A legal walk of Sheffield: foregrounding the everyday presence of law in the city

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Walking in the urban environment: an introduction

In this piece we combine a walking narrative approach with an open-ended interview to raise awareness of the law's hidden presence in the urban environment. We explore the city of Sheffield, in Yorkshire, in the North of England, to learn about its past, regeneration, and future development, by combining our own appreciation of the built environment, as experienced by our senses and movement, with a guided tour led by Dr Luke Bennett, Associate Professor and prominent legal geography scholar. This account becomes both a theoretical and a methodological exploration of walking with the law; it comprises paying attention to how the law makes the built environment possible, how it shapes and creates places to be lived in, visited, and experienced; and how the law manifests in human encounters and interactions in the everyday life of the city, as a "technology" of place-making. More importantly, this piece highlights the interconnectivity of law and place both objectively and subjectively: we discuss what we experience with our senses, and we also elaborate on the normativity of law, as manifested in the regulation and the making of urban places in Sheffield.

The city of Sheffield, which sits 40 miles equidistant to Manchester (to the west) and Leeds (to the north) and somewhat eclipsed by both, boasts both proud industrial past and broader greener surroundings. The city proper is home to a population of approximately 550,000 people, and faced significant growth during the industrial revolution, to the point of being known as the "Steel capital of the world" (Sheffield City Council, 2006) thanks to its strong steel and cutlery industry. Sheffield's steel stronghold kept until the Second World War, when it became a strategic Nazi target during the blitz, with bombs hitting the city centre during nighttime on 12 and 15 December 1940, resulting in the death of 602 people. After the war, Sheffield rapidly grew to become a highly and "radically" modernised city, investing in new housing and slum clearing. Famous projects include the landscaped Gleadless Valley and high-rise

complexes such as the famous Park Hill estate, prominently facing the city centre. Nevertheless, the economy of Sheffield was met with decline following the Oil crisis in 1972, resulting in a sense of abandonment, following the closure of the steel factories. Sheffield has been struggling to reinvent itself ever since, with various degrees of success, following a similar pattern to other cities in the North of England, and attracting various sources of funding to fill the gap created by the closure of the industrial sector.

By embarking on our walk, we immerse ourselves in the urban environment, following urban sites, culture, history, but also memory and experience, not unlike the seminal works of Walter Benjamin (1979a,b,c; Savage, 1994), who saw beyond the capitalist utopias promised by development and infrastructure. Our walk brings Sheffield's multifaceted past, present, and future to life, as we traverse the city centre, letting our local guide take the lead. This exploration is both testament to Luke's professional and academic expertise, and an opportunity to unearth the omnipresent, yet invisible connections between law and city, following the paradigm established in the work of Andreas Philippopoulos – Mihalopoulos (2014). Walking is a multisensory experience that, depending on pace, rhythm, and awareness, enables us to truly appreciate our surroundings, form and experience a sense of belonging, and immerse ourselves into the traversed landscape, be it natural or built. In the context of the city in particular, walking allows us to "be there" (Belkouri et al., 2022), leading to increased engagement with the where, the what, and the how of social life, as a plethora of academic literature has demonstrated, across geography, social policy, and transport studies (see e.g., Middleton, 2010; Degen and Rose, 2012; Middleton, 2018; Mason et al., 2023).

Walking has been considered a fascinating topic of scientific exploration, both from a theoretical and a methodological perspective (Pierce and Lawhon, 2015), not least thanks to Lefebvre's seminal work on Rhythmanalysis (1992), which has led to an outburst of academic creativity in relation to the spatiotemporal explorations of urban and cultural geography (Reid-Musson, 2017). As academic fascination with the urban environment has translated into both distinct and converging fields of scientific enquiry, walking unearths issues pertinent to access,

participation, and justice, to unveil and pronounce what lies or happens around us, in the everyday.

