authorities within the LCR have designated neighbourhood planning areas, with a number of "made" plans including Devonshire Park in the Wirral and Maghull in Sefton.

One of the challenges faced both locally and nationally is the lack of focus on land use for community wealth building. Wirral Metropolitan Borough Council is the only authority in LCR in the unique position of having developed a Community Wealth Building Strategy (2020 – 2025), setting out a number of principles and objectives for communities to take more ownership of the public assets that provide shared benefits.[9] This strategy was produced in partnership with CLES.

A number of local authorities also promote a "brownfield first" approach, whether specified in planning policy or referred to in other policies. These include "town centre first" policy approaches, encouraging the use of brownfield land located close to town centres to support mixed-use development, thus boosting the vitality of the surrounding town centre. In support of this, all six local authorities in the city region have contributed to the development of the LCR Brownfield Land Register.

A number of Local Plans in the LCR are currently in draft form or are under examination.

1.3.3   An inclusive recovery from Covid-19

The unprecedented circumstances of the Covid-19 pandemic, with all its economic consequences, make it even more important for the LCR-CA to leverage the maximum possible value from its land assets to encourage sustainable economic recovery.

The LCR economic recovery plan, Build Back Better, has been established as a strategic recovery document in response to the ongoing Covid-19 pandemic. Build Back Better sets out an ambitious economic recovery, guided by the Metro Mayor's manifesto and draft Local Industrial Strategy. The plan sets out the potential for a £1.4bn investment for the City

Region, beginning within the next 12 months, with a number of short, medium and long-term ambitions.

In particular, Build Back Better references the importance of the National Brownfield Land Fund, allocating £45m worth of funding to the LCR. The National Brownfield Land funding programme promotes ongoing partnership working between national government, local authorities and Homes England to ensure the successful delivery of brownfield land housing schemes.

Build Back Better also addresses challenges around town centres and high streets. While town centres have been experiencing decline for a number of years, this has accelerated during the Covid-19 pandemic. It is essential that recovery planning make the best possible use of available brownfield land, located in close proximity to a number of LCR town centres. The recommendations of Build Back Better link into wider funding that has been made available for town centres including the Town Centre Fund, which awarded £1m funding to each local authority in the LCR, and the National Town's Fund which will allocate up to £25m to four town centres in the City Region.[10]

It should also be noted that the LCR-CA joined the Wellbeing Economy Alliance (WEAII) in August 2020.[11] The goals of the WEAII will inform how the City Region reshapes its economy through recovery from the Covid-19 pandemic, with a focus on improving the wellbeing of local people and communities. Addressing health and health inequalities is also a statutory requirement of the LCR Spatial Development Strategy.

2. Understanding the problem

A history of the present

A crucial first step for this Commission was to explore the fundamental basis of "the problem" around land justice in the UK today, and in LCR in particular. To do this, the Commission returned to the history of ideas around land and ownership, and explored how these ideas have played out in practice, giving particular attention to the example of the LCR.

A story can be told in any number of ways, we have found it useful to tell this one in three acts. At the end of the chapter, we consider possibilities for a hopeful future, in an (as-yet-unwritten) "fourth act".

2.1   Act one: The invention of a commodity

What is land? According to Karl Polanyi, the great economic historian, "what we call land is an element of nature inextricably interwoven with [human] institutions."[12] In most societies, and for most of history, it has been inconceivable to separate land from the organisations and social relations which make up our life: kinship, neighbourhood, craft, religion. It gives our lives stability, it is the basis of our shelter, and our safety. "We might as well", Polanyi notes, "imagine...being born without hands and feet as carry on [our lives] without land."[13]

Yet between the 14th and 18th centuries in Western Europe, a concept of land emerged which sought to separate it from the rest of our lives, and turn it into a market commodity. While a commodity is something made to be bought and sold, land, Polanyi points out, is just another word for nature, which humans do not produce: it is a "fictitious commodity". [14]

The commodification of land was a gradual and painful process, and at the outset was closely tied up with the process of land enclosure. In medieval England, little land was owned outright. Instead, the lord of the manor had rights given by the king, and tenants rented strips of land from the lord, in the so-called open field system. Although they paid rent, their rights to this land were passed down from generation to generation, and they could not be evicted without legal cause. They also had rights of access to the "common land", where they could graze animals to supplement incomes.

Under the enclosures, open fields were consolidated by lords and nobles, and tenants' rights abandoned. Peasants were forced from the land by pressure, intimidation or violence, and their houses destroyed.[15] Various resistance movements emerged, most famously the Levellers and Diggers of the 17th century.

In a 1649 pamphlet entitled A Declaration from the Poor Oppressed People of England, one leading Digger proclaimed:

> "The earth was not made for you, to be Lords of it, and we to be your Slaves, Servants and Beggars; but it was made to be a common Livelihood to call, without respect of persons."[16]

But the revolts were defeated, and the right of a "common livelihood to all" was progressively undermined.

The privatised former common land was used to feed large flocks of sheep, considerably enriching a small number of landowners.[17] the dispossessed tenants were deprived of their livelihood, and had little choice but to flee to find work in the growing towns, often within the textile industries.[18]

This dispossession of the peasantry was, to use Polanyi's words, part of a larger process of "the subjection of the surface of the planet to the needs of an industrial society", in which colonial exploitation was central. Dominion over land went hand in hand with domination over human beings. In the transatlantic slave trade, human lives were commodified, populations extinguished, and lands colonised in the pursuit of profit from the sale of sugar and cotton.

Liverpool, as Britain's leading slave port between 1699 and 1807, was transformed by profits from the slave trade, and continued to be enriched long after abolition.[19]

Maritime prosperity attracted economic migrants from throughout the British Isles and beyond, who settled in the districts that developed behind the working docks. These areas became dense and overcrowded, described as "a city within a city", with a population the size of Bristol or Newcastle, and Liverpool came to be regarded as England's most unhealthy city.[20] By 1841, 34% of the city's population was living in overcrowded cellars, without light, ventilation, sanitation, or fresh water, while 25% lived in back-to-back tenement courthouses.[21]

2.2   Act two: The countermovement

In this context of increasing squalor, a countermovement emerged. Movements, institutions and measures started to appear which pushed back against the social dislocation caused by the commodification of land.[22]

Liverpool was a pioneer in this countermovement. The 1842 Liverpool Building Act, which enforced minimum space and hygiene standards in newly constructed private rented courts across the city, was the first legislation of its kind in Britain.[23]

Liverpool also led the way in the provision of municipal social housing. It was the only local authority to make use of the 1866 Labouring Classes Dwellings Act, which permitted councils to purchase sites to build or improve homes for those who would have otherwise been at the mercy of unscrupulous private landlords.[24] The "Liverpool Corporation", as the City Council was then called, built Europe's first municipal housing scheme, St Martin's Cottages in Vauxhall, in 1869. The City Council went on to deliver one of the world's most intensive programmes of slum clearances and municipal house building.

These developments represented the cutting edge of a wider trend of increasing attempts to regulate development and use public land to provide for the social needs of workers, which accelerated with Labour's 1945 election victory, and with the establishment of the planning system which nationalised development rights in 1947 (see section 3.2.1 for more detail on the planning system).

While its achievements were considerable, it would be a mistake to overly romanticise this phase of confident municipal planning and provision. In Liverpool, the top-down, bureaucratic approach of the City Council tended to excessively focus on housing, rather than deeper socio-economic issues. Slum-clearance aimed to rehouse residents in modern conditions on the periphery, but this laudable attempt to improve the built environmental context to peoples lives too often destroyed the delicate webs of social relations that knitted communities together, creating new difficulties. A notable example was the inadequate treatment of the Black community displaced in 1980s slum clearances, exposing them to more racism and isolation.[25]

By the 1970s, this well-intentioned but top-down urban renewal spawned a new wave of alternative and creative bottom up responses. The city generated one of the country's largest, most democratic and imaginative housing co-operative and community development trust

movements – part of Liverpool's hidden history of collective alternatives to public housing – with around 50 co-ops still owning land in common today.[26]

2.3   Act three: The market strikes back

From the 1980s, the wind changed again, with the reversal of many land and housing policies that had characterised the post-war years. With the election of the first Thatcher government in 1979, mass state house building came to an end, credit was deregulated, and vast swathes of existing council housing were privatised through the "Right to Buy" policy.

