

Navigating the Brownfield Maze: Making Sense of Brownfield Regeneration Policy and Governance

Philip Catney¹, John Henneberry¹, and Tim Dixon²

¹*Department of Town and Regional Planning, University of Sheffield, UK*

²*Department of Real Estate and Construction, Oxford Brookes University, UK*

INTRODUCTION

The effective implementation of sustainable brownfield regeneration is contingent upon the character of governance structures and the way that these engage with the development process. The paper explores this relationship through an examination of experience in the Thames Gateway. We then present a 'map' of institutional structures which highlight the congested institutional arrangements to deal with this policy. From the 'inside' these arrangements may appear to be a flexible and effective means of addressing complex problems. However, from the 'outside' the picture may be rather different. In order to capture this, the paper presents the perspective of one particular group: private developers. By examining a case study in Thames Gateway, the paper asks what they make of this governance structure and how it affects their activities. In conclusion, we examine two potential ways in which government can design a system of governance which produces effective regeneration: policy mapping and weaving.

GOVERNANCE, POLICY DESIGN AND LOCAL PRACTICE

In theory, governments endeavour to make the policy process better by making it more rational and, by implication, simpler. However, in practice, this is not generally the case. Policy problems are generally complex, multi-dimensional. They defy 'simple' policy remedies and do not match the functional structures of urban governance. It is vanishingly rare for one organisation to be responsible for dealing with one problem using one policy. Hence, governing environments are generally complex, institutionally congested, and multi-layered.

Newspapers and commentators have suggested that this complexity has arisen from the 'hyperactivity' tendency at the heart of government. Government is said to create discrete policies to deal with small parts of a broader issue without due regard to existing policies and institutions. It is, in effect, chasing problems: creating ad hoc policy responses to problems as they arise, rather than having any clear long-term plan. Individual initiatives on their own can be useful in creating a focus for policy actors. However, the creation of a panoply of tenuously connected initiatives in a loose and fragmented governance structure can create considerable problems for policy implementers. As will be discussed below, in order to cope with the complexity of a policy issue such as brownfield redevelopment, government has created a burgeoning regulatory maze which has become unwieldy and, at times, incoherent. Wherever this maze has come from, its effects on those charged with working with government policy can be profound.

GOVERNANCE IN THE THAMES GATEWAY

Due to extensive housing shortages in the South East of England in recent decades, policy makers have become increasingly interested in recycling brownfield land in the Thames Gateway. The government has sought to address this complex issue through the development of a variety of policies, single-purpose bodies, development strategies and plans. With the proliferation of these initiatives, a complex maze of policy structures and regimes has been densely layered upon another, creating policy and regulatory congestion. This may undermine the effective delivery of brownfield regeneration by, a) 'bounding' the knowledge of policy implementers with regard to the precise relationships between policies, actors and development processes, b) creating delays in the regulatory system through changing plans and technical guidance, c) undermining 'leadership' in the gateway, and d) promoting instability in development processes.

Complexity in the Gateway: Mapping the Congestion (Without a Charge)

Figure 1 presents a map of the institutional architecture that affects the development of brownfield sites in East London. This map illustrates the complexity of organisational relations involved in delivering brownfield regeneration.

