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## SCOPE AND AIMS

The review is concerned with a multi-disciplinary approach to spatial, regional and urban planning and architecture, as well as with various aspects of land use, including housing, environment and related themes and topics. It attempts to contribute to better theoretical understanding of a new spatial development processes and to improve the practice in the field.

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# BEYOND FORMALITY: A CONTRIBUTION TOWARDS REVISING THE PARTICIPATORY PLANNING PRACTICE IN SERBIA

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Participation has been present in the Serbian legal framework in the domain of urban planning since the 1950s. Its scope and legal definition have evolved with the transition to democracy, markets and decentralised governance. In line with EU standards, Serbia introduced an additional level of participation in the form of early public inquiry in 2014. Still, participatory planning practice is often seen as a formality which lacks sufficient effect on the planning solution, and requires qualitative improvements in citizen and stakeholder involvement. The main aim of this paper is to suggest that the use of alternative methods of participation in the domains of informing, consultation and active participation may increase the effectiveness of participatory planning practice. Thus, this paper points out some examples of good practice, and argues for the importance of recognising the existing base of knowledge and expertise in order to respond to contemporary requirements in the field of urban planning.

**Key words:** participation, urban planning, formality, alternative methods, good practice.

## INTRODUCTION

Most democratic countries share the view that participation is one of the main attributes of civil society, and that citizens have the right to affect the decision-making process (Kumar, 2002). During the last decade, participation has been operationalised internationally in the field of action and strategic planning, that is, in the process of drafting local, regional and national development policies and plans. In Serbia, participatory planning practice was first introduced in the 1950s (Basic Resolution on General Urban Plan, 1949) and has evolved in line with the transition to democracy, markets and decentralised governance (Tsenkova and Nedović-Budić, 2006).

Current participatory planning practice in Serbia recognises the early public inquiry, introduced in 2014, in line with the EU standard for two-level participation, and the public inquiry, which is traditionally part of urban planning legislation. Accordingly, there is a certain level of cooperation between relevant institutions involved in the process, while the transition to markets involves negotiating with investors during the plan drafting procedure. Be that as it may, participatory planning practice in Serbia is often

seen as a *formality* which has no significant effect on the final planning solution. Moreover, the low level of active citizen participation and the lack of provision of feedback information on the implementation of plans reinforce the notion that Serbian planning professionals often describe local participatory practice as declarative (Čolić, 2017).

In 2012, Serbia officially became a candidate for accession into the European Union. As a result, various international programs in the field of strategic and action planning, policy development and land management are ongoing, and some of the main procedural requirements of these programs are the transparency of the decision making process and public participation (Čolić and Dželebdžić, 2018). Moreover, the new legal framework also recognises the need for more extensive participatory practices. The requirements of such a rapidly changing environment suggest that the existing local experience should be acknowledged. Thus, the dissemination of examples of good local practice can be seen as potentially making the implementation of participation more effective in the future.

## PARTICIPATORY PLANNING IN SERBIA

This section will briefly outline the theoretical directions that can be considered in relation to the Serbian local context,

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and it will go on to identify some of the contemporary requirements for the operationalisation of participation. The aim of this section is to provide background information and argumentation for acknowledging the need for disseminating good local practice beyond formality. It should be noted that this paper does not seek to elaborate the overall scope of significant literature on participatory practice, but rather it discusses current tendencies and some possible future directions.

### Some theoretical implications

Despite the notion that the strand of communicative planning theory represents a base for planning practices in Western societies, it is often suggested that since socialism, the dominant planning model in Serbia is based on the principles of instrumental rationality (Lazarević-Bajec, 2009). In relation to participation, rational planning is most often associated with observed and agreed facts that direct actions, where participation serves to provide legitimacy for top-down decisions (Campbell and Marshall, 2000; Petovar and Vujošević, 2008) and the actions of planners aim "...to help define public policy objectives as merely the application of their professional judgement to narrow technical issues" (Klosterman, 1978:38). Communicative rationality is, on the other hand, based on the assumption that social groups and individuals are able to learn from each other and that this knowledge affects behaviour in decision making (Healey, 1997; Innes, 2004), while acknowledging that not everyone possesses the means of communicating, explaining or achieving their interests (Flyvbjerg and Richardson, 2002). It should also take into account that each participant's rationality is accompanied with passions (Mouffe, 1999) and neither side is powerless, but the victory depends on the way power is executed (Lukes, 1974); in it, technically competent professionals become active facilitators and mediators of the public voice (Forester, 1999:155).

