

Postcolonial Narratives and The Governance of Informal Housing in London

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Abstract

Housing informality has traditionally been associated with cities in the Global South. And yet, there is growing evidence that informal practices are also present in Northern cities, especially those traditionally considered ‘successful’ or ‘developed’ such as London, in which housing pressures are most acute. This paper, drawing on detailed policy analysis and qualitative in-depth interviews, uses the example of London to examine the rise of informal housing, the ways in which it is both represented and conceptualised as a ‘problem’ of governance to be tackled, and its institutionalisation into programmes of enforcement. It focuses on the emergence of a phenomenon known as ‘beds in sheds’, or the construction of informal housing in-between existing buildings. By discussing a planning issue that is generally associated with the Global South in a Global North context, the paper engages with writings on postcolonial theory. It adopts a *nexus* approach to examine how the issue is embedded within particular configurations of social, political, economic and cultural circumstances. The evidence indicates the ways in which the problem is framed and understood are underpinned by colonialist views that see migrants and their socio-ethnic communities as agents of informality, whose removal or sanction will ‘solve’ the problem. The paper concludes with reflections on broader debates on informality in urban studies.

Key Words: informality; Global North; housing, Postcolonial Theory; London

Introduction: Informality Beyond the Global South

Informality has been a long-standing issue in the Global South, where profound divisions are established between the realms of the ‘legal’ and the ‘illegal’. A dichotomy between ‘global cities’ of the North and ‘poor and chaotic megacities’ of the South (Roy, 2011: 224) reinforces the notion that informality is only present in specific contexts. However, informal practices in the housing system have been increasingly present in the former, with UN-Habitat (2015) research showing that more than 6% of urban dwellers are living in extremely precarious conditions in Western Europe. Squatting, rack-renting, and renting out overcrowded flats and garages are observed in Germany, Austria and Belgium and are frequently related to immigration (Edgar *et al.*, 2004). Although there is anecdotal evidence from journalists and social commentators that these practices are increasingly common, there is a lack of academic writing about their emergence and the ways in which they are represented, managed, and governed. As Chiodelli (2019: 498) notes, much social research on ‘urban informality – and informal housing in particular – in the Global North is much more recent and far less rich than literature on the phenomenon in the Global South’. Similarly, Calor and Alterman (2017) note that ‘there is very little research on non-compliance with planning controls in advanced-economy countries’ (p.207), reflecting the earlier insights of Larson (2002) on the paucity of work on informal housing in the United States.

This paper, drawing on the case of London, examines the rise of informal housing in the Global North, the ways in which it is both represented and conceptualised as a problem of governance to be tackled, and its institutionalisation into programmes of enforcement. By discussing a planning issue that is generally associated with the Global South, the paper engages with recent writings on postcolonial theory which, as well as acting as a way of addressing the post-colony represents ‘a method for interpreting and narrating the West’ (Roy, 2015: 205). It acknowledges Marx & Kelling’s (2018) concerns in recognising that the deployment of categories such as west/non-west and Global North/South might reproduce the divisions that postcolonialism precisely seeks to deconstruct. However, like these authors, we make use of similar terms to facilitate the dialogue with established theory on postcolonialism and informality and engage with recent debates in social policy where there have been wider concerns over the emergence of new forms of precarity across Europe and North America (Lain, D. *et al.*, 2018; Standing, 2011).

The specific focus of the paper is a form of irregular housing known as *beds in sheds*. One of the most common housing typologies in London is that of terraced housing with private back gardens, which are not visible from the street and where there is often a shed or garage for storage (see Figure 1). Sheds are increasingly constructed and/or rented out as separate dwellings: by not informing the local authorities of their residential use, owners can avoid paying local property taxes, as well as complying with minimum housing standards. Media and government reports also refer to them as illegal outhouses or outbuildings. It is estimated that 9,000 beds in sheds exist in London (Hall, 2017) and the issue has emerged as a significant urban planning ‘problem’ over the last decade. The phenomenon has received considerable media coverage and important responses from central government, such as a *National Taskforce* set up in 2012 (see MHCLG, 2012c).

[INSERT FIGURE 1 HERE]

However, beyond a limited pool of research by government authorities (see Hall, 2017; London Councils, 2012), there are few detailed studies on the topic (see Lombard, 2019). Situated in the lower end of the private rental sector [PRS], these properties are frequently overcrowded, lack proper sanitation and electricity and are represented by central government as ‘potential death traps’ (MHCLG, 2012c). As rents are becoming increasingly unaffordable and the supply of housing units is consistently falling behind demand, beds in sheds represent one element of the UK’s growing housing crisis. An apparently significant number of beds in sheds’ tenants are international migrants, including undocumented ones, and the socio-economic and material conditions that generate this type of informality are connected to other forms of invisible and/or illegal activities. Besides relating to broader debates on immigration, this aspect also points to discussions on whether the English planning system addresses citizens equally, given the fact that ethnic minorities usually face poorer housing conditions (Edgar *et al.*, 2004).

Drawing on a detailed empirical investigation in London, the paper assesses and examines representations and conceptualisations of informal housing that exist within public agencies and the types of enforcement and regulation that are enacted. The discussion draws on Roy’s argument that ‘policy approaches are not only techniques of implementation but also ways of knowing. Such forms of knowledge are a crucial ingredient of the “diagnosis and solution” calculus of policymaking’ (2005: note 5). Or as Miller and Rose (2010) note, ‘governing a sphere’, such as formal or informal planning, ‘requires that it can be represented

and depicted in a way that both grasps its truth and represents it in a form in which it can enter the sphere of conscious political calculation' (p.283). The emergence of new types of informality in specific places challenges some of the foundations of formal spatial regulation and governance. It has also generated multiple state responses – from central government top-down enforcement measures aimed at criminalising activities, to local partnership-working and more subject-centred forms of regulation.

