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Social value and the disposal of public land for community-led housing: applying a multi-level perspective to the case of Bristol

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ABSTRACT

Access to land has long been a barrier to the growth of the community-led housing (CLH) sector in England. Bristol has recently emerged as a leading proponent through a public land disposal policy that prioritises CLH by recognising wider social value. In the case of Bristol's policy, this paper recognises a transition towards social sustainability in regimes of public land disposal in this city. The findings indicate that bottom-linked governance between local authorities and CLH intermediaries is crucial in operationalising supportive frameworks for land disposal. The paper examines debates over the suitability of social value as a supporting framework.

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1. Introduction

England's community-led housing (CLH) sector has evolved as a collection of alternative housing models within an increasingly commodified housing system. The models most common in England include community land trusts (CLTs), cohousing, co-operative housing, and self-help housing. Although these differ in ownership structure and modes of living, most schemes include an 'asset lock' which allows homes to be rented or sold at affordable rates in perpetuity. CLH groups have proliferated in recent years as communities seek to exit the speculative housing market, democratise the process of housing development, and create housing that fosters social interaction and support (Lang *et al.*, 2020, Hill 2017). As of 2024, 499 CLH projects had been completed in England and 895 projects were in development (Community Led Homes 2024). The growth of the sector has prompted scholars to examine its ability to promote social sustainability within individual schemes and the wider housing system (Bronzini 2017; Hudson *et al.* 2021; Lang 2019; Wang *et al.* 2021).

As a niche sector operating within a system dominated by large speculative house-builders, CLH relies on alternative modes of land acquisition, funding, and development (Archer and Cole 2016; Field 2020). With limited ability to compete with developers for private land on the open market, CLH groups have often relied on

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local authorities to access land (Fernandez Arrigoitia and Scanlon 2017; Stevens 2017). While the release of public land has enabled the sector to expand over the last decade, these transfers have been individually negotiated rather than embedded in policy. The lack of reliable pathways to access public land remains a barrier to the further growth of the sector (Archer and Harrington 2021).

Systematic land allocation frameworks have been crucial in a number of contexts where community-led housing has proliferated. Vienna has seen significant growth in collaborative housing projects since 2009, enabled by the allocation of affordable land by the City of Vienna (Cucca and Friesenecker 2021). All three models of collaborative housing in Vienna – participatory, Baugruppen, and syndicate – benefit from political support that provides access to land below market value, though only the syndicate model includes an asset lock on resale to protect the land from future speculation. The syndicate model shares this aim to maintain the affordability of land in mutual ownership with the UK CLT movement (Gruber et al. 2018). Barcelona adopted a housing plan in 2016 that enables housing co-operatives to bid for public land (González de Molina 2022). The city's ESAL Agreement, an alliance between Barcelona City Council and networks of co-operatives, provides public land on a 99-year lease for co-operatives to develop regulated social housing. Projects are required to protect below-market rents, demonstrate their ability to deliver housing at speed, and foster community ties (Barcelona City Council 2022).

Bristol City Council was the first local authority in England to introduce a policy facilitating the systematic release of land for CLH development. The Bristol policy was developed and operationalised in collaboration with the local CLH sector and has enabled the transfer of a dozen small brownfield sites in two tranches of disposals. The council has also allocated significant quantities of land to its own development company, in line with a growing trend of English local authorities reusing their own land to build social housing (Morphet and Clifford 2021). Bristol City Council's proactive approach to disposing of development land to community housing groups is interesting both because it represents a significant departure from the norm of public land disposal and also because it was implemented during a period of public sector austerity that put pressure on local authorities to treat land as a source of operating revenue (Penny 2021).

This paper seeks to understand how Bristol City Council has applied 'social value' in its public land disposal approach, and how this approach has supported the development of CLH in-turn. This broad aim is addressed through qualitative empirical research in relation to three key questions: (i) how has the modality of governance in Bristol shifted to produce a new public local land disposal regime? (ii) what role has 'social value' played in justifying this new regime? (iii) what have the implications been for the development of new social housing?

The multi-level perspective (MLP) is applied to examine relationships between the contemporary regime of public land disposal, commodification in the housing system, and the emergence of CLH as a niche. Although the MLP was originally developed for understanding the organisation and transformation of socio-technical systems in relation to environmental sustainability, it has also been recently utilised to explore social sustainability transitions focussing specifically on CLH (c.f. Lang, Carriou, and Czischke 2020; Paidakaki and Lang 2021). The MLP (Geels 2011) conceptualises activities and