Taking into account the widely discussed critiques of the communicative approach to planning (Fainstein, 1999; Flyvbjerg and Richardson, 2002; Innes, 2004), the issue of balancing the variety of interests in the process appears even more perplexing in the local context of a post-socialist country like Serbia. This is a context in which political, societal, institutional and economic transition is often followed by the scepticism of the professional and political elites towards the engagement of the public in the planning process (Petovar and Vujošević, 2008; Čolić *et al.*, 2013), and in which planning, as a societal practice, is often accompanied with the issues of achieving an appropriate balance between normative commitments, on the one hand, and flexibility and dealing with the variety of interests, on the other. In a situation in which rigidity and control become ineffective, and flexibility opens the field for manipulation, the following dilemma emerges: when is it desirable to impose mandatory regulations, and when should implementation of the interests of local decision makers be allowed (Dželebdžić, 2013)?

Contemporary practice imposes new requirements for planning professionals, as well. As Petovar and Vujošević (2008) point out, the development of emancipatory and modern planning requires planners/researchers to expose

the process to public scrutiny, protect the public interest and actively practice public participation. However, it might be an uneasy change of heart for technically competent professionals to become active facilitators and mediators of the public voice. In such cases, the dissemination of examples of good practice might help other professionals, researchers and subjects of the research to question their ongoing practice and ethics, and thereby work to produce change (Schram, 2012:19). Moreover, exposing generally positive examples to public and professional scrutiny may challenge the prominent contemporary power (Flyvbjerg *et al.*, 2012).

### Requirements of the contemporary planning context

As Huxley and Yiftachel (2000:339) explain, the relation between planning and state policies is something that defines the specific nature of planning practice. In the case of Serbia, both state policies and the societal context can be observed as a changing notion – if taken that the country has experienced both a socialist regime and a market economy, coupled with all the transitional stages in between. Additionally, the contemporary planning context in Serbia is influenced by a variety of external and international factors, especially since the country became a candidate for entering the EU (ESPON, 2018). This section discusses some of the main requirements of the contemporary planning context in relation to participatory planning practice in Serbia.

An analysis of generations of planning laws points out the long lasting existence of an established normative basis that guarantees the right of citizens to participate in urban development processes. It should be noted that there are significant differences between the level/methods of participation that each generation of law declares.<sup>2</sup> Contemporary tendencies in the amendment of the legal planning framework for participation are marked by introducing two-level participation in the Law on Planning and Construction (2014) in order to adjust practice to EU standards, and the adoption of a Law on Planning Systems (2018). This legal novelty sets the framework for implementing public policies by means of a set of participatory methods at the level of informing and consultation. As Čolić *et al.* (2017) point out, the proposed participatory methods are overregulated and do not fully correspond to the local experience in Serbian planning practice, or to the guidelines of the Resolution on public participation of the Council of Europe (2011).

Despite the long tradition of participation in the Serbian planning framework, the low level of citizen engagement in planning processes represents one of the main weaknesses of contemporary participatory practice (Danilović-Hristić

<sup>2</sup> The early socialist era is mostly characterised by the top-down approach to planning, without the real possibility to submit a complaint or affect the outcome of the plan until 1961 (Law on Urban and Regional Spatial Planning, 1961). On the other hand, the era of the 1970s and 1980s was coloured by extensive public engagement which involved specific activities such as the presentation of plans to sub-municipalities, questionnaires, expert discussion, public inquiry, and the possibility to submit a complaint, as well as feedback informing methods (Nedović-Budić *et al.*, 2011). The 1990s saw radical changes in the domain of political, economic, sociological, ideological and cultural norms and standards, as well as the transition from collectivist ideology towards patterns of pluralism (Bazik and Petruševski, 2005).

and Stefanović, 2013). This notion might be rooted in the strong top-down role of the State during socialism, since in the post-socialist circumstances citizens are still traditionally used to perceiving planning as a public sector activity which does not require their involvement (Petovar, 2010). Other contemporary issues in implementing participation are identified as: the insufficient or late provision of information about specific planning initiatives; citizens' lack of knowledge (and hence power) on their rights to participate in the decision-making process; and the lack of transparency of the planning process. The lack of obligation for public presentation of the planning concept during the early public inquiry can be addressed as another procedural weakness (Čolić, 2006). This presentation was an integral part of planning practice until 2003, and served to provide basic information about development goals to the general public – in simple language which they understand. Also, public presentation is useful to describe the possible effects of the plan and clarify the legal planning language and graphics that general public often finds difficult to comprehend.