We begin the paper with a brief review of academic and policy writings on informality from a postcolonial perspective, before moving on to discuss the English planning system and the growing housing 'crisis'. We then move to the case-study. The analysis reveals that although multiple responses are evident, policies are primarily focused on legal enforcement and cultural and actor-community-centred explanations for the presence of informality, and also seen as a potential threat to the cohesiveness of managed places. Framings of informality, we show, are grounded in colonialist imaginaries so that rather than being seen through the lens of a 'housing crisis', informality is viewed as a symptom of too much diversity and the importation of disruptive (and corrupt) practices from the developing world. The paper concludes by discussing the findings in relation to existing literature and highlighting the importance of seeing informality as an inherent part of London's extreme housing market and shifting demographics.

Postcolonial studies and urban informality

The growth of postcolonial perspectives has influenced many fields of urban studies by questioning views of the urban that are rooted in the experiences of cities within the Global North. There are three main approaches in existing literature. First and most relevant to this paper, there is a focus on challenging the dichotomy that exists between 'global cities' of the North and 'chaotic' megacities of the South (Robinson, 2006; 2011; Roy, 2005; 2011). Too often, it is claimed, there are presumptions that shape research and policy framings that see sharp distinctions between 'ordered' and 'disordered' forms of state and social practices. As Robinson (2006: x) argues, urban studies have frequently traced a line dividing 'modern' cities and 'other' cities, whose 'primitivism' is a crucial counterpoint to sustain the narrative of western modernity (Robinson, 2006: p.21). As outlined by Roy (2015: pp.205-206), one way of dislodging the view of 'coherent cities' presented in western narratives about itself is by questioning who experiences the stable city and for whom, on the contrary, the city is 'a geography of shards and fragments', consisting of many types of informality. Second, writers

such as Watson (2009) call for new forms of ‘representation’ to be mobilised that enable knowledge production that is suitable for multiple contexts. In generating a Southern theory of urbanism, she calls for a broader conceptualisation of the focus of urban studies, with its biases towards informal processes. Third, a re-focusing of work around a postcolonial lens enables understandings of themes historically associated with the Global South, such as informality, to inform understandings of inequality in the Global North.

Informality emerges, therefore, as a key topic of postcolonial theory. Although it is ‘back on the agenda’ of planning (Roy, 2005: p.148), discussions are diffuse and suffer from misunderstanding and imprecision (Harris, 2017; Marx & Kelling, 2018). In an attempt to address what they call a ‘cacophony’ of concepts, Boanada-Fuchs & Boanada Fuchs (2018) developed a taxonomy of informality. In planning discourses, they note a perception around the creation and imposition of formal regulations as being an underlying cause of informality. Moreover, they argue that certain types of informality are tolerated by state bodies whereas others are not. This relates to Roy’s work that deconstructs the rooted duality of formal/informal approaches by viewing informality as something more structural and variable: a general mode of urbanization, practiced not only by the poor, but also by the state and the urban elites (Roy, 2009). Her discussion brings nuance to this urban phenomenon, which usually suffers from stigmatisation, particularly when practiced by the poor.

Attention is also paid to discourse. Gilbert (2007) warns about the potential connection between the use of words with negative historical associations, such as slum, and short-term, violent policies of informal settlement eradication, in lieu of longer-term structural interventions that seek to guarantee housing as a right. Based on the argument that policy approaches encompass not only ways of implementation, but also ways of framing problems (Roy, 2005: note 5), if informality is primarily perceived as a spatial phenomenon (Ballegooijen & Rocco, 2013), it follows that solutions will tend to focus on reforming the built environment but not necessarily addressing underlying structural inequalities (Roy, 2005; Gilbert, 2007). Additionally, even when complexity is recognized, it is challenging to coordinate different agencies to address it (Harris, 2017: 8)

Despite recent re-framings of research on informality, it is still difficult to apply the concept to Northern cities. In general, research has focused on the Global South and assumed that ‘fundamentally different rules applied there’ (Harris, 2017: p.6). Accordingly, ‘the point is often made that analyses of urban informality have little relevance for western’ cities, with

debates insisting that informality there is at best ‘marginal and exceptional’ (Marx & Kelling, 2018: p.11). In a paper produced for the UN-Habitat, Garau (2009: 35) states that there is a ‘South in every North’, reinforcing the automatic association between informality and the Global South, in turn partly responsible for the difficulties in discussing the topic in Global North/western contexts. As asserted by Harris (2017: 12), however, it is crucial to connect a ‘myriad’ of infractions to a broader conceptualisation of informal practices.

Some exceptions are the works by Larson (2002) and Ward (1999) on informal Colonias settlements in the US borderlands with Mexico. These emerged in response to growing demographic pressures, chronic housing shortages, and the presence of large numbers of poorer workers attracted to opportunities in growing local industries during the 1980s and 1990s. For Larson (2002) the informal status of Colonias results from the elitist character of the US legal system and its inability to acknowledge the structural pressures that generate illegal responses. Whilst much of the public policy debate in the Global North equates informality with criminality, Larson makes a clear distinction, arguing that ‘informality involves illegal means to achieve legal ends’ (p.157). She calls for more discretionary forms of ‘regularisation’ that set regulatory standards according to the needs, rather than simple binaries.

