



## ESPON 2.3.2: GOVERNANCE OF TERRITORIAL AND URBAN POLICIES FROM EU TO LOCAL LEVEL (2004-2006)

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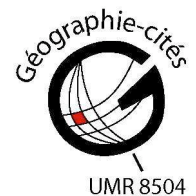
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**ESPON 2.3.2: GOVERNANCE OF TERRITORIAL AND URBAN  
POLICIES FROM EU TO LOCAL LEVEL (2004-2006)**

## **National Overview: France**

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## Part I: Institutional context

### 1. Country profile

#### 1.1. Essential socio-demographic and economic statistics

In 2004, total population of France is 59 900 700 inhabitants, including 29 111 500 men (48,6%) and 30 789 200 women (51,4%). French population represents 19,8% of the population of EU-15, and 13,1% of the population of EU-25. The increase in population figures is moderated (since 1994, 2 135 700, 0,3% per year). The migratory balance is particularly low (1,0 per 1 000 inhabitants) compared to the UE-15 (3,1 per 1 000 inhabitants). Consequently, the bulk of the demographic growth is due to the natural increase.

The French general census does not distinguish the different ethnic backgrounds of the population. It only takes into account nationalities of the people, which are leaving in France. According to the general census of population (source: INSEE), 90,4% of the population who lived in France in 1999 was born in the country, 4,0% was French by naturalization and 5,6% was considered as foreigners. One third of the foreign population was born in one of the 14 other European countries of the EU-15. The foreign population was mainly from Portuguese (18% of foreign population), Algerian (18%) and Moroccan (15,3%) origins.

The **population is concentrated in urban areas and surrounding urban areas** with strong population growth. The general census of the population of 1999 shows that 60,2% was concentrated in the urban poles of metropolitan areas and 16,5 % was located in the surrounding urban areas. Then, 23,3% of the population lives in rural areas (source: INSEE). It is in surrounding urban areas that the demographic growth is the fastest and the more important.

**Table n° 1 - French metropolitan population by categories of spaces, 1975-1999**

Year	Population (in thousand inhabitants)				Population (in %)			
	Urban areas	Surrounding areas	Rural space	Total	Urban areas	Surrounding areas	Rural space	Total
1975	32 878	6 537	13 177	52 592	62,5	12,4	25,1	100,0
1982	33 357	7 715	13 263	54 335	61,4	14,2	24,4	100,0
1990	34 372	8 862	13 381	56 615	60,7	15,7	23,6	100,0
1999	35 217	9 674	13 628	58 519	60,2	16,5	23,3	100,0

Source: INSEE, general census of population, 1999

The national GDP is 23 300 € per year per inhabitant in 2001, very close to the European average (23 200 € for the EU-15). If we consider the index 100 for the EU-15, the French index has decreased from 104 in 1995 to 100 in 2001. Agriculture contributes to 2,4%, industry to 28,4% and services to 69,2% to the national GDP.

The rate of employment in 2001 is 63,1%, about the European average (64%), with an important difference between men (70,3%) and women (56,1%) This rate includes people between 15 and 64 years old who are at work versus the total population of the same age. Even if the unemployment rate has decreased from the beginning of the 90's (11,8% in 1994), it is still important in 2001 (8,6% in 2001). It concerns 2 222 100 people. The unemployment rate is particularly high for women (10,3%) and young people between 15 and 24 years (men: 18,1% and women: 22,3%).

The bulk of the population is at work in the services (72%). 23,6% works in industry. 4,4% works in agriculture. **The over-representation of agriculture makes the French case different from the more advanced European countries** (ex: Germany, United Kingdom or Belgium).

#### 1.2. Spatial structure and urban system

The density of population in France is 110 inhabitants per km<sup>2</sup> in 2004, with a little growth over the past ten years (1994: 106 inhabitants per km<sup>2</sup>). This national average hides important spatial disparities between central urban places and "deep rural" areas. However, one can observe since the census of 1975 a **spatial redistribution of the population over the French territory**. The typically

French “empty diagonal” (from the Pyrenees to the Ardennes), knows a fragmentation because some urban poles have reinforced their demographic weight (ex: Toulouse). Since about thirty years, urban areas are growing which also gives way to the extension of the surrounding areas. Since 1980’s, the interregional residential migrations knows an inversion of tendency between Paris and the province, to the profit of the latter, except for the areas of the North and of the East. However, the region of Ile-de-France is still an important pole, which attracts young people from 20 to 29 years old. The region of Ile-de-France still concentrates 1/6<sup>th</sup> of the French population.

The spatial structure was also influenced by the difficult re-conversion of the areas characterized by the Industrial Revolution of the Nineteen Century in the one hand, and, in the other hand, by the industrialization of the peripheral areas (mainly in the West). The main feature of economic and spatial changes consists of an over-tertiarisation of the largest cities and the geographical concentration of employment in the urban areas. If Paris has known a stabilization of its relative demographic weight since the mid-70’s in the one hand, its economic weight remained very important, and even has increased over the past years at a national scale. **The dichotomy Paris-Province, basic feature of the national territory, was just slightly counterbalanced by the however remarkable rise of the largest regional capital cities. Indeed, the Parisian pole takes a better advantage than other French cities of its integration in Europe and in the world economy** (GUERMOND, SAINT-JULIEN, BONERANDI, 2001).

Overseas Departments (Guadeloupe, Martinique, Guyane and Réunion) and Overseas Territories (Nouvelle-Calédonie, Polynésie française and Wallis-et-Futuna in the South Pacific; Saint-Pierre-et-Miquelon in the North Atlantic; Mayotte in the Indian Ocean), and the Corse are the ones to be concerned by the isolation issues. The principle of “territorial continuity” is applied to these spaces to compensate the handicaps related on the insularity and/or the distance.

**Table n° 2 - Overseas Departments and Overseas Territories**

	Population 1999	Surface (km <sup>2</sup> )	Density (inhab/km <sup>2</sup> )
Corse	260 196	8 680	30
Guadeloupe	422 496	1 780	237
Martinique	381 427	1 100	346
Guyane	157 213	91 000	2
Réunion	706 300	2 510	281
Nouvelle-Calédonie	150 000	19 100	8
Polynésie française	200 000	4 000	50
Wallis-et-Futuna	13 000	255	51
Mayotte	50 000	374	133
Saint-Pierre-et-Miquelon	6 500	242	27

Source: INSEE

22,5% of the national territory is composed by mountain areas (124 000 km<sup>2</sup>) with 4 338 000 inhabitants (7%). The mountain areas are the Vosges, the Jura, the Alpes (North and South), the Corse, the Massif Central and the Pyrenees. Most of them are localised in the peripheries, near the East and the South West borders. One can observe a **demographic increase especially in the Alpes, but also in the Jura, who benefits from the so-called “rural rebirth”**.

**Table n° 3 - French mountains**

	Number of municipalities	Superficy (km <sup>2</sup> )	Population
The Vosges	305	4 364	329 000
The Jura	514	6 375	298 000
The Alpes (North)	945	17 684	959 000
The Alpes (South)	532	17 680	303 000
The Corse	331	8 013	112 000
The Massif central	2 463	52 791	1 931 000
The Pyrenees	932	15 314	331 000
TOTAL	6 022	122 301	4 272 000
FRANCE	36 500	543 966	59 900 700

Source : Cemagref

### 1.3. Key spatial problems, conflicts and issues.

France as other European countries knows a trend towards **metropolisation**. This involves concentration of population in major cities and in surrounding areas (urban sprawl, increasing splitting of urban functions) and the constant falls in population figures in more deep rural areas. This can be considered as one of the major evolution of the French territory over the past decades. This situation can explain **current debates on the place and role of agriculture**, notably in periurban areas; and the **conflicts on competing uses**, which derived from this situation. This theme has become over the past years an issue of an increasing interest for local and national representatives and administrations (COMMISSARIAT GÉNÉRAL AU PLAN, 2004). It implies to think about conflict resolution methods.

Dealing with French rural areas, different situations can be identified. If urbanized rural areas and rural areas dedicated to tourism benefit from positive trends, the so-called "**fragile rural areas**" (mainly the ones with an old rural and/or industrial inheritance) are facing difficulties (DATAR, 2003). Most of them are localized in, or nearby, the Massif Central, the Aquitaine basin, the Pyrenees and in the central part of Brittany. Their main characteristics are: a poor agricultural productivity, weak density of population, lack of public services. Rural industrial areas are suffering from massive decline of the industries (ex: textile, metallurgy). Most of them are localized north to a line Le Havre-Strasbourg. They are facing strong increases of unemployment and poverty rates and decline in population.

Also linked to this evolution, the question of the **maintaining of public services in low population areas** (rural) has become a major concern relatively to the French conception of spatial planning where the policy of « aménagement du territoire » should guarantee an equal access to all citizens to at least basic public services. In fact, this debate should be also related to the question of the **maintaining and development of activities in rural areas**.

On the urban side, **urban segregation** can also be considered as a major spatial problem originally not taken in consideration in the mainstream of the « aménagement du territoire » policy. It mainly concerns the suburban areas of medium-sized cities to metropolis and particularly the outskirts, which were build in the post-war period. For now more than 20 years, a dedicated policy (« politique de la ville ») tries to counterbalance the accumulation of problems in these areas (urban dereliction, bad social conditions of the inhabitants, high unemployment rates, violence...).

Another issue can be identified for the future. It is partly linked to what have been said above: as far as the population which are living in periurban areas are also increasingly make up of a new working class (GUILLUY, NOYÉ, 2004) who can not afford leaving in the city centres or in the nearby areas, what will be done to deserve this population with urban needs and to have simultaneously, in a context of budgetary constraints, an efficient action on deprived areas of the agglomeration?

## 2. General institutional structure of government

- *Main institutional aspects:*

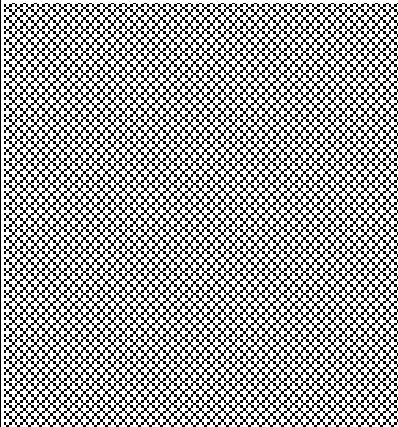
- **Nature of the State:** Republic, **Unitary**<sup>1</sup>.
- **Constitutional law:** Constitution of the Fifth Republic (1958).
- **Political regime:** parliamentary and presidential regime.
  - o Executive power:
    - President of the Republic names the Prime minister, presides the Council of Ministers, can dissolve the National Assembly, can call for **referendum**.
    - Prime minister: chief of the Government. Choose the members of the cabinet. Responsible before the Parliament. Law initiative and execution.
  - o Legislative power:
    - National Assembly: proposes and votes the laws, controls the Government activity, can overthrow the Government.
    - The Senate: proposes and votes the laws, controls the Government activity.