The weakened role of sub-municipalities (in Serbian: *mesne zajednice*) represents another issue attached to contemporary practice. The sub-municipality level was formed during the early socialist era and it held considerable executive power (Vujošević and Nedović-Budić, 2006). Traditionally, sub-municipality representatives are seen as key gatekeepers between planning professionals, local politicians and citizens. Moreover, sub-municipalities often have a significant role in informing and mobilising citizens to gather around their common interests, especially in rural areas.

Another significant issue relating to current participatory practice is the lack of legal obligation for providing feedback information to citizens after the participation process is completed (Čolić, 2017). If people are not informed in a timely manner about the fate of their initiative or complaint, then they might not be willing to participate in any future processes. On top of that, there are no effective sanctions for violation of the right to participate within contemporary planning practice in Serbia. Thus, current practice is limited to postponing the submission of the planning document in the adoption procedure until the comments and complaints from the public inquiry are remedied. Finally, the methods for evaluating planning practice are insufficiently substantiated, especially in relation to participation (Dželebdžić, 2002). Taking the former points into consideration, the general lack of motivation for public involvement can be, in addition to other issues, attached to the poor level of informing citizens about the participation process, as well as the lack of provision of feedback.

Some of the contemporary requirements for Serbia, as an EU candidate, refer to the need for increasing the transparency of the decision making process as a precondition to ensuring real opportunities for citizens (Council of Europe, 2011). The recommendations of the Council of Europe relate to the greater use of informal/alternative forms of participation, which can be used within formal participatory procedures as an “incentive for a better urban governance and improvement of the quality of life” (Čolić *et al.*, 2013). Informal/alternative

forms of participation include a wide range of methods at the level of informing, consultation, active participation and feedback informing, and they provide a level of flexibility in implementation (International Association for Public Participation – hereafter IAPP, 2004). In relation to contemporary challenges in the field of urban planning, the main aim of this paper is to complement the existing base of knowledge on the implementation of alternative participatory practice in Serbia.

## ALTERNATIVE PARTICIPATORY PRACTICE IN SERBIA

This chapter will first outline the methodological approach to the analysis of participatory practice in Serbia. It will go on to present examples of good practice in which public participation was implemented through alternative methods within the formal procedures of drafting local urban plans.

### Methodological approach

Secondary desk-based data analysis<sup>3</sup> was applied in order to gather evidence on the treatment of participation in Serbian planning legislation and practice. The analysis aimed to identify some of the main strengths and weaknesses of the contemporary participatory planning practice in Serbia. It was performed by examining the (1) legal framework and obligatory procedures for the preparation and adoption of urban plans; and, (2) documents which outline the EU requirements for improving the participatory planning framework in Serbia. Secondly, the analysis aimed to identify cases in which participation was implemented beyond minimal obligations within the formal planning procedures.

The sample for the secondary data analysis of examples of good practice was derived using the purposeful sampling strategy, by means of which a single case (or small number of cases) can be decisive in explaining the phenomenon of interest (Bryman, 2012). Thus, sampling was directed towards identifying the cases in which alternative participatory actions:

- Were incorporated within formal planning procedures at the early stage of plan preparation,
- Aimed to enhance more realistic planning concepts by identifying the needs and interests of different actors, and
- Enhanced the overall transparency of the process and exposed the plan to public scrutiny.

Some of the examples are based on the individual actions of planners, while others are supported by the EU and international programs. Presentation of the findings is organised around three key levels of participation – informing, consultation and active participation, while an additional level of feedback informing is incorporated within these themes (Figure 1). It should be noted that some cases include several different levels and methods of participation.