Increasing structuration
of activities in local practices

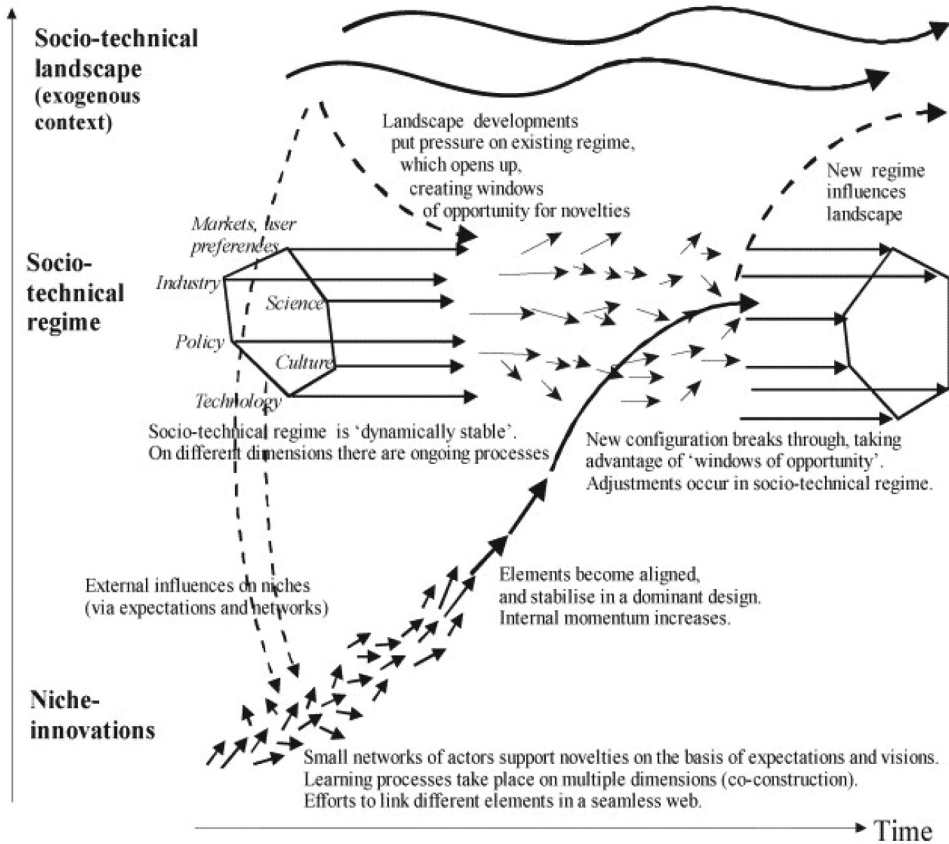


Figure 1. Multi-level perspective on transitions (adapted from Geels 2002, 1263), from (Geels and Schot 2007, 401).

practices at three levels of niche, regime, and landscape, operating as ‘nested systems’ where multilevel interactions create opportunities to transition regimes towards sustainability (Figure 1). Regimes can be destabilised by pressure from the niche, where social innovators challenge established practices, and the landscape, where broader political, social, and economic change occurs.

To address limitations in the MLP framework, particularly its underdeveloped conceptualisation of the landscape level, this paper incorporates Nilsson and Belfrage’s (2024) concept of strategic agency. This approach, adapted from the Strategic-Relational Approach (Jessop 2005), illuminates how structures in specific political economies promote certain types of action while discouraging others (‘strategic selectivity’) and how actors negotiate these constraints (‘strategic calculation’). By integrating strategic agency into our analysis, we demonstrate how the neoliberal project of enclosure has exerted pressure on the strategic agency of public landowners, reshaping the regime of public land disposal. We show how niche and regime-level actors have employed strategic calculation to challenge this regime, attempting to

manage landscape-level tensions arising from intensified commodification of land and housing. These actions, which we argue can be considered ‘bottom-linked governance’, have been strategically selective within the constraints of austerity imperatives and inconsistent state support for CLH as a niche.

2. Challenging the public land disposal regime

2.1. *The regime of public land disposal*

Cities such as Bristol have begun to challenge the contemporary regime of public land disposal which consist of the formal rules governing public land disposal, neoliberal imperatives to enclose public land, and emerging changes in how local authorities manage their landholdings. The current regime of public land disposal coalesced in the early 1980s as part of Margaret Thatcher’s broader project of neoliberal privatisation (Christophers 2018) by way of a legislative and political programme to compel local governments and other public bodies to transfer surplus land to private entities. In 1980, the government passed the Housing Act and Local Government Planning and Land Act, enabling council tenants to purchase their homes and requiring councils to maintain records of surplus landholdings that central government could force public bodies to sell (Christophers 2017). This legislation built upon the ‘best consideration’ requirement introduced in Local Government Act 1972, which required public landowners to sell land at market value. Governments buttressed these legislative imperatives over the last 40 years by exerting political pressure on public landowners to maximise disposal receipts. Since the early 1980s, an estimated £400 billion worth of public land has been privatised and the share of public land has dropped from 19% to 6% of all land in England and Wales (Christophers 2018).

Following the Global Financial Crisis, this policy trajectory has been re-energised by the imposition of prolonged financial austerity on local authorities that has incentivised the sale of council landholdings to fund public services and increase housing supply. Starting in 2011, the Coalition and Conservative governments have introduced programmes to release land owned by government departments, such as the Ministry of Defence and the Department for Transport, to meet housebuilding targets. Local authorities were not included in these programmes but were nevertheless encouraged to bring forward land for speculative housing development as ‘housing delivery enablers’ (Elphicke and House 2015).

At the same time, however, the Coalition government as part of its Localism agenda began to increase state support to individual households and groups wishing to develop their own homes through a number of different policy measures and the garnering of cross-party political interest through the creation of an All-Party Parliamentary Group on self and custom build – now expanded to include community housebuilding and placemaking (Benson and Hamiduddin 2017). The Coalition Government became interested in community asset transfer (CAT), and the use of a 2003 amendment to the rules governing public land disposal to allow the transfer of assets at less than market value – if the discount is less than £2 million – to promote social, economic, or environmental wellbeing (HC Deb 26 April 2007, c1317w; in Christophers 2017). CAT enabled councils to transfer land to CLH groups, although it has primarily been used to

transfer public facilities to the voluntary sector (Briggs 2019). This move to strengthen public land disposal was complimented by a series of measures now collectively known as the ‘Right to Build’ legislation which has required local authorities to compile evidence of demand for self-build and custom housebuilding in their locality through statutory registers of individuals and organisations wishing to build their own homes, and to grant sufficient development permissions to meet the demand (Gingell and Shahab 2021). However, many local authorities have moved to limit entry onto registers and the policy is therefore perceived as broadly ineffective by self-builders and CLH organisations (Sadler and Shahab 2021). Thus, although these mechanisms gave CLH organisations some means to access public land, they did not remove the imperatives on local authorities to continue to dispose of land at market value, both to fund public services under austerity and to increase housing supply (Dunning, Moore, and Watkins 2021).

Right to Build and CAT can be viewed as strategic planks of an emergent framework of support to prospective self-build and community-led housebuilders, under the banner of Localism, around which a suite of complimentary activities developed to assist individuals and groups in getting their projects underway. These included the creation of a network of regional Community-Led Housing Hubs funded from a range of sources including the National Lottery (Community Led Homes 2018), a Right to Build Taskforce supported by the Nationwide Foundation (Right to Build 2024), and the strengthening of relevant independent bodies including the National Custom and Self-Build Association (NaCSBA), and the national networks representing CLTs, Cohousing and cooperative housing (Community Led Homes 2018). As well as providing practical guidance, these bodies became important nodes of knowledge exchange, public awareness raising and lobbying activity, as discussed later in this paper.

