

**THE URBAN REGENERATION AGENCY (EDGE  
LANE WEST, LIVERPOOL) CPO No 2 2007**

**NON-STATUTORY OBJECTION TO THE  
COMPULSORY PURCHASE ORDERS**

Written Submission

By

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## Contents

	Page
1. Qualifications and experience	3
2. Failed by the system? The promise and failure of planning	4
Making the best use of the existing housing stock	5
Failure to learn from previous mistakes	6
The proponents' lack of imagination	7
Consultation or 'regeneration by attrition'?	8
Comprehensive regeneration: piece by piece	8
Public inquiries and inequality of arms	9
The public interest	11
3. Over-stating the problem of low demand?	13
4. Changes since the first inquiry	14
The demise of low demand	15
Affordability	16
Volatile market conditions	20
5. Empty houses in the Order Lands: housing market failure or policy?	22
6. Conclusions	24
7. References	27

## I Qualifications and Experience

- I.1 I am a non-statutory objector to the CPO. I make this submission as an informed and concerned citizen with an academic interest in urban regeneration and its impact upon the lives of ordinary people.
- I.2 My name is Lee Crookes. I have a BA(Econ) in Government and Social Policy, from the University of Manchester. Upon graduation, I spent over seven years working in local government, which included four years working for the South Yorkshire Joint Secretariat where I assumed editorial responsibility for the preparation of the 1999/2000 South Yorkshire Joint Transport Package Bid and the first South Yorkshire Local Transport Plan. My role also included the development and delivery of the South Yorkshire Police Authority's public consultation arrangements. I have subsequently returned to full time education and I am currently a final-year PhD student in the Department of Town and Regional Planning at the University of Sheffield, having completed my qualifying MA in Planning Research in September 2005.
- I.3 In articulating my objections in this written submission, I would like to make it clear that these are my own personal views. They are not – nor do they reflect - the views of the University of Sheffield or my research sponsors.
- I.4 My PhD research, provisionally entitled, *Areas of Low Demand Housing, Views from Above and Below*, considers the regeneration of low demand areas from the perspective of residents and local authority officers, focusing particularly on issues of attachment to home and resistance to demolition. Using the concepts of 'lived space' and 'abstract space' it compares the experience of residents with the perceptions of housing officers and planners. It examines whether low demand areas are the subjects of stereotype and assesses the contention that housing market renewal constitutes a form of state-assisted, new-build gentrification. I argue that planners and their counterparts who are engaged in urban regeneration must endeavour to better understand places from the perspective of existing residents. Planning is concerned with the making of place but without the insight of local knowledge and a better understanding of people's attachment to place, regeneration is likely to be misdirected, proceeding with wholly inappropriate solutions for places that are only partially understood (Scott, 1999; Hill and Salter, 2004; Manzo and Perkins, 2006).
- I.5 The research is based on three case-studies of low demand areas in northern England. Each case study has used a mix of methods including interviews, questionnaires, participant observation and document analysis. I have also spent three months in the planning, housing and neighbourhood management departments of a local authority, shadowing officers involved in regeneration projects, observing daily work practises and attending meetings. For confidentiality reasons, the authority remains anonymous. I have also observed the daily proceedings of two previous CPO inquiries in Liverpool and Oldham respectively.

- 1.6 My objections to the present Orders cover several issues. Some relate to different aspects of the planning system; some concern the validity of the opponents' ongoing assumptions given recent changes at the local, national and global scale. I also draw attention to the high level of social housing in the Order Lands which, in my view, raises questions about the proponents' arguments for 'market failure'.

## **2. Failed by the system? The promise and failure of planning**

- 2.1 Planning is about people and places. It has the potential to make better places and improve people's quality of life. This is why I chose planning as the disciplinary focus for my PhD research. But, in the real world, things do not always go to plan: well-intentioned planning does not always produce the desired effects. Policies and programmes that might look all right on paper rub up against real life and real people. In seeking to apply urban theory to the complex and messy reality of the world, things can and often do go wrong. When they do, it tends to be ordinary, relatively powerless, people who suffer. This has been well documented by several scholars, including Jacobs (1961), Gower-Davies (1972) and Sir Peter Hall in his book, *Great Planning Disasters*. The RTPI also acknowledges this in its vision statement:

We also need to understand that conflicts are often resolved through the established power structures in ways which disadvantage those most in need. Planning as a truly societal activity must seek to give a voice to those excluded communities - those with a direct interest in creating a better 'world' but little power to influence it.

(RTPI, 2001)

- 2.2 As a final year PhD student in planning with a commitment to a socially just planning system that supports those in greatest need, I find myself aghast at what is being done to people in the Order Lands in the name of creating a "sustainable community". Specifically, my objections in this section of my submission can be stated as follows:
- The proponents approach runs counter to the Government's response to the Barker Review and DPI of the Regional Spatial Strategy
  - A combination of seemingly limited vision (or perhaps an unswerving commitment to a preferred option) and inadequate consultation (for example Ms Pascoe, Cllr Radford, in evidence) means there has been insufficient identification, development and discussion of viable alternatives
  - Inequality of arms - in my view the objectors have not had a reasonable opportunity to present their case
  - The proponents do not demonstrate a compelling case in the public interest

## **Making best use of the existing housing stock**

- 2.3 The Government is keen to see local authorities meet some of the need for affordable housing by making better use of the existing stock. This is made clear in its response to Kate Barker's Review of Housing Supply:

Both Kate Barker's Review and the Government's own research into affordability demonstrate a need to increase the total supply of homes for sale and rent. However, the Government believes that in addition to a step change in new provision, **it must also make effective use of existing stock**. One way of achieving this is to bring more empty property back to the market. Bringing empty properties back into use has fewer environmental impacts than building new homes as such properties will also be located near to existing facilities and infrastructure. The Government believes that Empty Dwelling Management Orders – a new power contained in the Housing Act 2004 – will provide focus for a concerted effort to bring more long-term empty homes back into use

(HM Treasury/ODPM, 2005: para. 2.21, *emphasis added*)

- 2.4 What evidence have the proponents produced to demonstrate that they have endeavoured to make best use of the existing stock, i.e. what efforts have been made to bring empty properties back into use? Mr McGuire's evidence suggests quite the opposite, that the main social landlord in the area had a policy of keeping properties empty. Commenting on the table *Voids in Order Lands and adjacent areas* in Appendix B of his evidence, Mr McGuire notes that:

The increase in voids in 2001-02 is in part due to the deliberate strategy of not re-letting houses when they became void

(EP(CPO2)/TMc/2

- 2.5 In my view, this admission raises fundamental questions about some of the proponents' central arguments. In particular it opens a debate on the extent to which the reported level of empty properties in the Order Lands is the result of housing market failure (as the CURS research and Mr Nevin's evidence purport) or the direct result of a deliberate policy of keeping properties empty. I return to this argument later.
- 2.6 At regional level, this commitment to first making best use of the existing stock is reiterated in the Regional Spatial Strategy. This sets out the four Core Development Principles that should inform spatial and development planning across the North-West region in order to achieve sustainable development. The first of these, DPI, requires economy in the use of land and buildings and establishes a sequential approach to sustainable land use. Principal in this sequence is the effective use of existing buildings and

infrastructure within urban areas. In practice, this means that the proponents should first consider how they might make use of existing homes and/or bring empty properties back into use, that is, the initial presumption should be in favour of renovation rather than demolition. In my view, the proponents' approach contravenes the principles set out in the Government's response to Barker and RSS DPI.

