

Public Space-the Ownership Issue Removing the Ownership Barriers

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Abstract: *In recent years, sensitivity on public space issues has been increased, for their important role in physical and social structure of cities. In Albania, after a long period of negligence, public space has become again an element in urban design experiences and debate. The ongoing contemporary debates, 'Public space is declining or is just changing shape', raises a very important question towards the ownership issue: Can a private space that generates public life be considered a public space? This article elaborates this concept based on public space primary function 'to generate public life'. Through an analytical review of literature and practice, it argues that the concept of public space should be seen disengaged from the ownership element. Regarding to the network of city spaces that generate public life, it explains that the main element defining a space as 'public' should be the accessibility. Furthermore, focusing in a case study in the old city centre of Durrës, it raises the debate that removing boundaries, but not the ownership status, increases the accessibility of spaces and their public use, creating thus spaces with strong public features (public space). This concept can be used as a management tool regarding urban regeneration process.*

Keywords: public space, private space, public life, ownership, accessibility

1. Introduction

Public space is central on sustainable urban development process and its effect on social life is widely accepted. As social life is changing, new forms of public spaces, instead of being concentrated on public ownership, are emphasising the public use and the ability for creating public cohesion, regardless the ownership status.

This article contains a brief discussion on this topic, supporting the new forms of public spaces. Firstly it discusses the role of public spaces in the sustainable development process focusing on the contemporary debate on understanding public space. Later it focuses the ownership issue regarding its importance on spaces to be called public, arguing that function, use and especially accessibility are more important aspects to successful public spaces, regarding to social cohesion, introducing a theoretical approach on improving the accessibility, both physical and visual of public spaces.

At the end, a case study in the area of old city centre of Durrës, in Albania, will argue, through an experimental project, that public and private spaces/places can have better cohesive and interacting relationship if their boundaries are changed or considered as borders and their walls as membranes, increasing thus their scale of accessibility. These spaces, if provided with public function and use, even without changing their ownership, serve and should be considered as public spaces.

2. Role of Public Space in Sustainability

Public space is becoming crucial on the ongoing debates on sustainability of urban development and main topic for many disciplines regarding to this field. Because of their

multiple functions and various roles they play, public spaces are widely accepted as important in building more social cohesiveness, environmentally friendly, and competitive cities.

There is a strong relationship/connection between the three directions of sustainability (*economic, environmental and social*), but physically there is a feeling that quality of environmental and economic aspects are decisive in quality of social aspect, as they both are favouring and characterised by pedestrians, and their quality is important in bringing people in this places:

- Environmentally- public spaces promote walking, cycling and public transport as well as parks and greening of cities favouring public transport connections over car-based developments and, above all, the pedestrian routes.
- Economically-they support shops, bars, restaurants and different local businesses as they are characterized by a high pedestrian footfall. At the same time, they highly affect the city's image, contribute to attract investment to the area, support tourism and act as promoters for developing social capital.

Furthermore, regarding their social and physical aspect, related to urban morphology, public spaces serve as 'movement channels between the layouts of urban blocks' (Carmona et al. 2003, pg.63) and, 'connect the space of home and work/study thus providing the setting and the opportunity for the enrichment of a social public life, as most of them are the stages where the city's public social life unfolds, where new social encounters happen and where people relax and enjoy themselves together' (Varna M. 2011, pg.2)

At a larger city scale, they establish an urban area's public space network, (which) accommodates the overlapping realms of 'movement space' and 'social' space (Carmona et

al. 2003, pg.63), enhancing thus the walkability, as well as affecting the environmental quality of the city promoting a variety of mix use buildings and spaces. These correspond to three main principles of the compact city, which is recommended by EU Commission as a basic model for sustainable urban design of the city.