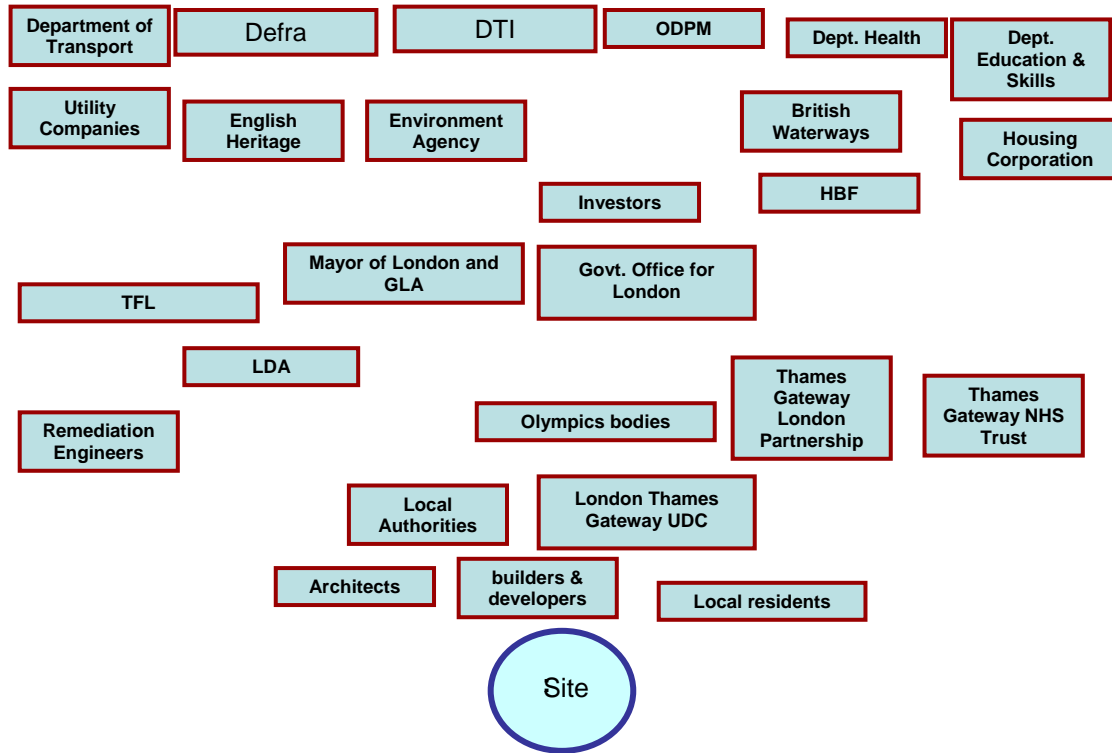


Figure 1: Institutional Congestion in the Thames Gateway

From the above map, we can see the ‘top heavy’ nature of the distribution of institutions. Many of the institutions are national, or are proxies of national government. However, there is also a considerable number of ‘regional’ level institutions with specific policy and regulatory responsibilities and competencies. The organisations at this level, such as the Mayor of London and the GLA, have considerable influence over the particular development. However, the Mayor and the GLA are not lone figures at this level; the government has established non-departmental public bodies (NDPB) such as the Thames Gateway London Partnership and the various organisations involved in preparing London for the Olympics in 2012. Each of these organisations has its own agenda and plans for redeveloping brownfield land in the Gateway. This can cause considerable confusion and require extensive negotiations on the part of the developer which ultimately slow the pace of development (see below).

Developer perceptions – brownfield governance and regulation in Thames Gateway and Greater Manchester¹

In order to understand how this particular design of governance has impacted on the specific process and practices of actors in the Thames Gateway, we present research from Dixon *et al* (2006) who conducted in depth research on the role of the development industry in brownfield regeneration on a number of sites in the Thames Gateway and Greater Manchester. Among other findings, this research revealed that policy barriers were a greater hindrance to brownfield regeneration than was contamination. In order to highlight the particular importance that governance arrangements make to development processes, we present the perspectives of developers in both these areas.

¹ This section is based on interview material from Dixon *et al* (2006)

Thames Gateway

The interviews from this research suggested that in the Thames Gateway the plethora of agencies operating at a number of different levels had distinct effects on development processes. From central government there has been considerable activity through target-setting, funding and the creation of partnerships for regeneration schemes. This includes the involvement of the London Thames Gateway Development Corporation (UDC) co-ordinating planning applications. At a regional level, the case study sites were part of the London Riverside plan, and so the Mayor of London and its agencies have been overseeing the master plan and planning process. Public bodies have established partnerships with developers/investors, which have also allowed developers to undertake large-scale regeneration schemes, such as Barking Riverside.

The top heavy nature of the institutional and policy map shown in Figure 1 demonstrates some of the '*regional target and regulation v local delivery*' tensions. The central and regional levels are not simply involved in target setting, but in a good deal of delivery as well. In addition, while central and regional government targets have been important in stimulating development, they have not been underpinned at a more 'local' level, through the provision of transport infrastructure for the regeneration sites.