### **Failure to learn from past mistakes**

“It sometimes seems that the lessons of history are never learned. One of the most regrettable aspects of the large-scale redevelopment of the 1960s was that the kinship networks, the surveillance and support systems, were swept away when the terraced streets were bulldozed. Protest at the destruction of communities was instrumental in bringing an end to clearance. Yet in the rush to clear away today's problem housing, the same thing is happening again.”

(Towers, 2000: 118)

- 2.7 In the post-war decades, large-scale clearance and relocation to newly constructed social housing was seen as a rational response to overcrowded and unsanitary housing conditions in inner urban areas. Over time, however, as the very worst of the pre-1919 housing was removed, it became increasingly difficult to justify the continued clearance of the remaining, better quality, housing stock. At the same time, a growing body of research was highlighting how the demolition and relocation process was breaking up established communities (Young and Wilmott, 1957; Rowe, 2003). Faced with increased community opposition, the emphasis of government policy shifted from demolition to improvement. The Heath Government's new thinking is clearly articulated in the 1973 White Paper, *Towards Better Homes*:

The Government believes that in the majority of cases it is no longer preferable to attempt to solve the problems arising from bad housing by schemes of widespread, comprehensive development. Such an approach often involves massive and unacceptable disruption of communities... Regardless of the financial compensation they receive, many people suffer distress when their homes are compulsorily acquired. Increasing local opposition to redevelopment proposals is largely attributable to people's understandable preference for the familiar and, in many ways, more convenient environment in which they have lived for years. Large-scale redevelopment frequently diminishes rather than widens the choice available to people in terms of the style of houses, their form of tenure, and their price.

(HMSO, 1973: para. 15)

- 2.8 But the proponents don't seem to have learnt from past experience. Rather, the present scheme takes us back to the bad old days: road-widening schemes and housing demolition are very 1960s. There have been so many advancements in other fields of human endeavour in the last three decades,

but not so it seems in planning and urban regeneration. It's as if nothing has changed. We're still doing what we did back then, albeit repackaged and dressed up in the rhetoric of mixed, sustainable communities and 'comprehensive, area-wide regeneration'. Under the guise of this 'sustainable communities' agenda, it would seem that vulnerable, relatively powerless, low-income communities are once again the victims of social injustice and a lack of vision. Have we really learnt nothing in those thirty-odd years?

- 2.9 Similar points are made by the Housing, Planning, Local Government and the Regions Select Committee in its 2005 Report, *Empty Homes and Low-demand Pathfinders*:

Concerns have been expressed about the scale of demolitions envisaged and the impact on vulnerable communities. The Pathfinders need to consult better with local communities and consider different options for improvements, including more refurbishment of the existing housing so that the heritage of the areas is preserved and forms the basis for their regeneration.

(ODPM: Housing, Planning, Local Government and the Regions Committee, 2005: 3)

### **The proponents' lack of imagination**

- 2.10 This failure to learn from past mistakes might also betray a lack of imagination, an inability to develop alternative planning solutions appropriate to the changed environmental, social and economic context in which we now find ourselves. For the new Millennium, the RTPI adopted a new vision statement that is concerned with the making of place and the mediation of space (RTPI, 2001). But how do planning authorities go about achieving these lofty ambitions? As ever, the Devil is to be found in the detail or, to be more precise, in the approach to implementation. For all the talk of smart planning and place-making, for all the apparent consultation that's been conducted, for all the 'blueprints' and consultants' masterplans, we're still coming back to the oldest trick in the book, the cruellest, most brutal form of intervention.
- 2.11 Where is the imagination? Planning is as much an art as a science. In this year particularly, the year where Liverpool is showing itself off as a City of Culture, planning/urban design had a chance to shine, to present itself as a cultural endeavour, up there with more conventional art forms. Liverpool is a working-class city and terraced housing is part of that culture. A more imaginative, place-sensitive – more *civilised*, more *cultured* - approach to planning would have celebrated that culture, improving and building on what's already there rather than knocking it down. Visitors to Liverpool should have gone back home abuzz, remarking, "Wow! Look at what they've done with their terraces." But this now seems highly unlikely. Rather, the proponents have resorted to the bluntest instrument in the planner's toolkit. In the 21<sup>st</sup> century, in the 2008 City of Culture, demolition is a decidedly artless, anachronistic – one might say, *medieval* - approach to regeneration.

## **Consultation or ‘regeneration by attrition’?**

- 2.12 It is now nearly 40 years since the publication of the Skeffington Report on public involvement in planning but the evidence presented so far and the comments that have been made under cross-examination, suggest that there are still significant problems with the proponents’ consultation. Some meetings appear to have been poorly attended and it seems the purpose of some consultation events was not made clear. In particular, there are claims that consultations frequently employed the term, ‘regeneration’ in preference to ‘demolition’. I have also found this to be the case in my own research. Like motherhood and apple pie, everyone’s for regeneration but then people later find that they’ve actually voted for their own house to come down. In particular, the catch-all phrase ‘selective demolition’ seems to have a lot of appeal for authorities struggling to get support for more extensive clearance. A regeneration option that residents might interpret as meaning the demolition of a few prominent long-term empty, structurally unsound, ‘eyesore’ properties, later becomes a mandate for clearing entire streets.
- 2.13 In my view, evidence of local support for demolition should be approached with considerable caution. For example, the mere provision of information to residents in the form of leaflets or via exhibitions is qualitatively different from giving residents genuine opportunities to deliberate options and be involved in decision making from the outset. One is passive, one is much more active and hands-on. Both could be described as ‘consultation’. In the absence of formal, universally accepted standards for consultation, the Chartered Institute of Housing and the Tenants Participation Advisory Service have developed recommended standards for community engagement in the Housing Market Renewal programme (CIH/TPAS, 2007). Has the proponents’ consultation in the Edge Lane area been independently assessed against these CIH/TPAS standards?
- 2.14 In situations where local authorities and their public and private partners have a clear idea of what will deliver their aims, I hesitate to describe much of what goes on as consultation. My view is that it might better be described as ‘regeneration by attrition’, a strategy that employs a range of short-term, medium and long-term tactics to gradually wear away any public opposition to an authority’s preferred proposals. Such tactics, might include, for example, deliberate blighting, leaving properties empty and the temporal (phasing) and/or spatial partitioning of the scheme. By the time it gets to a public inquiry, local people may be too worn out, afraid, stressed or ill to object. I explore the point about phasing in the next section below.