A recent revival of council-led housebuilding on public land represents a more significant shift in the regime and indicates an emerging consensus on the reuse of public land to meet local housing needs. Certain local authorities have responded to housing market dysfunction at the landscape level by creating housing companies to redevelop their own landholdings (Morphet and Clifford 2021). These enterprises typically cross-subsidise social housing with market housing, however, including by replacing existing social housing with mixed-tenure development (Beswick and Penny 2018). Bristol City Council has created a housing company, Goram Homes, to deliver housing that is roughly 50% for market sale and 50% affordable. Goram Homes purchases land from the council at market value and will pay an estimated £67 million to the council between 2021 and 2027 (Goram Homes 2022). Although Bristol City Council could deliver more social housing by making its own land available at less than market value, this approach represents a compromise between reviving council housebuilding on public land and a regime of public land disposal that requires local authorities to treat capital receipts from land as an important source of revenue.

2.2. Commodification in the landscape

Situated within the broader context of neoliberal land disposal, the landscape represents the social, political, and economic forces that have shaped the regime and catalysed the emergence of an organised niche. The landscape can be influenced

by the regime, including changes in the regime catalysed by niche innovations (Geels 2011). The landscape level embodies the strategic selectivity that shapes actors' agency across the regime and niche, encompassing both gradual structural changes and abrupt shocks that influence strategic calculations (Nilsson and Belfrage 2024).

The regime of public land disposal has played a crucial role in mediating the commodification of land and housing at the landscape level; in turn, the neoliberal logic that drove this shift at the landscape level underpinned the construction of the regime. Polanyi ([1944] 2001) theorised land as a 'fictitious commodity' that, if controlled entirely by market forces, 'would result in the demolition of society' (p. 76). The assetisation of public and private land has been central to the project of neoliberal financialization, which seeks to 'create exchange-values from things that otherwise would not be saleable' (Ward and Swyngedouw 2018). Policies privatising public land and housing, channelling finance into housing, and enabling landowners to extract unearned land rents have transformed land and property into the UK's preferred asset class, accounting for nearly 90% of the country's net worth (Christophers 2018). The transition to a rentierist regime of accumulation has driven private housing prices and rents to unsustainable heights and severely depleted the supply of social housing, intensifying inequality and segregation (Gallent 2019; Ryan-Collins, Lloyd, and Macfarlane 2017). Making land such a productive locus of accumulation has stimulated flows of investment to close urban rent gaps, often necessitating the enclosure of public land and the dispossession of existing communities (Harvey 2003; Ward and Swyngedouw 2018).

Because the cost of land represents such a high proportion of development costs in the UK, developers reduce the size and quality of new housing to maintain profitability. The design of new housing is often standardised to reduce cost and risk (Gallent 2019). A design audit of housing development in England found that three quarters of new housing development can be considered mediocre to poor (Carmona et al. 2020). Schemes in high value areas – especially urban areas – generally achieved better design outcomes, but some schemes where development values were high enough compared to land values to support more investment in design and construction still delivered mediocre or poor results. It follows that land commodification, beyond exerting downward pressure on development costs, makes developer profits largely dependent on speculative gains in land value rather than on housing quality (Arbaci 2019; Archer and Cole 2016; Christophers 2017; Gallent 2019).

These dynamics have precipitated the rise of CLH while limiting its capacity for expansion. Projects developed in collective ownership can be seen to counter commodification in the landscape, thereby providing homes protected from the speculative market and preventing displacement in gentrifying areas (Peredo and McLean 2020). In other words, schemes that are 'physically and socially designed to encourage interaction, neighbourly social contact and mutual support in everyday life' provide an alternative to the atomised design of mainstream housing developments (Hudson et al. 2021, 3). As intensifying commodification in the housing system drives the need for social housing, local authorities have become increasingly willing to reuse their own land or dispose of land for this purpose.

2.3. Policy innovations in the niche

The niche can be conceptualised as networks of institutional actors and social innovators who have developed policy innovations to facilitate the release of public land for community-led housing (Avelino et al. 2016). Within this niche, actors exercise strategic agency by calculating how to navigate and challenge the existing regime and landscape-level pressures. This paper explores the development of England's first dedicated CLH public land disposal policy, which was operationalised through a partnership between Bristol's CLH sector and its allies within the city council.

According to the definition of CLH agreed within the sector, a local community or group of people with shared values and goals often initiates and manages the development process and may build the homes themselves. Schemes may be initiated by councils, housing associations, or developers, as long as meaningful community engagement occurs throughout the process and the homes built are owned, managed, or stewarded by a community group in a manner of their choosing. Benefits to the community must be clearly defined and legally protected in perpetuity, typically through an 'asset lock' that requires the group to either retain the homes in community ownership, transfer them to another asset-locked organisation, or retain the value of any profits made from the homes within the organisation.

There is a growing literature that investigates the relationship between CLH and key pillars of social sustainability including equity, democracy, inclusion, networking, placemaking, and wellbeing. CLH projects that incorporate shared spaces and activities have been found to create a sense of place, foster social capital, and improve wellbeing (Hudson et al., 2021; Shirazi and Keivani 2017; Wang, Pan, and Hadjri 2021). However, the skills, resources, time – and, in some cases, cultural capital and personal wealth – required to initiate CLH projects often results in communities that are relatively affluent and mostly white (Arbell 2021). There is, however, variation within and between different CLH models; for example, cohousing schemes developed for private ownership, which are often funded by members selling existing homes, tend to be more homogeneously white and middle class than community land trusts (CLTs) developed to prevent displacement in gentrifying areas (ibid., Bunce 2015). Lang (2019) proposes that public authorities might help promote social inclusion in CLH projects by providing land and financial support on the condition that projects guard against land speculation, incorporate diverse socioeconomic groups, and provide social and physical infrastructure to develop social capital internally and with their surrounding communities.