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<sup>1</sup> In the Constitution of the 5<sup>th</sup> Republic it is said that the local and regional elected authorities "s'administrent librement" (Article 72, Title XI). That formula implies a slight difference with the idea of self government.

- The National Assembly and the Senate are voting the laws and the State budget.
  - Constitutional control: the “Conseil constitutionnel”, 9 members named for 9 years by the President of the Republic (3), The President of the Senate (3) and the President of the National Assembly (3). It is in charge of the equilibrium of powers between the executive power and the legislative power and of the respect of the constitution (control of the laws, of the elections). It can be referred to by the President of the Republic, The Presidents of the Parliament or by 60 deputies or senators.
- **Elections:**
  - Municipalities: every 6 years, direct universal suffrage.
  - Departments: every 3 years by half (one representative by “canton” – administrative district - , elected for 6 years), direct universal suffrage.
  - Regional: every 6 years (from 2004), direct universal suffrage.
  - National:
    - National Assembly: every 5 years, direct universal suffrage.
    - The Senate: every 3 years by half, indirect universal suffrage. The Senators are elected for 6 years by an electoral body with members of the National Assembly, **representatives of the regions (“conseillers régionaux”), of the departments (“conseillers généraux”) and of the municipalities.**
- **Main parties:**
  - Left :
    - “Ligue communiste révolutionnaire”
    - “Lutte ouvrière”
    - “Parti communiste français”
    - “Parti socialiste”
    - “Parti radical de gauche”
    - “Les Verts”
    - “Pôle républicain”
  - Right :
    - “Front national”
    - “Mouvement pour la France”
    - “Rassemblement pour la France”
    - “Union pour un mouvement populaire”
    - “Union pour la démocratie française”
  - Other: “Chasse Pêche Nature Traditions”
- **Trade Unions:**
  - “Confédération générale du travail”
  - “Force ouvrière”
  - “Confédération française démocratique du travail”
  - “Confédération française de travailleurs chrétiens”
  - “Confédération générale des cadres”.

**Table n° 4 - Levels of government in France : hierarchy and double legitimacy.**

Level	State	Regional / Local authorities
<i>National</i>	<p>- <b>Presidency of the Republic</b></p> <p>- <b>The Parliament:</b></p> <ul style="list-style-type: none"> <li>- National Assembly</li> <li>- The Senate</li> </ul> <p>- <b>The Prime Minister</b> (Chief of the Administration)</p> <p>- <b>The Government</b></p> <p>Each minister is in charge of a political domain of intervention. The scope concerns all the public action. The Home Office minister exerts a specific role on the national territory because he is in charge of the Prefects and of the elaboration of rules and laws to achieve a minimum of unity among local and regional authorities*.</p> <p>- <b>Central administrations</b> depending on the different ministries. In charge of actions of a national interest. In charge of regional and local administration of the State.</p>	
<i>Regional</i>	<p><b>Prefects of Regions</b> named by the Government, the Prefects of Regions represent the Government in each region (26 regions) and they are in charge of the regional administrations of the State in all the fields of public action. They exert a power on the Prefects of Departments (see below). The Prefects of Regions have specific role of coordination in the field of spatial planning, notably.</p>	<p><b>The Regions</b> (26): elected regional authority ("Conseil régional") with a specific dedicated administration, notably in charge at a regional level of:</p> <ul style="list-style-type: none"> <li>- Economic development;</li> <li>- Spatial planning;</li> <li>- Building, maintaining, and equipment of upper secondary schools;</li> <li>- Professional training.</li> </ul> <p>Others fields of action: culture, environment, research, transports, communication and tourism...</p>
<i>Local</i>	<p>- <b>Prefects of Departments</b>, named by the Government, the Prefects of Departments represent the Government in each department (100 departments) and is in charge of the departmental administration of the State in all the fields of public action. They have a role of control on the decisions of local elected bodies in terms of legality.</p> <p>- <b>Under-Prefects</b> named by the Government, the Under-Prefects represent the Government in each arrondissement (infra-departmental scale) and is in charge of the administrations of the State at the arrondissement scale. He is particularly in charge of security and maintaining of order.</p>	<p>- <b>The Departements</b> (100): elected local authority ("Conseil général") with a specific dedicated administration, notably in charge at a departmental level of:</p> <ul style="list-style-type: none"> <li>- Health and social action;</li> <li>- Maintaining of local roads and of local equipments and services;</li> <li>- Spatial planning in rural areas;</li> <li>- Tourism;</li> <li>- Building, maintaining, and equipment of under secondary schools;</li> <li>- Schools transports;</li> <li>- Economic development;</li> <li>- Environment.</li> </ul> <p>- <b>Inter-municipal:</b> different types of inter-municipal collaboration exist**.</p> <p>- <b>The Communes</b> (36 667): elected local authorities which role is to organise public life within the smaller administrative cutting of the French territory, notably in charge of elections, land use (planning and control) and information on rules and laws. They can decide the creation of public services in fields such as environment, energy, culture and leisure, transports and car-parks... They can intervene in public housing, economic development, to protect environment and patrimony. Since 2003, they can organise local referendum related to their fields of action.</p>

Source : DE GUNTEN, MARTIN, NIOGRET, 2004

\* A dedicated administration deals with that aspect: the "Direction générale des collectivités territoriales".

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- "Syndicats intercommunaux à vocation unique": inter-municipal organisation in charge of one single activity;
- "Syndicats intercommunaux à vocation multiple": inter-municipal organisation in charge of different activities.
- "Syndicats mixtes": association of municipalities, departments and / or regional authorities to achieve one or more goals together.
- "Communautés de communes": inter-municipal organisation in charge of spatial planning and economic development.
- "Communautés d'agglomération": inter-municipal organisation of at least 50 000 inhabitants in charge of economic development, spatial planning, housing and "politique de la ville (*infra* point 1.3)
- "Communautés urbaines" : inter-municipal organisation of at least 500 000 inhabitants in charge notably of spatial planning, economic development, equipments...

**Table n° 5 - Revenues and public investment (2002) – Billion euros**

Level	Revenues (main sources excluding loans)	Investment
<i>National (Central State)</i>	<b>224,6</b>  - VAT - taxes on petroleum goods - taxes on firms - incomes taxes - revenues from properties - revenues from industrial and commercial activities	<b>12,4*</b>
<i>Regional (The Regions)</i>	<b>14</b>  - regional taxes - revenues from the Central State budget (to counterbalance the expenses due to the decentralization process) - national taxes (ex. on driving licenses) - revenues from public services - revenues from properties.	<b>6,4</b>
<i>Local :</i>		
- <i>The Departments</i>	<b>38,1</b>  - Local taxes - Revenues from the Central State Budget in terms of functioning, investment and to counterbalance the expenses due to the decentralization process - National taxes (ex. on cars) - revenues from public services - revenues from properties	<b>10,8</b>
- <i>The municipalities</i>	<b>78,1</b>  - Local taxes (ex. on properties) - Revenues from the Central State Budget in terms of functioning, investment - revenues from public services - revenues from properties	<b>17</b>
- <i>Inter-municipal ("communautés de communes", "communautés d'agglomération", "communautés urbaines")</i>	<b>8,8</b>  - Local taxes - Revenues from the Central State Budget in terms of functioning, investment	<b>3,4</b>

\* Civilian budgets (Titles V and VI)

Sources : [www.vie-publique.fr](http://www.vie-publique.fr); DIRECTION GÉNÉRALE DES COLLECTIVITÉS LOCALES, 2004, Rapport de l'Observatoire des finances locales. Les finances locales en 2004, Ministère de l'Intérieur, Paris, 52 p.



**Table n° 6 - European structural funds 2000-2006 (billion euros, 1999 prices)**

<i>Objective 1</i>	<b>3, 805</b>
<i>Objective 2</i>	<b>6, 05</b>
<i>Objective 3</i>	<b>4,54</b>
<i>INTERREG III</i>	<b>0,397</b>
<i>LEADER +</i>	<b>0,252</b>
<i>EQUAL</i>	<b>0,301</b>
<i>URBAN II</i>	<b>0,096</b>

Source : www.europa.eu.int

### 3. The system of governance

#### 3.1. Responses

The term « governance » by itself is **not in use in the main legal frameworks directly or indirectly linked to spatial planning<sup>2</sup> in France.**

A quick review of the press reports of the “Comité interministériel d’aménagement et de développement du territoire” – CIADT - (cf. *infra* point 4.2.) from 2001 reveals that the term of governance is only quote once (CIADT of the 14<sup>th</sup> of September 2004) dealing with the project to **better the governance of metropolitan areas<sup>3</sup>**. The first aim is to invest in infrastructures and equipments and to sustain the building of cooperation within metropolitan areas (CIADT of the 18<sup>th</sup> of December 2003).

Nevertheless, it can be argued that during the last years, even if governance by itself is not explicitly quoted, the components of governance as defined in the White Paper (openness, participation, accountability, effectiveness and coherence) have been incorporated in the shaping of policies directly or indirectly linked to spatial planning. This is particularly true at local level where the “contrats d’agglomération” (cf. *infra* point 3.3.) and “contrats de pays” (cf. *supra* point 3.3.) have been shaped. Dealing with openness and participation, the compulsory setting of a “conseil de développement” - local forum involving different representatives of elected bodies but also of the civil society - whose aim is to take part to the shaping of a local development project can be considered as a move towards governance practices. These fora have also to play a role giving their opinion on the way the project of local development is put into practice (accountability). Naturally, it is more a consultative institution but which can be of a certain political influence. Effectiveness and coherence are naturally at stake in the sense that local projects should permit the combination of local resources in different fields (**horizontal coordination**) but also because the different State policies should be combined at a local level (**vertical coordination**). From that point of view, the local territory becomes a place where are organised the relations between State and local policies (BEHARD D., ESTEBE Ph., 2001). Then, dealing with coherence is not only to refer to the combination of policies but also the coherence of the territory by itself (in functional, historical, geographical, cultural terms).