## **Comprehensive regeneration: piece by piece**

- 2.15 The proponents repeatedly stress the need for comprehensive regeneration and reject lesser, ‘piecemeal’ approaches out of hand. But in terms of delivering comprehensive schemes they actually adopt the piecemeal



approach they so despise. Thus the current CPO is said to complement other schemes in adjacent or nearby areas. Or perhaps it is not merely complementary. The proponents argue that the success of the other schemes/phases, schemes that are already underway with monies committed, is dependent on the current Order being confirmed. The whole becomes dependent on each part. This argument can be seen in paras. 22 and 41(L) of the proponents' opening statement, for example. To my mind, this puts the inspector in a very difficult position. If comprehensive schemes are broken down into phases or constituent parts in such a way that each becomes dependent on all the phases - the whole thing - being realised, then how can the inspector do anything but confirm? Once public money has been sunk into one phase, it would seem that an irresistible momentum builds up for the other phases to be approved. But surely the present CPO should be judged on a stand-alone basis as per para 18 of Circular 06/04 (ODPM, 2004), which states that "...each case has to be considered on its own merits"?

### **Public Inquiries and 'Inequality of Arms'**

- 2.16 In theory, public inquiries are the crowning glory of the planning system and it was with high expectations that I came along to the New Heartlands public inquiry held here in July 2006. Having never been to a public inquiry before I arrived eager with anticipation, anxious to see how the Inquiry would uphold principles of fairness and equality in a just setting. I expected both parties would be arguing their case on an equal footing. I expected, at least, a level playing field. How wrong could I be? On a daily basis, I observed ordinary people cast adrift in the unfamiliar, quasi-legal and adversarial environment of the inquiry. Unversed in the esoteric processes of inquiry - the arts and skills of evidence, cross-examination and rebuttal - the objectors struggled to make their heartfelt arguments heard. Across the room, they confronted a pre-eminent, highly experienced QC and his assistant, backed by a legal and clerical support team and a formidable array of well-briefed, specialist witnesses, all paid handsomely for their involvement. With considerable experience of inquiries, the proponents were much more attuned to the niceties of the inquiry process, and knew which arguments and forms of protestation might best capture the inspector's attention and which would not. They knew exactly when to challenge, when to emphasise, when to re-iterate and when to stop. In short, they 'knew the ropes'. Occasionally, it didn't work, but such instances were rare. Generally, they had a much better idea as to how to give the inspector what he might want to see and hear. The objectors did their best but it lacked the edge of their opponents. In the absence of professional legal representation, I fear the objectors at this inquiry face a similar uphill struggle.
- 2.17 I also saw the principal objectors at the New Heartlands inquiry overwhelmed by a mountain of core and supplementary documents as they struggled to balance their domestic and work commitments with the intensive demands of an inquiry. Those members of the public who were in attendance found it difficult to follow the line of argument as the protagonists referred to paragraphs in documents referred to by number only. Nor were

minutes of the proceedings produced for those residents unable to attend. Given the awful acoustics of the room, one woman, hard of hearing, enquired about the possibility of audio-recording the proceedings, both for her own benefit and for elderly, less mobile, residents who found it difficult to attend. She was point-blank refused. Moreover, when people did attend and attempted to ask critical questions, their questions were frequently dismissed with the retort, “well, if you’d been here when so-and-so gave his/her evidence you’d have heard that and/or understood that”. I paraphrase, but it conveys the substance of the response they received from the inquiry. Having summoned up the courage to give evidence, that sharp, condescending response was, for some, their only experience of a public inquiry, the zenith of the planning system. A truly superlative experience?

- 2.18 Not everyone has the luxury of attending the proceedings in their entirety and, being honest, not everyone would want to. For the officers present – on some days there were around 15-20 of them in attendance - it might have provided a nice change from the daily routine, with time out of the office and the bonus spectacle of being paid to watch the little people fighting for their lives. The objectors, in contrast, were unpaid, inexperienced and overwhelmed, but nonetheless ‘doughty fighters’. With so much at stake, some of them were understandably nervous and afraid, intimidated by the formality of the proceedings. From where I was sitting, I was shocked to glance across the room and see officers and developers apparently smirking as local residents struggled to deliver heartfelt and emotional testimony in a vain effort to save their homes, worried people who had to take time off from caring for family members or had had to use up holiday entitlements to take time off from work. This flippant, disrespectful attitude speaks volumes.
- 2.19 Overall, I was deeply saddened and dismayed by the imbalanced nature of the inquiry. Indeed, such was the one-sidedness of it all, I felt moved to make a submission to the New Heartlands inquiry as a non-statutory objector. For my efforts, I was publicly denounced by the QC and contemptuously described as a mere ‘student’ and a ‘busybody’. This is what you get for trying to speak out against injustice.
- 2.20 I have since attended another CPO inquiry in Oldham where the objectors were represented by Mr Robert McCracken QC. Compared with the previous inquiry, formal legal representation made a massive difference to the nature of the proceedings. As a result of Mr McCracken’s robust cross-examination, there was much greater critical scrutiny of the proponents’ case and several issues were brought to the attention of the inquiry that would otherwise have remained undisclosed. Such is the momentum of the Pathfinder programme, however, the Orders were still confirmed.
- 2.21 In a situation where people are under threat of losing their homes, the absence of legal representation is a matter of grave concern and claims to inequality of arms should receive careful consideration. In my view, the absence of representation in such circumstances does great damage, not only to the objectors’ ability to present their case, but also to the overall critical

quality of the proceedings and to the reputation of the planning inquiry as a beacon of procedural justice.