3. Contemporary Debate/ Understanding Public Space

Reflecting the importance in all three aspects of sustainability or compact city policy, public space is a subject of growing interest in literature and professional debates or discourses of different disciplines. As each of them sees public space from its particular interest and concern giving to it different but complementary definitions, referring to Varna 2011, public space should be considered as a multidisciplinary approach:

Economics-social capital/ Human geography-sense of place/ Planning-physical design/ Architecture-Public art/ History-evolution of public space/ Law-ownership and access/ Sociology-human interactions/ Psychology-perception of space/ Ecology-environmental sustainability/ Anthropology-historical value/ Politics-rights. (Varna M. 2011, pg.2)

This approach should be seen on the background of a larger political, economic and social structure, where a certain society, reflecting a common view, at a certain point in time, and in a certain socio-cultural setting, holds a common understanding of what makes a public space, public. (Varna M. 2011, pg.7)

The use of the term 'public' regarding the social perception seems to be the core of the ongoing debates on public spaces. They are mainly concerned- firstly to the definition of public space and- secondly to the form of public space. The first one debates on the concept whether public space should have public function and public ownership, or whether it should provide free accessibility to all. The second one is concerned whether public space is declining, as some of it is going through the process of privatization, or it is just changing shape.

Both of them are very much ownership oriented, but those in favour of public ownership see public space in declining, whereas those in favour of social cohesion, see it as in changing shape. Referring to the latest, public space should have public function and public use, regardless the ownership, providing even restricted accessibility, with the unrestricted condition - the public spaces should promote social life and social cohesion.

4. The Ownership Issue of Public Space

Ownership refers to the legal status of a parcel of land, which ranges from absolute public ownership to absolute private ownership, going through variations of grey shades between these two extremes.

In this respect, Varna M. (2011, p56), refers to the American urban planner Peter Marcuse (2005; p. 778) who offers a

scale of six levels of legal ownership on a spectrum that ranges from public to private ownership, and, for further differentiation, considers the function and the place's use:

- Public ownership/public function/public use (street, square);
- Public ownership/public function/administrative use;
- Public ownership/public function/private use (e.g. space leased to commercial establishments, café terrace);
- Private ownership/public function/public use (e.g. airports, bus stations);
- Private ownership/private function/public use (e.g. shops, cafes, bars, restaurants);
- Private ownership/private use (e.g. home).

At this point it is clear that public space should be seen as an entity, where even the absolute ownership should be considered as a part of the use and function of it. If the use of a certain property (building/space) is public, restricted or not, it can be considered as public space, regardless the scale of publicness. On the other hand it's proven that even the absolute public spaces suffer regarding to the scales of democracy as they are facing many forms of restrictions affected by law or management measures. So, when, even public owned public spaces cannot be very public, the ownership issue should be seen more as a management tool and the public spaces should be referred more to those build and unbuilt urban environment that encourage or create social cohesion.

5. New Forms of Public Spaces

As discussed above, the new forms of public space, favouring the idea that public space is changing form and shape through different processes – even privatization-should be seen as strong assets on public space fund of the city as long as they support and encourage widely social life and social cohesion.

Nowadays, thanks to technology or other forms of life and communications, some critics suggest that the decline of public realm is paralleled by a corresponding decline in public spirit (Banerjee T. 2003, pg.12) and thus to the perception of the decline of public spaces. The root of the problem stands on the concept of the social life as it is declining or it is changing form in general, but not at the public space itself.

The form of public interaction has changed. Public is also seen more as consumers and this is one of the main reasons why open spaces serves so well as promoters for local scale business and on the other hand why places that have such kind of activities as shops, café, restaurants, etc., generate such public attraction and thus public life and cohesion. Furthermore these spaces are usually well designed and produce attractive environment for the neighbourhood and the city, becoming symbols of the city, or referring to Lynch as point of references. Ray Oldenburg (reference) calls these places that are formed by the culture of consumption as third places (Tonnelat S. 2010. pg.7).

Focusing more at the roots of the problem, at the concept of the public life, seen as an element of a much wider scheme,

public space should be treated more as social concept than just simply physical as the social life is increasing in private spaces and in separated groups or in segregated areas. Thus public spaces are becoming even those privately owned spaces with restricted scale of accessibility, but with the ability of generating public life. As many public spaces are facing or going through the privatization process and their use for economic benefits, it's correct to accept the fact that public spaces is changing form, or extending their scope of use. At this extend, Tonnelat S. (2010, pg 5-8) suggests to planners and urban designer to consider as public space, even