The other frameworks of strategic planning at other scales (national – “Schemas de services collectives” (SSC), cf. *infra* points 6.1. and 6.3. -, regional – “Schéma regional d’aménagement et de développement du territoire regional” (SRADT), cf. *infra* point 6.1. - and the Contrat de plan Etat-Région (CPER), cf. *infra* points 3.3. and 6.1. -) are by nature less open to governance process. Nevertheless, the SCC are elaborated through a negotiation process with the Regions. The SRADT, which are elaborated by the Regions are negotiated with infra-regional elected authorities. The CPER give way to intense negotiation between the Prefect of Region, the regional elected council and other infra-regional elected bodies.

Other example of this **move towards a kind of an implicit governance approach** can be given presenting new ways of dealing with land use and spatial planning. For instance, the shaping of the “plan local d’urbanisme” (land use rules for towns and cities, cf. *infra* point 6.1.) should be partly elaborated through a local consultation.

<sup>2</sup> The 1995 law – “Loi d’orientation et d’aménagement du territoire” - and later modifications (1999...); the 1999 law “ - Loi relative au renforcement et à la simplification de la coopération intercommunale -; the 2001 law – “Loi solidarité et renouvellement urbain” – (*supra* point 4).

<sup>3</sup> 4 million euros will be dedicated to this project from 2004 to 2006.

Changes in formal government and administration are partly dealt with in the previous paragraphs. Meanwhile, it has to be said that the trend of changes are constant since the first steps of the decentralization process at the beginning of the 80's, even if, notably, at local level, main changes, as the ones presented above, are more recent and date back to the end of the 90's-beginning of this century.

Nevertheless, let say that these changes do not mean a decreasing role for the central State. To a certain extend, it can be argued that the new legislations ("Loi d'orientation pour l'aménagement et le développement durable du territoire", "Loi sur le renforcement et la simplification de la coopération intercommunale", 1999; "Loi solidarité et renouvellement urbain – SRU -" 2001) can be considered as a way to regulate local initiatives **taking into account regional and local diversity** in the one hand and trying to guarantee the principles of an equal treatment of citizens over the national territory in the other hand. This would explain why the regional level of State administration has taken an increasing role in the bargaining (with regional and local elected authorities) of the "Contrat de Plan Etat-Région", but also in the administration of European structural funds. Even if the regional elected body has also an increasing role in planning matters, the State regional level should guarantee the coherence of State policies combining efficiently local, regional, State and European funds, which are planned on the same period (2000-2006) to try to obtain synergic effects. To a certain extend, the State can be considered as a partner of the local and regional authorities, given the fact that we assist to an increase of the tasks local and regional authorities must accomplish. This is particularly accurate these days with the second step of the decentralization process launched by the actual Government. Nevertheless, this extension of the number of tasks to be accomplished do not necessary means a equivalent increase of the financial support and the deepening of local and regional democratic activity. That is why that, if we formally assist to an increase of the local and regional responsibility, the consequences on the State structure can be discussed (cf. *supra* point 4.7.).

In the same way, the SRU law (cf. *infra* point 4.1.) can be considered as a renewal of the normative action of the State in the field of land use planning and strategic urban planning. Some have even considered this new legislation as a tool for the central State to play a stronger role in local urbanism matters. At least, it can be considered as a voluntary action of the State to regulate the effects of urban sprawl and segregation.

Finally the reform of local taxes on firms and on cars has affect local authorities budgets. In order to compensate the lost due to this reform, the central State has increased its contribution to local authorities budgets through the national budget. Then it can be said that local authorities depend more and more on the State budget. The consequences is also an increase of local taxes, notably due to certain inter-municipal organisations which can collect taxes without being directly elected...

To sum up the above paragraphs, in the one hand the central State keep and even reinforced its role. In the other hand, new laws and regulations have reinforced a series of administrative levels. Consequently, from central to local levels, **the State seems to have some powerful means to participate actively to the organisation of regional and local territories**. From that point of view, some authors ask themselves **if the State is not becoming an actor of the territorial governance...** (BEHARD, ESTEBE, 2001).

Dealing now with the **evaluation** of policies, it can be considered as a new practice in France. Evaluation methods have been put into practice in the field of urban policies, in the framework of "Contrat de Plan Etat-Region" (cf. *supra* point 3.3. and 6.1.) and, more recently, in the one of the "contrats de pays and contrats d'agglomération (cf. *supra* point 3.3.), Nevertheless, the distinction between a basic follow-up of the programmes and evaluation methods still not very clear in the French case. However, the diffusion of principles as "sustainable development", "participative democracy" and of "transparency" are increasingly enshrined in evaluation processes.

**Table n° 7 - Examples of evaluation approaches**

Structure	Fields of the evaluation	Actions
Communauté urbaine de Dunkerque	Participative approach of evaluation of sustainable development	- Elaboration of a questionnaire about sustainable development for all actions programmes and policies (social cohesion, economic development, environment and governance...); - Elaboration of a performance planning with objectives; - definition of territorial indicators.
Pays Basque	Evaluation of the « Schéma d'Aménagement et de Développement », part of the « charte de développement du pays ».	- promotion of operational actions with workshops meeting, development council members and civil servants; - effects of spatial planning on local actions, notably towards social and institutional mobilisation.
Pays de Gâtine	Evaluation of the "Contrat de Territoire" and of Leader + programme	Evaluation of application of the principles of sustainable development, social cohesion, preservation of environment, economic efficiency and local participation to the actions
Pays Val d'Adour	Evaluation of the « Charte de Développement	Evaluation of mobilisation of population, performances in local development, visibility of action, good communication toward inhabitants, and self-evaluation.

Source :Cellule territoires IAAT, April 2004

This moving institutional landscape has also concerned agencies, which address innovations in the practice of governance. Most of them are associations dealing with "good practices" or "exchange of experiences". It is the case of many associations of local development, often dealing with rural areas. Important ones, as the following, can be listed:

- the UNADEL (« Union nationale des acteurs et des structures du développement local »),
- the CELAVAR (« Comité d'étude et de liaison des associations à vocation agricole et rurale »),
- the ANAZORR (« Association nationale des acteurs des zones de revitalisation rurales »).

As it seems difficult to have an general overview on the different agencies which address directly or indirectly innovations in the practice of governance, we present below the example of the Time Agencies which illustrates quite well the creation of new agencies developing what can be considered as governance methods. After Italy and the Scandinavian countries, some French cities have settled Time Agencies in order to think about how to adjust different activities over day time (BOULIN, MÜCKENBERGER, 2002). The Time Agencies carry out surveys, organise consultations and fora dealing with topics as mobility, accessibility, relationships between the public and the services. Concrete actions are carried out through a dialogue between civil servants, representatives of the local authorities, committees of users or associations of inhabitants.

**Table n°8 - Principal time agencies and their websites in France**

Time Agency of Paris	<a href="http://www.paris.fr/fr/citoyennete/bureau_des_temps/">www.paris.fr/fr/citoyennete/bureau_des_temps/</a>
Time Agency of Paris 18ème	<a href="http://www.mairie18.paris.fr/mairie18/jsp/Portail.jsp?id_page=277">www.mairie18.paris.fr/mairie18/jsp/Portail.jsp?id_page=277</a>
Time Agency of Rennes	<a href="http://www.ville-rennes.fr/temps/page.php">www.ville-rennes.fr/temps/page.php</a>
Time Agency of Grenoble	<a href="http://www.ville-grenoble.fr/grenoble/html/temps.html">www.ville-grenoble.fr/grenoble/html/temps.html</a>
Time Agency of de Belfort	<a href="http://www.maisondutemps.asso.fr">www.maisondutemps.asso.fr</a> ,

Impacts of Structural Funds as mechanism to support new governance practices will be further developed at point 8.3. Referring here to the ESPON 2.2.1 programme on the territorial impact of

structural funds (ESPON, 2004), **we consider that the general conclusions of the 2.2.1 on governance fit quite well the French case as a whole**<sup>4</sup>.

### 3.2 Debate and attitudes

One can consider that European formal orientations have a general influence on the national debates. For instance, in a public report on evaluation of policies realised on the behalf of the Senate in 2004, the authors insist on the processes of evaluation as a political step and an instrument to better the administrative work of management, allowing the renewal of the types of governorship of the country (BOURDIN, ANDRÉ, PLANCADE, 2004). In the same way, the authors of a report published by the "Commissariat Général au Plan" in 2004 consider that the increasing use of contractual procedures gives way to the transformation of the relations between the various levels of decision and action. Yet, in 2000, in a public report on the future of the decentralization process, former Prime Minister, Pierre MAUROY recommends to re-organize territorial cuttings and powers to the profit of the citizens to better transparency in local decisions. The report underlines the need of an improvement in the participation of the citizens in local management matters and of a clarification of the relations between the State and local authorities.

The debate on new governance approaches and attitudes towards the White Paper can be analysed through three different viewpoints:

- 1) From the local elected bodies perspective;
- 2) From the operational structures perspective, as urbanism agencies (cf. *infra* point 4.2.);
- 3) From the scientific debate perspective.

1) The White Paper on European Governance seems to be welcomed by the French associations of regional and local representatives. Within the framework of the dialogue launched by the European Commission with associations of local authorities, and more precisely thanks to the "permanent and systematic dialogue with associations of local authorities on the development of the policies initiatives"<sup>5</sup>, a common report was adopted by French national associations of local/regional authorities<sup>6</sup> and submitted to the European Commission<sup>7</sup>. The associations are satisfied with *the implementation of one of the major commitments undertaken by the commission within the framework of the White Paper on the European Governorship and with the will of dialogue*. They appreciate the will to start a political dialogue on the annual programme of the Commission and on the policy having a direct or indirect impact on the local authorities. They also welcome the recognition of their role as representatives of local and regional communities. However, if these associations accept the point of view delivered by the Commission to the Comity of Regions, they also consider that *this institution is still the best place to identify the associations concerned with the various policies and to propose to the Commission lists of associations according to the topics considered*. They recall that the Committee must have a role in the organization of the methods of the dialogue (role which has to be defined) but should not take the place of these associations, which have specific objectives and ways of action. These associations are expecting that the practical methods of consultation will be defined by the Commission to allow real and complete implementation of governance. Finally, **they underline that the local authorities are part of the system of government, and then should not be considered as the civil society**. From this point of view, **the methods of consultation of the local authorities could not be the same that the one the Commission has defined for the participation of the civil society in the European democratic life**. This viewpoint is also the one of the French association,

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<sup>4</sup> Dealing with "Governance innovations" it has to be said that since 2001 (regulation of the 3<sup>rd</sup> of January 2001), the Region has become, besides the Prefect of Region, the main authority for the management of the European structural funds. Nevertheless, the evaluation of the working process at regional level between the Prefect of the Region and the Regional Council in the one hand and between the Regional Council and local authorities on the other hand is still to be done.