### **The public interest**

- 2.22 The notion of the public interest lies at the heart of the planning system. The present inquiry has been convened to determine whether there is a compelling case in the public interest to confirm the CPO. Given this singular purpose, the phrase is curiously absent from the main body of the proponents' outline opening statement.
- 2.23 Silences can often say as much as what is spoken and I find this omission from the main text of this key document slightly worrying and a matter worthy of further attention. To be sure, the term does appear later on, in the Appendix to the statement, where it is referenced in relation to the justification for human rights interference. Whilst it might be unrealistic to argue that the proponents have little concern for the public interest, do they assume that it is everywhere self-evident in what they say, propose or do? Perhaps they feel they've already won the case and the inquiry has the quality of a simple, straightforward going through the motions. In my view, buoyed by the previous confirmation of the Orders, it seems that the proponents are of the opinion that so little has changed in the intervening two years that they find it unnecessary to produce much in the way of additional evidence: "The case for CPO2 is, in all its essentials, the same as the case for CPO1" (Outline Opening Submission, page 27). From their perspective, what made their case compelling then is seen to still hold today. I will explore this particular contention and other assumptions later in this submission.
- 2.24 Paragraph 19 of Circular 06/2004 states that:
- ...Parliament has always taken the view that land should only be taken compulsorily where there is clear evidence that the public benefit will outweigh the private loss. The Human Rights Act reinforces that basic requirement.
- (ODPM, 2004)
- 2.25 Across the broad sweep of their evidence, the proponents waver in identifying exactly whose public interest will be served by the scheme: some evidence stresses the benefits to locals; other evidence mentions visitors; there are also appeals to the nation's economic well-being. To my mind, this indeterminacy does not provide clear evidence of the public benefit arising from the scheme. With the exception of large, national-scale infrastructure projects, there is generally a presumption that the public envisaged by the public interest are the citizens resident within the relevant local authority boundary. Whilst many of the proponents' core documents stress the broad benefits of the scheme for local people, they fail to specify, for

example, how displaced residents will be advantaged. Moreover, in relation to the highways element of the scheme, it should be noted that Liverpool is a city with comparatively low levels of car ownership:

	Kensington ward	Liverpool	North-west	England
% of households with no car or van	62.98	48.28	30.21	26.84

Source: 2001 Census

Given that around 63% of households in Kensington (and nearly 50% of all households in Liverpool) do not have a car, how will these residents benefit from the proponents' proposals?

- 2.26 In particular, it appears that the benefits to local people are not the prime concern of English Partnerships. Mr Lewis Ward's verbal evidence made much of the perceptions of visitors and investors - people from outside the city. Is the scheme being promoted in their interest? Adding further confusion, the Appendix to the opening statement refers to the nation's economic well-being and interference with the affected parties' human rights is justified by reference to this point. But the proponents provide no specific evidence to support their claims that the scheme serves these national ends, other than their broad, oft-repeated assertion of the sustainable communities mantra. My question, therefore, is what specific evidence is presented to support the claim that the scheme advances national economic well-being, justifying interference with residents' human rights?
- 2.27 Returning to the omission of the 'public interest' from the proponents opening statement. Does this omission perhaps betray the proponents' reluctance to engage with the moral aspects of their proposals? People stand to lose their cherished homes: they want to stay where they are - in their current homes - and it is important to remember that this inquiry takes place because of that, because incumbent residents objected to being involuntarily removed from their homes via a CPO. The argument is not, or at least should not be, about U-values or the definition of a flat roof. It is rather about people seeking to maintain the right to live where they want and, if they are home-owners, to sell their property to who they want at a time and price of their choosing. In my view, given the enormity of what residents stand to lose – the possibility that they will be forcibly compelled to leave their homes - the proponents should be required to put forward a strong moral argument for their proposals. A compelling case should also be *morally* compelling, insofar as it appeals to the ordinary person's commonsense notion of justice. Surely the public interest has a moral dimension? Does the public really benefit from seeing their fellow citizens – people like them - turned from their homes? It is certainly not in my interest to see this happen.

- 2.28 We are moral beings: what distinguishes us, what makes us human is our capacity for moral reflection – the ability to differentiate between right and wrong. By focusing on the proponents’ dry, technical arguments we lose sight of what’s at stake for the people affected by these Orders. We fail to see the people behind the numbers. At various points, the proponents’ evidence reports on the disproportionate number of sick, out-of work or elderly people who live in the Order Lands. These are vulnerable people but they also have a quiet strength, a resilience that comes from a hard-earned life. They are people who have stayed put through difficult times. Some have lost their good health, some have lost their jobs as the global economy has breezed out, some are dependent on the support of others close-by. And just how does the state seek to help them, how does it reward them for battling through? It now takes their homes from them and scatters them to the wind.
- 2.29 If we fail to engage with the moral dimensions of this scheme, we lose something of our humanity, because it implies that judgements about the public interest can be made via a cold, rational calculus. All the technical arguments in the world pale when one considers the enormity of losing your home against your will. The public interest remains fundamentally a moral (and therefore human) question. It demands moral reflection. Sadly, I see little in the way of a strong moral argument for what is being proposed.
- 2.30 In my view, the omission of the term ‘public interest’ from the main body of the proponents’ opening statement suggests a lack of concern, even disdain for the public interest criterion. Overall, the proponents’ evidence offers a confused and incoherent justification for the scheme being in the public interest. It is all at once and separately a road scheme, a housing regeneration scheme, a local, area-wide regeneration scheme that somehow advances the country’s economic well-being. As a British citizen, living in another city, I’m not entirely sure how I’ll benefit from it. The proponents’ evidence appears to fall far short of the public interest test required by Circular 06/2004. Rather, it would seem that the objectors’ human rights are potentially being violated and large amounts of public money are being committed with the proponents having only a hazy idea of who will benefit. If they are uncertain as to the public interest benefits of the scheme, how is their case compelling?

### **3. Over-stating the problem of low demand?**

- 3.1 I do not intend to spend much time on this particular issue as it has already been extensively covered in Mr Finlay’s evidence. I do, however, bring to the attention of the inquiry a recent academic article which, in my view, bolsters Mr Finlay’s argument that the CURS methodology overstated the vacancy problem.
- 3.2 The article I refer to appeared in the peer-reviewed journal, *Housing Studies* in 2006. The interviews for the research described by the article were

conducted in the North-east of England. The relevant extract is presented below:

“This is not to say that there is no real problem of low demand in the North-East...[...]... However, the key narrative of respondents in North-East England was one which down-played the issue of low demand as such. This was reflected, for example, in comments made by a number of respondents about the CURS report on the North-East housing market (Leather et al., 2002). While there was recognition of the importance of this report in highlighting the widespread nature of housing market failure in the North East, the view was expressed by a local authority officer in the Tees Valley area, for example, that: “no one agrees with the figures in that [CURS] report any more”. Doubts were raised about the continued validity of its data on low demand and the interpretation of the problem it presented. In South Northumberland, too, it was suggested by an officer of a regeneration and economic development partnership that the CURS study overstated market failure; that the issue was less of market failure in the sense of low demand and vacancy, but rather of the need for renewal to meet rising aspirations and increase the availability of high-quality housing stock. This was the common theme of respondents: that it is the need to update the housing stock that is the central justification for action, rather than housing vacancy and lack of demand.”

