

BUILT ENVIRONMENT LAW NETWORK (BEL-NET)

Notes of inaugural meetings held at Imperial College London on Monday April 3 2006, and at Hong Kong Polytechnic University on Wednesday April 12 2006.

Present [London]: Alison Ahearn (Imperial College London), Paul Chynoweth (University of Salford), Martin Green (Leeds Metropolitan University), Charlotte Hammersley (University of the West of England), Jan-Bertram Hillig (University of Reading), Aaron Hudson-Tyreman (King's College London), Jill Reville (De Montfort University), Peter Kennedy (Glasgow Caledonian University), Jim Mason (University of the West of England), Linda Thomas-Mobley (Georgia Institute of Technology), Douglas Wood (Staffordshire University). [Hong Kong]: Edwin Chan (Hong Kong Polytechnic University), Paul Chynoweth (University of Salford), Jeremy Coggins (University of South Australia), David Greenwood (Northumbria University), Peter Ward (University of Newcastle, Australia), David Yates (University of Hong Kong).

Apologies: John Adriaanse (South Bank University), Sarah Blandy (University of Leeds), Phillip Britton (King's College London), Sai On Cheung (City University of Hong Kong), Alice Christudason (National University of Singapore), Stephen Crow (Cardiff University), Pauline Makepeace (College of Estate Management), Alan Morris (Alan Morris Training), John Pointing (Kingston University), Amarjit Singh (University of Hawaii), Maurice Sunkin (University of Essex).

1. Scope & Purpose of the Network

It was agreed that the primary role of the network was to increase communication between, and to address the isolation of, scholars sharing academic interests within the Built Environment Law subject areas. The intention was to establish a recognised academic community within the field along the lines of other subject groupings within the Built Environment.

The term "Built Environment Law" was regarded as an appropriate title for the network. It was intended to be as inclusive as possible. It dealt with the impact and application of law on the design, use and management of the built environment.

The network was not restricted to particular legal specialisms (for example, tort, contract etc) but was instead defined by reference to its field of application (the built environment). Nevertheless, the network's scope could also legitimately be described as including all of the following: Construction Law, Housing Law, Property Law, Planning Law, Environmental Law. The success of the network would be dependant on being able to achieve a blend of all these areas.

The network included legal scholars working within Law schools (whether in doctrinal, socio-legal or other contexts) as well as those within Built Environment schools. It also included scholars from the various Built Environment disciplines who had particular interests in the legal aspects of the subject.

It was recognised that the network must be international in scope. This was necessary in order to facilitate genuinely comparative legal work within the field, and also for credibility within the wider Built Environment academic community.

There was no intention to duplicate the role of existing organisations, including the Society of Construction Law (SCL), the Society of Legal Scholars (SLS), the Socio-Legal Studies Association (SLSA), the Centre for Education in the Built Environment (CEBE), the UK Centre for Legal Education (UKCLE) and the International Council for Research and innovation in Building and Construction (“CIB”). Members of the network were likely to be involved in some or all of these organisations, depending on their particular specialist interests and activities but none of these currently shared the particular focus proposed (above) for the network.

The network was to be an academic network. Although the field is an applied one, there were already thought to be sufficient avenues for members to interact with practitioners and the network is therefore intended to operate within an exclusively academic context.

The network is intended to serve all academic interests of members operating within the Built Environment Law field. It will therefore operate as a research network but will also provide a forum for the development of educational and pedagogical issues.

2. Activities & Events

It was not felt sufficient for the network to exist as an exclusively virtual network (although email and the internet will continue to play a valuable part in coordinating its activities). To be sustainable the network (or individual members of the network) must therefore organise the kinds of real events which allow people to interact and which can facilitate the development of an academic community. These will include the following.

2.1. Conferences & Meetings

It was recognised that the network is not yet sufficiently established to organise its own academic conferences. At this stage it should therefore aim to organise streams within more established conference events.

COBRA 2006 (London): The Law in the Built Environment stream at the forthcoming RICS COBRA conference in London on September 7 & 8 was the first opportunity to contribute to such an event. This had already been publicised via the BEL-NET email list and it was agreed that this would provide an important opportunity for members of the network to meet in an academic context. As in previous years the COBRA conference had been organised to follow on directly from the annual conference of the Association of Researchers in Construction Management (ARCOM) which was being held in the UK on September 4 – 6. A number of members had already submitted abstracts for the COBRA 2006 event which were required by Tuesday 2nd May 2006 at the latest. A further reminder was to be sent out via the list in order to maximise attendance at the event. **Action: Paul Chynoweth**

Business Meeting, September 2006 (London). A further business meeting of the network would also take place during the COBRA 2006 conference to consider progress on action points agreed at the inaugural meetings.

COBRA 2007 (Atlanta, USA). Opportunities should also be identified for Law streams to be organised within future Built Environment conferences. Depending on the level of support for the COBRA 2006 Law stream the RICS have indicated that they may be prepared to make this an annual event at future COBRA conferences (COBRA 2007 will take place at Georgia Institute of Technology, Atlanta, USA.). This possibility is to be explored further with the RICS. **Action: Paul Chynoweth**

BEAR 2008 (Sri Lanka). The CIB's Building Education and Research (BEAR) Conference might also provide an opportunity to organise a stream dealing specifically with curriculum development and the teaching of law to Built Environment students. Robert Morris of Hong Kong Polytechnic University presented an interesting paper to the last BEAR conference on these issues and further contributions along these lines would be very welcome. BEAR 2008 will take place in Sri Lanka during the first quarter of 2008. Enquiries should be made with the organisers to see if legal education issues could feature within the conference.