Changes in the landscape have catalysed opportunities to adapt the regime of public land disposal to facilitate more reliable access to land for CLH projects. Within the niche, local enabling hubs and national organisations developed over the last decade have advocated for public land release for CLH (Bates 2022; Lang, Chatterton, and Mullins 2020). In addition to numerous ad hoc CAT agreements between local authorities and CLH organisations, a number of local authorities have developed formal policies to enable the systematic release of public land for CLH: the Bristol City Council policy, the Greater London Authority's Small Sites Small Builders programme, and a Community Asset Transfer policy adopted by Liverpool City Council in June 2022. Some local authorities have also facilitated the use of private land through planning

obligations or policies allowing affordable, low-impact CLH projects to appropriate rural land where other housing development is not permitted (Community Led Homes 2020). These changes are likely to be derived from processes of bottom-linked governance (Paidakaki and Lang 2021), a modality of governance in which institutional actors develop relationships with social innovators to co-produce public policy. In this paradigm, social innovators develop endogenous institutional capital through internal relationships that allow them to form intermediary organisations capable of partnering with institutional actors.

Niche experiments in public land disposal have coincided with a national campaign to replace best consideration rules with a new statutory duty on local authorities and Homes England to optimise the use of their land to meet public policy objectives (Hill 2022). Campaigners argued this would “liberate state actors to show leadership in delivering truly sustainable and equitable development, either directly or in partnerships, especially with other public interest or community landowning organisations” (ibid., p. 5). Updating national legislation would represent a meaningful transition towards sustainability in the management of public land, especially if accompanied by increased funding for local authorities to replace revenue from land sales at market value and stable funding for CLH development and council housebuilding. A proposed amendment to the 2023 Levelling Up and Regeneration Bill did not succeed, however, and it is uncertain when there might be another opportunity to explicitly align national legislation with the public interest. Below the national level, local government retains the capability to advance new approaches to managing public land and facilitating the growth of the CLH sector.

Following the methodology for the empirical research, presented in the next section, the paper will track the development of grassroots community organisations that have linked and energised the movement for community-led housing in Bristol, culminating in the shaping of policy for public land disposal, using social value as a crux line of argument. However, this policy approach has stirred a debate among policy makers over the role of social housing and the extent to which public land should be conditional on the provision of social housing.

3. Methodology

The remainder of this paper focuses on a single case study of Bristol where the city council was the first local authority in England to introduce a policy enabling the regular release of public land specifically for CLH schemes. As such, it can be used as a case study of how communities in England might adapt their regimes of public land management to support the CLH sector. Semi-structured interviews with key actors involved in the development and/or implementation of the policy were undertaken between May and August 2022. Interviewees were identified through purposive sampling and snowballing (Parker, Scott, and Geddes 2019). Although housing cooperatives and CLTs who bid for land in the second tranche of disposals were contacted, only housing cooperatives replied to requests for interviews. The lack of direct interviews with CLTs was mitigated through interviews with members of CLH West who had supported these CLT schemes. Additionally, a representative from the National CLT Network was interviewed about the national regime of public land disposal for CLH,

Table 1. Interview subjects.

Interview subject	Code
CLH West members	HUB1, HUB2, HUB3
Former BCC cabinet member for housing	BCC1
BCC officers managing second tranche of CLH land disposals	BCC2, BCC3
Members of housing co-operatives bidding under second tranche of land disposals	COOP1, COOP2
National CLT Network senior representative	CLT1

the significance of the Bristol policy to the CLT movement, and policy innovations in other local authorities. Primary data collection was supplemented with secondary data collection from local policy documents, newspaper articles, and blogs. Table 1 shows the actors interviewed as part of the study.

An interpretative qualitative analysis of primary and secondary data was undertaken through a technique of open coding. Interviews conducted with Bristol City Council and CLH West actors were used to construct a narrative of the process of policy development. To address the second research question, interviews were coded to identify repeated themes raised by interviewees regarding the execution of the policy and reveal key tensions within the niche. These insights inform a critical discussion of transitions towards social sustainability in the management of public land.

4. Findings

4.1. *Towards a new modality of bottom-linked governance*

In Bristol, a new era of grassroots activity in housing production began in the early 2000s with the emergence of a radically new form of community self-build housing at Ashley Vale (Figure 2), in the St Werburghs area of the north of the city (HUB1, HUB2). The project began in 2000 with the formation of the Ashley



Figure 2. Ashley vale community self-build scheme.

Vale Action Group, a resident body initially established to lobby against market housing on the site, a former scaffolding yard, but whose attention then quickly turned to the production of new housing for community members. The Ashley Vale development provided a steep learning curve for community members and the city council alike. Initially, sceptical about the practicality and public appetite for community-led housing of this nature, the city council warmed to the scheme as it began to take shape. The scheme proved to be a resounding success, attracting widespread praise and a slew of accolades. However, this apparent success began to reveal a structural weakness in relation to the community purpose of the scheme, through the absence for controlling house price inflation. Properties at Ashley Vale soon began to attract a premium on the open housing market. Thus, although the scheme had created a desirable and scalable model for community housing delivery, it also required the addition of an ‘asset lock’ to keep homes affordable over the longer term.

House price inflation at Ashley Vale reflected changes in Bristol’s housing market during this period. The median house price rose almost 500% between 1997 and 2021, while the median income increased by only 85% (Sinnott et al. 2023). In 2007, the city council voted to fund research into the creation of a citywide Community Land Trust, noting in the motion that Bristol had become the 4th most unaffordable city in the UK and that a CLT would enable land to be taken out of the market and enable ‘long-term affordable and sustainable development’ (Bristol City Council 2007). Attempts by the city council to engage the public failed to draw significant interest, however, until grassroots housing activists learned of the idea and began to galvanise support from local communities, culminating in the launch of the Bristol Community Land Trust in 2011 with 150 members (HUB2). The management board brought together a wide range of representatives from the local community, including housing activists and professionals, and a housing association as well as future CLT residents together with elected members and officers of the city council. To support the CLT’s first housing scheme, the council extended a loan to fund a part-time development officer, sold a piece of land to the CLT for £1, and provided £300,000 in grant funding. The land disposal was justified by the social, economic, and environmental value of the scheme in accordance with 2003 legislation that carved out exceptions to ‘best value’ rules governing the sale of public land (Department for Communities and Local Government, 2006).