(Cameron, 2006: 5)

#### **4. Changes since the first inquiry**

- 4.1 In my view, the proponents of this inquiry are acting as if they've already won – as if they don't need to prove their case since it was already proven at the first inquiry. They accept that the burden of justification for the Orders is theirs but make the point that “it must be incumbent on the objectors to show why the conclusions on the merits in 2005/2006 are not sound today” (Outline Opening Submission, p27). They invite the objectors to demonstrate what has changed in the last two years. In my view, they are resting on some illusory laurels. They overlook the fact that there have, in fact, been significant changes at the local, national and global scale since the last inquiry. These developments impact, directly or indirectly, on their case but they seem too self-assured to bother addressing them.
- 4.2 It is up to the proponents to demonstrate that they have a compelling case *now*. Their evidence might have satisfied the Inspector two years ago but how much additional evidence have they provided to demonstrate that their case remains compelling in light of, for example, recent events in global financial markets – the so-called credit squeeze? Domestically, over the same period, concerns about affordability have pushed the low demand issue out of sight. The housing market is currently experiencing a downturn and there is some evidence that many new build properties in the city centre are either unsold or empty (Innes, 2007). At the same time, there has also been

continued growth in immigration to the UK's major cities as a result of the incorporation of the A8 countries into the EU. This, in turn, has generated additional demand for low-cost housing. These are very turbulent, uncertain and unpredictable times. Ordinary people are 'battening down the hatches' and 'tightening their belts'. This is a time for caution, a time to take stock and, in the particular circumstance of the Order Lands, a time to retain stock.

- 4.3 Despite this broad range of new developments and increased uncertainty, the proponents have provided little new evidence to address such matters. To summarise, increased volatility in global markets, coupled with an uncertain domestic housing market, worsening affordability and local evidence of new-build properties either unsold or empty, casts considerable doubt over the assumptions that formed the basis of their previous case. I now look at these recent developments in more detail.

### **The demise of low demand**

- 4.4 In determining whether the houses in the Order Lands should be demolished and replaced with fewer houses, this Inquiry should consider just how the nature of the housing problem has changed since the previous Edge Lane inquiry. Today, in 2008, it is not so much that there are too many houses but rather the opposite – there are too few. The low demand argument is becoming outdated and obsolete. The point was well made recently by the (now former) Minister of State for Housing.

...And conference, I'm fed up of hearing people describe the North as a low demand area where no one wants to live. The North is growing. We've got new jobs, more people, *and we need more homes too* (emphasis added)

(Cooper, 2007a)

- 4.5 The Minister re-iterates this in a subsequent Commons debate:

Many Opposition Members think that the north is a low-demand region, but that is a mistake. Many parts of the north face serious pressures when it comes to affordable housing. We need to build more homes in those areas, as well as in the south.

(Cooper, 2007b)

- 4.6 This change in focus is also confirmed by one of the proponents' key witnesses, Mr Brendan Nevin, in comments reported in an article entitled '*Study predicts move away from demolition and renovation*' which appeared in *Inside Housing* last year. The article begins as follows:

The housing market renewal pathfinders that oversee large-scale housing demolition programmes will be transformed into drivers of

new house building, a new report has indicated. The study, from consultants Ecotec, which scrutinises the pathfinder programme for the government, has predicted a major shift in focus for the two pathfinders in greater Manchester. Their emphasis would jump from demolition and renovation to increasing the supply of homes, it states.

The article continues:

Brendan Nevin, a consultant with NLA associates who worked on the report, said the change would be a logical next step for the pathfinders. A combination of buy-to-let investment and an influx of migrants had led to house prices shooting up in the region, Mr Nevin added.

The growing affordability crisis in the north was unlikely to be tackled by private house builders alone, he added. This left pathfinders with a key role in forging alliances between private and public sector bodies. 'There have to be new public private sector partnerships to fill the gap and that could be the pathfinders for the second half of their lives,' he said.

'There comes a point in every one of the pathfinders' lives when they move from having dealt with the issue of low demand housing to being more of a regeneration project. 'What we have got to now is the turning point, which has come very quickly for some of them.'

(Hilditch, 2007)

- 4.7 The Minister's comments, and those of Mr Nevin, suggest that the North-West region has reached a turning-point and it would therefore be wise to reflect before pressing ahead with further demolition. The house-building industry may be unable to achieve the quantity of outputs required to meet the rates of emerging need and demand for additional housing; maximum retention of the existing stock is therefore vital.

### **Affordability issues**

- 4.8 Given the current ratio of house prices to average earnings and the growing waiting lists for social housing, it is becoming clear that many people are currently experiencing severe difficulties in gaining access to affordable private homes or social housing. In these circumstances, demolition of habitable housing becomes both morally indefensible and counter to the public interest. But 'affordability' concerns are strangely absent from most of the proponents' evidence.
- 4.9 This is surprising, given that the Government has published several key documents that emphasise the need for more affordable housing across the country. The Government's *Five Year Plan: Sustainable Communities for All*



mentions affordability over 40 times. In reference to the findings of the Barker Review, the *Five Year Plan* is unequivocal:

“In taking this work forward, the priority is to increase housing supply and improve affordability.”

(ODPM, 2005: 23)

- 4.10 Similarly, in PPS3 (DCLG, 2006), ‘affordability’ is mentioned eight times; the word ‘demolition’ does not appear at all. Paragraph 33 is particularly relevant:

In determining the local, sub-regional and regional level of housing provision, Local Planning Authorities and Regional Planning Bodies, working together, should take into account:

– Evidence of current and future levels of need and demand for housing and affordability levels based upon:

- Local and sub-regional evidence of need and demand, set out in Strategic Housing Market Assessments and other relevant market information such as long term house prices.
- Advice from the National Housing and Planning Advice Unit (NHPAU) on the impact of the proposals for affordability in the region.
- The Government’s latest published household projections and the needs of the regional economy, having regard to economic growth forecasts.

In promoting the current Orders, to what extent have the proponents taken advice and considered the impact on affordability, as per the above requirements?

- 4.11 The recent National Audit Office report expresses concern at the growing affordability problems in the Pathfinder areas:

Between 2002 and 2006 house prices in pathfinder areas almost trebled (paragraph 3.9), causing problems for local residents whose average incomes, according to pathfinders’ research, rose by only 25 per cent in the same period and who, therefore, have found themselves unable to afford alternative properties in their area.

(NAO, 2007: 28 [CD93])

- 4.12 To their credit, the proponents’ evidence does make some mention of affordability, but they don’t yet consider it to be a problem. Page 25 of CD29A, Liverpool City Council Housing Strategy Statement Update 2005-2008, highlights some research that was done in 2005. Though this research,

the Merseyside Social Housing Demand Study was principally a *social housing demand* study, it:

“...analysed the ratio of house prices to earnings within each Merseyside district and concluded that, relatively, affordability is not currently a problem.