As a result, land has today become primarily a financial asset and the object of speculative lending and investment. The owners of valuable property are able to harvest money in the form of rent and capital appreciation, allowing them to buy yet more property, which in turn enables them to increase their capital and rental income. This drives a cycle of wealth accumulation and increasing inequality. Land now accounts for 51% of the UK's net worth, compared to 26% in Germany.[27] The value of land has increased from around £1tn in 1995 to over £5tn today. Most of this rise isn't due to improvements, but speculative inflation.[28]

Merseyside was known as a bastion of municipal socialist defiance against Thatcherism, and it has been argued that the huge public investment by the Militant-led Labour City Council administration during the mid 1980s was crucial in paving the way for economic recovery in the following decade.[29] However, the abolition of Merseyside County Council in 1986 by central government led to large swathes of Council-owned land being sold off to a small number of large developers, which did very little to improve the ongoing situation in Merseyside.[30] Much of this sold-off land lay barren and unused as developers and owners had no obligation to use or regenerate the land, with numerous developers holding onto the land waiting for a "better opportunity" to develop, further exacerbating dereliction in Merseyside.[31]

The City Region has subsequently seen the adoption of increasingly neoliberal approaches to urban development. Liverpool has successfully played the so-called "regeneration game" — attracting millions of pounds in EU and state grant funding and global capital investment – but has been left vulnerable to fluctuations in global markets in the process.[32]

The privatisation of public space has featured heavily in this regeneration. An example can be found at Liverpool One, a shopping, residential and leisure development spanning 34 streets. Such schemes have failed to economically benefit large numbers of marginalised residents and peripheral neighbourhoods that remain amongst the poorest in Western Europe. Liverpool Waters Enterprise Zone, dubbed Shanghai-on-the-Mersey, is similarly envisioned as an oasis of luxury apartments, hotels, leisure facilities and an international cruise terminal, leaving the poverty of inner-city north Liverpool untouched. For many Black Liverpudlians, regeneration was associated with heavy-handed programs of rehousing following the Liverpool 8 (Toxteth) riots, further dispersing the Black community.[33] In the words of the late Dorothy Kuya, an activist who played a leading role in saving the Granby "Four Streets" (see section 3.1.2 of this report): "it is not only decent homes that have been destroyed, it is a whole community".[34]

2.4   The next act: towards an alternative?

We believe that the story does not end here. The next act is ours to write. But what would an alternative look like?

LCR is already the setting for a rich array of community-led alternatives. These alternatives, which will be explored in Chapter 3, are characterised by grassroots experimentation, playing with the "rules of the game", to find ways of enacting more transformative local economic development, even within tight constraints.[35] At their core is an attempt to take land into various forms of common ownership. A key challenge is to support this experimentation, and to enable it to flourish at a larger scale.

The Commission highlighted two important but frequently overlooked points, which should guide our approach to addressing this challenge:

1. The models of ownership we are seeking to transcend are closely tied up with the development of colonialist capitalism. Much of Liverpool's 18th century wealth came from the slave trade, and patterns of exclusion and disregard for the city's Black population have persisted in the process of slum clearances and subsequent regeneration programs (see sections 2.2 and 2.3). As we promote alternative models of ownership that go beyond a narrow understanding of land as a commodity, it is vital that all communities benefit, and that long-established patterns of racialised exclusion are not reproduced.

Social and economic justice, understood intersectionally - i.e. with attention to the intersecting forms of exclusion associated with race, ethnicity, class, gender, ability and religion - needs to be a fundamental principle for the reform of land use in the City Region.

2. It is important to guard against alluring but illusory alternatives that have become fashionable in regeneration discourse. One popular narrative encourages the idea that a mix of "vibrant" activities offers the key to urban economic flourishing.[36] The weakness of this "pseudo"-alternative is its failure to consider the implications of the ownership of financial capital and gentrification. In this, it runs with the prevailing financial business model, rather than creating a new one which could act as a genuine corrective to land commodification and financialisation. [37]

The next chapter seeks to move towards the challenge of developing a real, viable alternative, through a survey of existing and emerging experimental approaches.

3. Advancing socially, environmentally and economically beneficial land use

Alternative models, regulation and policy

What are the emerging dimensions of a more socially just approach to land? To explore this question, Commissioners examined emerging alternative models, regulation and policies for promoting socially, environmentally and economically beneficial forms of land use. They looked both to the past, present, and future, paying particular attention to experimentation in the LCR and beyond. Their findings are grouped into two main sections: 3.1 on **alternative models of ownership**, and 3.2 on key r**egulatory and policy instruments** to advance the socially, environmentally and economically beneficial use of land.

3.1   Alternative models of ownership

3.1.1   Understanding the "commons"

What are the alternatives to the currently dominant approach to land ownership and use?

Recent years have seen the revival of the idea of the "commons". The origins of the term lie in the "common land" in which, (as discussed briefly in section 2.1) feudal tenants had certain rights, for example to pasture cattle or fish. In recent years, however, the term has come to be used to refer more broadly to all kinds of spaces and resources which are understood to be held "in common", rather than privately.

But what does this mean in practice? After all, in the current UK legal system, all land has an "owner". Even "common land" is owned, usually by a local authority, the Ministry of Defence, or privately.

It is important to grasp that recovering the commons is not a straightforward matter of replacing "individual ownership" with "collective ownership". This is because, contrary to mainstream understanding, ownership is not one unified thing. Rather, what we call "ownership" is actually a "bundle" of different rights: rights of use; rights to control the use or disposal of property; rights to derive an income; and rights to be described as a titular owner, to name just a few examples. The exchange rights of property include the right to speculate and profit, the right to transfer and sell, and the right to inherit and bequeath.

Contemporary western societies habitually assume that all these rights should be held by a single right-holder - the "owner". But in fact, these different rights have often been split up in different ways between different members of society and are more complex and layered. For example, in the UK today, the owner of a city centre building might be a "leaseholder",

owning the right to use the building for a defined period of time (usually around 100 years), while another person or organisation owns the "freehold" to the building, with the right to levy some charges and the responsibility to keep the building's structure in good repair. The leaseholder can use the building in various ways but is also subject to constraints (such as on noise and light), as well as duties (for example around management of waste, water and energy). They might be part of a collective, such as a Business Improvement District, which levies its own charges and carries out public space improvements. The building might also generate solar energy which contributes to a neighbourhood grid, for instance.[38]

The power of the concept of the commons is to go further in "unbundling" unified property rights, or as some have put it, in "splitting the atom of ownership."[39] In doing so, the different rights we associate with ownership start to be more broadly distributed and control over land starts to be shared more fairly across society. Even though the common land in the feudal system was "owned" by the lord of the manor, the tenants of the manor enjoyed certain "common rights" to that land. In a comparable way, contemporary commons models give certain rights to users of a land or property asset, without them becoming its owners. These models thus separate the ownership of land from its use or management.

The commons is often understood as inhabiting the space in between — and beyond — the market and the state - see **Figure 1**. This commons is highly diverse, ranging from well-established charities to community groups and mutual aid networks which are not formally constituted (and which lack the legal personhood needed to enter into land transactions).

Figure 1: The commons, between public and private sectors[40]

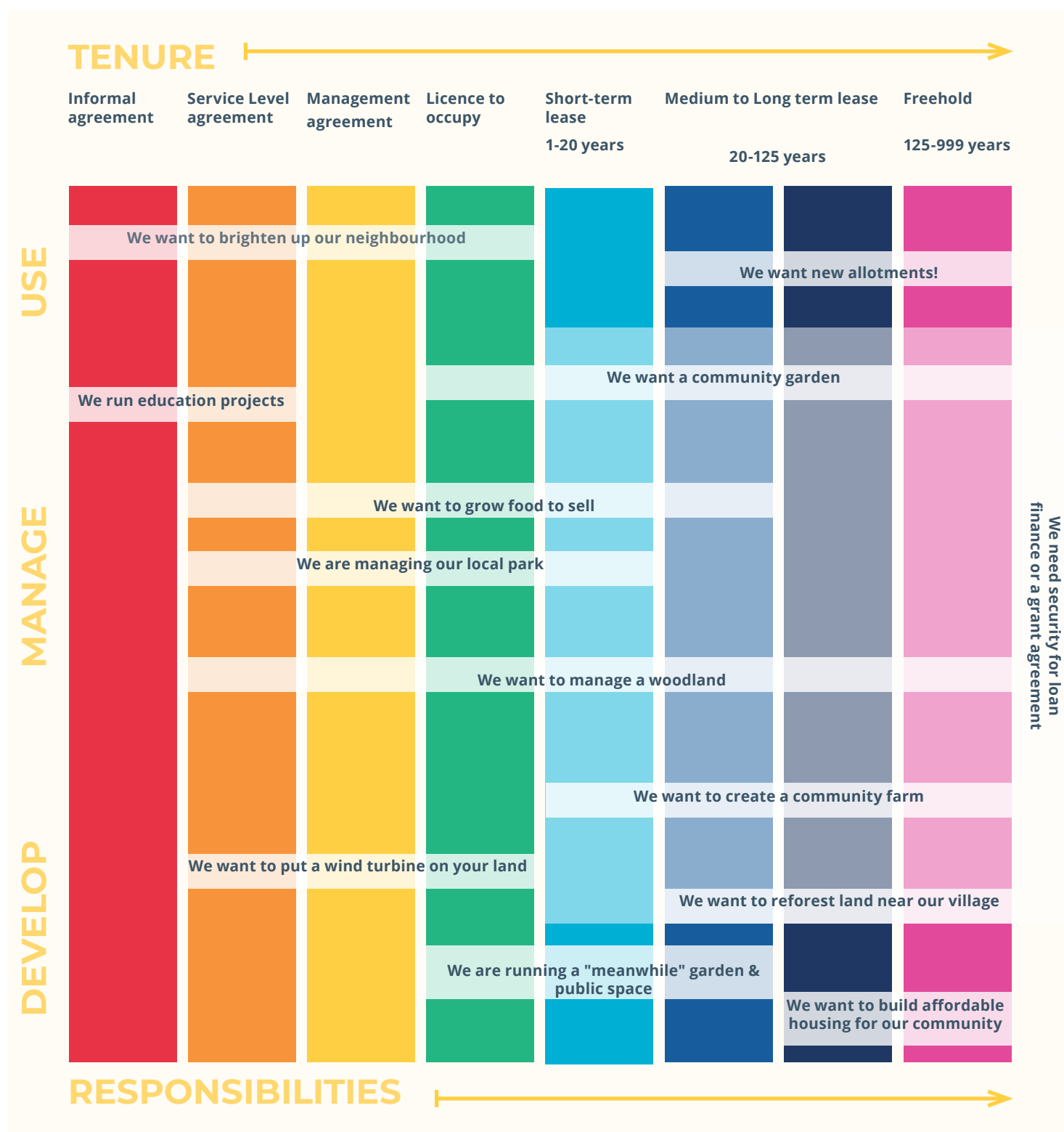| Public sector	"The commons" (in general)	Private sector
Large scale	Massively varying scales	Massively different scales
Some level of accountability	Some degree of (or aspiration for) community accountability	No formal accountability (beyond minimum legal frameworks)
Public good and social value	Not-for-private-profit	Profit motive
Different institutions	Massive diversity. Often rooted in a particular place or community. Includes: • Community land trusts • Development trusts • Social enterprises • Community businesses • Community Benefit Socities, • Cooperatives (none of these terms are mutually exclusive)	