Simple binaries between North and South have also been challenged by researchers working on comparative studies of housing governance across Europe. In particular, there has been a resurgence of interest in the differences between Mediterranean systems of urban planning and those that have emerged in northern Europe (see Allen *et al.*, 2004; Arbaci, 2019). Chiodelli (2019), for instance, draws on the Italian context to argue that Mediterranean countries act as ‘transition zones’ that reflect neither the practices found in the Global South, nor those that exist in the North. He highlights some of the structural features of the Italian system and argues that most forms of informality are found amongst land-owning middle-class households who build extensions without permissions. Such work challenges the generalisations made by social researchers in countries such as the UK who have focused much of their attention on specific marginalised groups such as Roma travellers, or on informality as a newly-emerged and temporary phenomenon in the wake of the 2008 financial crisis, rather than viewing it as a structural feature of housing production and consumption. Zanfi (2013) similarly focuses on illegal housing in southern Italy, and the so-called *abusivismo edilizio* that makes-up up to 70% of all housing in some regions. Rather than seeing the phenomenon as a problem of local culture, Zanfi calls for greater understanding of the specific *nexus* of

conditions that generate it including social inequalities, processes of exploitation and collusion by local elites, political tensions between central-local government and a lack of resources at the local level to implement regulations.

Zanfi's focus on the relations between regulations and compliance in specific contexts draws attention to another under-researched area, that of the relationships between governance arrangements, socio-cultural norms and processes of *enforcement*. Calor and Alterman (2017) draw on the examples of Israel and Portugal, part of Chiodelli's 'twilight zone', and show that culturally-prescribed and regulatory measures of enforcement often fail to prevent illegal construction or the implementation of effective *ex-post* planning, such as demolitions. They examine direct policy instruments, including the use of fines and surveillance, and indirect measures including limiting credit and re-shaping architectural and design codes to make illegal construction more difficult. Implementation, they argue, has multiple outcomes and unintended consequences, with market-oriented interventions tending to be more effective given the 'weakness' of formal regulatory systems. They also highlight the specific nexus of cultural, socio-economic, and legal-professional circumstances that shape both policy approaches and the practices of land-owners, tenants, and communities and call for more research on how systems compare.

Such discussions are particularly insightful for countries such as England where reforms are being driven by the twin processes of reduced levels of expenditure on local government (regulators) and the growth of severe housing market pressures and inequalities. Under the 1947 *Town and Country Planning Act* all development rights were nationalised and handed over to the stewardship of local government, whose remit was to protect politically-defined 'public interests'. Since then land and property owners are only permitted to change land-uses or build with formal permission, with those who break rules subject to sanction. The system is built on a specific set of representations: that the state has a duty to establish and enforce a public interest; that private land-owners have a stake in maintaining the quality and character of places; that activities are rendered *visible* at all times through regulations and codes of practice; and that citizens have the right to mobilise objections to proposed developments. There is some minor flexibility in regulations but, as it will be discussed, the government has been trying to expand these, which could have serious implications for the regulation of

informal housing¹. However, the overall approach reflects and reproduces a nexus of socio-cultural and politicised framings that view the English system as a model example of formal planning, in which regulations and modes of enforcement are discussed in binary terms – between what is permitted and what is not, as well as between what are perceived as informal practices (brought from abroad) and local regulations. In contrast, the next section discusses some of the structural conditions that are leading to new modes of informal housing and challenging the stability of this nexus.

Informality and the Transformation of the Housing Sector

A key influence on the regulation of the English housing sector is the socio-cultural and political primacy given to home ownership, even though levels have decreased since the 2000s, whereas the private rented sector [PRS] has played an increasingly important role in filling this void². The decline of social housing under neo-liberal reforms and the implementation of Right to Buy³ in 1980, combined with the associated deregulation of the PRS in 1989, helped to revive the sector by allowing landlords to charge rents based on an area's market conditions and by introducing Assured Shorthold Tenancies, lasting between six months and five years (Jackson, 2017: 148). Deregulation not only made rents less affordable in the longer term, but also increased insecurity by allowing shorter tenancies and giving landlords power to give two months' notice for eviction (Jackson, 2017: 148; see also McKay, 2018). For landlords, the insecurity meant increased liquidity; for the sector as a whole, it meant the transformation of the meaning of 'private renting' (Kemp, 2015: 605).

The financial crisis of 2008 also played an important role in the growth of the rental sector. Not only has it become more difficult to buy property and access mortgage credit, but central government austerity cuts to local government have also affected funding for social

¹ Owners are, for example, allowed to apply for a Lawful Development Certificate for an existing use if they can show evidence that 'a condition or limitation on planning permission has not been complied with for more than 10 years' and/or a building 'was completed more than 4 years ago and has been used as a dwelling for more than 4 years' (Attwaters Jameson Hill, 2017: p.1).