2016 marked the completion of the first CLT project, a development of 12 homes on Fishponds Road in Bristol’s Eastville neighbourhood, and the formation of the steering group that would become Community-led Housing West. More than a hundred CLH homes had been completed in Bristol over the previous decade and local interest in CLH was growing (HUB2). The council agreed to release land below market value to the CLT project and two other schemes led by community development trusts, which operate as neighbourhood-based, community-managed organisations that aim to improve health and wellbeing and promote investment (HUB1). A new mayor was elected on a platform to address the city’s housing shortage, which included building social and market housing on council-owned land. The new cabinet member for housing was enthusiastic about the potential of CLH to help meet housing needs through community control and investment (BCC1). The central government’s first

‘Community Housing Fund’ was also established in 2016, providing £60 million annually to support CLH projects.

Despite this growing recognition of CLH at the local and national level, a cabinet member recalled that many council members and planning officers saw CLH as a drain on council resources that was not capable of making a significant contribution to housing delivery and were resistant to releasing land below market value because of the loss of revenue to fund council services:

The prevailing view within the council was that it couldn’t be scaled up and was too messy ... I remember the director of planning saying to me that CLH was a waste of time and effort to be involved with for the council because it took too long to actually deliver and didn’t produce numbers that would help get us to 2,000 homes a year (BCC1).

Throughout 2016 and 2017, the steering group held several events and workshops, inviting councillors, officers, activists, SMEs, housing associations, developers, and funders to discuss how to support the sector to make a greater contribution to addressing ‘urgent housing needs’ in Bristol (HUB2). A 2017 survey of new and existing CLH groups in the city conducted by the steering group confirmed access to finance and land as key barriers to the growth of the sector, and the cabinet member for housing invited the steering group to draft a position paper recommending policy to address these barriers. The authors of the paper – HUB2 and one other former member – argued that the council could most effectively support CLH by releasing land for schemes below market value and insisted on the need to develop a supply of decommodified land in community stewardship:

Of all the ways that the council could promote the growth of the CLH sector and its ability to make a significant contribution towards the city’s affordable homes targets, support for CLH groups to acquire development land is the most important, urgent and the most contentious. On the one hand, as the council’s land portfolio represents a major portion of its asset base ... the council is under a legal duty to steward and administer this public wealth prudently. On the other hand, the rising price of land is a major factor that prevents the development of affordable housing being entirely fundable by debt repaid from rental income from completed homes. (CLH West 2017)

The position paper recommended that the council make small sites available to the CLH sector through an ‘options’ process that would allow organisations time to plan schemes and secure funding before acquiring the land. The paper suggested that the land disposal policy be designed to factor in social value, including the value of CLTs and other asset locked models in delivering affordable housing in perpetuity. It also recommended that the council allocate land for CLH on larger sites, engage in joint ventures with CLH groups, and transfer existing council stock to CLH groups. Other recommendations included using planning policy and council financial instruments to support CLH, incentivising housing associations and private developers to work with the sector, raising awareness of CLH locally, and campaigning for policy and funding at the national level.

The proposed CLH land disposal policy aligned with a commitment made by the cabinet member for housing to avoid selling council land suitable for housing to private developers (BCC1). In considering each council-owned site suitable for housing, the council would first consider if it could be developed by its own developer, Goram

Homes. If Goram Homes was not interested in the site, the council would evaluate its suitability for development by a housing association or CLH organisation. Only once those options had been exhausted would the council consider selling the site to a private developer. (However, the council did sell three major sites to private housing developers in 2017 and 2018, indicating that this approach – initially called the ‘Land Filter’ and later the ‘Land Hopper’ – may not have constituted a comprehensive system of asset management (Cantwell-Corn 2019).)

The council developed a land disposal policy that incorporated parts of the steering group’s proposal, although some CLH actors felt that consultation with the sector lapsed during the council’s internal process of policy development (HUB3). The policy was adopted in February 2020 and the first round of site disposals was conducted in May 2020. CLH groups, including community land trusts, cohousing groups, and registered providers working in partnership with CLH groups, could bid for 11 small brownfield sites, and if successful were able to secure up to £180,000 in grant funding from the council to develop their schemes (BCC2). To comply with the 2000 Local Government Act and 2003 General Consent Regulations on releasing public land at undervalue for social, economic, and environmental benefit, the policy was designed to assess applicants according to five equally weighted criteria. The transfer of land on a long leasehold basis is conditional on groups securing planning permission and meeting delivery milestones set out in the policy.

Of the 11 sites offered up in the first tranche of disposals, six were bid on by four CLH groups. Two bidders were housing cooperatives developing affordable homes for their members. The other two bidders were established community anchor organisations, reflecting the council’s objective of promoting ‘asset-based community development’ whereby existing development trusts and other community organisations would expand their range of services to include housing:

It seemed to me that if community organisations could develop housing, that would mean housing was locally controlled and developed for local people, but also that these charities would have regular flows of rental income which they could spend on community services or use to back further investment in housing. (BCC1)

In the second tranche of disposals, the council released six sites and introduced a new expression of interest (EOI) phase prior to the formal bidding process. The EOI phase addressed concerns raised by groups in the first tranche of disposals that it was unfair to volunteer considerable time and money to develop a full bid for a site only to potentially lose out to another group (HUB2). The EOI phase also allowed the council to establish whether groups already had existing connections to sites. For example, one organisation that provides services to Bristol’s Somali community had historically used a site in the Barton Hill neighbourhood and submitted an EOI to build a community centre and housing on the land (BCC2). Although the council was unable to provide the level of grant funding for delivery that was available to the first round of applicants, it used central government funding to pair architecture practices with applicants to develop formal bids. With funding support from the council, CLH West also helped groups to develop schemes and bid applications. Council actors noted that the hub acted as a vital mediator between the council and CLH sector (BCC2).