In the broader sense, walking is a deeply political act (Middleton, 2018; Macauley, 2000; Morris, 2004), not just because it posits the body in place, claiming space, and affirming its presence, but also because it creates and enforces rules both in nature and in context. Walking creates and a follows a pattern that de facto dictates how the movement of other bodies around us adjusts to, for instance, avoid clashing or to change pace, but it also carries historic significance as an act of defiance/ civil disobedience, and as such a form of protest, process, or procession, thinking of the Peak District Mass Trespass of 1932. Even though protest and disobedience are not of direct relevance here, we still aim to raise awareness about the importance of being part of the everyday when walking, in both physical and legal manifestations. Referring to Luke's work on legal psychogeography (2019), we explore the universality of the law as manifested in the city, stepping in and out of awareness, by letting ourselves get carried away and brought back to our consciousness, by simply being and simply walking and stopping.

Walking and stopping in Sheffield with Luke Bennett

We met with Luke Bennett on a wet and rather cold July morning, which we found quite fitting for a true immersion in the Northern English experience! Our meeting point was Sheffield's railway station, located between the demarcated city centre (the main route we took for this walk) and the famous Park Hill redevelopment, dominating the landscape behind us. Despite the weather, our interlocutor met us with a warm northern welcome. Turning our backs to the station and the emblematic Park Hill estate, we took a slight uphill route towards the urban campus of Sheffield Hallam University, and immediately feeling slightly out of breath, we embarked on our walk, paying attention to our surroundings, as well as our own pace and movement.

Sheffield Railway Station and the Park Hill development in the background.

Photo by: Brendan De Souza - CC BY-SA 3.0, File:Sheffield Railway Station.jpg, Created: 20 April 2011, Uploaded: 3 August 2011

Our attention was immediately drawn to the multiple construction sites “engulfing” the path from the station to the beginning of the city centre. Construction sites are testament to development and economic growth (Marcuse, 1998) in the present, but also create a promise for the future: this becomes evident as we pay a closer look to the panels covering and hiding the sites, which depict happy students: the future space-users and capital that the investment seeks to attract. Construction sites are also of interest to the legally curious eye in their regulatory dimensions, as places were multiple areas of law manifest in a single location, with a particular focus on “liability place-making”: construction sites are fenced, isolated, boarded by the sites managers, and are meant to exclude those who will benefit from the project, once completed. They are forcibly cut off from their surroundings for fear of liability; yet they reinforce the promise of accessibility and enjoyment in the marketing material that adorns the panels. Luke comments on the “colourful and

aspirational normativities” of setting a construction site in the middle of the city; where fear of compliance meets place branding and the “defensible” space becomes a marketing message:

“Why don’t we see construction sites as places of learning and opportunity rather than reinforce their normative exclusion? Why can’t we use the boarding panels for positive message reinforcement and art rather than marketing?”.

Luke explains that it was “compliance anxiety” that led to the closure of construction sites in the first place, particularly the fear of getting sued by passers-by. However, site closure itself has also led to legal action, when it comes to disgruntled owners of nearby businesses affected by footfall diversion. “Keep away” and “Danger” signs can have direct spillover effects for the surrounding area, and even lead to legal action in interference with goods (by disrupting local traders’ access to their deliveries and their customers). Following successful legal action by an affected shop owner in the 1970s, signs proclaiming that the nearby businesses were “operating as usual” had to be made visible on site. However, what ensued was the generalisation of the practice, with such signs becoming the norm. It is not just construction managers that bring this type of “legal fear” of getting sued in their new roles, this type of anxiety is encountered across the urban environment, more broadly:

“Place managers bring prior experiences and anxieties to their new roles, they import them from elsewhere and map them on the places where they are… even though some warnings and prohibitions are very local… I’ve looked into anxiety over street trees in local authorities... some consultants worry about this, and spread news of liability-imposes cases to new locations, to create new - translocalised - sites of concern”.

For instance, Luke also talks about how local authorities struggled with the management of cemeteries, in the aftermath of the tragic incident that occurred in Harrogate back in 2003, when a six-year-old-boy was crushed to death by a 5ft gravestone. As a response, local authorities started flattening the tombstones and excluding people from cemeteries, despite the sites’ undeniable religious, spiritual importance, and open nature. The complete exclusion of the public from burial grounds, was met with backlash from the National Federation of Cemetery Friends,

leading to the ultimate interference of the Ministry of Justice (Department for Constitutional Affairs). The guide for burial ground managers was published in 2005 and makes explicit mention of “the dangers posed by unstable tombstones and other memorials” (Department for Constitutional Affairs, 2005, art. 2.38). As local authorities assume the risk and responsibility associated with burial grounds, fear of liability imprints on the experience associated with the managed place.