² The proportion of dwellings in owner occupation in the UK increased steadily from the 1980s to 2002, peaking at 69.5% of homes. Since then, owner occupation has been gradually declining, down to 63.2% in 2018. On the other hand, private rent has been increasing and reached 19.9% of dwellings in 2018. In London, 25% of households rent from a private landlord (MHCLG, 2018c; ONS, 2018)

³ Implemented by Margaret Thatcher's government, the scheme allows tenants to purchase their council homes and has been responsible for the loss of more than 2 million social housing units (Murie, 2014, quoted in Kemp, 2015: 610).

housing (Kemp, 2015). The PRS now also plays a disproportionately significant role for lower-income households, who struggle to access social housing due to the shortage of units and their limited means to enter the owner-occupied sector. The system, nevertheless, has not been reformed to address vulnerable tenants. As a result, what is seen as flexibility for childless and young tenants, translates into insecurity for families seeking longer-term accommodation (Kemp, 2015: 610), as well as poorer housing conditions in comparison to social housing and owner-occupation (Edwards 2016; Kemp, 2015). In London, one third of private renters live in accommodation that does not meet the Decent Home Standards⁴ (Theseira, 2013). A greater reliance on private renting has supported the development of a growing class of landlords whose rogue and informal practices have become a focus of increasing regulatory concern.

Another factor underpinning the rise of informality are changing urban demographic conditions and population growth⁵. In-migrants face additional barriers to access decent dwellings and are more likely to use a disproportionate share of their incomes for housing (Sim, 2000). The ‘racialised nature of the housing system’ in the UK helps to explain why black minority and ethnic households are in disadvantage when compared to their white counterparts (Edgar *et al.*, 2004: 88), with low-income tenants in the PRS more likely to be black or from another ethnic minority (Kemp, 2011: 1023). Edgar *et al.* (2004) highlight that since housing is increasingly governed by free-market principles, and the state retracts from its distributive role, informal networks come to the fore in providing a place to live, particularly for migrants from the Global South. As a result, urban housing markets across Europe are witnessing the growth of ‘marginal and informal housing initiatives’ (Edgar *et al.*, 2004: p.62). A study by the JRF Foundation (2012) confirmed migrants’ insecurity in the British housing system and the intersectional problems that they face in terms of access to employment and welfare. Some of the disproportionate effects of the housing system on ethnic minorities remain invisible and can generate conflicts where they do surface as informal arrangements and are perceived by those living in and representing formal housing, as *abnormal* (Edgar *et al.*, 2004).

In London, the rise of informal housing has gone hand-in-hand with the growth of its economy and its position as a magnet both for global in-migration and property investment. London is experiencing a population boom, growing from 7.17 million in 2001 to 8.17 million

⁴ The *Decent Homes Standard* was instigated by the Labour government in 2000 and required that all homes, in public and private sectors, meet core modern standards and are in a good state of repair. By 2009 1.4 million local authority homes had been improved at a cost of £22billion (Boughton, 2019).

⁵ The UK population has grown from 58.5million in 1998 to 61.8million in 2008 and to 66.4million in 2018 (see ONS, 2019).

in 2011, and expected to reach over 9 million by 2035 (GLA, 2017). Debates over how and where to house London's large and diverse population are far from new. During the 19th and early 20th Centuries efforts were made by London County Council to increase levels of social housing, through Estate construction, to reduce the number of slum developments across the city (Jenkins, 2019). Stronger welfare policies after 1945 led to a surge in social housing provision, with local boroughs initiating comprehensive programmes of slum clearance and acting as direct landlords. However, as Boughton (2019) shows, social housing was provided directly to poorer groups, and became increasingly residualised, i.e. available only to those with the greatest need, and for whom it should be seen as a stepping-stone to the goal of future private home ownership. Subsequent neo-liberal reforms and the privatisation of social housing, discussed above, significantly accelerated these processes of residualisation and increasing pressure on the housing system.

London is currently experiencing an unprecedented *affordability* crisis with residential prices increasingly outstripping incomes and where wages of lower-paying jobs are similar to other regions, but rents are much higher (Edwards, 2016: 230). In 2018 an average residential property in London sold for £478,000, well above the affordability of potential buyers with few existing assets (HMSO, 2018). Much of this market expansion has been fuelled by the attraction of global super-elites and international finance, whose priorities are often antagonistic to those of existing residents and businesses (Burrows *et al.*, 2016). Levels of homelessness and over-crowding have been expanding rapidly as housing becomes increasingly precarious (Standing, 2016). 8,100 people were recorded as sleeping rough in 2016/2017, twice as many as in 2010/2011; in 2014/15, there were 250,000 households in London that were overcrowded, more than twice as high as the rest of England for every tenure (Trust for London, n.d.).

As the UK's centre of a housing crisis and growing immigration, London has also seen the growth of beds in sheds. The following sections draw on research undertaken between 2018-2019, at national and city-wide scales, with a particular focus on the case of the London Borough of Ealing. The latter was chosen following some high-profile cases of 'successful local enforcement' that had been widely praised as role models of how to govern the problem. The methodology was qualitative and involved a detailed analysis of 50 policy documents (produced by Ealing Council, the Greater London Authority, central government and London Councils) including minutes, scrutiny papers, review reports and press releases. Twenty-eight semi-structured interviews were conducted with policy-makers, planners and charities as part

of a wider project on housing investment and provision in London. The data was analysed in a way that considered discourse not as something neutral, but rather ‘a mode of action, one form in which people may act upon the world and especially upon each other, as well as a mode of representation’ (Fairclough, 1992: 63). It thus drew from a perception that the way discourse is constructed in official documents influences outcomes in the concrete world. We begin by outlining shifts in national policy, that are themselves influenced by the ‘experiences’ of London’s growing housing crisis.