Adapting the local regime of public land disposal to support CLH required a commitment by social innovators and institutional actors to an ongoing process of bottom-linked governance initiated at Ashley Vale and developed through successive city-wide community housing initiatives, that accelerated policy development and implementation across Bristol. The collaborative development of Bristol CLT – in which housing activists cultivated grassroots organisation and the council provided material support, including land – provided a precedent for this process of policy development. As the CLT completed its first housing scheme, new institutional actors challenged the council’s overall approach to land management by promoting disposals for Goram Homes and CLH schemes over speculative housing development. Concurrently, social innovators in the CLH sector developed institutional capital by building a regional hub for CLH and holding workshops with grassroots and institutional stakeholders to identify ways to support the sector. As a result of these efforts, receptive actors within the council initiated a process of bottom-linked governance by inviting social innovators to develop policy recommendations supporting land release for CLH projects. The council and CLH West sustained this bottom-linked governance arrangement by providing mutual support to CLH groups bidding for land.

This process illustrates how the collaborative work of councils and intermediary organisations can adapt local regimes of public land disposal to support the growth of the CLH sector. However, as Lang et al. (2020) point out in their paper on the role of intermediary organisations in niche-building, ‘the CLH niche is far from being a homogeneous network’ with significant ‘diversity in terms of goals, values, ideologies and networking strategies’. There are variations in opinion within and between CLH organisations and local authorities on the role CLH should play in local housing strategies and how public land should be used to support the sector. The following chapter explores the debates that emerged during the land disposals process in Bristol.

4.2. Justifying public land disposal through social value

Although social value is just one of the policy’s five bid criteria (Table 2), it is understood as a justification for the release of public land at a nominal cost. The 2003

Table 2. Bristol city council CLH land disposal policy bid criteria.

Topic	Criteria
Housing proposal	<ul style="list-style-type: none"> • Compliance with Bristol Local Plan and supporting policy guidance on housing location, tenure mix, affordability, type, design, and specification • Zero carbon housing accreditation from Passivhaus, Bio Regional One Planet or equivalent • Incorporation of Modern Methods of Construction
Deliverability	<ul style="list-style-type: none"> • Ability to start construction within the next three years and complete construction within a further two years
Community benefits	<ul style="list-style-type: none"> • Number of social rent, affordable rent, or shared equity homes to be transferred to the CLH group • Retained equity secured by the CLH group • Future revenue stream of the CLH group • Number of self- or custom-build homes or plots proposed
Social value	<ul style="list-style-type: none"> • Compliance with BCC Social Value Policy as evidenced by the Social Value Toolkit
Financial offer	<ul style="list-style-type: none"> • How the scheme will be funded and the level of public grant required • How the asset will be sustained in the long term

Table 3. Bristol city council social value toolkit applied to CLH land disposals.

Measure	Unit
Support for local community projects or voluntary, community, or social enterprises	Money invested, including staff time (volunteering valued at £16.09 per hour, expert time valued at £101.86 per hour) and materials, equipment, or other resources
Amount of time employees who live in BS2, BS4, BS5, or BS13 postcodes will spend working on this contract	Number of people FTE
Amount of time employees who live in BS1, BS3, BS6–12, or BS14–16 postcodes will spend working on this contract	Number of people FTE
Hours spent on engagement with schools or colleges in BS2, BS4, BS5, or BS13 postcodes	Number of staff hours
Value of initiatives to safeguard the environment and respond to the climate and ecological emergencies	Money invested, including staff time (volunteering valued at £16.09 per hour, expert time valued at £101.86 per hour) and materials, equipment, or other resources

amendment to the rules on public land disposal stipulate that land may only be sold at less than market value if the land will be used for a purpose that promotes economic, social, and/or environmental wellbeing. The later Public Services (Social Value) Act 2012 also invokes the three pillars of sustainable development, requiring public authorities to ‘consider how services being procured might improve the economic, social and environmental well-being of the relevant area’. However, the act does not include a more specific definition of social value nor a framework for delivering and measuring outcomes. Councils have therefore developed their own mechanisms for measuring social value that reflect local priorities (Farag 2019).

Originally adopted in 2016, the 2021 version of Bristol City Council’s Social Value Policy sets out to reduce poverty and inequality, increase environmental sustainability and resilience, and enhance economic and social wellbeing. A calculator accompanying the policy, called the Social Value Toolkit, was developed by a working group that included various stakeholders, including actors within Bristol’s CLH sector. CLH groups evidenced their social value offer by calculating the financial value of their contributions to the community using the ‘light touch’ version of the council’s calculator. Outcomes measured include money, time, and other resources to support community and environmental projects, local employment, and engagement with schools up to two years before and five years after disposal. Table 3 shows the calculator applied to land disposals.

It is notable that the social value of CLH schemes is measured almost entirely by initiatives undertaken outside the process of development and inhabitation. While this encourages groups to develop bridging social capital with their surrounding communities, it does not capture the specific economic, social, and environmental benefits that result from CLH schemes, such as health and wellbeing, sustainable living, and community cohesion (Lang 2019). Additionally, the social value calculator in its current form is well-suited to existing community anchor organisations developing housing but presents some challenges for CLH groups founded by working people volunteering their own time and labour to develop housing. COOP1 and COOP2 said many members of their groups already work or volunteer in community and environmental projects, or in education or healthcare, but have little money to invest in social value,

including in providing employment opportunities. The calculator also values expert time five times higher than volunteering time, and it was unclear to these groups whether their work or volunteering time would be valued high enough to produce a high-scoring bid.

The development of the Social Value Toolkit was driven by the council's procurement team, consistent with the primary purpose of the 2012 legislation (HUB3). Actors within CLH West accepted the toolkit as a compromise that could eventually be modified for land disposals to resemble the HACT (Housing Associations' Charitable Trust) Social Value Bank, which includes social value criteria such as regular interaction with neighbours, active membership in a tenants' group, and a sense of belonging in one's neighbourhood (Hatleskog and Samuel 2021). Interviewees also believed the environmental benefits of sustainable housing and lifestyles should be included in social value assessments.