Similarly, the central design of the system of governance has resulted in a dramatic increase in the number of stakeholders involved in the Thames Gateway. This has also created a duplication of roles in planning processes and highlights the lack of clear leadership. Interviewees stressed the need for greater 'joining up' and 'weaving' of planning policy at national, regional and local levels of government to plug the gaps between policies and agencies and to curtail initiatives that are superfluous or duplicate activities. In particular, interviewees suggested that the role of agencies needed close monitoring. The Environment Agency was identified as suffering from under-funding. In addition, it was noted that the advice given to developers differed considerably between national and regional levels and within the regional offices. Hence, there was a sense that achieving policy coherence within the multi-level nature of the policy environment in the Thames Gateway was as much an *intra*-organisational challenge as it was an *inter*-organisational one.

One stakeholder involved as a practitioner summed up the administrative barriers surrounding the South Dagenham West scheme:

'Bureaucracy is the only main barrier. It goes between different agencies responsible for each of [the type of] public infrastructure – each of the bodies is independent. There is a difference between the aspirations of the Borough and the GLA, and all of this just takes a long time to resolve itself.'

A developer on the Barking Riverside development echoed these concerns and suggested that this conflict was evidenced by differing perceptions as to the future of site between local authority and developer, and more recently the Mayor and English Partnerships:

'There {have} been administrative barriers in terms of planning process as a whole, and different agendas have been attached to [Barking Riverside] site. Because of its size and the strategic importance of the location, the various agencies working in the Thames Gateway have all seen the site delivering different things...the members [of LBBD] at that time... saw it very much as being an extension to Dagenham, Heathway, low density, suburban development... only had four thousand units on the site... we came in with another Master Plan for six thousand units in addition to the nine hundred then we now moving to ten thousand eight hundred...you've then got the Mayor overlaying on top of that now, who sees this as being a strategic site for delivering affordable housing, and also would like to see this as a front runner in his sustainability...you've got the Urban Development Corporation whose vision has not quite clearly emerged... then you've had all sorts of other sort of ripples underneath that of the Thames Gate, part of Thames Gateway and the Thames Gateway Partnership...this area definitely suffers from a plethora of public agencies who all have different agendas'

The different aspirations between the various layers of governance (currently involving the local authority, public bodies, and Government Office for region, as well as the future involvement of UDCs) may create a lengthy process before a planning application can be submitted. As stated above, any policy weaving by government in the Thames Gateway would need to take into account the conflicting interests, values and beliefs of the various organisations operating there.

One way of re-organising the system of governance in the Gateway would be to reduce the role of central government in orchestrating the governance system. This proposal had the support of some practitioners who voiced the need for government to streamline and improve brownfield regulations, particularly those relating to remediation. For example, the introduction of a Single Remediation Permit; streamlining licensing and permits for remediation; and providing a clear definition of 'waste'.

One developer stated that at policy level, there is a need for a more integrated approach:

'Sometimes things do not square with what is trying to be achieved. [For instance] the Environmental Protection laws are being increased in terms of the level, which is right, but that naturally could act as a brake on development of the Thames Gateway. [To take another example] we have the Olympic Games that will regenerate the whole area, but naturally that will be a huge drain on construction skill, and at the same time we are looking for more houses to build.'

Interviews in the Thames Gateway suggested that developers/investors 'suffered' from a duplication/overlap of the roles of authorised stakeholders involved in planning and policy. This has led to delays in the planning application process, lack of clear guidance on dealing with contamination, and a lack of commitment in the provision of infrastructure (i.e. *who is going to provide what is needed?*). One practitioner summarised the general state of stakeholder engagement during the planning process:

'There is not a clear chain of command from the ODPM down to who is meant to be doing what, who is driving what process, and the different stakeholders do not know between themselves what is meant to be happening.'

The stakeholders interviewed expressed the importance of an integrated approach to speed up the development process. This particularly referred to government departments as they need to work in harmony rather than concentrating on their own parts, or as one practitioner suggested: *'joined up thinking'*.

Greater Manchester

In Greater Manchester, where the Manchester 'model' of regeneration has been in operation since the Hulme project, governance at a local level is less problematic, although the presence of two URCS in the sub-region may create tensions. Here, the relationship between local authorities is a key issue, and the complexities of Compulsory Purchase Order (CPO) procedures were seen as important in New Islington and Higher Broughton.