3.1.2   The spectrum of tenure

In "unbundling" unified property rights, it is fruitful to think in terms of a "spectrum of tenure" - see **Figure 2**. Different models across this spectrum are characterised by different ways of sharing out the bundle of rights. From "outright" or freehold ownership, through to leases of varying lengths, these models involve different distributions of rights between stakeholders, setting out what can or cannot be done on the land by some or many people. Different models may be advantageous for different needs. Their common feature is a separation of the ownership from the management or operation of the land.

It is possible to identify a broad classification of established and emerging models sitting along this spectrum:

- **The Classic.** Freehold ownership, with management by the same organisation. This is often a charitable company limited by guarantee, sometimes with trading subsidiaries. Example: Toynbee Hall in London, which provides wellbeing and advice services out of both historic and new buildings, whilst a trading subsidiary runs commercial venue hire.

- **The Separation.** Land or property is managed by a group of organisations (often not formally affiliated to each other), but freehold ownership sits with one particular organisation. This is a common model for social enterprises. Example: Knodyart Foundation in Scotland, where the freehold is owned by a charitable company limited by guarantee, which has two trading subsidiaries.

- **The Long Lease.** Also known as community asset transfer. Here neglected public sector assets are leased (often at low cost) to social sector organisations, with the freehold retained by the public sector. Example: Hebden Bridge Town Hall, where "asset transfer" takes the form of a 125 year lease from Calderdale Council to Hebden Bridge Community Association. This process has enabled the transformation of a once-derelict building into a thriving office, venue, cafe and community space. This model relies on the presence of well organised and dynamic local community organisations.

- **The Enabler.** Short leases provided by public sector freeholders to social sector organisations. While short leases provide less security, they also enable experimentation with new models characterised (in theory) by closer partnership between public sector freeholder and social sector lessee. Example: Wolves Lane Centre in London, previously a council-run site that combined nursery operation and garden centre with education activities and volunteering. It is now run by a diverse consortium of community organisations and social businesses who are working to transform it into a community food hub.

Figure 2: The spectrum of tenure[41]

TENURE →

| Informal agreement | Service Level agreement | Management agreement | Licence to occupy | Short-term lease 1-20 years | Medium to Long term lease 20-125 years | Freehold 125-999 years |

USE

We want to brighten up our neighbourhood

We want new allotments!

We run education projects

We want a community garden

MANAGE

We want to grow food to sell

We are managing our local park

We want to manage a woodland

We want to create a community farm

DEVELOP

We want to put a wind turbine on your land

We want to reforest land near our village

We are running a "meanwhile" garden & public space

We want to build affordable housing for our community

We need security for loan finance or a grant agreement

RESPONSIBILITIES →

- **The Manager.** Social sector organisations do not "own" or lease land, but rather have management agreements or contracts for services. This may be site-specific, or (more often) cover multiple sites. Example: Chiltern Rangers CIC, spun out of Wycombe District Council, which manages 12 local authority woodlands on contract, as well as multiple woodlands for others.

- **The Commoner.** "Common rights", in the medieval sense, happen to have persisted and remained protected by law and these rights are attached to land or property ownership, with those entitled to these rights called "commoners". Unsurprisingly, given changes in patterns of land occupation, the implications of these rights as they operate today are not necessarily progressive. Example: The New Forest commoners occupy land or property which affords certain rights (for example to pasture or free supply of wood for fuel).

- **"The Public-Common Partnership" (PCP)**. A new model for bringing the public sector into close collaboration with common associations through the establishment of a new organisation, which is jointly-owned, jointly-financed and jointly-governed by public and common partners, who share any surpluses created but with a priority on creating community benefit. A PCP might result from a community asset transfer of previously public land or emerge from the acquisition of private land through state compulsory purchase and and may be financed through a blend of public funding and community shares, for instance.[42] Example: In Wolfhagen, Germany, the municipality and a citizen-owned energy cooperative, BEG Wolfhagen, have since 2012 been joint stakeholders in the renewable energy utility Stadtwerke Wolfhagen.[43]

In addition to this classification, Commissioners also paid attention to three "clusters" of alternatives, which have attracted particular attention in various parts of the world, including the LCR: namely **community land trusts**, **social incubators,** and **social value approaches to public assets**.

3.1.3   Community land trusts

Community land trusts (CLTs) are not-for-profit, place-based voluntary associations designed to ensure community stewardship of land. They represent a means of resisting the enclosure of the commons, by removing land from the market, and protecting it through a distinctive legal framework.[44] They are typically focused on providing long-term affordable housing, by acquiring land and maintaining ownership of it permanently. This land is then leased on a long-term basis to individual households or housing co-operatives who "purchase" or rent homes on this land.

CLTs are democratically controlled by their members through an elected representative governance board. Assets can only be sold or developed in a way which will benefit the local community. If a household sells, the resulting equity is protected by an "asset lock" and is reinvested in a way that members decide will benefit the local community. Prices are controlled, and may, for example, be pinned to local average earnings. This ensures that homes will remain affordable for future generations of low-income households.

While CLT-type approaches have a long history, stretching back to the 17th century anti-enclosure revolts of the Diggers and the 19th century experimentation of radicals like William Morris and John Ruskin, CLTs in their contemporary form emerged during the civil rights movement in 1960s America. A number of influential figures in the movement, including Charles Sherrod and Slater King, wanted to create long-term opportunities for economic and residential independence for African Americans in the rural south. Together with Bob Swann from the non-violent action movement, they borrowed from older ideas of common ownership and the stewardship of the land for wider community benefit, as well as taking inspiration from the Gramdan movement in India and the leased-land agricultural co-operatives in Israel to form the first CLT, New Communities Inc. in 1969. The model was later adopted by activists and community organisations as a vehicle for community empowerment and urban regeneration in impoverished inner-city neighbourhoods.[45]

CLTs first emerged in the UK in the 1990s, and, with London, LCR has led the way in experimentation with this model. While in London they have been seen as a way of providing affordable housing in contexts of gentrification and "overheating", in the LCR they have served a different set of purposes: resisting the threat of disinvestment and demolition, urban regeneration, and socioeconomic empowerment.[46] Below we offer two particularly striking examples of CLTs in the LCR: the Granby Four Street CLT in Toxteth, and Homebaked CLT in Anfield.

Granby Four Streets Community Land Trust[47]

The Granby Four Streets, located near Princes Park, Toxteth, comprise Beaconsfield Street, Cairns Street, Jermyn Street and Ducie Street. In the post-war period, the district became one of the country's earliest multicultural neighbourhoods, and was noted in the 1950s for its buzzing cosmopolitan character. In the 1960s, however, Granby was designated as a "twilight area", and many residents either left, or were left at the mercy of unscrupulous landlords keen to make a quick rental profit. Following the Liverpool 8 (Toxteth) riots, the district entered a period of major economic decline. Regeneration efforts in the 1990s and early 2000s were much criticised for perceived attempts at social cleansing, and as late as 2010 remaining residents were being pressured into selling their homes to the council for just £8000.[48]

In the early 2010s, the Four Streets were left particularly vulnerable after the Housing Market Renewal Initiative was cut. Despite this setback, the local community decided to take action and began to reshape the local community offer, which included initiatives such as providing shared garden space and painting properties that had been left derelict. Alongside these initiatives, a community market was set up for the summer months, later becoming the well renowned Granby Street Market. From here, the Granby Four Streets Community Land Trust was established in 2011, formed as a new campaign group to renovate housing and improve the area. The City Council put Four Streets out to tender, which was won by a private contractor in 2012. The CLT worked closely with social investors, Steinbeck Studios, architects Assemble, a local co-operative group Terrace 21, and housing associations Plus Dane and Liverpool Mutual Homes (now Torus) to create a new vision for the neighbourhood that focused on renovation rather than demolition. The CLT took over the management of 10 homes in 2014, transferred from the Council, with five transferred to Terrace 21, also owned by the CLT.