<sup>5</sup> Communication of the Commission of European Communities, Bruxelles, 2003

<sup>6</sup> L'Assemblée des Communautés de France, l'Assemblée des Départements de France, l'Association des Eco- Maires, l'Association Française du Conseil des Communes et Régions d'Europe ; l'Association des Maires de France, L'Association des Maires des Grandes Villes de France, l'Association des Maires Ruraux de France, l'Association des Petites Villes de France, l'Association des Régions de France, les Cités Unies France, la Fédération des Maires des Villes Moyennes, et enfin le Groupement de Autorités responsables de Transport.

<sup>7</sup> « Dialogue permanent et systématique avec les associations de collectivités territoriales sur l'élaboration des politiques, mai 2003, [www.grandesvilles.org/IMG/Avis.pdf](http://www.grandesvilles.org/IMG/Avis.pdf)

“Conseil des Communes et des régions d’Europe”, gathering nearly 2 000 French local and regional authorities, representing more than 45 million citizens<sup>8</sup>.

2) During the 21st national meeting of urbanism agencies (cf. *infra* point 4.2.) in 2000 the topic of governance in urban areas was largely discussed. The analysis underlines that **the decentralization process has been much more a reform of the relations between the central State and the local/regional authorities than an opportunity to deepen the relations between citizens and local authorities**. From that point of view the participants insist on **the need to deepen the decentralization process in that perspective and to use the new tools** (cf. *infra* point 4.1.) of urban governance to achieve it taking into account the increasingly complex architecture of spatial policies and management from local to EU level.

3) The French scientific works<sup>9</sup> dealing with governance is mainly focused on cities (urban governance). Generally, the terms in use are “sustainable urban development” or “new system of urban government”. **Urban governance is defined as a process of transformation and recombination of policies, which leads to the building, within local societies, of new regulatory processes involving public and private actors**. Dealing with “integrated sustainable urban development” policies, they are, on a specific territory, policies based on partnership and on a transversal approach away from traditional sectoral approaches, from too bureaucratic processes and from corporatism. These policies are based on a “co-production” of the city by various actors, whatever their origins and their legal status. These actors take part in the transformation of the systems of action and of regulation, and are thus in the heart of the building of the urban governance (JACQUIER, 2003a, 2003b). Vertical cooperation is established between various politico-administrative levels (central State, regional council, inter-municipal, and local councils). Horizontal (or transverse) cooperation between various sectoral policies and various services, agencies and organisms seems to be the more difficult to achieve. The reason is that horizontal cooperation implies very heterogeneous fields, with different approaches, methods and processes. The approach of urban governance is defined as territorial as far as each issue is considered at the city scale.

Finally, taking into account what have been said before on recent trends and, even if the French tradition appears as a centralized one, it is also useful to counterbalance that judgement by referring to the post-war period where regional / local political cultures had influenced governance of spatial planning policies. For instance, some regions as the one of Brittany and Alsace had created, after World War II, Regional Economic Development Committees whose members were regional civil servants and local entrepreneurs who were concerned by regional development. In 1954, these committees were considered by the State as local / regional counterparts of the central administrations in charge of planning and local development. On this basis, were created in 1964, in each region, permanent committees lead by the Prefect of Region: the Regional Economic Development Committee (“Comission de développement économique regional”, CODER). More recently, it can also be considered that local development initiatives taken out of the formal government system in the 80’s have been integrated as major reference for the State own spatial planning policies. Far from the common clichés, these two points show **how regional/local initiatives can interact with national policies** as one of the features of French tradition of governance.

Today, it seems that the regional level will further increase its role given that the Regional Councils are by law in charge of spatial planning and economic development. The regional representatives decide priorities for the future and vote the budget to support spatial planning actions<sup>10</sup>. Most of the time, the dialogue between the different decisional levels (local, regional, national) is good. The central State is considered as an arbiter in case of disagree.

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<sup>8</sup> <http://www.afccre.asso.fr/politiques%20territoriales/index.asp>

<sup>9</sup> The monthly review *Urbanisme* give a good general overview on the debate on urban governance. *Pouvoirs locaux*, another scientific review has also published papers on governance issues for now few years (CALAME, TALMANT, 1998; JOUVE, 1999; BORDE, LAJUDIE, 2001; LAJUDIE., 1998; LAMY, 2002).

<sup>10</sup> Some Regional Council, as the one of Rhone- Alpes or of Champagne-Ardennes, have a regional development strategy dedicated to infra-regional territories with specific priorities for each one. Some Regional Council, as the one of the Centre or of Brittany, have specific actions and funds for rural areas.

As point it out in the point 3.1., and from a more general perspective, it can be said that the French tradition is also changing towards an increasing **combination of a still strong intervention of the central State in planning purposes and at the same time an attempt to find ways and means to adapt the policies to the regional and local situations**. Naturally, these apparent changes do not have to be overestimated in the sense that what appears until the 80's as a « jardin à la française » hides in fact an infinity of local situations, which were dealt with in a pragmatic way by regional or local agreements (GRÉMION, 1976). Nevertheless, what can be considered as fairly new in that context is **a tentative to formalise the fact that the State take into account regional and local diversity incorporating in its own views ways and means to deal with that perspective**. These ways and means, as presented in this work, **incorporate tools, which can be implicitly referred to a governance kind of approach**.

In the future, what can be considered as a major issue for the system of governance as far as the French political culture and / or tradition is concerned is **the capacity to overpass the functional repartition of tasks between the State apparatus at different levels and the regional and local elected authorities, but also the fruitless debate between “centralisateurs” et “décentralisateurs”**. Why? Because the accurate difference is much more between national actors and local/regional actors; and, as they are often the same, governance could signified **the capacity and even the competence of the actors to plays at different scales both in a development (differentiation) and in a cohesion (equality) perspectives** (GIRAUT, VANIER 1999). Nevertheless, as far as all the planning processes from national to local levels is co-leaded or regulated by the central State, **the risk is the one of a standardization of regional / local initiatives with loss of flexibility in policies and territorial adjustments heading to new legitimisation of administrative cuttings**.

### 3.3. Methods

As far as the Open Method of Coordination has been notably applied in the field of the employment policy (although some other important fields are concerned as education, actions against social exclusion, pensions, migratory policy...) (OBSERVATOIRE SOCIAL EUROPÉEN, 2002; ESPON 1.1.1, 2004) our starting point in the French case will be this one. As Christine ERHEL, Lou MANDIN and Bruno PALIER point it out in a recent paper, “Despite the difficulties to establish causality between European guidelines and national reforms [in the French case], OMC is more than a virtual policy tool. It provides new resources for national actors, instead of imposing new policies from above. When national actors use these new instruments and resources, they meanwhile import and incorporate the general orientation on which the EES and OMC are based. One can of course claim that the effect of EES and OMC is more than marginal on French policies, since the interests that have used OMC tools were already present in the national context, since political choice were already done without considering the European orientation” (ERHEL, MANDIN, PALIER, 2004, p. 18).

Dealing with spatial planning policy is somehow a different standpoint as far as spatial planning is not *directly* addressed by the European community through the focus of the Open Method of Coordination. **To discuss the incorporation of elements of this method in the French conception of spatial planning rely less on an analysis of a top down influence than on the identification of what in the planning system can be referred to the OMC method**. From that point of view, **I can be argued that the French system has incorporated such elements in a specific national context where the central State still have an important role**. Indeed, as far as the OMC is concerned (that is to say not dealing with “hard-law” and funds - see other points of the same section-), guidelines are given from the central State to elaborate the “Contrat de plan Etat-Région” (**contractual method**), for instance. In the same perspective, evaluation of spatial policies even if they have been incorporated lately in the French context tends to become the rule (example: evaluation of the “Politique de la ville”). The recent policies of “Contrat de Pays” and “Contrat d’agglomération” (see below for explanation) have triggered a series of local experiences, which are shared through different more or less informal networks (local authorities networks, experts networks...). Some of these networks employ specialists of local development initiatives with a good general view of what it is done in France and eventually what are the good practices to transfer.

From that point of view, **the nowadays policy of “aménagement du territoire” in France, can be considered less as a unique State run fully integrated policy than as a tentative to adjust**

**different policies involving different fields and different territorial levels. It becomes then a policy that implies different actors at different levels where the accountability for successes and failures is shared by all the partners** (VINCENT, GAXIE, THEYS, DURAN, WATCHTER, DAVEZIES, EMELIANOFF, 2003).

In a broader perspective, dealing with guidelines issued to regulate operation of partnerships, public involvement / participation / consultation in line with governance principles, it can be said that France has increasingly organised partnerships between central, regional and local institutions since the beginning of the 80's, starting point of the decentralization process, thanks to contractual methods. But the first attempt to organise contractual relation between the State and local authorities through a contractual framework was developed when the medium-sized cities policy was launched in the first half of the seventies. Since then, **the contractual form where State and regional/local authorities are sharing projects and funds has become the more general way to put into practice spatial policies**. Today the main frameworks are:

- At a regional level: the “**Contrat de Plan Etat-Région**” (CPER) negotiated between the State and the regional authority council. It is partly composed of regional projects co-financed by the State and the Regions and partly by local projects, which are planned through the following contracts at local level.
- At a local level:
  - o The “**contrat d’agglomération**” : list of projects dedicated to urban areas of more than 50 000 inhabitants organised as an inter-communal authorities (the projects are co-financed in the framework of the CPER with different types of partnerships).
  - o The “**contrat de pays**” which refers to rural or rural/urban areas. It concerns different local authorities, which are working together to elaborate projects (the projects are co-financed in the framework of the CPER with different types of partnerships).
  - o The “**contrat de ville**” which are dedicated to cities with urban areas which are facing specific urban problems (they are now included as part of the “contrat d’agglomération”). The “contrats de ville” generally imply many partners from different origins: governmental, administrations, local authorities, associations, public/private structures.