Luke stops the discussion on liability to show us something different, as we encounter a rather peculiar building. “Turn of the millennium”, Luke explains, as he points to the odd-looking structure. After a few attempts, we finally figured out that this building has the shape of four old-school curling stones (although the designer intended them to signify drums) and was designed as the National Museum of Popular Music: one of the UK’s Millenium Commission projects, which closed in June 2000 after only one year of operation. Sheffield Hallam University purchased the building at bargain price, for the lack of other interest, and turned it into the students’ union.

SHU Students Union. Photo by the authors.

“The union cannot overcome the ‘baked-in’ purpose”, Luke tells us. The students find the building quite odd and tend to avoid it. This has also been reflected in the National Student Survey, as students declared their dissatisfaction with the union: “SHU students rate their union very lowly… it is a physical [odd] place for them, with reduced dwellability and attractiveness”.

What has been, however, repurposed as a successful cultural space, is the former car showroom, situated right across the student union. Once a focal point in Sheffield’s “innovation and technology” past, “Kenning House” as it was once called, was designed in 1936 by Frederick William Tempest, a Mansfield architect, as a garage and showroom for Kennings

Ltd, the biggest distributor of Morris cars. Operating as the “Workstation”, it now houses a cinema, venues for hire, and coworking spaces, even though the original design was not meant to reflect its current use. “It is now listed, yet another demonstration of the law’s soft presence in the city”. Luke also comments on the “echoes and the hunting of former dreams of car ownership”. Yet, the garage - conveyor belt/ coworking space parallelisms are not hard to miss…

We ask about the wacky, multi-coloured park right across the curling building… “Good question”, Luke exclaims, “I’ve never seen anybody sitting here”. An open park, facing the students’ union and the Workstation would be expected to host many students, seeking the sun or enjoying the good weather, yet it appears that the turn of the millennium design missed the spot once again. We comment on the overlapping spaces (Petrović et al. 2020; Pickerill and Chatterton, 2006) that effectively make up the surrounding district, comprising the industrial past of the Workstation, the left-to-be-desired students union, the wacky park, and its adjacent strip club, the existence of which next to the students’ union has been the topic of heated debates … This rather unruly urban mosaic, however, sits within the wider late 1990’s masterplan, which “chops up” the city centre in 5 (rather than 4 as it were) quarters or zones of segregated commercial/ retail, cultural and entrepreneurial activity. We were standing in the cultural quarter of the city; an amalgamation of galleries, industry, tech and media, and related industries. The presence of the strip club has stirred the pot, yet again, when has this not been the case (see e.g., Hubbard, 2016)?

“I’ve never seen anybody sitting here”. Photo by the authors.

Prompted by our discussion on construction and development, we are wondering about Sheffield’s brand; what is it that attracts investment and people to Sheffield? Luke explains that the two universities in Sheffield have been lobbying the council (and vice versa) for the creation of a better “hip image” that would help them (and the city) compete with the more renown urban centres of Leeds and Manchester:

“Potential students need to come … because? What’s our sell? Quirky, not stuffy… not in-your-face, surrounded by greenery”.

Sheffield, the city with an industrial past predating the industrial revolution itself, has recently had to compete with Leeds for investment and student numbers. Luke sees Sheffield as a tier 3 city, when it comes to attracting funding on the international and national level, behind the likes of London (tier 1), and Manchester or Leeds (tier 2). Leeds in

particular, has established itself as funky and desirable, as well as more professional and culturally enriched thanks to its wool, cotton, and banking industry past.

When it comes to redevelopment and new use of space, Leeds' considerably larger buildings have more to offer than Sheffield's smaller owner-operator units of manufacturing: "Sheffield lacks the large mills that would attract regeneration elsewhere". This becomes evident as we stroll around Sheffield's low-rise, low-density former factory land. For Luke, this small, family-size industrial scale, has imprinted upon the city's and the citizen's collective identity: "it influences scope for new use, new characterisation of the place. Sheffield seems to balance between the "metropolitan" and the "small-town friendly" as viewed in Georg Simmel's seminal work on the modernist metropolis (Simmel, 1903).