Representations and Enforcement Practices for Beds in Sheds in the UK

Shifts in National and London-Wide Housing Policies on Formality and Informality

The core objective of national housing regulation is to ensure decent living conditions and to use criminal sanctions on individual landlords and property owners who fail to comply with legal requirements. The ‘problem’ of informality is addressed through an agent-centred approach that concentrates on the ‘bad’ practices of individual ‘rogue’ agents. Under the *Housing and Planning Act 2016* local authorities received new powers to ban individuals who commit serious housing offences from letting properties (MHCLG, 2018a) and a national database was introduced to keep track of ‘known rogues’⁶. Even more strongly, there are government proclamations in relation to informal housing that pledge to ‘consign these scenes of Dickensian destitution to [...] history books’ and assert that ‘the scandal of beds in sheds must end’ (MHCLG, 2012a; 2012c).

Alongside this focus on freeing what is otherwise perceived to be a well-functioning system of its disruptive actors, policy also focuses on the relationships between poor-quality housing and immigration. The *Immigration Act 2014*, for instance, requires that landlords check their tenants’ legal status with up to £3,000-fines per illegal migrant tenant (Home office, 2016). Press releases by the Ministry of Housing, Communities and Local Government [MHCLG] (2012b; 2013) include statements such as ‘*A new national taskforce has been set up to tackle the issue of “beds in sheds” by taking action against criminal landlords and removing illegal immigrants*’, and ‘*Illegal immigrants living in “beds in sheds” arrested in clampdown*’ – although a careful reading of the latter shows that half of the tenants detained were not undocumented immigrants. The emphasis on this connection frames the problem as a symptom

⁶ Local authorities can see all entries and must include in the database anyone who receives a banning order (MHCLG, 2018b)

of the in-migration of informal practices from ‘foreign’ sources where, in the words of one interviewee it is imagined that “*things are done differently*”. These sentiments relate to narratives about both landlords and tenants, with migrants perceived to be acting as *agents of informality* and bringers of unwelcome change. One national interviewee noted that “*beds in sheds is something that people think: ‘we don’t want it here’*”, with a prevailing idea that there would be a cultural sense in which the British planning system would not be designed to provide or tolerate informal housing, as though the issue was something external and brought to England by foreign incomers.

At the same time, central government sees the collection of fines by financially-constrained local authorities as a mechanism for incentivising more proactive local approaches: the *Housing and Planning Act 2016* enables councils to impose fines of up to £30,000 instead of prosecution for several housing offences or breaches to banning orders. Or as national-level interviewees highlighted, this told councils that “*they are able to raise their own incomes from enforcement*” and that enforcement “*can be paid through financial penalties*”. Although the legislation mentions the risk of enforcement causing homelessness, there are no specific initiatives or resources devoted to address this potential outcome and central government’s publicised case-studies do not state what happened to the tenants discovered, apart from illegal migrants who faced deportation. The selective and visible expulsion of foreign actors living in ‘hidden’ housing is seen as a way of tackling the problem and a broader culture of informality.

As the city in England where the issue of beds in sheds is most acute, London is also the focus of media reports about the problem (Watts, 2014; Adams, 2017) and of central government’s initiatives to address the issue. Between 2011 and 2016, approximately 40,000 inspections were carried out and over 3,000 landlords faced further enforcement action or prosecution (MHCLG, 2015). The Greater London Authority has implemented initiatives to regulate landlords’ behaviour, such as the Rogue Landlord and Agent Checker, focused on showing tenants who are the ‘few’ rogue actors within the sector through boroughs’ records of prosecutions and fines, in a similar vein to national government.

And yet, there is some ambiguity in planning arrangements with recent proposals from central government to be more ‘flexible’ and encourage ‘planned informality’ to boost housing supply and give ‘the people of this country the homes we need in the places we want to live at prices we can afford’ (MHCLG, 2020: 6). The changes presented in the new Planning for the Future White Paper include simplified local plans, fewer checks for proposals to be deemed

acceptable in growth areas and a weakening of requirements around affordable housing provision by developers. In addition, the government has expanded permitted development rights (PDRs), which previously already allowed for offices to be converted to housing without a need for applying for permission, to also cover the demolition and redevelopment of vacant office, light industrial and residential buildings to create new dwellings. Since under PDRs there is no need for a formal planning application, developers do not need to comply with minimum quality marks and, as a recent study showed, many of the dwellings created under PDRs did not reach critical standards, in some cases even lacking windows (Clifford *et al.*, 2020). With a message of overcoming the perceived constraints on growth made by the formal planning system, authorities are leading to further uncertainty over core priorities and the provision of affordable dwellings, as well as opening the way for a ‘slum future’ (Wainwright, 2020).

In summary, national and city-wide policies towards informal housing have focused on an agent-centred approach and highlight a somewhat narrow scope that fails to consider deeper structural changes in housing and employment markets. The stability of the formal housing system has been transformed by the growth of an affordability crisis, allied to a flexibilisation of labour markets, and growing material inequalities. The logic of national and city-wide policy is to purge the PRS of its bad actors and leave the rest of the system intact and/or exacerbate informality by proposing changes to the planning system that weaken its ability to ensure housing quality and affordability, risking to further deepen the crisis. Another implication of seeing the issue as marginal and circumscribed is the focus on removing informal sheds. Some of these broader emphases were also found in the specific case of Ealing and it is to the borough’s experiences that the discussion now turns.