All the contracts are on a seven years basis (2000 – 2006)

Dealing now with public involvement, participation and consultation:

- *For the realisation of works, infrastructures and equipments* which could have an impact on the environment a so-called “enquête publique” is launched. Its first aim is to inform the public and to gather all the judgments and proposals on the projects. On this basis, an independent body delivers its conclusions for or against the project. In case that the administration decides not to take into account these conclusions, every individual concerns by the project can ask for it to be stopped by justice.
- *In planning procedures*: in the process of elaboration of the “contrat d’agglomération” and of the “contrat de pays” (see above for definition), it is compulsory by law to organize a local forum involving the civil society : the “conseils de développement” (CDC) which have at least a consultative role to play. Nevertheless, in some cases, the CDC has been organised in working groups, mainly towards the realisation of the “contrat de pays” (see above for definition), and has participated actively to the realisation of the project of development, basis of the contract.
- *In land use issues*: land use plans (“Plan local d’urbanisme”) are submitted to local consultations by municipalities in charge of their achievement.
- *For the day to day live of local communities*: since 2001 (law “Loi démocratie de proximité”) it is compulsory for cities of more than 80 000 inhabitants to divide the cities in wards and to organise councils within each ward. These councils can propose projects to the municipality. Their members are local elected representatives, citizens, local associations. What is more, since 2003, municipalities can organise local referendum related to their fields of action.

### 3.4. Forms of co-operation

The way to put into practice spatial planning policies is increasingly **based on a contractual form with the general objective to adjust the different horizontal and vertical levels**. One can consider many examples of these new practices. The objective is to promote relations and dialogues between

different actors dealing with sectoral policies or acting in a specific territory. Nevertheless, the State intervention still important at every stages of the contractual process.

For instance, urban policies as the “Grand Projet de Ville”, is a new mode of urban planning practices. Since 1999, the government has launched a national urban renewal programme. These projects are not only dealing with urban planning but also with social, economic, cultural and training issues. They involve State services, elected local authorities, associations of inhabitants, local firms, training organizations.

In rural or urban/rural areas, the “Contrats de Pays” (cf. *supra* point 3.3.) associate local actors to support a common project partly financed by a contract with the State and the Regional Council (cf. *supra* point 2). Their aim is also to stimulate local initiatives and participative practices.

In most of the Regions, the State and Regional Councils have settled financial and technical structures to support local authorities from a methodological point of view. They can pay for the intervention of professionals of local development issues, to deliver studies, etc. Sometimes, Regional Councils have created a regional network of professionals dealing with local development issues in order to exchange experiences at regional level.

Technical support can be delivered by three different types of structures:

- Technical teams of Regional Councils. They can give advices to local authorities representatives. They establish relations between the local and the regional authorities (Poitou-Charente, Languedoc-Roussillon, Nord-Pas-de-Calais, Picardie, Centre and Provence-Alpes-Cote-d’Azur).
- Public agencies specialised in local development issues, such as the “Institut Atlantique d’Aménagement des Territoires” (IAAT<sup>11</sup>) in Poitou-Charentes, or the “Association Régionale Pour l’Environnement en Midi-Pyrénées” (Regional Association For the Environment in Midi-Pyrénées).
- Networks (data collection, exchange of experiences...): networks of local actors as the “Association de Développement du Limousin” or the “Association de Promotion des Pays de Bretagne”; or mixed networks involving local representatives and individuals (Association “Géants” in the Nord-Pas-de-Calais, “Carrefour des Pays Lorrains”<sup>12</sup> in Lorraine).

Official structures have although created their own organism in order to exchange good practices. For instance, the DATAR has created the association “Entreprises, Territoires, Développement” (ETD) to promote exchanges of experiences in between rural areas (“Agorapays”) and in between urban areas (“Aggoraglo”)<sup>13</sup>.

In the field of collaborations between Government, universities and research teams to address territorial issues, the following institutions can be considered of a major interest even if other collaborations exist at different level of government.

- **The IHEDATE, “Institut des hautes études de développement et d’aménagement des territoires européens”**. This Institute delivers annual courses on spatial planning and development issues to high profile professionals. Its aim is to present experiences, good practices, to foster actors networks from different fields in favour of sustainable and balanced development. The themes dealt with are globalisation, European integration, State reform and decentralization process, inter-municipalities, managing of natural spaces, spatial segregations, development of new services, transports issues, management of risks.
- **“Observatoire des territoires”**, recently created by the Government (2004), it is organised as a network by the DATAR. Its aim is to achieve a synthesis of all information deliver by the State administrations, local/regional authorities and research organisms. The Observatory will deliver a first report at the beginning of 2004 gathering all information about spatial dynamics

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<sup>11</sup> <http://www.iaat.org>

<sup>12</sup> <http://www.cpl.asso.fr/>

<sup>13</sup> <http://www.projetdeterritoire.com/spip/discussions.php>



and inequalities. It is placed under the responsibility of the minister in charge of spatial planning. Civil servants, members of the Parliament, representatives of the “Agence d’urbanisme” (cf. *supra* point 4.2.), local and regional authorities representatives, experts are members of the “Observatoire” (20 members).

## Part II: Territorial governance

### 4. Territorial competencies and responsibilities

#### 4.1. Overview of planning legislation

One of the major change that still influence spatial planning in France is the decentralization process which dates back to the beginning of the 80's. The 1992 law on the "territorial administration of the Republic" was also an important step towards the reinforcement of inter-municipality cooperation in a country where communes are very numerous.

The more recent legislative framework that concern spatial planning in France are:

- the « **Loi d'Orientation pour l'Aménagement et le Développement Durable du Territoire** » (1999) which introduces a new method of spatial planning with the elaboration of 9 sectorial schemes (shémas de services collectives – SSC, cf. spura p.). The law reinforce the Contrat de Plan Etat-Région that become an essential instrument of spatial planning. The "pays" policy is extended to the national territory (cf. *infra* point 6.1.).
- the "**Loi relative au renforcement et à la simplification intercommunale**" (1999). This law incites the communes to create three types of communal groupings structures according to their demographic weight : "communautés urbaines" (> 500 000 inhabitants), "communautés d'agglomération" (> 50 000 inhabitants) and "communautés de communes".
- the "**Loi Solidarité et renouvellement Urbain**"<sup>14</sup> (2000) institutes new forms of urban government and town planning with the definition of four instruments : the "contrat d'agglomération", the "contrat de ville", the "schéma de coherence territoriale" and the "Programme Local d'Urbanisme" This law reinforce the obligation of dialogue with inhabitants (cf. *infra* point 6.1.).
- The "**Loi relative aux libertés et aux responsabilités locales**" of 2004 constitutes a reform of decentralization. It decides of competence transfers from State to local authorities (Region, Department, and groupings of communes). It results from constitutional reform for decentralised organisation of Republic adopted in March 2003. Principal transferred competences are individual economic aids to firms, social funds management, road network, social lodgement, regional public health program, cultural patrimony.

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<sup>14</sup> This law replace the law of land orientation of 1967.

4.2. Key institutions and important planning agencies at national level (public / semi-public /partnership, etc.) and examples of similar agencies at regional or local level.

**Table n° 9 - Key institutions in spatial planning**

<b>Institutions</b>	<b>Level</b>	<b>Role</b>	<b>Fields</b>
State Secretariat for Spatial Planning <sup>15</sup>	National	Ministerial Decisional	General spatial planning
CIADT (« Comité Interministériel d'Aménagement et de Développement du Territoire ») <sup>16</sup>	National	Inter-ministerial Transversal Decisional	Examines regional development and spatial planning general issues in order to prepare governmental decisions.
DATAR (« Délégation à l'aménagement du territoire ») et à l'action régionale)	National	Inter-ministerial Transversal and Sectoral	- Prepares, promote and coordinate the actions of the State in the field of spatial planning in an inter-ministerial perspective. - Synthesis of arbitration and of proposals to the government in the matter of spatial planning; leading of prospective studies of the evolutions of the French territory in the future in order to adapt State policies. - Interface between European cohesion policy, national policies interfering in spatial planning and development actions conducted to the regional and local levels
CNADT (« Conseil national de l'aménagement et du développement du territoire »)	National	Consultative	Advices and suggestions to the government for the policies elaboration of territorial planning and sustainable development
Prefect of Region (named by the Government)	Regional	Executive	Definition and execution of priorities in spatial planning and objectives through the Contrat de Plan Etat-Region (cf. <i>infra</i> p.6.1.).
President of the Regional Council (elected by people)			
Prefect of Department	Departmental	Executive	Definition and execution of priorities in spatial planning and objectives
President of the General Council			
Under-Prefect	Local	Executive	Definition and execution of priorities in spatial planning and objectives
Municipal council			

<sup>15</sup> In France, spatial planning is considered as a field of action for the Government. Nevertheless, as the organization of the government departments depends on the choice of the Prime Minister, the hierarchical situation and the functions of a department of spatial planning can vary from one government to another. Since the last change of government, in april 2004, it depends on the ministry of Equipment, Transport, Territorial Planning, Tourism and Sea Minister. The Secretary of State is Frédéric de Saint-Sernin

<sup>16</sup> The Prime Minister presides the CIADT that includes several Government departments (Industry, Equipment, Agriculture, Trade, Finance, Tourism, and so on concerned by spatial planning).