- Commercial centres and shopping malls for the most part as they still represent some of the most accessible spaces for a wide variety of people. Despite control by private guards, access is usually granted to everybody, or
- Train stations, airports or even parking lots, as they foster ... commercial use in their immediate vicinity and thus contribute to the emergence of streets..., or
- The café, as a place of encounter, conversation and debate, and the square as a place of political gatherings, rallies and demonstrations with the condition 'to bring together two main and necessary quality upon which all the rest depends: accessibility and communication. P 8

Somehow today, public space needs to be understood as different from the public domain of the state and its subdivisions, but rather as a space accessible to the public.(Blackmar 2006)

6. Accessibility Issue

Accessibility is what guarantees the free circulation of persons and goods. It is also what allows the emergence of collective representations wherefrom images of the city are produced (Tonnelat S. 2010. *pg.2*). Not all open spaces are open to public or public life, as they rely very much on the scale and form of accessibility.

This relationship is clear referring Carmona's (2008) definition on public space, as he relates public spaces 'to all those parts of (urban) the build and natural environment, public and private, internal and external where the public have free, although not unrestricted access' (Carmona et al, p 4) and allows Lynch to raise a crucial question as: are all the open spaces physically and psychologically accessible? (Banerjee T. 2003, *pg.11*)

At this extend, still, the accessibility is the core of the debate as 'public space is measured according to its accessibility, both physical and psychological (Joseph 1998), enlarging thus, significantly, the scope of places considered public to any space accessible to individuals, where provided access is not based on some membership (Tonnelat S. 2010, *pg.2*) .

Defining physically a space, private or public, in terms of accessibility, according to Gould, there are two elements that make the difference: Boundaries and Borders. Adopted by Richard Sennet (2006, *pg.8*), this theory is based exactly on the issue of accessibility with its both types, physical and psychological, where boundary is an edge where everything

is closed, whereas border is a line where different groups interact.

If we discuss this to the cell level Gould claims to have wall and membrane. Wall is absolute closure of a space, where outside this nothing can me be seen or touched, whereas membrane is a pliable sheet-like structure acting as a boundary, with planes that can be inaccessible, but open regarding to the visual aspect.

Regarding to property issue the city has been always driven toward wall/boundary approach, and such cities are characterised by high scale of segregation, functional isolation and restricted areas, and for this reason, by such a decline of public life and cohesion.

Public spaces cannot be seen as isolated places but as a public space network, where the most public spaces such as street and squares, provide access to other types of public spaces such parks, markets, shopping malls, cafés or even public buildings such libraries galleries, religious or administrative ones, and even to private spaces and are supplied with people from public spaces such stations, or private spaces such as houses, forming a circular interaction system responsible for the public life of the city and what is more important for social cohesiveness. For that our focus should be in less wall/boundaries approach and more membrane/borders one.

7. The Case Study

The area subject of the study is the old town centre of Durres, known as one of oldest historical sites of the city as there are two elements dating from roman period. However the site is rebuilt having even today an urban structure dominated by ottoman elements, and reconstructed buildings till recently. Actually the area is placed under protection and no change of any type on structure conditions is allowed. Because of such restriction the entire area facing with physical decay of spaces and buildings, as some of them are abandoned. Whole area is characterised by a majority of individual residential houses in private ownership/property, surrounded by walls (traditional characteristic) forming urban blocks with public space between them in form of movement channels. These streets or paths appear as the only public spaces in the area. (fig 1)



Figure 1

The analyses of the urban situation of the public space showed that most of them appeared as decayed public spaces regarded their qualities and perception mainly because of three main reasons:

- *Space configuration*- In terms of the degree to which the form and capacity of spaces matches the pattern of behaviors that people engage in or want to engage in.
- *Closer/isolation of the objects from the street*- Movement space will tend to be faced by socially passive fronts with few or no windows and little indication of human presence
- *Bad maintained buildings defining open spaces*- Having no uses and function, and very bad finishing qualities, they create the image of left aside spaces and buildings, which, in return, eliminate the presence of public.

The Aim

The aim of the case study is to see, even theoretically, how the map of public spaces will change if the membrane/borders approach is used to replace as much as possible the existing wall/boundaries approach, without changing the ownership status of the properties.

Why This Area

Regarding the urban background of the selected zone, it is clear that the area is of clear cadastral/street pattern (see Carmona et al, 2008. p 63) regarding to the urban morphology. The specific condition of the area don't allow the change of this pattern so the regime of the ownership, as stated above will remain unchanged. Still beside the strict restriction regarding to the buildings the protection status of the area allows changes on their use and function. At this extend the area offers very good conditions for applying this approach as it will change the degrees of accessibilities and functions and use of the space and buildings, which are allowed.