In 2015, the architectural collective Assemble won the Turner Prize specifically for their work with Granby Four Streets CLT. It was unprecedented for an architectural or housing project to win the national art award. This is testament to the creativity and success of the "community homesteading" and democratic "do-it-together" xapproach to renovating houses – practices embedded in CLT governance today. In 2016, the project was named by the charity Nesta as one of 50 New Radicals: "change-makers offering us a glimpse of a different, better society".[49] By 2019, the local area of Granby Four Streets was bustling with residents and attracting visitors far and wide, with a number of long-term residents in the area remaining highly active in the development and regeneration of Granby, with further renovations planned for the Four Streets.

Granby Four Streets Community Land Trust

Homebaked Community Land Trust

Homebaked CLT started life in 2010 as a project in the old Mitchell's bakery in the shadow of the Liverpool Football Club stadium. In 2002 the neighbourhood was identified as a "market failure" and was designated a Housing Market Renewal Initiative (HMRI) area. This government-backed programme saw 1,800 residential and commercial properties demolished, with 1,300 new homes intended to be built.

However, when the HMRI programme slowed in 2008 and was pulled by the coalition government in 2010, the neighbourhood was left in a state of limbo, with streets boarded-up and new houses unfinished. The disappointment with the regeneration scheme, along with the wider recession and spending cuts, left a legacy of frustration.

The former Mitchell's Bakery was a local landmark, sitting at the end of a row of nine terraced houses (179-195 Oakfield Road). The long-drawn-out demise of the high street left the bakery as one of the last businesses catering to local residents as well as match day visitors. For many years, the building was demarcated for demolition under the HMRI Pathfinder programme and in January 2011, having lost most of their customers, the Mitchell family closed the bakery.

Homebaked grew out of an earlier project, 2up2down, which was supported by the Liverpool Biennial. The project asked how the local community could take matters into their own hands regarding the development of their neighbourhood and a common future. Slowly but surely, more local people became involved and together started to develop what has now become Homebaked - a community-led housing and enterprise scheme and a way of collectively enabling the development of the neighbourhood.

Homebaked originally established itself as two organisations: Homebaked Community Land Trust, and Homebaked Bakery Co-operative. The Community Land Trust was formed in April 2012 to take on the responsibility for the development of the bakery building and future community assets, notably affordable housing. Homebaked Bakery Cooperative was formed soon after, in June 2012, by a group of local residents inspired to reimagine and rebuild the community bakery as a successful co-operative business. It opened its doors to the public in 2013 in the middle of a demolition zone and grew into a highly successful community business, offering local jobs, great food, a place for many different communities to meet and exchange - as well as a way to invest into the local economy for community benefit.
These efforts soon began to attract wider attention. Following long negotiations, Hombaked CLT and the Bakery Cooperative successfully secured an agreement with Liverpool City

Homebaked Community Land Trust

Council that prevented the bakery's demolition. After purchasing the freehold in April 2016, the City Council granted the CLT a lease, and agreed the asset for one pound on completion of the first floor refurbishment. Located within a demolition zone, the conditions for investment into the community asset have been challenging. Nevertheless, Homebaked CLT was able to refurbish the ground floor bakery and the flat above.

In parallel, the Land Trust continued the process of community-led planning, design and business development, concentrating on the potential of the site adjacent to the bakery and the former recreation ground at its rear. While for a long time the demolition of the houses adjacent seemed inevitable, a Liverpool City Council New Build scheme gave Homebaked the opportunity to pledge for the land. In 2015 Homebaked launched a process of collective designing, planning and learning dubbed "Build your own High Street". This work was led by a group of 20 local people who formed the Core Design Team.

The desire to retain and transform the actual terrace buildings continued to surface in conversations and community meetings, As soon as Liverpool City Council's planning department signalled that retention of the block adjacent might be possible after all, Homebaked developed a proposal for Oakfield Terrace. This environmentally sustainable mixed-use scheme aims to offer comfortable homes and well-designed commercial spaces at genuinely affordable rent.

Alongside Homebaked's ongoing collaboration and relationship with Liverpool City Council, it has now partnered with the housing association Your Housing for the construction of the Oakfield Terrace, which it will buy back on completion. This is also the moment when the freehold of the land will be passed into community ownership for the CLT and protect the land for future generations to come.

3.1.4   Social Incubators

Another important cluster of "alternatives" to which Commissioners paid particular attention are those we here term "social incubators". Like CLTs, social incubators work by removing land from the market. They acquire property and become its custodians, making affordable space available for socially beneficial activities - often social enterprise or community business. Frequently incorporated as Community Interest Companies (CICs), social incubators are prevented from drifting into speculative or extractive activities by the "asset lock" which characterises this legal form. The virtuous stewardship which social incubators provide is often made possible in the first place by state funding, and in this sense they represent public intervention to restrict market forces in particular places.

Social incubators in various forms have been important to creative flourishing in the LCR over the last decade, in particular in the Baltic Triangle area. Two notable social incubators driving this process in the LCR have been Baltic Triangle CIC and Make CIC (see case studies below).

KEEP IT
LOCAL

We use Oat M*lk
made in the UK
by Minor Figures

Baltic Creative CIC

Baltic Creative CIC was formed in 2009 by a group of local social innovators who wanted to find a way to stop the displacement of creative and digital businesses by developers and market forces. Its mission is to develop tech and creative startups through providing incubation space and business support.

Supported by Liverpool City Council, and with funding from the North West Regional Development Agency (NWDA) and the EU, Baltic Creative had the means to acquire and manage 18 large warehouses in the Baltic Triangle area of inner-city Liverpool. The space is now leased out at favourable rates to local start-ups and small businesses. The CIC provides a co-working hub and organises events for networking and training, with plans for a new social investment arm to provide tailored finance for the sector. Since opening, it has provided space to over 180 businesses.

As a CIC, Baltic Creative is a non-profit enterprise with an asset lock on the buildings it owns, ensuring all profits from rents are reinvested back into the development of the sector. The asset lock of the CIC legal structure enables this reinvestment and underpins its huge success in enterprise development. This effectively de-commodifies the neighbourhood – Baltic Creative is now the largest landowner and anchor institution for the Baltic Triangle – enabling benefits to be enjoyed collectively.

Baltic Triangle CIC has played a major role not only in the regeneration of the Baltic Triangle district, but in Liverpool's flourishing tech and creative sectors. Following its establishment in 2009, new business growth rates in the digital and creative industries more than doubled between 2010 and 2013,[50] and Liverpool is the fastest growing tech cluster in the UK. Estimates suggest that the CIC had created 1500 new well-paid jobs by 2017.

Make CIC

Established in 2012, Make CIC is a social enterprise makerspace which specialises in providing co-working space, equipment and facilities for people of different trades and skill sets. It is active across the City Region, with bases in Liverpool (the Baltic Triangle and North Docks) and Wirral (Hamilton Square in Birkenhead). It is an example of a successful business incubated by Baltic Creative CIC.[51]

Like Baltic Creative, Make CIC is itself an incubator of entrepreneurs. It focuses on sustainability and self-sufficiency, seeking to use land assets to remove barriers that prevent people from joining the creative economy. Make CIC aims to create a real sense of community for their organisation, actively engaging with residents to foster connections with other users and residents of the creative space through the use of co-working opportunities.

As an example, Elevator Studios, located at the heart of the Baltic Triangle, was previously a derelict industrial warehouse that has been restored to host a wide range of creative organisations, recording studios, and Baltic Social. Make North Docks is located close to the North shoreline of the River Mersey. Spread over three floors of warehouse, this space encompasses a variety of needs including craft and workshop space, co-working space and office space.[52]

Make CIC's emerging activities in Birkenhead have equally attracted considerable attention. Make Hamilton is based in a former redundant (and largely vacant) Council office building, secured from the Council through a "meanwhile" peppercorn deal. It is oversubscribed as a space for artists, makers and social businesses. An accompanying derelict piece of land has already been turned into a community garden, where volunteers grow food and keep bees. It now forms a key part of the £45m Birkenhead Town Deal bid.

Make CIC

3.1.5   Challenges around alternative models of ownership

The various forms of experimentation around alternative models of ownership this section has explored offer both inspiration and cause for hope. CLTs in the LCR have provided not only homes, but dignity and a sense of empowerment and ownership to communities who had long been denied these things. Social incubators have brought not only substantial employment, but a sense of possibility and creativity to long vacant and derelict sites. They deserve to be cherished, and carefully studied.

Nevertheless, in examining these models, Commissioners noted a number of recurrent challenges, which seemed important to address in their recommendations.

Firstly, the success of these initiatives has often depended on a substantial investment of time and energy from committed activists and volunteers. Getting to the point of acquiring the land has often only been possible after many years of devoted work. Inevitably, some of the most time-poor and disadvantaged sections of the population are de-facto excluded from such activities.

Secondly, it was striking that while the movements and activists driving these alternatives frequently face common challenges, they are rarely joined up. Their efforts contribute towards an important struggle, but in a highly piecemeal and fragmented way.

An encouraging development in the region has been the arrival of Breaking Ground, LCR's community-led housing hub. Established in 2020, and officially launched in February 2021, Breaking Ground exists to provide technical support for the development of co-ops, CLTs and co-housing schemes. A need remains, however, for groups seeking to use land for beneficial purposes other than housing.

A key challenge, then, is to develop institutions or forms of "institutional infrastructure" that might underpin the flourishing of a rich array of commons-based initiatives. We return to this challenge in the recommendations section.