**Table n° 10 – Other agencies and institutions in spatial planning**

Agencies	Level	Role	Fields
« Centre national pour l'aménagement des structures des exploitations agricoles » (CNASEA) <sup>17</sup>	National	Executive Sectoral and transversal	Payment of State and Community funds to help farmers to settle and to modernize their farms, support to local and rural development equipments and infrastructures.
« Conservatoire du littoral et des rivages lacustres »	National	Sectoral and spatial	Protection of natural areas and landscapes in coastal areas by buying lands.
« Missions interministérielles et interrégionales d'aménagement du territoire » (MIAT) <sup>18</sup>	Regional	Consultative Transversal	Proposition and planning the future projects of the State in a inter-regional perspective.
« Commissariats au développement économique » <sup>19</sup>	Regional	Incentive Sectoral	To promote economic development and jobs, to help and attract firms.
« Parcs naturels régionaux » (PNRs)	Regional	Executive Transversal	To preserve areas of environmental and cultural interest suffering from urbanization, tourism and large infrastructure projects.
Regional institutes of venture capital	Regional	Sectoral (economy)	Participations in the capital of small and medium-sized firms to support them to launch or to develop their activity. They benefit from a special fiscal framework in order to achieve their goals.
Sociétés d'aménagement regional	regional	executive sectoral	to realise important works in fields as hydraulic, irrigation, water supply, spatial planning in rural areas
« Comités d'expansion économique » <sup>20</sup>	Regional/local	Sectoral (economic)	To support firms, advice local authorities in economic development fields
« Sociétés d'aménagement foncier et d'établissement rural » <sup>21</sup>	Regional/local	Sectoral and spatial (rural)	To help farmers to settle and to transfer their activity; to better the conditions of production; protection of the environment, local rural economic development; and spatial planning in rural and peri-urban areas in relation with public partners.
« Sociétés d'économie mixte »	Regional/local	Sectoral (economic) Executive	Creation by local or regional authorities of consortia of private bodies in order to achieve concrete operation of spatial planning, construction or to run public services.
« Groupement d'intérêt public de coopération décentralisée »	Regional/local	Transversal Executive	To achieve decentralised cooperation goals as to put into practice at local or regional level interregional (in between two regions of the European Union) programs or cross-border programs of the European Union in the framework of the <i>Interreg</i> program, for instance
« Groupement européen d'intérêt économique »	Regional/local	Transversal	Public and private bodies belonging to the European Union to cooperate in fields as trade, industry, agriculture, etc.
"Agence d'urbanisme"	Local	Incitation	Elaboration in relation with local authorities and the State the spatial planning documents in urban areas, role in the combination and adaptation in urban areas of different general policies
« Comités de bassin d'emploi » <sup>22</sup>	Local	Incitation	To promote at a micro-regional functional scale (equivalent of a local labour market area) the creation of firms and jobs <sup>23</sup>
« Groupement d'intérêt public de développement local »	Local	Consultative Executive	Local institution partly composed by local authorities representatives which allows the participation of private partners to achieve the goals of the "Charte de Pays"

<sup>17</sup> It depends on the Ministry of Agriculture, Food and Alimentation, Fisheries and Rural Affairs and on the Ministry of Employment, Labour and Social Cohesion.

<sup>18</sup> France has been divided in 5 large regions : Ile-de-France / Great South-East ( Rhône-Alpes, Provence-Alpes-Côte d'Azur, Languedoc-Roussillon) / Great South-West (Midi-Pyrénées, Aquitaine, Limousin) / Great West (Brittany, Pays-de-la-Loire, Poitou-Charentes) / Great East (Alsace, Lorraine, Burgundy, Franche-Comté, Champagne-Ardennes).

<sup>19</sup> They are association lead by a delegate designed by the Prefect of the Region and placed under the responsibility of the DATAR. They can operate in one (Lorraine, Languedoc-Roussillon, Normandy, Nord-Pas de Calais, La reunion, Franche-Comté) or more regions (Champagne-Ardennes/Picardie, Bretagne/Pays de la Loire / Poitou-Charentes).

<sup>20</sup> These committee are association of local authorities representatives, academics, managers, representatives of the employees. They are 112, 15 of them are regional, 60 districtal and 37 local.

<sup>21</sup> Their existence depend on an allowance of the Ministry of Agriculture and of the Ministry of Economy.

<sup>22</sup> These associations are by local representatives, local managers and representatives of the employees.

<sup>23</sup> Thanks to their network, they develop methodology of local development and share good practices.

#### 4.3. Roles and responsibilities of governmental layers and agencies

This point is dealt with at point 4.1. and point 4.2.

#### 4.4. Roles and division of competencies between departments

By nature, spatial planning is a global action that concerns many different sectoral policies. That is why the role of the CIADT (cf. *supra* point 4.2.) is to coordinate the actions of the different government departments. Nevertheless, most of them have a specific action in the field of spatial planning. For instance, the Ministry of Industry is in charge of industrial re-conversions. The ministry of Equipment is in charge of the national roads system and motorways, etc. Naturally, what is at stake, in spite of the CIADT, is the coherence of these territorial actions.

As far as spatial planning can be considered as inter-sectoral by nature, it seems necessary to **think about pragmatic ways of vertical, horizontal and transversal coordination**. Then, as an example, the Ministry of Agriculture, which is in charge of the development of equipment in rural areas has very tight links with the Prefect of Department and the Department Council (cf. *supra* point 2). The same can be said about the relation between the ministry of Equipment and local administrative and elected bodies.

#### 4.5. Allocation of resources by agency / department

The DATAR manages the resources of spatial planning at a national level.

**Table n° 11 - The DATAR budget on 2003, million euros**

TOTAL			372,59
	<b>Current expenditures</b>		109,23
		Staff and operating charges	14,48
		Public interventions*	94,75
	<b>Capital expenditures</b>		263,36
		PAT (see below)	69,583
		FNADT (see below)	193,781

Source: DATAR, Rapport d'activité 2003

\* including CPER (cf. *supra* point 3.3. and *infra* point 6.1) funds: 42,136 million euros

The "Prime d'Aménagement du Territoire" (**PAT**) is a important financial instrument. It is an aid for economic regional development. Created in 1982, the PAT operates in areas with socio-economic difficulties. It consists in direct subsidies to firm creation or development.

The "Fonds national d'aménagement du territoire" (**FNADT**) finances strategic and innovative actions in several fields: employment, territorial development, innovation, sustainable development. The FNADT is divided into two sections:

- a so-called "general section" for actions directly managed by the central State;
- and a so-called "local section" partly dedicated to the funding of the CPER (cf. *supra* point 3.3 and *infra* point 6.1) and to others regional and local actions.

**Table n° 12 - Uses of FNADT (%), 2000-2002**

	2000	2001	2002
<b>General section</b>	40 %	40 %	35 %
<b>Local section dedicated to CPER</b>	45 %	45 %	51 %
<b>Local section dedicated to other actions</b>	15 %	15 %	14 %

Source: DATAR, Rapport d'activité 2003

Other financial means exist apart from the one listed above:

- in favour of **air transports** : 16 million euros in 2003 ;
- **Fiscal and social exemptions**: 277 million euros in 2003;
- **European funds**: 3 278,78 million euros in 2003.

It has also to be said that other government departments (Ministry of Agriculture, of Industry...) can have their own actions with a spatial impact which make it difficult to identify clearly what is, as a whole, the total amount of money invested in that field. In order to give an idea, the amount estimated by Christophe TAULELLE et Christel ALVERGNE in 1999 was, by and large, of 21 000 million francs - approximately 3 200 million euros - (ALVERGNE, TAULELLE, 2002).

#### 4.6. Centralization / decentralization / devolution of spatial planning

Since 1982, starting point of the decentralization process, the **Regional Council has in charge spatial planning at regional level**, notably through its role in the negotiation of the CPER (cf. *supra* point 3.3.). Consequently, each region has its own spatial planning policy.

Nevertheless, **other infra-national authorities are also in charge of spatial planning** actions as, for instance, the municipalities, which are responsible for the land use planning policy at the local level (cf. *supra* point 2).

What is more the central **State still has an important legislative role in spatial planning** matters (cf. *supra* point 4.1).

Then, it is more a kind of **permanent bargaining process involving all the levels of government than a perfect architecture where responsibilities would be very clearly identified.**

Finally, as far as local and regional authorities are more and more involved in spatial planning matters, one of their worry is the increasing financial burden, which is not compensated by the State budget.

#### 4.7. Involvement of politics in actual policy implementation

It can be said that the major political debate in France nowadays dealing with territorial aspects is the one on the second phase of the decentralization process engaged by the actual Government. To a certain extent, it concentrates all the misunderstandings about decentralization that France has known since the 80's: more freedom for local/regional authorities and more powers but at the same time a more important financial burden for infra-national authorities with the increase of local taxes to put into practice the new responsibilities<sup>24</sup>.

### 5. Cross-border and transnational co-operation

5.1. Arrangements for trans-national and cross-border co-operation, with emphasis on spatial planning (transboundary, transnational, within the EU, with non-EU countries, international networking of regions, cities, etc.).

The trans-national and cross-border cooperation was settled in France by the Madrid convention in 1980. The law of the 6<sup>th</sup> of February 1992 has officially allowed local authorities to sign conventions with other foreign local authorities. The 4<sup>th</sup> of February 1995 law has allowed to sign treaties with neighbouring countries (example: SAR-LOR-LUX space).

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<sup>24</sup> Speech by Mr. Daniel HOEFFEL, President of the association of the French mayors, 87th congress of the French mayors, 16<sup>th</sup>, 17<sup>th</sup>, 18<sup>th</sup> of November 2004, [www.amf.asso.fr](http://www.amf.asso.fr).

The development of exchanges and partnership between firms, technologies transfers are the main fields of cooperation. They are developed in the framework of convention or thanks to the settlement of a cooperation institution as for example the “Eurorégion Nord-Pas-de-Calais, Kent, Flamish regions, Brussels and the Wallony”.

The 13<sup>th</sup> of August 2004 law dealing with local liberties and responsibilities allow the creation of European districts, local organisation of transborder cooperation based on the initiative of local authorities. They are autonomous in terms of organisation and in financial terms.

Aside from that national framework the *INTERREG* initiative must be mentioned but also *UBAN II* and *LEADER +* in the field of exchanging experiences and the *EQUAL* programme which develop transnational partnerships in order to fight against discrimination at work.