....Regeneration activities will address stock popularity and condition and will also impact on affordability, for example through the Private Sector Housing Renewal Policy including the provision of ‘soft’ loans and flexible tenure options.

The Council monitors affordability in Liverpool on a regular basis through LAMP. It has not yet been necessary to introduce an Affordable Housing Planning Policy but the Council will monitor the effects of clearance and market restructuring programmes and if necessary will introduce one.”

(CD29A: 25)

- 4.13 So affordability is not deemed to be a problem in Liverpool, at least not in 2005. In evidence, Cath Green notes that the City Council’s Housing Strategy Statement has four key objectives (EP(CPO2)/CG/1). None of them relate to affordability. Is this position still tenable? If affordability is monitored on a regular basis, shouldn’t the latest information be put before the present inquiry? In particular, the City Council’s website (Liverpool City Council, 2007) reports that Fordham Research was commissioned to carry out a Housing Needs Assessment in March/April 2007. What is the status of this work and could it be made available to the inquiry?
- 4.14 Mr Williams, of Bellway, indicated that his company used a figure of £22,800 to calculate an affordable price for their new-build houses in the area. This figure – the estimated 2006 mean income for residents in the Order Lands - can also be found in CD24e, *Kensington Neighbourhood Renewal Assessment & Order Lands – Profile Update – November 2007 (Final)*– table 2, (page 8) . Paragraph 2.5.1 of the same document puts the benefit claimant rate at 46.9% . Mr Nevin’s evidence also suggests that there is a disproportionate number of low income, low-skilled people living in the area, and above average levels of single-person and/or elderly households. The figure of £22,800 therefore appears to be quite high. In turn, Bellway’s assumption of a dual-income household, both earning the average amount of £22,800 may be somewhat unrealistic.
- 4.15 Elsewhere, outside the evidence to this Inquiry, the New Heartlands submission to the Callcutt Review concedes that there is an emergent affordability problem in the Liverpool Pathfinder area:

Whilst HMR Pathfinders were designated due to their failing markets characterised by very low house prices, affordability problems have

begun to emerge in NewHeartlands attributed in part to persistently low incomes and high levels of worklessness in the area.

(Davis, 2007)

- 4.16 To some extent this confirms my doubts about the validity of the proponents' affordability calculations: in an area of persistent low incomes and worklessness, the stated average income of £22,800 seems very optimistic. The admission that affordability is becoming a problem also raises two important questions:
- If affordability is a problem and the houses that the proponents seek to demolish are some of the diminishing number that remain affordable, why are they still proposing that they be demolished?
  - If the Orders are confirmed and in the absence of an Affordable Housing Planning Policy, what proportion of the new-build properties will be affordable to the current residents of the Order Lands (given an average income figure that may potentially be much lower than £22,600)?
- 4.17 The so-called 'credit crunch' and the attendant tightening-up of mortgage lending is also likely to have a particularly adverse effect on low income households' ability to raise mortgage finance. Have the proponents given any consideration to this possibility, both for households affected by the CPOs and potential incomers?
- 4.18 The report produced for the Joseph Rowntree Foundation (JRF), *Demolition, Relocation and Affordable Rehousing: Lessons from the Housing Market Renewal Pathfinders* examines, amongst other things, the financial impact of relocation on owner-occupiers. It finds that:

As the market has recovered, the gap between the market compensation and the cost of purchasing alternative properties has grown considerably. The average gap is estimated at between £20-30,000, but may be as much as £50-90,000 for new build developments. A lack of savings and poor access to traditional finance products also inhibits the ability of households to remain in owner-occupation in more expensive alternative properties.

(Cole and Flint, 2007: 20)

- 4.19 Can the proponents provide the inquiry with any evidence of what the average gap has been for former residents of the Order Lands who have moved elsewhere? To what extent does the proponents' financial support scheme bridge that gap? The JRF research also "identified the need for greater levels of support to be provided to households after they have been relocated" (ibid., 34). This does not mean financial support but rather the informal support networks that residents may have depended upon in their former neighbourhoods. Have the proponents conducted any follow-up research to determine how households are faring in their new homes? In

particular, has any research been done to determine whether households that have moved are suffering financial hardship as a result of their move?

### **Volatile market conditions**

- 4.20 Since the last inquiry, global financial markets and national and local housing markets have faltered and become much more volatile and unpredictable. This next section queries whether the proponents have provided enough additional evidence to maintain a compelling case in the light of these recent market uncertainties.
- 4.21 Housing markets are incredibly complex, affected by a multitude of national, regional and local factors. Simple supply and demand models are woefully inadequate for analytical and forecasting purposes (Housing, Planning, Local Government and the Regions Select Committee, 2006a). Nevertheless, much housing research, analysis and planning has proceeded on the basis of housing demand being dependent upon demographic trends and income levels. In particular, “an overriding assumption which underpins most modelling of the supply and demand for housing is that demand is dependent upon regional or local factors, and that increases in the demand for housing feeds directly into the increased occupancy of the existing and new supply of accommodation” (Sprigings, Nevin and Leather, 2006: 3).
- 4.22 This assumption, that there will be demand for the new-build property and that this demand equates with occupancy, is something that this inquiry has not addressed at any length. Given that it has not been discussed only briefly, we must conclude that the proponents have assumed that the new-build developments proposed for the Order Lands will (a) be in demand and (b) attain the desired high levels of occupancy (and population) that will support local services and the maintenance of a stable, sustainable community. But surely these assumptions are undermined by the growth of buy-to-let, the recent downturn in the housing market and the high profile ‘credit crunch’? Do the proponents remain confident that the new build properties will enjoy high, sustainable levels of occupancy when vacancy rates in the city centre market were running at 18% (EP(CPO2)/ BN/1: para 5.16) even before these recent crises? Note that one of the main hypotheses of the CURS Liverpool Inner Core Study (CURS, 2002[CD28]) is that neighbourhood decline begins to accelerate rapidly above a ‘tipping-point’ of 14.5%. Does this mean that, even without the several thousand units additional supply in the permitted planning pipeline, the city centre market is already presenting symptoms of unsustainable oversupply that will require a comprehensive programme of demolition? This, I would suggest, would be the logical outcome if one were to extend the arguments being applied in the Order Lands to the city centre market.
- 4.23 Looking at recent housing market trends, Sprigings, Nevin and Leather (2006) contend that the growth of large-scale investment behaviour in housing is changing the housing market in fundamental and unpredictable ways, unsettling former assumptions and undermining government policy:

Evidence gathered by the authors during work on Housing Market Renewal (HMR) strategy and evaluation and in other comparably weak housing markets in the Midlands and the North of England leads us to believe that there are new factors at work in the housing market. These may undermine HMR and other, broader, government policy objectives relating to Sustainable Communities, tackling poverty and regenerating urban areas (op. cit., 2006: 3)

4.24 Taking the example of 'city-living' (i.e. city centre apartments and converted warehouses), the article states: "The assumption within market theory is that the demand for this stock comes from households wishing to move into these dwellings. This will apply in some cases but does not hold universally" (p12). Indeed, the level of unoccupied units is remarkable: "interviews conducted by the authors with agents in locations such as Manchester, where thousands of flats have been supplied every year since 2000, suggest that in some cases these properties are 80% sold and 30% occupied" (p10).