3.2   Instruments: regulation and policy

In addition to considering alternative models of tenure, the Commission also explored some of the key instruments and levers available to promote more socially, environmentally and economically beneficial use of land. For the sake of simplicity, we distinguish here between three major sets of instruments: those associated with the use of the **planning system;** policies for the **responsible stewardship of land;** and policies to **secure social value from public assets**.

3.2.1   The planning system

The Covid-19 pandemic has already seen several changes to planning rules. These have affected both permitted development rights and to land use classes.[53] Planning for the Future, the government white paper for England and Wales, published in August 2020, sets out proposals for further far-reaching "reforms." While the emphasis of this white paper purports to be on democratisation, in practice its proposals would substantially reduce accountability and participation, with powers removed from local authorities, and more decisions made centrally.[54] In the proposed "growth zones", the approval of new development will shift to the plan-making stage - effectively ending the traditional process of politicians deciding planning applications with opportunities for the public to make representations. No new rights for community participation or processes for democratising the plan-making process are included.[55]

The current planning system is rooted in the 1947 framework referred to in section 2.2. Commissioners considered it important to revisit the principles and history of the post-war planning system, which had an ethos grounded in securing collective wellbeing and benefit from land.

At the core of the 1947 system was an evolution of the very basic public health legislation of the late 19th century which was designed to regulate the built environment.[56] This early legislation saw the development of millions of byelaw terraced houses, but failed to provide adequate green space or community facilities. It was not until 1909 that the UK introduced formal planning legislation, springing from concern over basic living standards and a wider campaign for high-quality place making. This was notably led by the garden cities movement, and exemplified by Letchworth. As the case study below highlights, Letchworth exemplifies an approach to land and development in which increase in land values are collected and continuously reinvested in community improvements and public services.

Letchworth and the garden cities movement

Letchworth was established as the world's first garden city, founded by Ebenezer Howard in 1903. The goal of the garden city was to reduce the impacts of overcrowding in large cities, giving individuals the opportunity to live in the countryside, challenge a lack of opportunity and improve wellbeing.[57]

The garden city movement offered a holistic framework of land delivery, focusing on the enhancement of the natural environment, offering high quality and affordable housing opportunities and were established around a need to create accessible, healthy and social communities that were integrated into local transport networks and reinforced the cultural and socially vibrant neighbourhoods.[58] The Garden City Association was set up in 1903, scouting out 1,000 acres of land, with the support of landowners, bringing the amount of land up to 3,818 acres to form what is now the Letchworth garden city.[59] Master planning was a prominent tool in the development of the Garden City that focussed on applying a number of the following key objectives to the garden city model:

- Well-connected and rich with biodiversity, including the incorporation of parks, green space and a mixture of private and public spaces and tree-lined streets.

- Distinct residential areas, separated from industrial and civic uses, protecting neighbourhoods from roads and undesirable factors.

- A strong emphasis on walkable neighbourhoods that reinforced local culture, recreation and independent local shopping opportunities.

- Design was a major focus, emphasising the need to create healthy vibrant communities that compliment the local area.[60]

An important part of the model was the funding mechanism under which the increase in land values that arose as the community developed was collected and continuously reinvested in community improvements. The Letchworth Garden City Heritage Foundation now reinvests between £4m and £5m into Letchworth each year, mostly raised through commercial rents to its 780 businesses. This pays for a diverse range of community amenities and public services, from cinemas, theatres and museums to medical treatment centres.[61]

Letchworth Garden City

The wartime experiences of strategic planning - a need for large-scale reconstruction and wider political imperatives to sustain the morale of the citizen's army - helped to realise the 1947 system.[62] The case for effective planning was not just limited to technical planning reports; it was a mainstream part of the wider construction of the welfare state and was featured strongly in the 1942 Beveridge report. It is notable, however, that while the public remains committed to the NHS, there is much less public affection for the planning system.

The 1947 system had a radical heart. By nationalising development rights, landowners lost the right to develop their land. They could continue to benefit from the existing use, and those whose land was about to be developed could apply for one-off compensation. To develop land for a new use, landowners had to apply for planning permission. The 1947 system gave the majority of the power to decide on applications to local councils creating the biggest shift in power between landowning interests and ordinary citizens in British history.[63]

The post-war planning system also comprised relatively well-functioning mechanisms for land value capture - i.e. the fairer distribution of increases in the value of privately-owned land between landowners, the local community and national government. The New Town Development Corporations enjoyed considerable success, thanks to their ability to acquire land at, or near to, existing use value. However, the introduction of the right of landowners to receive "hope value" (in the Land Compensation Act 1961), has served to distort land prices, encourage land speculation and reduce revenues for affordable housing, infrastructure and local services.

Milton Keynes and the New Town Development Corporations

The New Town Development Corporations were established to tackle the huge pressure placed on the housing stock, caused by a rapid growth in population post-World War II.[64] They were also intended to alleviate pressure placed on old towns and cities due to a large number of properties being bombed and destroyed.[65]

Milton Keynes fell into the second wave of new towns, with the New Towns Act (1965) designating 9,000 Hectares of North Buckinghamshire for the new towns movement. In 1967, the Milton Keynes Development Corporation (MKDC) was established to draw up plans for the new town, with further plans produced requiring 809 hectares of land for this development.[66]

The cost of Milton Keynes was split between MKDC, the Local Authority and the private sector. Of particular interest, MKDC was given the legal power to buy land, build and develop housing, factories and businesses and charged with securing 50% of investment to attract and establish private sector business and industry in the area.

Through the application of master planning, principles were established to reinforce the benefits of land use, including:

- Ease of movement
- An emphasis on balance, variety and attractiveness of the city
- Public awareness and participation in deciding on the use and development of land
- A mixture of housing types that provided opportunities for all, regardless of social standing.

The new towns today enjoy a mixed reputation; partly due to changes in aesthetic tastes, and partly due to contemporary arguments that they are too small to be economically viable.[67] However, this obscures the major achievements of the new towns programme. Due to their ability to borrow cheaply and to capture the uplift in land value they created, the development corporations largely paid for themselves. Today they are home to over 2.76 million people - around 4.3% of UK households.[68]

What are the lessons of the garden cities movement, the New Town Development Corporations and the vision of the post-war planning system? Commissioners highlighted three key lessons, with important implications for the role of the planning system today in securing collective benefit and wellbeing from land.

1. **The importance of democratic governance.**

    The achievements of the New Town Development Corporations in providing much-needed housing in an affordable manner were immense. Their weakness lay in an excessively top-down form of governance. All land was held centrally by the corporation. When the new towns were broken up, town centres were easily privatised. Only in certain cases (such as Milton Keynes) was control handed over to communities in time to avoid this fate.

> **A key challenge then, is to combine elements of the development corporation approach - notably the capacity to take control of land for collective benefit - and combine it with a democratised form of common governance.**

2. **The power of the development plan.**

    Despite the significant threat represented by certain current proposals, the planning system still affords the power to allocate land for different purposes, and make those allocations more or less socially valuable. For example, local planning authorities are currently obliged to allocate land for self-build housing. There is no legal impediment to land being allocated for other purposes considered socially valuable, finding ways to do this is another key challenge.

3. **Capturing development values for collective benefit**.

    This was crucial in both the Letchworth model and the New Town Development Corporations. Finding new mechanisms of land value capture represents another important challenge. Exploring the greater use of CPOs, and removing the current right of landowners to receive hope value, is likely to be important here.

3.2.2 Policies for the responsible stewardship of land

A second group of instruments the Commission explored can be characterised as policies to promote the responsible stewardship of land.

Vacant, derelict and brownfield land is a widespread feature of post-industrial urban areas, and, as section 2.3 discussed, is a prevalent issue in the LCR. Underuse and dereliction not only represents a lost social, economic and environmental opportunity, it can also exacerbate social harms. This is of particular relevance to vacancies in town centres and on the high street, where underuse and dilapidation serve as highly visible symbols of economic decline. The "broken window effect", it has been argued, can drive down confidence in an area and contribute to a downwards spiral of dilapidations.

To help tackle existing blight and prevent future dereliction, policies have emerged in various places to drive responsible management of land by its current owners - i.e. responsible stewardship. Responsibility here implies regard to the wider community, rather than narrow financial considerations. In particular, it means that when sites designated for a particular use are no longer needed for this purpose or are not meeting this end use, the owner cannot simply walk away or let the site fall into dereliction.

An example of such policy that the Commission considered in detail was the Scottish Vacant and Derelict Land Taskforce (see case study below). The Taskforce's report suggests that in order to help establish a culture of land reuse, some ground rules are needed. Its starting point was a common-sense interpretation of what responsible land ownership looks like when it comes to vacant and derelict land. It was based on "the implicit assumption that it should not be acceptable for surplus land or property to be allowed to fall into dereliction or to remain unused indefinitely if this has a significant detrimental impact on the surrounding community."[69]

The Scottish Land Commission Vacant and Derelict Land Taskforce[70]

The Scottish Land Commission and Scottish Environmental Protection Agency (SEPA) established the Scottish Vacant and Derelict Land Taskforce in 2018, in the hope of transforming the existing approach to bringing back productive use to underused and derelict land. It also sought to create the conditions to eradicate persistent dereliction, and to realise the social, economic and environmental benefits of returning derelict land to productive use.