The London Borough of Ealing

Located in West London, Ealing is the city’s third largest borough and possesses the UK’s third most ethnically diverse local population (Ealing Council, 2017b). 53.1% of its residents identify themselves as a black or minority ethnic group, with Indian and South Asian residents amongst its largest ethnic groups (Ealing Council, 2017a). Moreover, the PRS accounts for 34% of Ealing’s tenure whilst the highest proportion of owner-occupied households are White (ONS, 2011). Ealing is considered one of the areas most affected by beds in sheds and the local authority has been a leading player in developing policy instruments and responses. The discussion begins by focusing on representations and framings of informality, before turning

to interventions that flow from a combination of local initiatives and broader national and city-wide policy priorities. These reflect the wider tensions that emerge over enforcement and the legitimacy of collective standards and compliance and how formal standardisation represents a form of elitism, setting obligations and expectations onto marginal groups, that are divorced from their (structural) capability to meet them (Larson, 2002).

Representations of Informality

There were close parallels between Ealing Borough Council's approach to the regulation of informal housing and those of national and city-wide agencies, although the case-study also illustrates that local responses were committed to addressing the issue in a comprehensive way, even if this was limited, in practice, by narrow understandings of beds in sheds and limited resources.

In line with research findings elsewhere (Calor and Alterman, 2017), informal practices were primarily viewed as an existential threat to the legitimacy of formal regulations and modes of compliance. Their unchecked presence had the potential to damage a sense of place-cohesion, both in social and physical terms. Approaches linked the presence of informal housing to a whole range of informal activities including illegal work, coercion, and modern slavery. By highlighting the illegality of practices in this way, simple characterisations of 'others' from the Global South emerged. These have been reinforced by attempts to increase local surveillance systems and the reporting of illegality through funded enforcement programmes, as will be discussed below. They also relate to growing tensions between the borough's different residents with forms of 'encounter' with 'strangers' refracted through the lens of illegality and corrupt practices, a process that has the potential to generate hostility by those claiming the status of 'host' (Fincher & Iveson, 2008). In similar terms, illegal sheds were presented as threatening to the quality and character of local built environments and an issue of major concern to formal residents.

Local enforcement teams were particularly critical of beds in sheds' landlords, with a unanimous view of them as unscrupulous agents who, driven by financial incentives, exploit vulnerable tenants. Their ethnicity, lack of 'understanding' of how formal planning systems work and the fact that foreign landlords are not accustomed to compliance-based systems were frequently highlighted. The British planning system was generally seen through the lens of a 'culture of compliance' that would be absent from foreign systems and that would shape immigrant populations' 'cultural associations' in regard to planning,

The discourse concerning tenants was substantially more complex. Within planning documents, the focus on migrants and the general framing of informal tenants as foreign citizens and ethnic minorities was clearly evident. Nevertheless, within local discourses and representations it was pointed out that in reality, beds in sheds affect a whole range of people, including those with a legal status who, in principle, would not have to resort to the informal rented sector for fear of being discovered by authorities or being barred by landlords' mandatory immigration checks. London, however, is characterised by an unprecedented state of housing insecurity, with a strong reliance on renting which is increasingly unaffordable and insecure, leading to informal arrangements being sought also by those with regularised citizenship rights. This outlines a material aspect behind the choice – or lack thereof – of informal dwellings, connecting beds in sheds to the broader housing crisis. Despite the lack of official records on tenants' profiles – a finding in itself – the fact that most interviewees mentioned diverse socio-economic backgrounds means, at the very least, that the issue is not exclusively related to migrants, pointing out to a certain bias of the accounts that affirm otherwise.

However, within policy narratives there is a tension between actor-centred cultural explanations and broader structural assessments of London's housing and employment markets, with the issue also often being associated to specific parts of the borough with large immigrant populations, with a justification that beds in sheds is 'culturally-specific' and a common practice between people from 'less developed countries'. Policy approaches are infused with perceptions of informality as something brought from abroad, as a culture of non-compliance: the 'South' in London's 'North' as framed by Garau (2009). They highlight the line traced between 'modern' and 'other' urban experiences (Robinson, 2006) that postcolonial theory seeks to deconstruct. Migrants are contrasted with 'settled' groups, that have been immersed in a culture of formality over the decades. Thus, representations of both tenants and landlords resonated with themes addressed by postcolonialism. Academic research's difficulty in discussing informality in the Global North encountered a practical expression, when a phenomenon that, although also recognised by interviewees as part of a larger housing crisis, is presented as a 'separate sphere', distinct from formal ways of living and also from what is perceived as local approaches.

If the ways in which the problem of informality is represented, framed and mobilised in policy agendas are underpinned by colonialist views and the perception that migrants, and

their socio-ethnic communities, are the *agents* of informality, the implication is that the removal or sanctioning of these agents will ‘solve’ the problem, rather than a focus on the structural conditions of the housing market. As the next section will show, local responses have been based on separate and clear demarcations between formal and informal modes of housing and living, in ways that highlight Roy’s (2009) insights into contemporary narratives of informality.