The Methodology and Outcomes

The methodology of the project uses the boundaries to borders approach for open/external spaces as they divide public form private owned spaces and wall to membrane one for closed/internal space as they divide buildings form the outer/open space, and is organised into two steps.

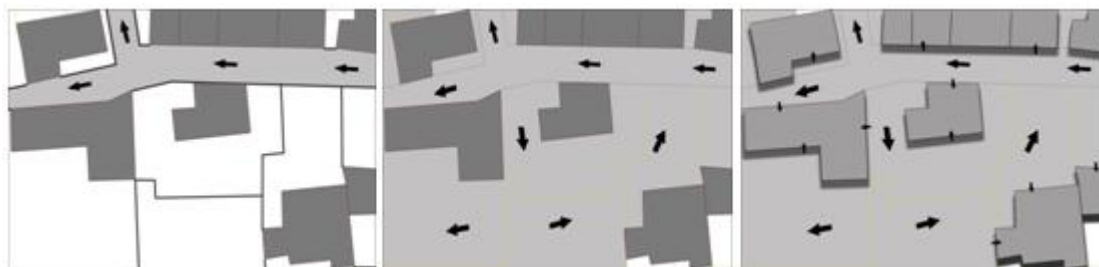


Figure 2

The first one concerns to changing surrounding of the properties applying the boundaries to borders approach. By opening boundaries visually or physically, turning them to borders, it is possible to increase the social interaction between spaces. (fig 2)

The second one concerns to changing the function and use of these spaces/properties from private to public, by turning walls to membrane.

As the first step opens the possibility for public entrance, the second one opens the possibilities for public use, without changing the ownership, which referring to the definitions above, helps in turning them to public spaces. This approach stimulates interaction between different groups increasing thus the scale of publicness and physical or psychological accessibility of spaces. Although this leads to spaces more open to public, reducing the scale of privacy, the physical configuration of the property and its ownership remains unchanged. (fig 3)

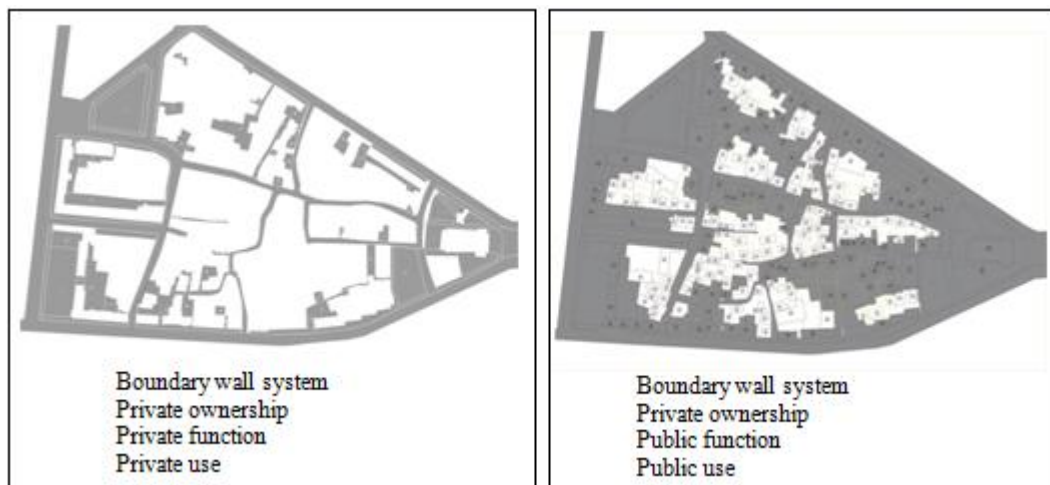


Figure 3

So, it is clear that the change of function leads to public use of the property, but converting wall/boundaries to membrane/ borders doesn't influence the ownership or physical configuration of the property. It increases the scale of accessibility and communication, which creates a favourable background for changing the use of a property from private to public, but what it's most important, this approach, through elements of management and design, creates a strong basis for social cohesion.

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