Scotland currently has 11,000 hectares of vacant and derelict urban land, with nearly a third of the population living within 500m of a derelict site. This rises to 55% of the population in the most deprived districts. "Adverse physical environment" has been identified by the Glasgow Centre for Population Health as one of the major causes of Scotland's poor life expectancy. The implications of dereliction in undermining health and wellbeing are significant.

The Taskforce brought together senior representatives from around 30 businesses, public bodies and third sector organisations. The overall aim of the Taskforce was to achieve an overall and long-term reduction in the number of vacant and derelict land sites in Scotland by removing and challenging systematic issues faced by sites to provide land use opportunities and to highlight productive opportunities for land. The Taskforce also aligned its work closely with the United Nations Sustainable Development Goals. Following 18 months of meetings, research, and close consultation with local authorities, public bodies, community groups and private sector representatives, it produced a number of key recommendations, including:

- Better use of data, through reforming the national register of vacant and derelict land, including more information to help bring sites back into use through the planning system. Sites should be made available on a publicly accessible online map.

- Treating land as part of the circular economy - for example by making it easier to buy land for reuse, with new laws for compulsory sales orders - and reviewing the current ways land is bought and sold by the public sector.

- Stopping the flow of vacant and derelict sites. Corporate social responsibility objectives should include the understanding that it is unacceptable to let land become derelict or left vacant indefinitely. Public funding should only be given to responsible landowners.

- Creating plans to bring unused land back into use. Landowners should identify buildings and sites that they might not need in the future and put plans in place to avoid the sites falling into disuse. To help with this, existing support for public sector asset disposal needs to be expanded.

- Using the tax system to encourage landowners to repurpose empty commercial property. This will help prevent a new legacy of vacant and derelict land as a result of the Covid-19 pandemic.

- Establishing a national programme of investing in green infrastructure, to bring derelict land and buildings back into use in an environmentally friendly way that will support jobs and skills development and help rebuild community resilience. The programme should focus on urban green spaces, regeneration led by communities, low carbon housing and renewable energy, and it should be planned and funded over several years to attract long term investment. Local authorities should take responsibility for co-ordinating this work.

- The Scottish government should make a clear commitment to eradicating urban dereliction, put arrangements in place for keeping track of this goal and appoint a national co-ordinator to help achieve this.

Of course, not all empty land is problematic (e.g. sites that are naturalised or of local importance or part of a strategic land supply). Rather an issue arises when land is in a poor condition and is causing harm to the local community. In Scotland, this aligns with the principles of the Scottish government's Land Rights and Responsibilities which emphasise good stewardship, sustainable economic development, environmental protection and social justice.[71]

3.2.3 Policies to secure social value from public assets

A final group of instruments Commissioners considered can be characterised as policies to secure social value from the use of public land and property assets. These are closely connected to the alternative forms of tenure discussed in section 3.1. In many cases, these policies are designed to facilitate the use of publicly owned land and property by "commons" organisations engaged in activities that are socially, environmentally and economically beneficial.

"Social value" can be defined as the social, environmental and economic benefits which narrow financial cost-benefit analyses often fail to capture. In the UK, following the Social Value Act (2012), it has been primarily associated with the requirement for the commissioners of public services to have regard to economic, social and environmental well-being in relation to public services contracts.[72] In recent years, however, local authorities have started to develop policies applying the same concept to their land and property assets. By managing their assets differently - whether at portfolio or individual building scale - local authorities can encourage the flourishing of social and community businesses, or create incentives for other private tenants to be socially and environmentally conscientious.[73]

Examples have emerged in various places. In London, Islington Borough Council has developed a pioneering social value framework to prioritise access to affordable workspace for socially beneficial local businesses (see case study below). Haringey, meanwhile, is piloting a community wealth building lease, which ascribes monetary value to "social value" outcomes (for example providing full-time employment to local residents or the long term unemployed).[74] This amount will be applied as a discount to the agreed market rate rent, on proof of delivery.

In Bristol, the concept of social value has been applied in a Community Led Housing Land Disposal Policy, established in 2020. This aims to provide a framework within which any council-owned sites made available to community led housing organisations or associations of individual self builders are distributed in a fair way, which maximises environmental, social and economic benefits. Social value criteria are weighted at 20% of the appraisal criteria, while "community benefits" (including number of social and affordable homes) account for another 20%.

Common to all these policies is an attempt to make socially and economically beneficial use of land more systematic, either by facilitating access to property and workspace for organisations involved in beneficial activities, or by incentivising virtuous behaviour from organisations which might not otherwise make the effort.

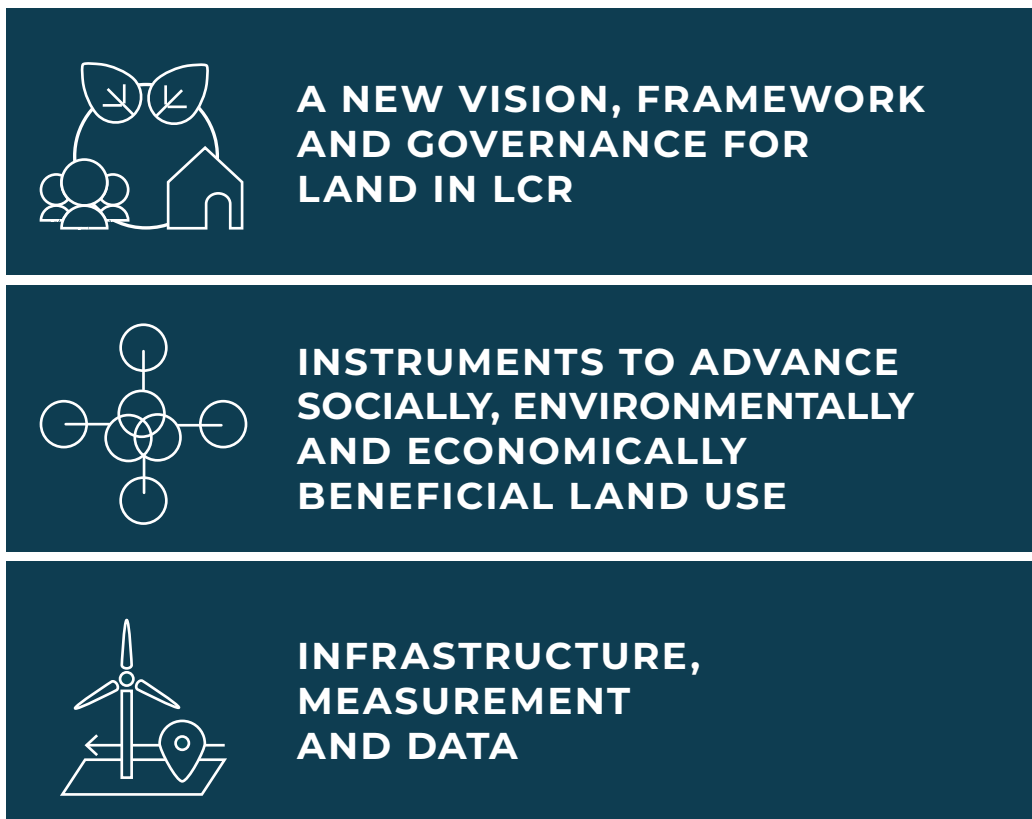## Islington's social value framework for affordable workspace[75]

Islington's over-heated property market means there is an incredible demand for space and a resultant increase in land values. Rents are often out of reach for local businesses. To counter this, the Council leases office space from developers at peppercorn rents, to then be managed by a variety of affordable workspace providers. Instead of charging these providers rent, the Council uses a social value framework to ensure these workspaces benefit local people and businesses, by providing employment and skills training, careers support to local schools, and incubating start-ups in the co-operative and social enterprise sectors. The Council has entered into a close partnership with the digital worker co-operative Outlandish, to support the creation of worker owned and controlled businesses in the Borough, as well as to increase access of Black and minority ethnic and women residents into the tech and digital sectors

4. Recommendations

The ambition of the Commission has been to rethink the way land should be understood and used in the LCR. The following recommendations start from an honest and clear-eyed account of the present situation, while offering a vision of a radically different future. At the core of these recommendations are concrete, realisable steps, which offer staging posts towards this fundamentally different future. In the language of Brazilian philosopher Roberto Mangabeira Unger, they are the concrete initiatives with "the greatest potential to foreshadow, by persuasive example, the transformation of [our current] arrangements and... consciousness."[76]

The recommendations are set out in three "baskets":

A NEW VISION, FRAMEWORK AND GOVERNANCE FOR LAND IN LCR

INSTRUMENTS TO ADVANCE SOCIALLY, ENVIRONMENTALLY AND ECONOMICALLY BENEFICIAL LAND USE

INFRASTRUCTURE, MEASUREMENT AND DATA

4.1 A NEW VISION, FRAMEWORK AND GOVERNANCE FOR LAND IN LIVERPOOL CITY REGION

Recommendation 1: Recognise and convey the true social purpose of land

A key basis for necessary changes around land use in the LCR should be an official recognition from the LCR-CA that land must be understood as much more than a commodity. It should be recognised that land is a gift of nature, that in the end "belongs" to none of us. The LCR should therefore develop a long-term vision, in which **all land use is progressively directed towards achieving social well-being and environmental sustainability with genuine financial return for local communities**. In the context of Covid-19, it is particularly important to prioritise the use of land to support public health and wellbeing.