<sup>3</sup> The analysis was carried out by the authors of this paper for the purpose of drafting the National Sustainable and Integrated Urban Development Strategy of the Republic of Serbia 2030 (2018).

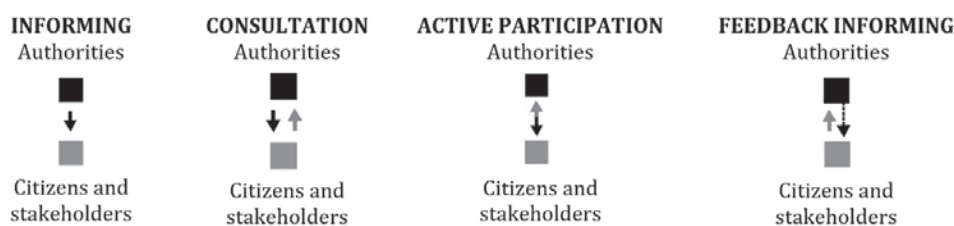


Figure 1. Levels of participation (Source: IAPP, 2004)

### Informing

Besides the traditional methods of informing the public about a participation event via newspapers, other alternative methods are being incorporated within formal planning processes:

- Public presentation at the sub-municipality level in the case of the General Regulation Plan (hereafter PGR) for the area of Kać,
- Local municipality website, info-points in the case of the Detailed Regulation Plan (hereafter PDR) for the area of “Savapark” in Šabac,
- An exhibition in the case of the PDR for the area of “Savapark” in Šabac, and
- Printed promotional material in the following cases: PDR for the area of “Savapark” in Šabac, PDR for the tourist area of “Rajkovo” in Majdanpek, PDR for the “Resava” housing development.

According to the planner in charge of drafting the PGR for the area of Kać, public presentations in the sub-municipality were particularly useful for explaining the possible future effects of the plan. The presentation aimed to clarify the intentions of the planner and help gain citizens’ trust in order to maintain longitudinal communication in the later stages of the planning process (Pavlović, 2017). In this case, representatives of the sub-municipality were a resourceful medium for the dissemination of information to or from the local community, as further addressed. Moreover, local municipality websites were used for informing citizens and stakeholders in the process of preparing a number of

Detailed Regulation Plans across Serbia (Zindović, 2017; Čolić, 2018). In the cases identified it was expected that adequate advertising of the participation event was the main precondition to ensure the attendance of participants at the presentation of the plan and increase the transparency of the whole process.

Info points, exhibition panels and printed promotional material were additional methods of informing citizens prior to formal participatory processes such as early public insights, including the public insight in the case of the PDR for the area of “Savapark” in Šabac (Figure 2). According to the planner in charge, these alternative methods of informing enabled citizens to perceive the planning concept in a strong visual content, thus producing a receptive translation of formal planning language to the local community (Zindović, 2017). The main purpose of informing in these cases was to notify the general public about future actions. Nevertheless, if complemented with other levels of participation (as in the following examples), informing can be a particularly important means of increasing the transparency of the process and mobilising participants, while insufficient and non-transparent informing can often be one of the main preconditions for manipulation.

### Consultation

Besides traditional formal methods of consultation via public inquiry, and since 2014 early public inquiry, consultation with citizens in sub-municipalities is the most common example of acting beyond the minimal legal obligations in Serbia. Other alternative methods of consultation identified in local planning practice are:



Figure 2. Alternative methods of informing in the early stages of the planning process

Left: Exhibition “City goes out to the river, park gets into the city” in an early stage of the planning process for the PDR “Savapark” Šabac, 2016-2017; Right: Informing youth about the potential effects of the plan through the method of info-points at the Šabac Summer Festival, 2016 (Source: Zindović, 2017)



- discussion groups with stakeholders in the following cases: PGR “Industrial Zone – Sport Airfield” in Kraljevo; PDR for the tourist area of “Rajkovo” in Majdanpek; PDR for “Jugovo” in Kladovo,
- public-private dialogue in the process of drafting thirty six PDRs across Serbia.

Consultation with citizens in sub-municipalities is often used to collect valuable bottom-up data with the aim of re-evaluating the initial planning concept. In some cases in Serbia, questionnaires are disseminated through sub-municipality representatives, who are often gate-keepers that share information between the planner, local politicians, public enterprises and citizens. The planner in charge should take citizen comments into account and incorporate them in the Draft Plan.