"Sheffield is … friendly, is not the right word, yet it is … what's the word, quite quiescent, goes with the flow, opposite of acquisitional … happy with their lot. Terraced houses in Sheffield are tiny but people don't know different, therefore they're happy! They don't nag away". Luke further explains how Sheffield's complacent contentment has not necessarily been influenced by the Peak District's and the Dale's surrounding greenery, which he acknowledges as quite a middle class lens. Sheffield doesn't share the "proud" Yorkshire identity encountered in the wider region, either. Sheffield doesn't really identify as Yorkshire, adding to the debate about establishing a successful place brand and local identity, amidst the urban redevelopment frenzy.

The rhythmic construction buzz, operating as the soundtrack to our walk, gets progressively replaced by regular city traffic, as we leisurely make our way towards the retail quarter. "The long strip of shops I'm going show you … the main linear shopping strip was over a mile long which they decided is not sustainable. So, they decided, when the masterplan was being discussed, to consolidate the main shopping strip … and the other bit would go towards office, well nobody's building offices, so it's gone towards nothing, really… and they decided to revegetate in the middle of the road, which looks a bit post-apocalyptic! What you are seeing here is an attempt to contract… obliteration of space sounds a bit

terminal, doesn’t it? Sheffield is doing a more subtle form of ‘editing’ where it’s trying to reduce the size of the area bulk, to half the size of the retail area, and that editing has some strange manifestation…planting greenery in the middle of road… because you don’t know what to do with it”.

Asked about pop-up retail and pop-up places in general, we learn that due to a withdrawing developer, who chose to invest in Leeds instead, the city council of Sheffield ended up with ownership over more of the “shopping jigsaw puzzle and decided to go with the flow […] for sheer spirit of pragmatism we will try and reuse as many buildings as possible, in a slightly shipping container-y hipster kind of way, because that’s what we can afford and get away with it […] this hipstery-chic gets branded into something almost proudly, pragmatically improvisational that fits with the aesthetics". This fits nicely with the operability of in-between spaces in the urban provision, where the pop-up function and aesthetic stems from (Overdiek and Warnaby, 2020). In lieu of containers and other temporary structures, Sheffield has opted to utilise un-developed retail space to reinforce the pop-up experience upon the shoppers instead.

From a legal perspective, we are left to ponder over the effects of rescinding foreign direct investment, the managed contraction of space, issues of land ownership, and the myriad of building permissions and regulations that come into play to shape our daily routine, and how these now manifest in our immediate surroundings by way of plants (an example of place-making) or transient retail provision.

Moving away from this part of the shopping district, we stop to discuss the “urban tensions” of a street characterised by the interplay between “heritage-ness” and higher education’s investment in infrastructure. “This is the result of opposition over rights to light”, Luke explains, pointing at the staggered, university-owned building standing across from a smaller, former industrial unit. The staggered building gets taller as it retreats from street view, allowing light to reach the opposite side. From where we stand, the urban environment is a direct result of the law and its actors, manifesting in ways that might not have been envisioned at the initial design stage, even though such an outcome should have been in contemplation. It is law forcing a design compromise, which in turn

reduces the usable volume of the new building. This is also the case with the empty, echoing atrium/ “column of air” we traverse to exit on the main road further down. The road becomes a building’s atrium to become road once again, on the other side. Luke tells us that, as the walkway was part of a criss-cross urban grid that formerly characterised the array of small, low-rise cutlery and tool-making works (known in Sheffield as ‘little mesters”) that gave this part of the city its identity and form before the University started to take over the area, and the integrity of that grid layout needed to be preserved at the insistence of town planners as a heritage feature, resulting in a walk-through atrium that connects two separate university buildings.

Legal geography in urban planning compels us to think of such undesirable outcomes and makes us further the discussion on space and power - even though Luke admits to preferring a more nuanced approach when considering this relationship. On paper the power vests with the landowners, the developers, and their advisors. But out on the street? Is it the person trespassing, traversing, and claiming space that has the final say? Luke explains that between the micro-pragmatism of case studies in legal geography and the absolute universality of critical scholarship, he prefers to think about what it is that bridges the two: what is it that brings legal geography’s transferable and critical legal thinking’s universal together?