## 5.2. Existence of cross-border joint planning agencies, joint plans or cross-border standing committees

**Table n° 13 - Cross-border urban cooperation: joint planning agency, joint plans, cross-border standing committees**

Cross-border urban cooperation	Joint planning agency	Joint plan	Standing committee
<i>Métropole lilloise franco-belge</i>	NO	YES (in field such as water management, transports. Publication in 2002: “Stratégie pour une métropole transfrontalière”)	YES “Conférence Permanente Intercommunale Transfrontalière (COPIT)”
<i>Agglomération transfrontalière de Villerupt, Audun-le-Tiche, Esch-sur-Alzette</i>	NO	NO (as far as the foreign partners do not take part to the projects until now)	YES
<i>Pôle européen de développement de Longwy</i>	YES “Association transfrontalière du Pôle européen de développement de Longwy”	YES (mapping, harmonization of planning documents, of statistics; actions towards brownfields – “Belval” project)	YES “Association transfrontalière du Pôle européen de développement de Longwy” (elected members and local civil servants of the 3 countries)
<i>Conurbation de Forbach, Saint-Avold, Sarrebrück, Sarreguemines</i>	YES “Association Zukunft-Sarre-Moselle-Avenir”	YES (data bank, mapping systems, tourism and culture, firm parks, water supply and treatment, education and research, transport, settlement of the SMART plant...)	YES “Association Zukunft-Sarre-Moselle-Avenir” (French and German elected members)
<i>Agglomération transfrontalière de Strasbourg-Khel</i>	NO (but the mayor of Khel is a member of the Strasbourg planning agency)	YES (Strasbourg-Ortenau cross-border white paper, environment, <i>infrastructures</i> , tourism, trade, training, health, culture, transport...)	YES “Commission Strasbourg-Khel” (elected members and administration)
<i>Agglomération trinationale de Saint-Louis, Bâle, Weil-am-Rhein</i>	NO	YES (spatial planning : shared knowledge, coordination of spatial tools; agreement on the cooperation for sustainable development; transports and <i>infrastructures</i> )	YES “Association de l’agglomération Trinationale de Bâle”
<i>Espace Franco-Valdo-Genevois</i>	NO	YES (Common spatial planning; economic development cooperation; transport; environment)	YES “Comité regional Franco-Genevois”
<i>Métropole Côte d’Azur - Est des Alpes-Maritimes – Menton - Riviera Ponente Ligue</i>	NO	YES (Economic development and cooperation, spatial planning, equipments)	NO
<i>Eurocité basque Bayonne San-Sebastian</i>	NO	YES (White paper on spatial planning; Economic cooperation; Transports; Environment)	YES “Agence transfrontalière”

Source : [www.espace-transfrontaliers.org](http://www.espace-transfrontaliers.org), 2004.

**Table n° 14 - Cross-border territorial cooperation: joint planning agency, joint plans, cross-border standing committees.**

Cross-border territorial cooperation	Joint planning agency	Joint plan	Standing committee
<i>French-English border</i>	NO	YES (training, spatial planning, <i>infrastructures</i> , tourism, culture, environment, sea safety)	NO
<i>French-Belgian border</i>	NO	YES (health, environment, transports...)	NO
<i>French-Luxembourg border</i>	NO	YES (urban development, tourism, environment, spatial planning, economic development, training, research and universities...)	YES
<i>French German border</i>	NO	YES (economic development, research and technology, tourism, spatial planning, training...)	YES
<i>French-Swiss border</i>	NO	YES (health, environment, transports, education, economic development...)	YES
<i>French-Italian border</i>	NO	YES (transports, training, employment, economic development, culture and tourism, agriculture...)	YES
<i>French-Spanish border</i>	NO	YES (education, tourism and culture, economic and social development, <i>infrastructures</i> , environment, public services)	YES

Source : [www.espace-transfrontaliers.org](http://www.espace-transfrontaliers.org), 2004.

## 6. Instruments for spatial planning and policies with territorial effects

6.1. Planning instruments: What are they? Who has main responsibility? What is their territorial coverage? Are they binding or not? What is their emphasis (e.g. land use, location of activities, spatial development, *infrastructures*)? Spatial development monitoring systems.

Planning instruments are general, integrated, and intersectoral except the “*contrat de ville*”, the GPV and the PDU. Their functions fit together through different level of actions and spatial scales. By example, the PLU should be in coherence with the SCOT, that should be in coherence with the “*contrat d’agglomération*”, that should be in coherence with the CPER, that should be in coherence with the SRADT.

The “*Contrat de Ville*” and the “*Grand Projet de Ville*” (GPV) are specific instruments to regulate urban problems in specific local urban areas (cf. *supra* point 3.4.). They are dealing with housing renovation, living conditions and public equipments. The PDU are plans to regulate the organization of transports and mobility.



**Table n° 15 - Principal planning instruments** (cf. *supra* point 3.3)

<b>Planning instruments</b>	<b>Main responsibilities</b>	<b>Territorial coverage</b>	<b>Role and Duration</b>	<b>Binding</b>
“Document unique de programmation” (DOCUP)	State and Regional Councils	Region	7 years	Coherence with European Union orientations
CNADT (cf. <i>supra</i> point 4.2.)	State	National	--	--
MIAT (cf. <i>supra</i> point 4.2.)	State and Regional Councils	Interregional	--	--
« Schéma de services collectifs » (SSC) (cf. <i>infra</i> point 6.3.)	State	National	Prospective (20/25 years)	--
« Directive Territoriale d'Aménagement (DTA) » <sup>25</sup>	Prefects of department or region	Intermediary (regional, departmental or metropolitan)	Prospective (20/25 years)	Coherence with SSC and SRADT.
« Schéma régional d'aménagement et de développement durable du territoire (SRADT) » (cf. <i>infra</i> point 6.5.)	Regional Council	Regional	Prospective (20/25 years)	Coherence with SSC and DTA
« Contrat de Plan Etat-Region » (CPER) (cf. <i>supra</i> point 3.3.)	State and Regional Council	Regional	Planning (7 years)	Coherence with SRADT and DTA
« Projet d'agglomération » (cf. <i>infra</i> point 6.2.)	Urban intermunicipality	Agglomeration	Prospective (20/25 years)	Coherence with SRADT and DTA
« Contrat d'agglomération » (cf. <i>supra</i> point 3.3.)	Urban intermunicipality	Agglomeration	Planning (7 years)	Coherence with CPER
« Charte de Pays » (cf. <i>infra</i> point 6.2.)	Pays	Urban/rural or rural areas	Prospective (20/25 ans)	Coherence with SRADT and DTA
« Contrat de pays » (cf. <i>supra</i> point 3.3.)	Pays	Urban/rural or rural areas	Planning (7 ans)	Coherence with CPER
« Schéma de cohérence territoriale » (SCOT) (cf. <i>infra</i> point 6.2.)	Urban intermunicipality or “Pays”	Agglomeration or rural association of communes	Town planning	Articulation to the PLU
PLU	Intermunicipality or municipal	Local (Commune or agglomeration)	Town planning	Coherence with SCOT
« Contrat de ville »	Urban intercommunity or urban commune	Local (Commune or agglomeration)	Planning (7 ans)	Integrated in the “contrat d'agglomération”
« Plan de déplacements urbains » (PDU)	Urban intercommunity or urban commune	Local (Commune or agglomeration)	Planning	--
« Grand Projet de Ville » (GPV)	Urban intercommunity or urban commune	Local (Commune or agglomeration)	Town Planning (7 ans)	Integrated in the “contrat d'agglomération”

Source : *La lettre du RIATE*, n°3, juin 2004

<sup>25</sup> For this specific state instrument, one refers to the colloquium organized by the CREDECO, Les Directives d'Aménagement, Sophia-Antipolis (2000), <http://www.unice.fr/CREDECO/redirection/index.html>

6.2. Territorial and urban policies, which are explicitly related to the planning, management and / or governance of space (regional, urban etc.), as they appear in the latest relevant official documents and / or statements.

The policies of spatial planning do not explicitly refer to the governance concept. Meanwhile, **some specific frameworks for spatial planning are incorporating, rather implicitly, governance principles:**

- The “projet d’agglomération” elaborated for a 15-20 years period is a prospective document supposed to be the basis of the future 7 year contract – “contrat d’agglomération”, cf. *supra* point 3.3. -. It is elaborated within an inter-municipal framework in association with a **permanent local forum partly formed by members of the local civil society.**
- The “Schéma de cohérence territoriale” (SCOT) which can be described as the spatial expression of the “projet d’agglomération”. Indeed, the “projet d’agglomération” can be considered as a list of projects to be done in the future. The SCOT indicates where the projects should be located and how. It is also **compulsory for local authorities to organise a local forum.** It can range from information of the public to participation to the elaboration of the SCOT itself. Naturally, very different situations can be identified. One of the major issue is the level of involvement of inhabitants but also the expression of local interest (lobbies) which are not always representative of the population. Nevertheless, this document is submitted to a **public inquiry** in the conditions already presented (cf. *supra* point 3.3.). At a communal level, the “Plan local d’urbanisme” (cf. *supra* point 6.1.) follows the same rules (DIRECTION GÉNÉRALE DE L’URBANISME, 2004).
- The “Charte de pays” (rural areas or urban-rural areas) is, as the “projet d’agglomération”, elaborated for a 15-20 years period within an inter-municipal framework **in association with a permanent local forum partly formed by members of the civil society.** It is a prospective document supposed to be the basis of the future contract – “contrat de pays”, cf. *infra* point 3.3. -

Structural funds are used to achieve the “contrat d’agglomération” and “contrat de pays” in a synergetic perspective. It has to be noticed that the French Government has decided to put into practice its own spatial planning actions on the same period of programme of the one of the European structural funds (2000-2006).

6.3. Sectoral policies (not mentioned in 6.2) with an important spatial impact, concerning e.g. transport, the environment, rural development etc. and any other relevant policy area, as they appear in the latest relevant official documents and / or statements, and short analysis of their territorial dimension.

The main planning orientations for the 20 years coming, as far as sectoral policies are concerned, have been mentioned in the framework of the documents called “**Schémas de services collectifs**” (SSC). These planning documents have been elaborated by the central State on the basis of **regional meetings** during the period 1999-2001 in order to identify the main regional needs in terms of services and equipments. They concern 9 different fields: **health, higher education and research, culture, transports of passengers, transports of goods, new technology, energy, rural and natural areas, sport.**

Since then, the actual government has developed specific policies in some sectoral fields<sup>26</sup>:

- **Transports:** programme of infrastructures until the year 2025 with the objective to reduce roads traffic in favour of trains, fluvial and maritime traffic.
- **Environment:** definition of a new policy for coastal areas:
  - o creation of a national **observatory**,
  - o at a regional scale : **to better the coherence of the policies**,
  - o at a local scale : to promote projects of local sustainable development,

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<sup>26</sup> CIADT of the 3<sup>rd</sup> of September 2003, of the 18<sup>th</sup> of December 2003 and of the 14<sup>th</sup> of September 2004.