Some captivating examples of consultations at the sub-municipality level were applied during the process of drafting the PGR for area of Kač, the PDR for Šumska in Novi Sad, and the PDR for Vojinovo in Sremska Kamenica. After the consultation processes were completed, planning professionals provided feedback information by contacting citizens via telephone. These actions were directed towards increasing trust in planning authorities among the local inhabitants (Pavlović, 2017). According to the planner in charge, citizens were interested to follow up the plan implementation phase and get involved in future processes. On the other hand, this method might not be as successful if there is a low level of communication between the sub-municipality representative and citizens, or, if there are some hidden agendas or interests which disrupt the planning process.

Some other cases have incorporated alternative methods of consultation via discussion groups, which took the form of meetings with stakeholders within the formal procedure of drafting General and Detailed Regulation Plans. In all of these cases, the municipality organised meetings attended by public enterprises, and representatives of the administration and planning commission (see Figure 3). Discussions were held for the purpose of establishing

longitudinal collaboration with key stakeholders. The experience from the process of drafting the PGR “Industrial Zone – Sport Airfield” in Kraljevo, the PDR for the tourist area of “Rajkovo” in Majdanpek and the PDR for “Jugovo” in Kladovo, points out that discussion groups contributed to a better mutual understanding, while discussion between the representatives of different institutions aimed to help identify rational and realistic planning solutions (Mueller *et al.*, 2015).

Besides consultations in sub-municipalities and discussion groups, it is useful to mention the method of public-private dialogue. This method is in the form of a meeting between the local authorities, investors and other relevant stakeholders early in the planning process, when the conceptual plan is defined. The implementation of public-private dialogue within the formal procedures of early public inquiry occurred in thirty six cases of drafting PDRs across Serbia.<sup>4</sup> Meetings were conceived as a combination of presentations that facilitated dialogue between representatives from the public and private sectors, followed by an interactive panel discussion.

Some of the benefits of such process were recognised as: enhanced envisioning of investor needs; early recognition of conflicts; harmonization of the requirements of different public enterprises and hence shortening the procedure; establishment of more realistic planning solutions for timely implementation; increasing the level of transparency and trust in the work of the administration; balancing public and private interest; and enhancing public awareness on the importance of dialogue and cooperation (Čolić, 2018). Reports on early public inquiries have been uploaded on local municipality websites. Some of these reports contain detailed answers to individual complaints obtained during the participation process to provide feedback information, as well. What should be noted is that the effectiveness of online informing methods depends on the level of computer literacy among the local community.

<sup>4</sup> Prepared by Čolić, R. (2018) as a monographic study: *Encouraging local sustainable and economic development through preparation of Detailed Regulation Plans.*



Figure 3. Alternative methods of consultation during formal planning procedures; Discussion between investors and representatives of the public sector in the early stage of drafting the conceptual design solution for the PGR “Industrial Zone – Sport Airfield” in Kraljevo (2012) (Source: <http://www.direkcijakv.net>)

## Active participation

Active participation is supposed to represent the highest level of democratic decision making in the planning process, whereby citizens and stakeholders are given power to push for their individual/common interest. The analysis identified several examples in which different methods of active participation were incorporated within the formal planning process for the purpose of drafting General and Detailed Regulation Plans:

- Workshops in the case of PGR “Industrial Zone – Sport Airfield” in Kraljevo,
- Visioning in the case of PDR for the area of “Savapark” in Šabac, and
- “Speak out!” in the case of PDR for the tourist area of “Rajkovo” in Majdanpek.

In the case of the PGR “Industrial Zone – Sport Airfield” in Kraljevo, the workshop included representatives of the administration, experts, representatives of public enterprises, and also local businessmen, the Chamber of commerce, Privatization Agency, and more. This method was used to verify the results obtained from the initial analysis early in the planning process, and to re-evaluate of the problems identified and potential of the area, and additional participants’ comments were incorporated in the Draft Plan. A workshop was also used for balancing the needs between the private and public sectors, discussing the project management, and, forming a Building Register and Atlas of locations for potential investors. The head of the Directorate for Planning and Construction in Kraljevo saw this process as an alternative and multidisciplinary way of planning which contributed to a more realistic envisioning of the possibilities for the development and financing of specific projects, while ensuring environmental protection and social care for all (Čolić *et al.*, 2013).