The staggered elevation: this is the result of opposition over rights to light. Photo by the authors.

“There is no optimum position when looking for structure” he states. “Legal geography claims to write about the little guy… but the law is just a factor among things”. Luke’s teachings are structured to reflect this. He brings us back to the video game-style teaching stimulation he had designed, whereby students were given an “urban quest” trying to find their way through managing a derelict building with a limited number of resources in their arsenal and an infinite number of challenges thrown at them. “This simulation was the first article I published”, he reminisces, referring to his 2009 publication, where he “defended the necessity of including legal studies as a core part of built environment undergraduate and postgraduate curricula” (Bennett, 2009).

Through his work, Luke has always been fascinated by both the side of the place users and the anxieties brought by compliance and regulation. Thinking of his works on cemeteries and bunkers, and trespassers or “urban explorers” (Bennett, 2010, 2011a, 2011b, 2013, 2019, 2020), he admits wanting to understand the logic of trespassers and the worry of land managers. Explorers/ trespassers set their own rulemaking, creating identity and cultural capital by being the first to enter each site: how does this rule fair vis-à-vis compliance and liability?

Further reflecting on his work on legal psychogeography, Luke explains how he celebrates this “in-betweeness” and aims to move away from the law’s absolute claims of universality and self-contained image. Moving towards a psychogeographical approach to law and legal geography, essentially means foregrounding the mundane and the everyday in our appreciation of the law’s contributions to the built environment “alongside lots of other non-legal elements” (Bennett, 2018, para. 25) Luke therefore speaks of the “third space, the prosaic.. let’s be sideways and foreground the prosaic”. This way, the law’s incongruousness, fluidity, and polysemy become part of both legal geographic exploration and methodology. Luke’s work on legal psychogeography urges us to, simply put, use our senses to think about the law as ingrained in the environment. Legal psychogeography accepts both the reverie, meaning the abstraction or the distraction from our daily tasks and routine, as well as the factors that once again, ground us. Law is viewed as one aspect of the continuous flow of normativity, incongruousness, and emotion that make up the built environment.

In our case this is something as simple as appreciating that we are performing several mundane functions, legal normativities, and assume different roles and identities at the same time: we have crossed the street stopping at the red light, avoided traffic by walking on the designated pavements, stopping where we would not obstruct passers-by, all why describing and reflecting on the laws of the built environment around us. We are pedestrians, interlocutors, researchers, and visitors at the same time.

Our walk, and the end purpose of our discussion, becomes, once again, the specific grounding end of our legal psychogeographic reverie… “you

might not remember our discussion, but you will remember that I'm wearing a red sweater", says Luke, grounding our ever-wondering thinking to an inconsequential piece of fabric. Luke explains that whilst established [sic] legal geography helps us "see infrastructure and legal holding of the world around us", it is actually when "we do everything simultaneously that we do reach interesting points". In a way, this is akin to letting the subconscious do the guiding, until such a point as we are "dropped" to reality once again.

Our next "landing" or "grounding" moment, in context, is our stop over the other side of the shopping strip, to discuss the Heart of the City Two redevelopment. The more traditional market, once operating over this side of the city, was forced to move, following rezoning. Once again, at the "mercy" of international funding, that part of the project had been anchored around the presence of retail giant, John Lewis, that had since left the area. The city was quick to retain the facade of the made-empty retail provision and house smaller units to complete the project, improvising in response to the withdrawing funds. The interconnection of law, finance, retail, place, and built environment, invites us to take a holistic view not only to how we experience the world around us, but also to what and how we learn about it: "we need to be teaching law as both a universal and a local manifestation, and to be able to easily switch between the two in the name of analysis. I guess what I mean by this is that there *are* generalizable structures (legal, financial, and otherwise) that shape and direct material manifestations that might at first glance seem uniquely 'local' - but equally there are many instances where local, material effects are not reducible to traceable wider structural factors. We have to be open to spotting both structure and quirkiness!", Luke explains.