As discussed in section 2, the models of ownership we are seeking to transcend are closely tied up with the development of colonial capitalism - a process inseparable from Liverpool's history as the control centre of the transatlantic slave trade. As we promote alternative models of ownership, we must also address long-established patterns of racial exclusion. Social and economic justice, understood intersectionally, needs to be a fundamental principle for land reform in the City Region.

Recommendation 2: A local duty to consider all land in LCR in terms of social justice

Wherever possible, questions around land should be approached through the prism of recognising its true value, and of realising its true social, economic and environmental potential. In this, all land in LCR, whether publicly or privately owned, should be broadly considered in terms of one or more of four "pathways" for socially-just land use identified by this Commission.

These pathways are:

- **From public ownership to community ownership or management.** Public assets may be beneficially transferred to community ownership or management. Multiple forms of tenure exist which separate ownership and management in different ways (see section 3.1.2 above); the form selected will depend on the goals of the community organisation.

- **From public ownership to more socially, environmentally and economically beneficial forms of public ownership.** Even when land continues to be publicly held, it is crucial that it is used in a way that secures maximum social, environmental and economic benefit.

- **From private ownership to public or community ownership.** Transferring privately owned land to public or community ownership may, in some situations, offer the best pathway to maximising its benefits.

- **From private ownership to more socially, environmentally and economically beneficial forms of private ow-nership.** In most cases, privately owned land will remain privately owned - but it should nevertheless be responsibly stewarded, with regard to wellbeing of the community.

These pathways offer a simple way of thinking about the different ways that the full social, environmental and economic benefits of particular land and property assets might be best realised - see **Figure 3**. The second "basket" of recommendations proposes various "instruments" which could help in bringing these transitions about in practice.

Figure 3: Pathways of ownership
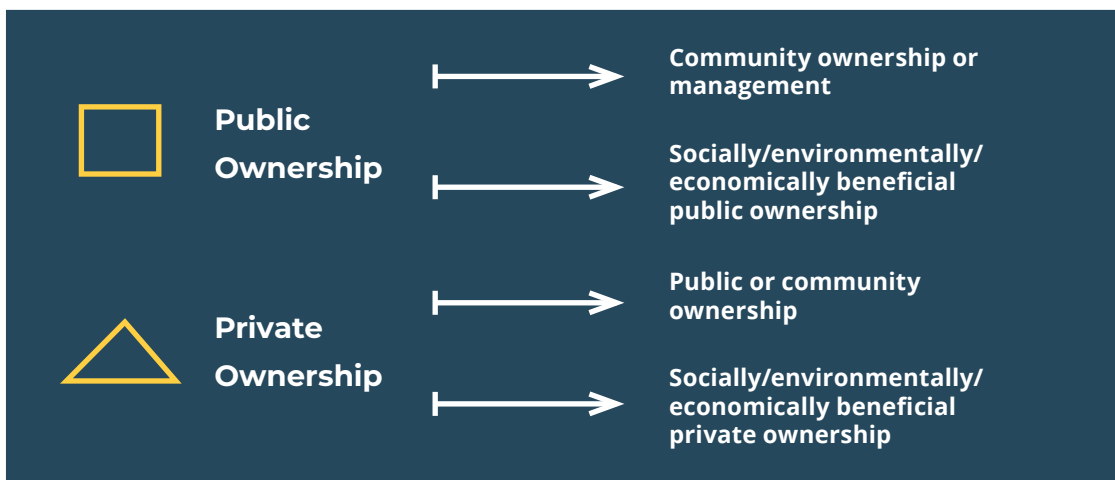
Recommendation 3: A permanent land commission for LCR

To advance the vision in this report, we recommend **establishing a permanent land commission to take a lead within the LCR-CA on embedding these recommendations across LCR, including within other key anchor institutions.**

This permanent land commission would act as a "sitting" cross-sector working group, taking overall responsibility for these recommendations. It would be made up of senior politicians and officers from across the region, key players in the private and social sector, and representatives from the citizen observatory (see below).

Recommendation 4: A citizen observatory and a participatory research process

Alongside the permanent land commission, a **citizen observatory** should be established. This would be a citizen-led body for the continued assessment, monitoring and generation of ideas for innovative policies around land - and putting them into action.

The citizen observatory would also be responsible for launching an in-depth, well-resourced **participatory action research** process to ensure that future actions to reform land use are shaped and driven by the aspirations of LCR's citizens. This research should pay close attention to existing patterns of exclusion, shaped by gender, race, ethnicity, class, ability and age. It should also have an "anticipatory" dimension - seeking to address the challenges of the future as well as the present. Its aim should be to co-produce a vision for land justice in the LCR to feed into the new land commission.

4.2 INSTRUMENTS TO ADVANCE SOCIALLY, ENVIRONMENTALLY AND ECONOMICALLY BENEFICIAL USE OF LAND

Recommendation 5: A "new commons" for LCR

We have recommended launching a thoroughly participatory action-research process, tasked with identifying measures and mechanisms that ensure a land justice agenda which reflects the aspirations and needs of different groups. However, we can already suggest a number of "instruments" which would respond to the needs of the region, and on which the new land commission could take a lead.

A key conclusion emerging from the Commission's survey of alternative ownership and stewardship models (see section 3) was the need for a more strategic approach to supporting such models. What would be the underpinning infrastructure that could support the flourishing of all sorts of progressive initiatives?

A key group of "infrastructural" institutions from the twentieth century were the Garden City Association Trusts and New Town Development Corporations (discussed in section 3). How might these kinds of institutions be reimagined and democratised to meet our current needs?

We propose the establishment of a new body: the **New Commons for LCR**. It would provide a framework to bring together the LCR-CA, local authorities and a wider range of community organisations and social businesses to substantially advance the socially productive use of land across the region.

The New Commons would have three key roles:

1. To **identify underused land and public property in LCR**, both in public ownership and otherwise, on an ongoing basis. (In this it would be assisted by the new approaches to data and mapping suggested in recommendations 10 and 11 below).

2. To **act as a conduit between the LCR-CA and community organisations, to drive forward community ownership and stewardship of land**. It would work with the combined authority, local authorities and other public sector bodies to make this land available to community organisations through a variety of mechanisms. The New Commons could be given first right of refusal on all publicly-owned land in LCR, and could use its coordinating and consortium capabilities to link any land coming up for public disposal to the right community group or common association looking to develop something worthwhile. The New Commons would also be a focal point for expertise on the use of mechanisms such as community asset transfers and CPOs, and would work with the LCR-CA and local authorities to use CPOs when appropriate. It could have priority over the LCR-CA's compulsory purchase powers, with a view to taking into public-community ownership any empty or under-utilised privately-owned land. Such a "use it or lose it" policy could generate new land opportunities outside the public sector.

In some instances, this publicly owned or acquired land could then be made directly available to community organisations, (management agreements, lease etc), with the New Commons having acted as a conduit. In other cases, the New Commons itself could buy the land owned or newly-acquired by public bodies, and in turn make it available to community organisations under a variety of possible mechanisms (including management agreements, lease etc). The existence of a body to acquire and own land and property that is "falling through the cracks" will be particularly important post-Covid, when local authorities have been disposing of land and property at an accelerated rate.

3. To **act as an "accelerator" for community organisations undertaking socially valuable projects on this land**. Finally, the New Commons would have an "accelerator" function, to catalyse the development of impactful community organisations that already have a strong vision for socially, environmentally and economically beneficial land-use. The New Commons would provide an accelerator style coaching and technical support programme, including for council officers and other public sector officials, as well as access to necessary financing for land development. This could take a variety of forms: the New Commons could play a role of underwriting loans contracted by community organisations; it could collect social investors together and help them manage investments; or it could itself borrow from social investors, for investment in various community organisations.

Like a conventional accelerator, the New Commons could maintain a stake in the community organisations which receive investment. The emphasis would be on "accelerating" those projects in the region with high potential, but which are currently struggling to progress and scale up due to market failure. It would not negate the valuable forms of support offered by Breaking Ground (see section 3.1.5). Rather it would complement them, by providing crucial support to groups seeking to use land for purposes other than housing.

The New Commons could take various possible organisational forms, ranging from a company limited by guarantee, to a community benefit society or community interest company. In being jointly-owned by public institutions and common associations, it would be a pioneering example of a public-common partnership. One possibility would be to explore governance by a "tripartite board", consisting of one third representatives of the LCR-CA and local authorities in LCR, one third of representatives of community organisations, and one third of local experts and other key stakeholders. Alongside any such board, the New Commons would likely also need its own expert paid officers, driving the organisation day-to-day.

The New Commons could thus act as a kind of one-stop shop and conduit between LCR-CA and different local groups with visions for how to make better use of land. It would bring together the energy and ideas of multiple community groups, the invested skills and experience of local expert organisations (e.g. Alt Valley Community Trust, SAFE Regeneration and Breaking Ground), and the big-picture ambition of LCR-CA, to create something which equals more than the sum of its parts.

Recommendation 6: Progressive use of the planning system

Also important will be a progressive use of the planning system. We are currently facing far-reaching potential reforms to the planning system. It is nevertheless important to seize the levers the planning system currently offers. In particular, three things should be explored:

- **Making a more extensive and ambitious use of the planning system to allocate land for socially valuable uses.** Local authorities currently have the ability to allocate land, and make those allocations more or less socially valuable. Local authorities are required, for example, to allocate a certain amount of land for self-build housing. But there would be no legal impediment to allocating land for other purposes deemed to be socially generative: housing, community energy schemes, social business, community spaces, green infrastructure etc.

