

Collective approaches to change: from “challenging ownership” and beyond

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This Special Issue of the *International Journal of Law in the Built Environment* was originally proposed to reflect the change of direction of the “Challenging Ownership: Meanings, Space and Identity” stream at the annual Socio-Legal Studies Association (SLSA) conference. The decision of the SLSA to refresh the conference streams and themes, and to reissue its call for stream titles, allowed the conveners an opportunity to revisit their subject areas and objectives. This resulted in the proposal of a newly titled “Property, People, Power and Place” stream for the 2017 conference. This also aligned with some changes to the convenership of the stream, with Penny English retiring from the team, and Jill Dickinson and Vicky Heap joining myself and Sarah Blandy as conveners of the new stream.

While this change was significant in its context, it was reflective of a broader year of change; for me personally but also professionally, as University life is undergoing major changes, and politically our post-Brexit future is far from certain. This has led me to reflect that in times of personal change or transition, we turn to friends and family for support, just as the progression from “Challenging Ownership” to “Property, People, Power and Place” required communication and support from the invested conveners. These changes have been implemented with accord, assistance and amicability; something that is not always evident or even possible in a professional or political context. Unfortunately, the aforementioned support mechanisms are harder to implement in a scaled-up model that forfeits choice and equality.

Any challenge to ownership obviously requires similar forms of change, transition and a kickback against the status quo, but these changes can make people feel adrift, overwhelm them and make them feel disconnected from their reality and/or others around them. It becomes even more important during these moments to make connections with others, find support networks and articulate new possibilities. As Dumbledore would put it; “We are only as strong as we are united, as weak as we are divided”. Professionally and politically, the changes that we face are truly overwhelming at times, but the opportunities for a shared voice must be found.

This Special Issue provides an exciting opportunity to see a range of international and collaborative approaches to our common purpose; the challenge of concepts of ownership through analyses of space, meaning of ownership, or identity. The Issue commences with Mick Strack’s consideration of native rights to land in New Zealand and the dichotomy between Maori and State recognitions of property rights in land and rivers. This theme is further developed in Emily Walsh’s exploration of the public/private land use control systems in the UK and the USA and the relationship between private citizen and State.

The first of the collaborative pieces in the issue sees Tilak Ginige, Sophie Childs and Hannah Pateman analyse the recent cases of deliberate concealment of planning breaches in the UK, and consider the implications for UK planning law under the Town and Country Planning Act 1990. The second collaborative piece by Héctor Simón Moreno, Nùria Lambea Llop and Rosa Maria Garcia Teruel addresses the possibility of



novel approaches to land tenure in the post-crisis Spanish property market, with a new form of “intermediate tenure”. The issue concludes with Michael Poulson’s analysis of the law on easements within the UK, and the impact of new easement creation on UK property law.

The transition from the “Challenging Ownership” stream in April 2017 to “Property, People, Power and Place” provides an opportunity to consider the “people” and “power” element inherent in property relationships. While this Special Issue signifies an end of the “Challenging Ownership” stream, it also presents another opportunity, through the new stream, for collegiate approaches to contemporary dialogues and discourses in property law practices.

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