In this sense, universality becomes evident over this end side of the strip where we now stand. The area is broader, manifesting a strong retail past… yet, by paying a closer look, we witness the consequences law-making has afforded the area: "urban planners are not always powerless… this declaration that this area was to stop being the main retail focus, had very real local-material consequences (i.e., effects) - as it led to all sorts of decisions from people who were investing here to pull out… they exited and moved elsewhere. So, what the council actually

managed to do with this decision was *flip* dereliction… decisions have consequences…This part has since been left facing semi-occupancy and uncertainty. There are plans to vegetate the area and turn to city-centre living and cafe culture …by signalling that you are less interested in the retail being right here and being vague about what's to replace it, you are less likely to leverage new uses".

At this point, our conversation is once again disrupted by very loud construction noises, forcing us to speed back to the campus area. We joke about the unavoidable consequences of materiality: we must keep moving…

In as far as the city centre's development goes, materiality holds as much power as legal universality over decision-making: the factors at play that we encounter range from zoning/planning decisions and the withdrawal of funds to the improvisational strategies to fill up empty space and invest in longer-term uses to rekindle the built environment. It is exactly the materiality of the empty retail space and the ensuing image of abandonment and degradation that urges council and private actors to act. Luke comments on the power of *potential* (of being able to see alternatives), particularly when it comes to new and future uses that do not just focus on ground level retail: "the person adopting the most 3-dimensional view of space and investment, might win in the long-term" ...

From legal geography to place again

We conclude our walk by resting for food and drinks on campus, where we engage in conversation over law and place, and legal geography as an inquisitive lens or methodology. We explain how this walk, interview, and broader reflection fits with our own work on the multiplicity of law and place. Luke agrees with our aim to showcase different place-users and different subjects and scales of law, as they converge on a single place of application, whether this the city, the local area, a construction/ extraction site, or even a bar and a pride event.

Whilst we agree that there is merit in foregrounding place in place-based theory and research, we each remain somewhat sceptical of legal geography as it currently stands academically. Luke comments on the "too much meta-theorising" taking place in legal geography as a field of

enquiry. For Luke, legal geography can be employed as a “technology” in the literal sense: “the legal part of legal geography is understanding how legal and other resources, whether physical or affective … how all of those are brought together as technology, as ways of doing…”. But that law-as-a-technology-of-place-making doesn’t currently get much of a hearing within standard legal geography, due to the dominance of a critical perspective which is more concerned to expose law power-effects, than to (with less judgement) concentrate on explicating *how* (rather than *why*) law makes place.

In this sense a discussion foregrounding place would ask “how is place at work? How does it [the law] work in the name of place… on the far end we would be ‘law in the world’ … well everything’s ‘in the world’ but not everywhere is place… you can travel between places and then there are non–places… The clarity of being inside a church is different to the vagueness of the lack of normativity... of being stuck in a queue for sausages”.

Luke’s own place-foregrounding research aims to follow the daily practices of those who place-make or manage places and ask what the generic code of the law means for them. Under this prism, legal geography - and law and place research in general - becomes a matter of doing. Thinking about Luke’s work on the value of the prosaic, we observe how his thesis as a scholar circle back to his own professional legal practice in both property and environmental law, attracting a much-needed multifaceted and practice-based approach. Perhaps this is something that differentiates Luke’s appreciation of legal geography from its counterparts. Even though legal geography at its core, remains predominantly influenced by critical socio-legal approaches in terms of seeking justice Luke’s take on legal geography repositions itself around the pragmatics of place construction and place maintenance instead.

It is exactly this discussion on construction and maintenance that - serendipitously- brings us back to our starting point, back to the discussion on construction panels, liability, and marketing, as we make our way to the train station, passing by the works once again. Even though our walk has taken us around the city centre, our discussion has left things much more open ended. It is not one scholar’s or one

research's "burden" to bridge the gap between place, law, and practice, yet raising awareness of the multiple ways these manifestate on site or location, makes both place and law visible. We reiterate that place matters, but so does the law; this time, not in a fear and anxiety-inducing way (as the beginning of our discussion indicated) but in its intersectional and polysemantic dimensions that place-managers and decision-makers ought to be aware of. Walking helped us unearth exactly that.

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