Action: Paul Chynoweth

2.2. Publishing Opportunities

Members of the network will obviously continue to publish in journals which are appropriate to their individual specialisms in addition to any particular opportunities that might be generated through the network.

Special Issues. It was noted that there is currently no dedicated "Law in the Built Environment" peer reviewed journal although there are regular opportunities for publication in Law special issues of Built Environment journals. Special issues of *Construction Management & Economics* (edited by Edwin Chan) and of the American Society of Civil Engineers' *Journal of Professional Issues in Engineering* (edited by Sai On Chan) were recent examples of this. The latter journal also maintains a separate legal affairs section edited by Amarjit Singh.

Law in the Built Environment Special Issue. The forthcoming "Law in the Built Environment" special issue of *Structural Survey* was identified as the next available publishing opportunity in this context. A call for papers has already been circulated via the BEL-NET email list and a link can also be found on the list's homepage at www.bel-net.org. Final papers are required by 2 October 2006 for publication in early 2007.

2.3. Doctoral Research

The need to develop a doctoral research tradition within the Built Environment Law field was discussed. Although the Law PhD tradition has taken time to develop it was recognised that doctoral research is now playing an increasingly important part within the legal academic environment.

The network would therefore like to support members in pursuing their own PhD studies and also to develop a pool of supervisors and examiners with expertise of doctoral level study within the field.

An important part of this is to define the nature of a PhD within Built Environment Law and to understand how this might differ from those undertaken within a clearly Law or clearly Built Environment context. Some initial enquiries would be made into this issue and comments would then be fed back to the network as a basis for further consideration in September.

Action: Peter Kennedy

2.4. Educational Development Projects and Events

It was recognised that there was considerable scope for improving the quality of the Law curriculum within Built Environment programmes and that there were likely to be opportunities for collaboration on initiatives in this area. The availability of funding from CEBE, UKCLE and the Higher Education Academy was also discussed in this context. An initial review of the possibilities in this area would now be made with a view to reporting back to the network in time for the September meeting.

Action: Alison Ahearn

3. Organisation & Management

Formal arrangements. There was no wish to formalise an organisational or management structure for the network at the present time although this may become necessary in the future. At present the network is probably most effective as an informal network relying on voluntary inputs from its members with any integration and coordination being arranged informally.

Funding. It was considered unlikely that any funding would be available for the network in view of its broad aims and membership. Funding for activities is most likely to be available to individual members for participation in particular events (for example travel funding). However, the possibility of obtaining funding for the network's infrastructure and organisation would be explored alongside existing enquiries into the availability of opportunities for educational development projects and events discussed above.

Action: Alison Ahearn

Web Site. The BEL-NET email list is currently hosted by JISCMail (the UK academic network's list service). This includes a single homepage (at www.bel-net.org), a limited capacity to make files available from the file store area and a very limited facility to provide links to other web sites from the homepage. Although a full web site was not considered to be justified (because of the resource commitment involved in its maintenance) two additional web-based facilities were thought to be desirable. Firstly, a web-based introduction to the network will be included (via a second server) and secondly a page will be provided (also on a separate server) containing links to members' existing homepages so that details of members' academic interests can be more easily accessible.

Action: Edwin Chan

Bulletin Board. The possibility of a bulletin board facility (or similar) was also discussed in order to allow members to post details of their own events to a web area without the need for updating by a web master. To a certain extent this is already possible via the existing list as all postings are archived. However, the possibility of some other arrangement is to be investigated (similar to that used by the SLSA) which will make it easier to access information about events without the need to search through the archives.
Action: Paul Chynoweth

Online Debate. A desire was expressed for more online debate via the email list. Contributions to the list should be emailed to: BEL-NET@JISCMAIL.AC.UK. All members of the network are invited to contribute.

4. Membership & Recruitment

The BEL-NET email list forms the nucleus of the network's membership. There are currently 125 members of this list and these are distributed across most regions of the world. It was recognised that there was still scope to increase the size of the membership and that the network would benefit from this.

Although there is good coverage of legal specialists in UK Built Environment schools there is scope to increase membership in a number of other areas. Further recruitment efforts will therefore concentrate on the following regions and subject areas:

- USA / North America **Action: Linda Thomas-Mobley**
- Australia / New Zealand **Action: Jeremy Coggins**
- Asia **Action: Paul Chynoweth**
- UK Law Schools **Action: Doug Wood**

Other areas for growth might include: Continental Europe, Scandinavia, Russia, South America and Africa but we do not presently have anyone coordinating recruitment activities in these areas.

A one-page PDF introduction to the network is currently under preparation for use in mail shots to potential members and this will be circulated to the list as soon as it is available (the same text will appear as the web-based introduction referred to under 3 above).
Action: Paul Chynoweth