The method of visioning was used for the purpose of identifying future development steps for the area of Benska Banja, as part of the PDR for the area of “Savapark” in Šabac. This method was beneficial for connecting different public sector enterprises, and also the non-governmental sector, civil associations and citizens in joint discussions

and cooperation in shaping the vision of a desirable future (Zindović, 2017). The added value of the method of visioning is the level of freedom in joint thinking and discussion about the common future, where the whole process can be seen as a game which may provoke innovative ideas.

Another active participation method “Speak out!” was implemented in the process of drafting the PDR for the tourist area “Rajkovo” in Majdanpek. “Speak out!” resembled a public exhibition in which different aspects of future development of the area were presented on thematic posters. Stakeholders and citizens gathered around each poster and spoke about the main problems and development potentials of the area. Local citizens were keen to talk about the vision for Rajkovo and the possibilities of enhancing the local tourist offer based on the natural, historical and archaeological value of the area. Hikers and mountain bikers provided valuable information about the important spatial characteristics of the territory which local planning experts were not familiar with. Facilitators carefully annotated each comment and later used this data for preparing the Draft Plan.

In these cases, active participation aimed to allow citizens and stakeholders to express their knowledge and experience in a creative way. The expectation is that participants would develop a sense of personal responsibility for the implementation of the solutions adopted (Sarkissian and Bunjamin-Mau, 2009). While these cases may confirm the intention towards achieving these aims, daily practice often denies the possibility for attaining an equal level of eloquence and power among the participants in the decision making process.

## CONCLUDING REMARKS

Planning legislation in Serbia is recognisable in relation to the treatment of participation, through established instruments, procedures and mechanisms. Within formal practice, the main purpose of participation is to secure the legal right of participants to be involved in the planning process. Still, there is a general understanding that participation is a legal formality, and has not reached its full capacity within the planning context of Serbia.



Figure 4. Alternative methods of active participation in the early stages of the planning process; “Speak Out” event in Majdanpek, PDR for development of the tourist area “Rajkovo” (Source: authors)

On the other hand, the EU integration process and cooperation with international programs suggest that Serbian planning practice is often used as a test ground for various methods of participation in the process of preparing local urban development strategies, action plans, urban designs and feasibility studies and urban and spatial plans (Čolić *et al.*, 2013). Even without external influences, some planning professionals operationalise participation beyond the minimal requirements in the legal framework, through the implementation of alternative methods for public and stakeholder engagement. In such cases, specific methods of participation are shaped in line with the requirements of the local context and plan, and include: extensive advertising of participation, directly informing citizens, performing public presentations in sub-municipalities, organising meetings with stakeholders, instructing citizens on how to fill out complaints, and providing feedback information. Some cases were identified as examples of good practice, to be disseminated between practitioners in order to help other professionals to solve similar problems in local contexts.

In the rapidly changing environment in which many countries are faced with the need to implement various imported concepts for sustainable urban development without the possibility for prior testing, the dissemination of examples of good local practice can be seen as making the implementation of participation potentially more effective. Thus, the main idea of this paper was to demonstrate that there is a significant reservoir of knowledge and expertise in participatory practice *beyond formality* within the local context of Serbia.

Some of the main opportunities for improving practice have been identified as more extensive informing and consulting at the sub-municipality level, and engaging citizens, stakeholders and interest groups in the early stage of the planning process. Digitalisation of the planning process is also seen as an opportunity for improving transparency of the process at various levels, whereby more extensive public participation may be achieved through developing a national infrastructural geo-spatial data base, supported by a platform for e-participation. Furthermore, the provision of feedback information may cause an increase in the level of citizens' trust in institutions, and inspire future activities in the maintenance of common areas/public space, as well as increase engagement in future participatory processes. Finally, examples of good practice should be disseminated via professional platforms, scientific and expert meetings, scientific journals and other sources. Such a professional platform would ideally have a longitudinal form in order to increase the level of institutional transparency and help professionals and researchers to question their ongoing practice and ethics, and thereby work to produce change.

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