On the New Islington site, one regeneration interviewee stated that:

'No it doesn't function well...EP (English Partnerships) reports to the ODPM, RDAs report to DTI...and there are inefficient workings between all these groups.'

In relation to the wider structures of governance in the Greater Manchester area, one local authority officer stated:

'I think it would be fair to say that over the last two to three years our relationships at a sub-regional level have improved and have strengthened and there's probably been more recognition by our sub-regional partners and the local authorities of the role that Manchester plays in a sub-regional context, but in terms of what we've been doing prior to that, it's almost been despite what our neighbouring authorities have wanted.'

Another local authority officer stated:

'We certainly don't have the multiplicity of structures [as in the Thames Gateway], but if you look at Manchester and Salford, you've got two URCS within 3 miles of each other, you know if you were really pulling back the lens and looking at that more strategically, you say "That's a bit stupid, isn't it".'

CONCLUSION

Policy coherence can be defined as the capacity to produce an 'overall state of mutual consistency among different policies' (OECD, 1996: 8). Coherence between policies and institutions within a particular area is crucial if outcomes mutually desired by actors are to be achieved. Indeed, with so many organisations and institutions involved in policy areas, the ability of any one actor to achieve its desired outcome is constrained by its reliance upon other bodies involved in policy delivery.

Yet, the phases of institutional and policy development that the government has pursued has undermined the coherence of policy. It has created specific policy initiatives to deal with specific issues as they have arisen. Often these initiatives have been based on sound logic. However, the cumulative effect of these initiatives has been to create a congested and multi-layered system of governance. One key issue posed by this congestion is the question of leadership in the gateway. Recently ODPM, in response to a perceived 'leadership vacuum', has announced that it would appoint a new chief executive for the Thames Gateway. Yet, as Regeneration & Renewal note (2006): 'The specific responsibilities of the appointee have yet to be decided and it is unclear which of the Gateway delivery bodies he or she will be chief executive of.' Without a clear design on the future direction of Gateway, there is every chance that the coordination and coherence problems will continue.

How can the coherence problems in the Gateway be dealt with? Parsons (2004: 44) suggests that there are two ways to build policy capacity and coherence; these are mapping and weaving. We explore these in turn.

Mapping

One of the key problems that faces individuals and organisations charged with working along the grain of policy is that their knowledge of the environment in which they operate is bounded. They understand little about how different policies and regulatory bodies relate to one another and how they are brought together at the local level (see above). One proposal that has been put forward to combat this is that government could adopt the role of policy cartographers, plotting the course for 'good' implementation. For example, government could create a sequential process for developers in particular places so that they know what organisations they need to work with to create an effective brownfield development. This would have the benefit of enabling government to more closely monitor the impact of policies at the local level (and by implication to evaluate their utility more accurately). This could help government to avoid creating new policies that are not needed or that would clash with existing policies or (development) processes.

Weaving

Government might augment policy mapping by using its structural position to 'weave' policy together. Weaving entails 'integrating competing and opposing forms of knowledge and coordinating the multiplicity of organisations and interests to form a coherent policy fabric' (Parsons, 2004: 44). Government's role is to draw together the loose threads of knowledge that exist in the wider governance environment to produce a policy that integrates the fullest possible range of interests, values and beliefs.

Mapping and weaving may be superficially appealing but they are also problematic. They demand considerable learning capabilities of the centre to monitor and identify (a) the large number of policies and institutions, (b) the discrete interaction between policies (e.g. between the Part IIa system and the wider brownfield development process), and (c) the impact of these on the specific nature of local development processes. Indeed, experience suggests that government finds it difficult enough to monitor its own policies without embracing those of others.

REFERENCES

- Dixon, T., (with Pocock, Y., and Waters, M.) (2006) *The Role of the Development Industry in Brownfield Regeneration, Stage 2 Report, Volume 3: Case Studies (Thames Gateway and Greater Manchester)*, Oxford: Oxford Brookes University
- OECD (1996) *Building Policy Coherence: Tools and Tensions*, Paris: OECD.
- Regeneration & Renewal (2006) 'ODPM to Seek Leader for the Gateway', 27th January.

Parsons, W (2004) 'Not just steering but weaving: Relevant knowledge and the craft of building policy capacity and coherence', *Australian journal of Public Administration*, 63 (1): 43-57.