4.25 The authors confirm that similar problems are also becoming apparent in Liverpool, where:

... the market for city centre apartments is now saturated with a considerable additional supply in the pipeline. There is a danger that the new supply may depress prices and rentals, potentially opening up the opportunity for prospective inner-city purchasers to enter the market (Tribal 2005). This would undermine attempts to repopulate neighbourhoods which are currently experiencing urban renewal and demolition. (p18)

4.26 The authors conclude that the trends they have identified are having a major impact on the operation and analysis of housing markets: "The increased profile of property as an investment good rather than a unit of consumption will, if trends continue, radically alter the way in which academics and practitioners monitor local housing markets and predict housing requirements" (p18). To what extent do these developments undermine the validity of the assumptions and conclusions contained in the earlier CURS research, in housing market assessments and/or the market research undertaken by Bellway? Have these uncertainties been built into some sort of risk model? The proponents must recognise that the speculative behaviour they identify now may carry-over into the new-build developments, with the possibility that a substantial proportion of the new build may be purchased for investment purposes and remain unoccupied.

4.27 Mr Nevin concludes his evidence to this inquiry as follows:

Additionally in the event of the CPO not being confirmed, there is no evidence to suggest that the market will operate at an optimal level of vacancies and turnover given the conditions prevailing in the Liverpool housing market and the performance of the property in the Order Lands since 1971

(EP(CPO2)/ BN/1)

But, given the uncertainty in predicting future housing market trajectories, as discussed above, nor is there reasonable evidence to suggest that the market will in fact operate at an optimal level of vacancies (whatever that might be) should the CPO be confirmed. New build development could simply generate additional empty properties which, as we know, do not provide the basis for a vibrant, sustainable community.

- 4.28 Of course, the other aspect of the recent housing boom and the trend towards seeing housing as an investment opportunity, is that housing is seen more and more as a commodity, as something to be bought and sold. This commodification erodes the sense of housing as 'home' and again, it makes it easier for onlookers to forget about what is really at stake. The residents I have interviewed for my research are unequivocal. For them, it's about 'home', about being in familiar surroundings among familiar people. It's definitely not about the money.
- 4.29 In summary then, several things have changed since the previous inquiry. As of now, the proposals are proceeding on increasingly dated, tenuous assumptions and appear to lack a comprehensive and updated understanding of the possible risks.

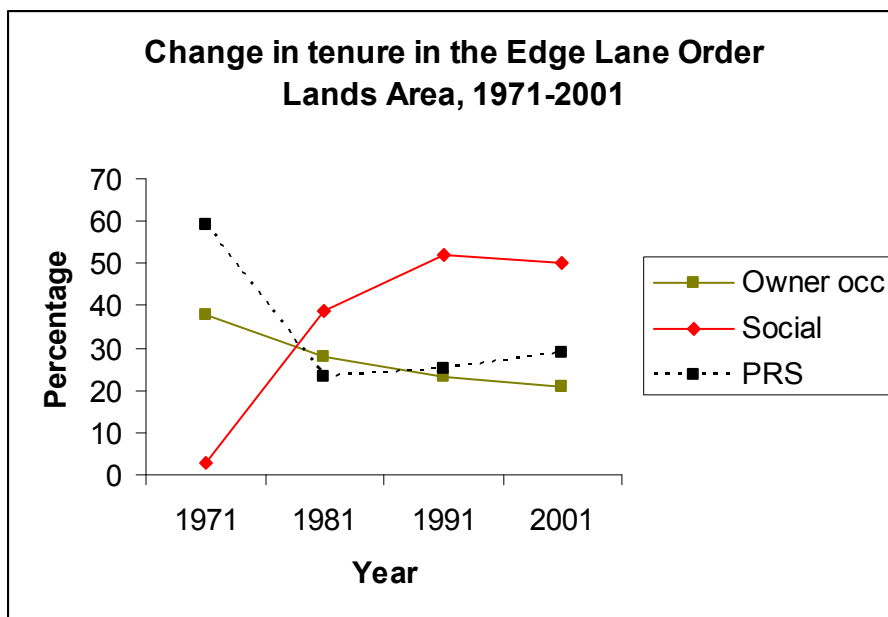
## **5. Empty houses in the Order Lands: housing market failure or policy?**

- 5.1 Reading Mr McGuire's evidence alongside that of Mr Nevin, it would appear that there is some disagreement as to the cause and nature of the problem in the Order Lands. For Mr Nevin, the problem is one of housing market failure, an excess of supply over demand. For Mr McGuire, the problem is not so much housing market failure as a problem of inappropriate tenure mix. In his view, the problems of the Order Lands stem from a predominance of social housing:

Areas made up of high proportions of social housing are generally less sustainable, having excessive concentrations of residents who do not or cannot work or earn, being unemployed or elderly retired. Neighbourhoods characterised by a predominance of social housing will likely have a depressed or vulnerable economy. This is because as a consequence of out tenant selection policies, the majority of social housing tenants will typically be in receipt of housing benefit or other income support and where in employment, this would tend to be lower income levels

(EP(CPO2)/TMc/1: para 1.3.6)

- 5.2 The chart below shows the tenure changes in the Order Lands between 1971 and 2001 and is based on the figures presented by Mr Nevin (page 18 of his submission).



- 5.3 The chart shows a dramatic rise in social housing and the decline in owner-occupancy and private renting over the period. Intuitively, on seeing this chart, one might be more inclined to ascribe conditions in Edge Lane to the social housing sector. Whilst the decrease in home ownership levels is duly noted in Mr Nevin's proof, the rise in social housing fails to attract comment. Given that social housing accounts for 50% of households in the Order Lands by 2001 it becomes difficult to ignore this sector's contribution to the character of the area. At best, the argument for housing market failure can only be applied to 50% of the properties in the Order Lands. This begs the question do the vacancy figures quoted in Mr Nevin's proof refer exclusively to empty private dwellings or do they also include void social landlord properties? This is crucial because if it includes the latter, then Mr McGuire's evidence, which suggests that empty properties were deliberately not re-let, assumes greater significance as Mr Nevin's evidence for market failure might then, to some extent, be attributable to the results of this deliberate policy. The question then becomes, what proportion of vacancies are attributable to the market or the social housing sector respectively?
- 5.4 The level of empty properties is cited as a key justification for intervention in the area. But if the overall vacancy figure is a product of both market failure *and/or* deliberate action by the social landlord then the proponents' arguments begin to lose some of their consistency. What, exactly, is the relationship between social housing voids and empty private dwellings? Is there any statistical or spatial correlation that might imply some causality? Moreover, did Riverside undertake research to anticipate the impact of their policy on the number of private empty dwellings?
- 5.5 Empty properties blight an area and put pressure on the remaining households to leave. Any publicly held voids, deliberately held empty, would therefore have had a deleterious effect on the neighbourhood. The inquiry

should therefore ask, are the problems of the area – specifically the high rate of empty properties - the result of pure market failure or a combination of some market failure, a predomination of social housing or a deliberate policy of not re-letting vacant properties?