Local Policy Responses and the Institutionalisation of Measures

Ealing Council has been proactive in mobilising partnerships and finance to try to tackle the problems as set out above, mainly by focusing on the individuals ‘responsible’ for its growth and making their bad practices visible and therefore soluble. Most notably, in 2012 it established an *Outhouse Project* [OP] formed by housing, planning, environmental, building control and regulatory services officers. Mobilising professionals from different disciplines that would attend street surveys and raids together would ensure, it was claimed by one co-ordinator, that “*everyone saw everything at the same time and could make a decision*”. The programme also established a partnership with the planning enforcement company Ivy Legal ‘*to respond to the proliferation of occupied outhouses*’ (Ealing council, 2012a) and the resulting increase of what was defined as public concern – a term that equates the formal planning system with expressions of public interest and the protection of place-based community and spatial cohesion. The OP team was set up and funded by Ealing and central government⁷. In 2014, the initiative ended, and its work was incorporated into the local authority’s departments and is now managed by Regulatory Services. As a measure of its perceived success, the OP was granted *Planning Magazine’s Planning Award* in 2015 in recognition of its ‘*excellent example of a multiagency approach to tackling a serious, environmentally and socially damaging misuse of property*’ (Ealing Council, 2015a). The allocation of the award was, in itself, a reflection of the importance with which the issue of formality is embedded in broader narratives and the ‘damaging misuse of property’ that results from creeping ‘informalities’.

[INSERT FIGURE 2 HERE]

⁷ Approximately half a million pounds was provided by central government (Ealing Council, 2014b: 4-5).

This place-centred approach had three elements (see Figure 2). First, it involved *surveillance measures* designed to mobilise intelligence from residents with the promise that sufficient complaints would initiate street surveys in particular locations or informality hotspots. An online form allows anyone to report ‘*an outhouse or house of multiple occupancy that you believe needs council or police action*’ (Ealing Council, n.d.). Second, systematic *investigations* of properties were undertaken. Since beds in sheds are associated with issues including council tax evasion, illegal immigration and other criminal activities, the partnership work was particularly important to cross-check data, understand broader patterns of immigration and, as previously mentioned, undertake joint raids. And third, the project involved much published forms of *action*, in part to legitimate the programme to local residents and to demonstrate that the ‘problem’ was being recognised and tackled⁸. Moreover, Ealing officers were aware of the risk of increased homelessness following enforcement. The concern led to the collaboration with the charity St Mungo’s, that provided support for the outhouses’ tenants, with the safeguard of children seen as top priority (Ealing Council, 2012b: 23). There was also the goal of working with the charity in ‘*bringing back into use empty properties that might be suitable for accommodation*’ (Ealing Council, 2013: 19), recognizing that housing shortages may also play a part in causing informality.

Despite these concerns, no data was found on re-housing or the increases in homelessness. According to Ealing officers, the people discovered in the irregular sheds were not later found rough-sleeping, which was presented as proof that this did not occur. Notwithstanding, it can be expected that in regard to addressing tenants’ welfare, the project was limited, with interviewees stating that tenants were often found afterwards in other outhouses. All interviewees mentioned the council’s duty to rehouse tenants, however, no details were provided on the matter and it can be expected that a combination of growing workloads and funding cuts, that have seriously restrained local authorities’ capacity in recent years, have affected the council’s ability to address the issue. The lack of data on the impacts of enforcement on tenants is contrasted to the detailed figures on surveys and notices: between March and April 2014, 2,989 addresses were inspected, 333 Planning Enforcement Notices and 23 Housing Act orders were issued (Ealing Council, 2014a: 5). The council also publicises

⁸ On one occasion the then Prime Minister, David Cameron, joined in an enforcement raid in Southall, Ealing, appearing, in photos, to be taken aback by outhouses’ conditions.

enforcement actions to deter rogue landlords – a clear reference to the subject-centred nature of the policy.

Most of Ealing’s interviewees saw the OP as successful, due to its multidisciplinary and sensitive approach to a difficult issue; the data sharing agreement with other agencies; the community engagement with residents and the effective actions against landlords. In terms of having reduced illegal outhouses, it was, by its nature, difficult to measure. It was noted that the loss of media’s interest could indicate that the issue decreased, but it was admitted that providing accurate statistics was challenging. Accordingly, despite press releases boasting sheds’ demolition, accounts on the actual numbers was difficult to verify. The difficulty in addressing an issue as dynamic and complex as informal housing has moved the focus of policy towards those aspects that can be regulated through sanction, thus presenting the problem as one of identifying those who are ‘out of place’ vis-à-vis the formal system, although it is telling that there was also a lack of data on demolition figures. The lack of attention given to monitoring the impacts on individuals is, in itself, indicative of the project’s limitations in practice, where there was a greater focus on reducing numbers.

Despite these limitations, there are important differences between local and national/London-wide initiatives. Since its establishment, the OP portrayed a concern with the welfare of tenants, with understanding broader patterns of immigration, and with combining skills and departments in recognition of the issue’s complexity. This suggests that local authorities might be more suitable to deal with issues such as informality than city-wide or national agencies. The shortcomings observed in practice, such as a continuous focus on enforcement, whilst rehousing policies are left aside, indicated both in interviews as well as by the lack of data on the matter, can be explained by a narrow framing of the phenomenon, which is still mainly seen as something brought from ‘outside’. The evidence also indicates that there is a growing breakdown in local government capacities, in the wake of austerity cuts and growing pressures on the local housing market⁹. Authorities such as Ealing are being forced to look for external sources to fund programmes of support but are unable, because of central government policies, to implement the social house-building programmes and other forms of welfare planning that would meet the stated housing needs of diverse social groups and could prevent beds in sheds from happening in the first place.

⁹ In 2018 the Borough declared that it is facing a total gap in its operating budget of £57million (see Ealing Council, 2018).