These debates reflect that social value is a subjective and contested concept that different organisations and communities modify to fit their own values (McCarthy 2016). Although encouraging community outreach promotes social sustainability in CLH projects, the current design of the social value calculator does not measure the value of internal community-building. If social value is always socially constructed and context dependent (Raiden et al. 2019), social value frameworks enabling public land disposal for CLH can and should be adapted to the sector.

4.3. Public land disposal and affordable housing

An important outcome of Bristol's experience of developing policy support for CLH are the debates surrounding the provision of social housing as a condition of the provision of public land. Should projects prioritise providing affordable housing in perpetuity for those most in need? Or is it also appropriate for public land to be used to house people in the 'squeezed middle' who wish to live in intentional communities? The council and CLT movement conceptualise CLH within a broader programme of social housing to provide homes for the 18,000 households on the housing waiting list in Bristol – about half of whom are in urgent need (Seabrook 2022). Members of housing cooperatives who cannot afford to buy homes but would not be prioritised for social housing argue that developing their own housing outside the speculative market allows them to exit an unaffordable, insecure, and poorly regulated private rented sector (COOP1, COOP2). A senior representative of the National Community Land Trust framed this tension as a 'big dilemma,' especially for cities such as Bristol with large numbers of people in acute housing need:

How far does an LPA with a limited land supply go to support people stuck in the private rented sector but not in acute housing need? How far do they go in using assets to support people who ultimately aren't in acute housing need, no matter how many benefits those schemes provide? (CLT1)

Following the second tranche of land disposals, Bristol City Council published guidance clarifying that the policy is 'intended primarily to facilitate the delivery of affordable housing.' This expresses an understanding within the council that limited public assets should be used to provide housing for those in greatest need. As the interviewee BCC2

noted, ‘All CLH models are valid but not all are affordable. And my job here is affordable housing delivery’.

The guidance states that social and affordable rented homes must be made available to people on Bristol’s housing waiting list through the council’s housing allocation portal, which prioritises applicants in greatest housing need. However, coops may agree a letting plan with the council to allocate some homes to their members or require new tenants to become members (BCC3). Letting plans are subject to equalities impact assessments by the council to mitigate indirect discrimination or bias in the member selection process. The guidance also stipulates land will only be released for £1 for schemes that provide 100% affordable housing. Schemes that include tenures that are not affordable housing will buy land ‘for a value commensurate with the tenure mix ... with any homes for market sale or market rent valued accordingly.’

In addition to supporting council objectives, the 2022 guidance reflects the aims that CLH West set out in the position paper that served as inspiration for the policy, which argued for systematic public land release to enable CLH to contribute towards citywide affordable housing targets, and aligns with the focus of central government investment in CLH. Ensuring that public land released to CLH groups is used primarily for affordable housing that is distributed according to need can be considered a socially sustainable approach to the management of public land. However, the policy does allow groups to, if necessary, purchase public land to house themselves. A CLH West advisor to such projects argued that the small brownfield sites released through the policy were selected because they were ill-suited to Goram Homes schemes and unattractive to private developers and would therefore remain undeveloped without the volunteer labour of CLH groups:

A lot of people involved in CLH are in that ‘squeezed middle’ category and don’t qualify for the housing waitlist ... the council are going to say, quite rightly, that they’ve got people in desperate housing need, but that has to be solved another way – this is a different product for people who also have housing need. You’re asking people with the least experience and resources to develop sites that experienced organisations wouldn’t touch and then you’re asking them to let someone live there after all that effort. (HUB3)

A member of a cooperative rental project that intended to house its 14 members currently living in private rented homes as well as three people from the social housing waitlist also maintained that the policy should enable people to house themselves:

We intend to house ourselves as well as people from the social housing waitlist. We’re all doing this voluntarily and it takes up a lot of time ... in order for us to do this, we need some guarantee that we will be able to house ourselves. (COOP1)

The design of the policy, including the guidance on affordable housing, endeavours to balance the objectives of the council and a plurality of CLH models. Since the policy’s inception, it has been the ambition of the council and many actors within CLH West to deliver permanently affordable housing on council-owned land. Field (2020) observes that local authorities tend to support CLH projects of mainstream affordable rented tenures, rather than alternative tenures such as mutual homeownership or shared cooperative ownership, and argues that projects initiated by local people to house themselves should be supported regardless of tenure. While the policy maintains this focus on affordable housing provision, it also provides opportunities for groups who

wish to house themselves in intermediate tenures as an alternative to expensive and unstable tenancies in the private rented sector. Ultimately, as CLH groups applying for under the policy must be asset-locked bodies, homes delivered through the policy cannot be sold on the open market and can therefore be considered decommodified.

5. Concluding discussion

This paper has investigated how niche innovations in public land disposal might advance social sustainability by allocating public land for CLH development. The empirical research has shown how Bristol's CLH sector and city council constructed bottom-linked governance arrangements that have begun to provide more reliable access to land. The paper has explored the debates that have arisen during this process over how to justify the appropriation of public land for CLH development and the suitability of social value as a supporting framework. Council actors saw public land as a limited resource that should be used to house people in acute need, while housing cooperatives and their allies put forward a more universalist conceptualisation of public land as a resource enabling communities to escape a commodified housing system and deliver social value by forging endogenous and exogenous social capital. The council has managed this 'dilemma' by prioritising the provision of social housing while providing some opportunities for intermediate tenures in cooperative housing projects. Regardless of tenure, projects will be bound by asset locks that shield them from the speculative market.

The diagram (Figure 3), below, shows how changes in policy support for CLH at the landscape (national) level since 2012, including the Social Value Act and funding for housing hubs, have interacted with the emerging 'niche' CLH schemes brought forward across Bristol to drive the development of new policy that sought to expand the city's CLH sector.