- 5.6 This argument might seem academic, but if this deliberate policy of non-letting is still in operation, and if it impacts on private housing, then an important consequence of this inquiry would be to establish whether it is contributing to market failure elsewhere in the city. More immediately, how the inquiry interprets the problem could lead to an (in)appropriate solution being applied. Mr Nevin sees a housing problem, Mr McGuire sees essentially a people problem, a problem that results from tenant selection policy in the RSL sector. Where Mr Nevin’s construction of the problem may require some physical intervention, Mr McGuire’s interpretation of the problem could potentially be addressed by other means. High levels of social housing don’t necessarily translate into problems, as Mr McGuire’s evidence (para 6.1) would seem to suggest:

Housing management has a vital part to play in establishing and maintaining vibrant, successful communities

- 5.7 The proponents provide no evidence to counter the proposition that a sustainable community could be created through lettings policy, better neighbourhood management or a more balanced tenure mix that might be achieved through the release of empty properties to the market, the establishment of a Community Land Trust or the use of new powers with respect to empty dwellings and the regulation of the private rented sector. These powers were only just being introduced at the time of the last inquiry but are now available to be used.

## **6. Conclusions**

- 6.1 In my view, the proponents’ evidence to this Inquiry reveals a remarkable lack of empathy, insight and imagination with respect to its citizens and the task of regeneration. Liverpool’s existing communities are at its beating heart. The people affected by these CPOs have a resilience, humility and simple dignity that the proponents could learn much from. It is their strengths, talents, hopes and fears that make Liverpool a city of culture. To force these same residents from their homes to make way for unknown, high-income outsiders (and investors) amounts to little more than state-sponsored gentrification. It is my opinion that far from being a compelling case, it is rather an affront to the public interest. English Heritage remind us that “Nineteenth century terraced houses are a distinctive national building type and are often associated with factories, mills, shops, pubs, schools and other public buildings. The majority do not receive any form of statutory protection, but by their very existence they give places a distinctive identity and character” (2005: 2 [CD 43]). In proposing mass demolition, the



proponents are diminishing this character and taking the heart out of Liverpool. If Victorian housing is a problem, then the proponents are responding with a medieval solution.

- 6.2 In order to 'fight fire with fire' I have had to engage with some of the technical arguments advanced by the proponents but I remain firmly of the opinion that ordinary people should be the central concern of this inquiry. From my PhD research it is evident that people suffer considerable adverse personal, social, and financial consequences when they are forced to leave their homes. In my view, the proponents fail to understand and, indeed, have not properly assessed, the significance of incumbent residents' homes and communities for the maintenance of their collective social, economic and environmental well-being and their individual physical, emotional and psychological well-being. In my view, this oversight was made particularly apparent in evidence to the New Heartlands inquiry. In describing the nature of the objections to the CPO in the Appendices to her Proof of Evidence for that inquiry (Appendix I, Personal Objections I.1), Cath Green states:

Several of the objections are **simply** that residents do not want to leave their homes and their communities or feel that their businesses will be left out of pocket by the CPO process

- 6.3 For all the consultation that Liverpool City Council maintained they had undertaken in relation to that inquiry, the use of the word 'simply', in my opinion, reveals the Council's startling inability to appreciate the gravity of their proposals for the residents and business-owners that would be affected by the CPOs. Regardless of compensation, losing one's home, community and/or business is anything but a simple matter. Homes and communities are much more than bricks and mortar; they are the hard-earned product of material, social and emotional investment in the place where one lives. There is more to these homes and communities than meets the eye:

Yet even when the town planners have set themselves to create communities anew as well as houses, they have still put their faith in buildings, sometimes speaking as though all that was necessary for neighbourliness was a neighbourhood unit, for community spirit a community centre. If this were so, then there would be no harm in shifting people around the country, for what is lost could soon be regained by skilful architecture and design. But there is surely more to a community than that. (Young and Wilmott, 1957)

- 6.4 I am glad that the immense human impacts of the proponents' scheme were presented to the inquiry by Ms Pascoe in her evidence. In my view, these are the hidden victims of regeneration, of the so-called public interest. Through this inquiry, the planning system has an opportunity to put people before profit and to demonstrate that it has a heart and a moral conscience.
- 6.5 Demolition should only be used as a last resort, after all other options have been considered and rejected in open discussion with the public. In light of recent developments in the financial and housing markets, the proponents

should pause for thought. Times have changed since the evidence was put together for the last inquiry. What was compelling then may no longer hold true.

- 6.6 Being a citizens of this country entails a “right to remain”. But precisely *where* do we have a right to remain? Have the courts ever ruled on the *scale* at which this right applies. Does it relate only to national borders? Or can it be applied at a more local scale, indeed, at the scale of an individual property. Surely this right attaches to the person and their current abode. It would *appear* that CPO powers trump this right, subject to satisfying interference with human rights in accordance with the provisions of ECHR. But, in fact, has this ever been tested in the courts? Do CPO powers and ECHR provisions override this right to remain?
- 6.7 Compulsory purchase and clearance is not something to be used lightly and the proponents should seek to better understand the nature and character of conditions in the Order Lands and beyond and explore other possibilities before pressing ahead with their demolition plans.
- 6.8 My final question is this. If we accept, momentarily, that housing market failure does exist, then how will intervention to reach equilibrium benefit the public interest? Markets do not generally have the public interest as their primary objective. In my view, CURS make such a point in their submission of evidence to the Commons Select Committee on Affordable Housing and the Supply of Homes:

...is important to draw a distinction between a market that ‘clears’ (or is in Pareto-optimal equilibrium) and one that is optimal in terms of wider social policy outcomes. The two are not the same and, indeed, may frequently be in contradiction.

ODPM Housing, Planning, Local Government and the Regions Select Committee, (2006b: 37)

- 6.7 Therefore, it is important to be alert to the possibility that intervention which strives towards clearing the market may not necessarily work in favour of wider societal outcomes, outcomes that one might interpret as being in the public interest.

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