- **Extracting greater value from land value uplift, to be reinvested for collective benefit.** Developer contributions, such as the current system of Section 106 agreements and the Community Infrastructure Levy (CIL), provide an important source of funding for public goods and community assets – in England an aggregate of £7bn was raised in 2018/19 alone through S106 and CIL.[77] Making more of developer contributions should be a focus for all concerned in the LCR. For the LCR-CA specifically the potential for a strategic infrastructure tariff, similar in scope and remit to the Mayoral CIL in London, should be considered.

- Given the significance of the historic injustice of the transatlantic slave trade in Liverpool's history, the **LCR-CA should also explore additional forms of land value capture to secure funds for reparations**. These could be used, for example, to support Black-led organisations pursuing socially, environmentally and economically beneficial uses of land. Exploring the creative use of CPOs is likely to be important here, as international experience suggests that the most effective path to land value capture is public ownership of the land in the first place.

Recommendation 7: A framework for the responsible stewardship of land

Land reform in LCR cannot only be a matter of advancing community ownership and stewardship of land, we need all landowners to be responsible stewards.

Underuse and dereliction not only represents a lost social, economic and environmental opportunity in LCR; it also exacerbates social harms and perpetuates economic stagnation. There are many vacant, brownfield or stalled sites which are currently doing very little to promote inclusive economic activity, address inequalities, support wellbeing or mitigate against climate breakdown. They could be so much more: sites for innovation; for renewable energy; housing or commercial units; growing spaces and city farms meeting the demand for allotments; or "meanwhile" creative spaces. The success of Make CIC and its exciting current projects in the Wirral, which are now at the centre of a major Birkenhead Town Deal Bid, show what is possible when derelict sites are approached with ambition and imagination.

To start unlocking the benefits of all land in the City Region, we recommend the adoption of the principle that:

- **Land should not be allowed to become derelict or left vacant for an indefinite period of time, to the detriment of the local community.**

This principle must be embedded in corporate culture - both in the private and public sector. Inspired by the work of the Scottish Land Commission (see pages 26 and 27), and mindful of the absence of any equivalent framework currently in LCR, we recommend:

- **The establishment of an equivalent framework and set of principles** to drive the change towards a more responsible approach to land use/reuse.

- **The development of an industry charter for responsible land stewardship** in the region.

- **The development of a set of implementation guidance**, as well as a designated team to work with landowners to embed these practices.

Developing these principles and measures would be among the responsibilities of the sitting land commission (see recommendation 3).

An owner of land or building has the potential to be an enabler, using a site for a productive and positive end use, or be a barrier to reuse. Where land ownership is a barrier (and where landowners might have unrealistic expectations about the current value of a site so development is halted), legislation could help address this and help bring the site into active ownership.

In addition to the above measures, potential levers to help prevent sites from being abandoned/derelict that could be considered in the LCR are:

- **Compulsory purchase orders**

- **Compulsory sales orders**, a proposed power that would give planning authorities the power to force a sale of sites that have been vacant for an undue period and sold via public auction)[78]

- **Promoting community ownership**, notably through the New Commons

- **Taxation**, to incentivise landowners to repurpose surplus commercial property for socially, environmentally and economically beneficial uses

- **Conditionality**, i.e. making alignment with the agreed principles of good stewardship a condition of access to public support or funding

- **Meanwhile use** i.e. creative temporary use of empty property and land)

- **New project appraisal tools** to assess the long-term economic benefits of bringing a site into use. These can be valuable in making the case for intervention. Such a tool has already been developed by the Scottish Land Commission.

4.3 INFRASTRUCTURE, MEASUREMENT AND DATA

Recommendation 8: Green infrastructure

Realising the true value of land will also require greater recognition of the value of green infrastructure - both for its social and wellbeing benefits, and to combat climate crisis.

We recommend:

- Encouraging the retaining of greenbelt and supporting for more development on brownfield land in towns and cities, and boosting densities where suitable.

- Exploring the creation of market garden cities, creating an opportunity to bring the greenbelt back into productive use for food production, recreation and outdoor learning. Agroecological approaches could have particular value here, providing environmental benefits whilst giving residents the chance to engage with green spaces in new ways, and learn about climate change issues in a "hands-on" manner.

- Maintaining and enhancing funding for public parks across the City Region, which represent vital and immediate forms of green infrastructure for residents. The benefits they offer for physical health and wellbeing make them particularly precious in the context of Covid-19.

Recommendation 9: Social value and measurement

We need a more sophisticated and systematic way of assessing the social value of different potential forms of land use. This will require linking social value to land disposal in a clearer way. We therefore recommend that the LCR-CA carry out further research to identify or develop appropriate social value frameworks (and metrics), which would facilitate a more socially generative use of land. This should be an important aspect of LCR-CA's forthcoming social value strategy. The pioneering approaches discussed in section 3.2.3 of this report could offer a starting point.

Social value should also be embedded in the LCR Spatial Development Strategy, using systematic social value frameworks (and metrics) as discussed above. This will be important in tying social value to planning in a more definable and measurable way.

A further significant barrier to a more socially-just use of land in LCR is the current difficulty in accessing data on current land ownership and use. While some data is publicly available in principle, in practice it remains difficult to interpret for all but the most data and technology-literate. To tackle this issue, and the accountability deficit which results, we make two key recommendations to the LCR-CA:

Recommendation 10: Set up an open access online map of publicly-owned land in LCR

This map would show all land and properties owned by councils, the NHS, central government and other public bodies within LCR. It would provide community groups and residents with a way of more easily seeing and understanding what public land and assets exist in the City Region, and help community groups identify land and properties to bid for asset transfers or community projects.

The Citizen's Observatory should explore the possibility of constructing a digital mapping platform that is open source and crowdsourced in the sense of generating new data from users. This would enable citizens in LCR to observe land use in their neighbourhood and

"flag" sites on the platform that appear under-used or vacant for further exploration of their ownership and possibilities for reuse. The website would therefore need to be user-friendly, with the maps displayed in an interactive format (e.g. as simple as using Google Maps), able to zoom in on an area and searchable using a postcode and address lookup tool. Such a collective mapping project would help instil a sense of common ownership over the City Region, and catalyse civic participation in projects such as the Citizen's Observatory.

Publication of this mapping data relies on the data not being subject to restrictive licensing. From our conversations with LCR-CA officials, we believe all the necessary datasets are covered by an Open Government Licence (OGL), meaning re-publication is acceptable so long as the data is appropriately attributed.

Recommendation 11: Publish an annual report on land ownership and use in LCR

This would cover:

- The overall breakdown of land ownership in LCR – e.g. 17% public sector, x% private sector, x% owned by community groups;

- How much public sector land has been sold off to the private sector in the past year;

- How much public sector land has been transferred to community ownership, protected by an asset lock;

- How much land overall is deemed to be "vacant and derelict" – drawing on the Scottish Land Commission's definition of this;

- How many properties have lain empty for over 2 years (drawing on Council Tax data);

- How much public green space there is;

- How far land is being used to benefit the greatest number of residents – for example, including up-to-date statistics on numbers of users of public parks, municipal golf courses, and publicly-owned car parks, amongst other public sector land assets. This could be used by the LCR-CA to assess over time whether some of this land is being under-utilised, e.g.

if changes to working and shopping patterns and transport decarbonisation lead to less need for car parks, or if golf courses are being used by only a small number of people compared to using that land as a public park instead.

- How land in the LCR is being used in a way that contributes to, or helps combat, the climate and ecological emergencies – for instance, how much carbon is stored in the soils and vegetation within the LCR, how many trees have been cut down vs how many planted or allowed to regenerate, how much peatland has been restored vs how much damaged in the past year, and so on.

However, publishing maps of publicly-owned land only tells part of the story. The vast majority of land in the LCR, as in England as a whole, is privately owned, often by a small number of large landowners – from the Church and Crown to aristocratic estates and large companies. The Land Registry - the official register of land ownership in England and Wales - remains incomplete and hidden behind a paywall.

Recommendation 12: Lobby central government to open up the Land Registry

We therefore recommend the LCR-CA **lobby central government to open up the Land Registry, so we can see who owns land**. Search fees should be dropped, and a comprehensive map of land ownership in England and Wales released publicly. This would make it easier for community groups and residents in LCR to also identify privately-owned sites where they may wish to enter into discussions over asset purchase or collaboration for community housing, food growing, amenity space or other projects. Releasing maps of private land ownership would also make the planning system more democratic and transparent, by showing clearly who has an interest in a site or proposed development.

Recommendation 13: Lobby central government to task the Land Registry with establishing a register of options over land

Additionally, we recommend the LCR-CA to **lobby central government to task the Land Registry with establishing a register of options over land**, which would show where developers have an interest in a site even though they haven't purchased it outright. This, too, would improve the transparency of the planning system.

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64. International New Town Institute (2017) 'the New Town travel guides: Milton Keynes' link

65. TCPA (2020) Garden Cities and New Towns link

66. The International Garden Cities Institute, Letchworth Garden City link

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70. Scottish Land Commission, op. cit.

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72. Unfortunately, this requirement has often been reduced to a box-ticking exercise, vulnerable to cynical manipulation by large companies which deliver comparatively little "social value". See: link

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