Conclusions

The paper has used the example of beds in sheds to analyse how planners, regulators and policy-makers in London and the UK view, and seek to plan for, the growing phenomenon of informality in the housing system. It assesses various authorities' dualistic representations of formal and informal practices and the ways in which the latter are converted into a problem of governance, to be rendered visible and tackled through interventions and instruments. The primary objective of policy is to safeguard the formal housing market, as a type of 'public good' to be protected, from informal practices that threaten place cohesiveness and legitimate social orders. There is little recognition of the ways in which actors are drawing on informal practices to cope with a broader crisis of housing affordability and availability. Moreover, even when informality is recognised as being part of the housing crisis, official initiatives still fail to address the issue in all its complexities. This can be explained by authorities' perceptions about beds in sheds, which are seen as something new, brought in by migrants from abroad, and divorced from the natural functioning of the city's governance arrangements and housing markets. Responses from different levels of government tend to be narrow and give limited recognition to the structural nature of the problem, preferring instead to focus on cultural and/or highly individualised representations and explanations.

The empirical findings contribute to two strands of conceptual writing in urban studies. First, it adds to work on the *postcolonial turn* that questions the power relations that shape not only how built environment professionals and academics narrate urban experiences, but also how they act in cities. We argue that the London case resonates with insights on the separation of what are perceived to be 'modern' urban experiences, associated with the Global North, from 'chaotic' ones, seen to emerge solely in the Global South. The ways in which informality is conceptualised directly influences responses, particularly if discourses are based on narrow and aggressive framings of the issue. This was confirmed by authorities' focus on individual actors, rather than engaging with wider structural explanations and reforms.

Moreover, London's case-study portrays the need for a more nuanced approach to informality that sees it as an inherent part of the city's housing market and wider demographics, rather than an exception to the 'rule'. The changes to the planning system proposed by national government illustrate Roy's insights into informality being a general mode of urbanization (2009) when, in order to address an affordability crisis, authorities push for less regulation whilst at the same time not tolerating informal practices that take place outside of the 'official'

sphere. This also chimes with a growing body of literature that is questioning the value of simple separations of formal and informal planning in European countries and examines the ways in which informality is both tolerated and forms a core part of the functioning of urban economies and welfare systems (Chiodelli, 2019; Rogers *et al.*, 2019).

Despite the undeniable advances of the field of informal and postcolonial studies, the paper shows that more empirical research on informality in the Global North is needed, particularly to overcome the theoretical difficulties of applying concepts to northern contexts. By analysing beds in sheds in London the paper sought to contribute to this strand of research – if academics are to succeed in conceptualising what seems like sparse manifestations as part of wider informal systems, more detailed case-study investigations, like the ones that have been done for the Global South for many decades, are needed for the Global North.

Second, we argue that there is value in adopting a *nexus approach* to understandings of formality/informality and examining how the issue is embedded within particular configurations of social, political economic and cultural circumstances. In London, beds in sheds is one of the housing crisis' several elements, with the latter deeply rooted in decades of austerity and deregulation of the PRS, amid an increase in in-migration. Authorities' understandings, representations and approaches to enforcement are directly influenced by colonial imaginations and a perception of the English planning system as a guardian of order and cohesion. In other contexts, diverse types of representations and responses will be evident, and the paper demonstrates that elitist simplifications that draw on binary thinking limit the range of availability of responses.

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Figure 1. Beds in sheds in London (BBC, 2012)

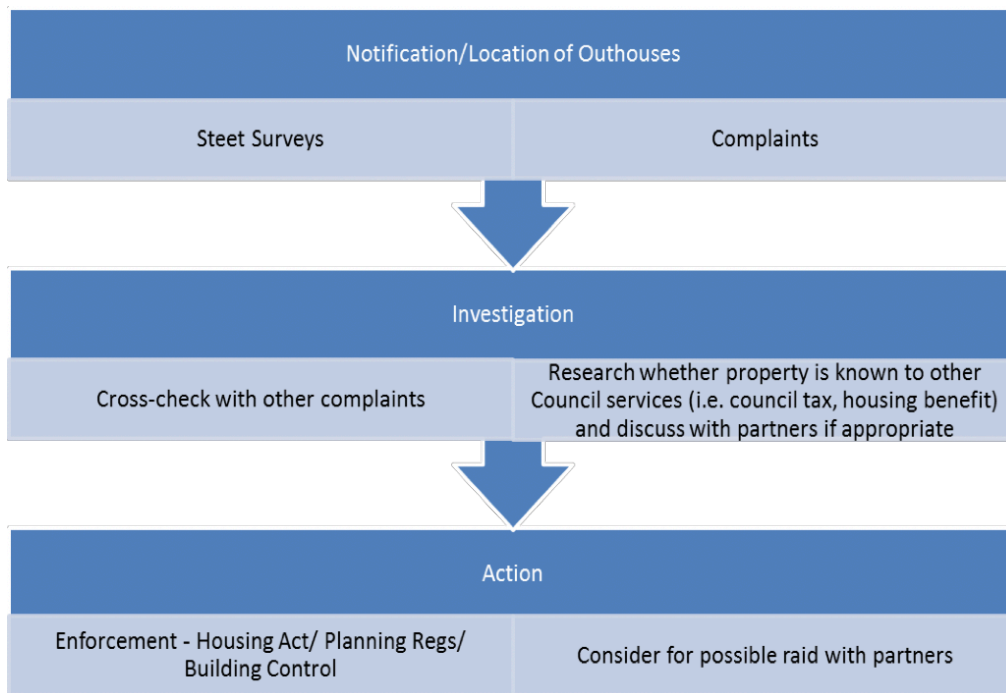


Figure 2. OP's method of working (Ealing Council, 2013)