Bristol's public land disposal policy therefore represents a step towards social sustainability in the management of public land across the city and, the authors argue, towards 'a more structural embeddedness of CLH models in housing policy and urban development' (Lang, Carriou, and Czischke 2020). There are, however, limitations to the policy and the modality of bottom-linked governance that has enabled its implementation. The policy releases sites that are small and considered difficult to develop, especially for groups new to housing development. Support from niche intermediaries is therefore essential in the bidding and development process. By the end of 2023, however, funding for the enabling hub CLH West had run out, in part because national government failed to renew a fund to help initiate CLH projects, and the hub shut down indefinitely. This illustrates an earlier observation by (Lang, Carriou, and Czischke 2020) that the state typically offers support to the CLH sector in the form of time-limited grants and other funding streams, hindering long-term planning and capacity building in the niche.

Liverpool's similar land disposal programme suggests potential for policy transfer within England, but momentum is likely to be constrained by the inconsistent funding framework for CLH, depleted public landholdings, and the financial crisis in local authorities which sharpened in 2023. While local government was already operating under sustained austerity pressures, inflation and increased demand for social services has rendered four local authorities insolvent and put one in five at risk of bankruptcy.

The multi-level perspective on policy innovations in public land disposal

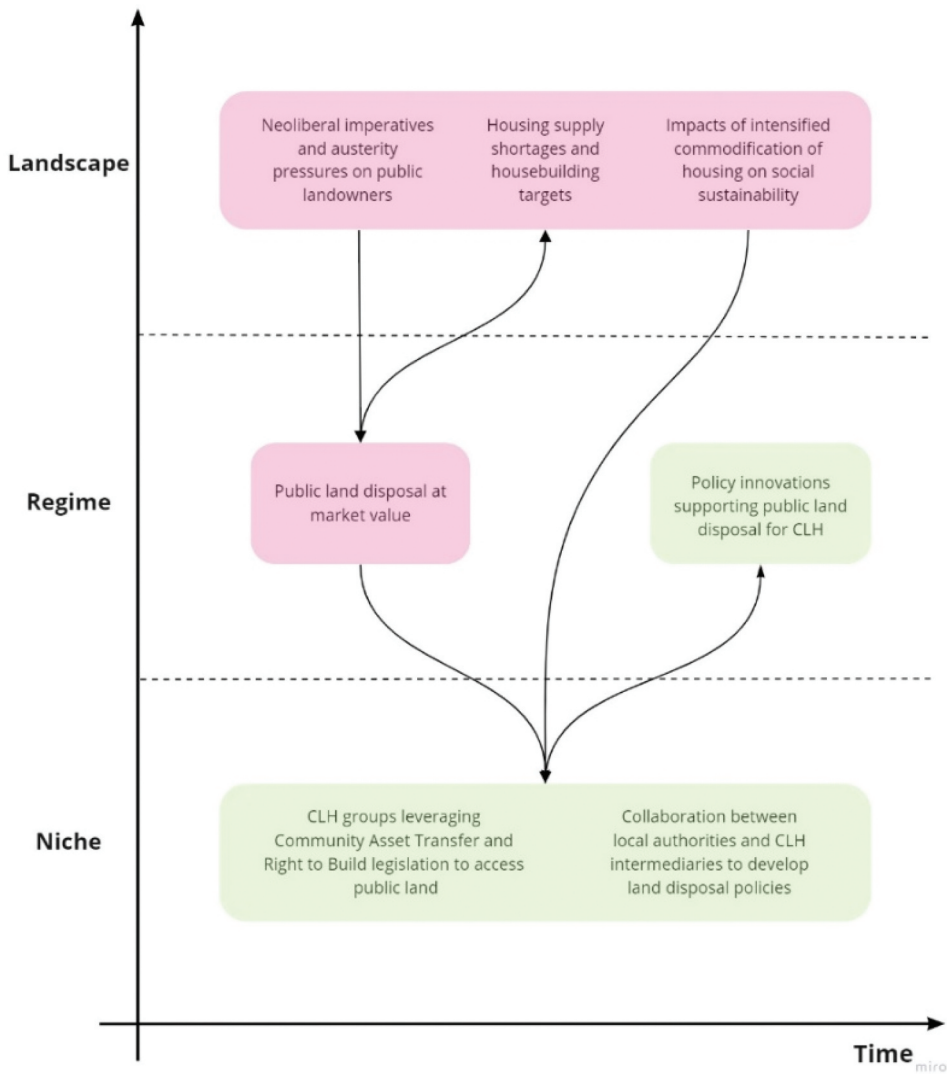


Figure 3. The multi-level perspective on public land disposal.

In the absence of financial support from national government, councils are disposing of major assets (Butler 2023). This is hardly the climate in which local authorities would be eager to release land at less than market value, although an approach modelled on Bristol’s programme that releases sites unsuited to commercial development could still be viable.

The incorporation of Nilsson and Belfrage’s (2024) concept of strategic agency into the MLP provides a more nuanced understanding of how actors at different levels have shaped the deployment of this policy innovation. Landscape-level austerity imperatives circumscribe the strategic calculations of niche and regime actors in

their efforts to manage tensions in the landscape by reconfiguring public land disposal regimes. This dynamic may limit the potential for policy transfer within England as well as imperil existing land disposal programmes or preclude their expansion to more commercially viable sites. The capacity of niche actors to maintain the bottom-linked governance arrangements that facilitate such programmes may also be compromised by inconsistent state support. Moving towards alternative sources of support and resisting pressures to further monetise public land assets would require long-term commitment between local governments, CLH organisations, and intermediaries.

The findings of this research also highlight the centrality of debates surrounding the beneficiaries of public land in the development of land disposal programmes. These debates are fundamentally bounded by landscape conditions, including the advanced stage of the current land disposal regime and the commodification of housing, which have depleted public landholdings and created a dichotomy between those in acute housing need and those for whom long-term private renting is unsustainable. Future research could benefit from a deeper exploration of how niche and regime actors conceptualise the public interest in relation to public land, providing insight into the conditions under which bottom-linked governance arrangements can sustain community access to public land. Comparative studies of public land disposal in contexts such as Vienna and Barcelona could further elucidate how conceptions of the public interest influence the implementation of such programmes.

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