- other actions : protection of natural spaces and of bio-diversity, environmental risks control, control of urbanisation, modernization of fisheries and coastal agriculture, development of tourism...
- **Rural territories** (2004 law “Loi sur le développement des territoires ruraux”) : development of rural territories. Three main axis are identified:
  - development of employment,
  - housing policy,
  - public services in rural areas.
- **Economy** : to foster pole of competitiveness by promoting **local synergies between research, education units and firms.**
- **New technologies of information and communication:** promotion of broadband supply particularly in rural areas.

6.4. Problems arising out of inadequate policy co-ordination. How do policies suffer from this lack of co-ordination?

In terms of spatial planning the main difficult of co-ordination between different levels of action (national, regional, local) arise from the fact that if the Regions (considered here as elected bodies) is legally defined as the main institution in spatial planning matters, the others infra-national institutions did not give up their role in that field. Naturally, it is difficult to think that other infra-national authorities could not play any role in spatial planning, even if, on the paper, the French architecture of spatial planning seems to be very rational. Indeed, it is difficult to solve this problem by law.

Simultaneously, the central State has asked local authorities to play an increasing role in spatial planning matters, compromising the supposed central role of the Regions. It is today concretely difficult to link one domain of intervention to one type of institution. This can explain the recourse to the governance concept, which tends to indicate that many actors (not only public ones) can play a role on the same territory. From that point of view, the recourse to the contracts can be linked to the increasing difficulty to define precise competencies for each territorial level. It works nearly as a “black box”. Certain tend to consider that this situation epitomizes the failure of the decentralization process as far as the responsibility and transparency are not clearly established. It can also been argued that we are experienced a period of adaptation of the role of the central State, of the policies, of the different level of decisions, of the different actors. The governance, as far as it is not defined as a concrete aim to achieve, can be used in the French case as a conceptual tool to “read” these evolutions (ALVERGNE, TAULLELE, 2004).

6.5. Examples of policy packages (especially with spatial content), aimed at securing intersectoral policy integration and enhanced synergies (e.g. business location in the Netherlands – ABC policy).

Different policies packages with spatial contents are organised in such a way to promote intersectoral policies integration and to enhanced synergies.

Even if national schemes of planning (“Schémas de services collectifs”, cf. *supra* p 6.3.) are organised on a sectoral basis (nine schemes in different sectoral fields: health, higher education and research, culture, transports of passengers, transports of goods, new technology, energy, rural and natural areas, sport), which does not really allow intersectoral policies integration and synergies between sectors, **regional schemes** (“Schémas régionaux d’aménagement du territoire regional” – cf. *supra* point 6.1. - prospective planning, 15/20 years period) **are dealing with all sectors of a regional interest. The 7 years regional contract (planning) between the central State and regional authorities is also dealing with different fields and involve different partners of the projects**<sup>27</sup>.

The European structural funds regional programs are based on the same principle even if the very projects are not specified in the programme right from the beginning. It is a guidelines of actions negotiated between the regional/local authorities, the central State and the European Union.

<sup>27</sup> Since 1995, the Regional Councils can cooperate in order to establish common planning orientations in mountain and coastal areas. Consequently, these spatial planning schemes are inter-regional.

Regularly, meetings are organised at a regional level to select projects involving different partners: State, local/regional authorities, other financial and project partners (private).

## 7. Processes for spatial planning

7.1. Co-operation between official agencies and agencies outside formal government system (NGOs, citizen groups, trusts etc.)

The objective of the recent law “Loi relative à la démocratie de proximité” (cf. *supra* point 3.3.) is to promote public debates between representatives, economic and social actors, associations and citizens. Two fields are notably concerned by this law: environment and town planning.

To a certain extent, this law can be seen as the result of the action of associations of citizens which have been, since the 70's, more and more active, particularly towards environment issues (actions in favour of the protection of “natural” areas, opposition to major infrastructures programmes...). Their role is particularly important in the public debate at local level where they defend the interests of the inhabitants. They mainly rely on individuals, even if some have very close connections with political parties as the French ecologist party, “Les Verts”.

These associations can be organized at national or regional levels, with local delegations. Some of them are involved in decision on project with a territorial impact as consultative bodies. It is for instance the case of the « Fédération Nationale des Associations d'Usagers des Transports » (FNAUDT)<sup>28</sup>, whose general objective is the promotion of transport facilities in accordance with the principles of sustainable development. The FNAUDT makes proposals to the Government to reach this objective.

Of course, associations of an international audience are also operating in France, as *Greenpeace* for instance which main field of action in France is environmental protection towards nuclear energy.

7.2. Examples of existing professional and public “*fora*” for dialogue and debate

**Table n° 16 - Professional and public “*fora*” for dialogue and debate**

	<b>Name</b>	<b>Status and role</b>	<b>Members</b>
<i>National level</i>	- “Conseil économique et social” (CES) - Conseil national d'aménagement du territoire” (CNADT, cf. <i>supra</i> point 4.2.)	- Not only focused on spatial planning, it is a consultative institution of the Government, notably on regional planning - it is a consultative institution of the Government dedicated to spatial planning	- representatives of the trade unions, of the entrepreneurs, of the association, of public firms, experts... - Members of parliament, local / regional representatives, representatives of workers and entrepreneurs, of the chambers of commerce, of different activities (culture, sport...)
<i>Regional level</i>	- “Conseil économique et social regional” (CESR) – one in each region -.	Consultative institution of the Regional Council, not only focused on spatial planning.	Representatives from social, economic and cultural fields etc., experts.
<i>Local level</i>	- “Conseil de développement” (cf. <i>supra</i> point 3.1., point 3.3.).	- Consultative organisation for urban areas or rural and/or urban-rural areas	- Representatives from social, economic and cultural fields, experts.

<sup>28</sup> <http://perso.wanadoo.fr/fnaut/nextsite/index2.html>

7.3. Examples of mechanisms of participation and spatial conflict resolution: the nature of existing procedures, within the formal system; categorization of actors invited to participate; available mechanisms for objection and arbitration.

This point has been largely addressed in the point 3.2. The information given can be summarised as follow :

**Table n° 17 - Mechanisms of participation and spatial conflict resolution**

	<b>Nature of the procedure and / or types of institutions</b>	<b>Actors concerned</b>	<b>Objection mechanisms</b>	<b>Arbitration mechanisms</b>
<b>“Conseil de quartiers”</b>	Consultative / Proposals	Individuals, associations.	No	Political adjustments (role of the municipalities representatives)
<b>“Conseil de développement”</b>	Consultative / Proposals	Representatives from different socio-economic fields.	No	Political adjustments (role of the local representative)
<b>“Enquête publique” (Public inquiry)</b>	Normative procedure	Individuals, associations.	Call for the judgments and proposals of individuals. On this basis an independent body deliver is conclusions, which can be for or against the project. In case that the administration decided not to take into account these conclusions, every individual concerns by the project can ask for the project to be stopped by justice.	Legal

7.4. Existing informal and ad hoc mechanisms for planning and development, such as the involvement of agencies outside formal government system:

7.4.1. NGOs assigned observation / watchdog role (e.g. WWF)

Cf. *supra* point 7.1.

7.4.2. Secondment arrangements between government and universities

Cf. *supra* point 3.4.

7.4.3. *Spatial development observatories*

Cf. *supra* point 3.4.

## 8. Approaches for horizontal and vertical cooperation and coordination

8.1. Relationships between different agencies at one level of government and between different levels of government with specific reference to spatial planning.

**Table n° 18 - Relationships between different agencies**

	Institutions / Agencies	Relations towards horizontal cooperation	Relations towards vertical cooperation
<i>National Level</i>	DATAR (cf. <i>supra</i> point 4.2)	Between ministries	Between cities (cf. <i>infra</i> point 8.2), regions, the State and Europe (cf. <i>infra</i> point 8.3).
<i>Regional level</i> (cf. <i>supra</i> point 2)	- Prefects of Region  - Regional council	- Between State administrations at regional level (1) - Between the Regional council services (2) + between (1) and (2)	Role of coordination of projects and finance between local authorities (General council, cities) at an infra-regional level.
<i>Local level</i>	- Prefect of department  - General council  - Municipalities	- Between state administrations at local level (1) - Between the General council services (2) + between (1) and (2) - Between the municipalities services	- Coordination of specific spatial planning projects - Coordination of planning actions (cf. <i>infra</i> point 8.2). - Collaboration between municipalities, state regional and local administrations and other local and regional authorities.

8.2. Co-operation between agencies, departments, authorities and / tiers of government in relation to the production and implementation of planning instruments.

This aspect has been largely dealt with in previous points as far as most of planning policies in France are elaborated through a co-operative process between State agencies from national to local level and regional and local authorities. Some examples can be given here to illustrate the previous point, which refers to policies implementation and instruments already presented.

- Example of co-operation between the State and the Regional and local authorities: the SSC, CPER (cf. *supra* point 6.3).
- Example of co-operation between the State and the cities: the "politique de la ville" (cf. *supra* point 1.3. and point 2).
- Example of cooperation between the State and the municipalities: PLU (cf. *supra* point 3.1. and 6.2.), SCOT (cf. *supra* point 6.2.).
- Example of cooperation between General Councils and municipalities: settlement of equipments in rural localities.

8.3. Relations with EU policies and / or programmes

Three main influences can be identified from EU policies and /or programmes on national instruments:

- **A more pro-active culture**, given the projects oriented method of the European programme. This rests mainly on the capacity of local and regional authorities to propose projects in the framework of the European programmes. From that point of view, dedicated services have been created to be able to take advantage of the European money. It also relies on their capacity, the one of the State at regional and local level and of other organisations such as the Chambers of Commerce to diffuse the information to individuals. The different use of funds

from one region to another let us think that this pro-active culture is variable from one place to another.

- **The development of partnership**, even if this aspect was already enshrined in the contractual way of dealing with spatial issues in France notably since the 80's. It can be considered as a systematization of such methods, which trigger changes in the role of the different actors involved and a more transversal way of dealing with issues as far as the same project can need different competencies.
- **The development of different forms of evaluation**, which was not part of the French culture as far as spatial policies were concerned.

It is also important to point out that since 2000, the pace of the contractual process (CPER) is the same than the one of the European programmes in order to enhance the principle of subsidiarity. From that point of view, it can be said that there is a look for synergies between national spatial planning policies and European programmes.

8.4. Regional / local initiatives for integrated territorial planning (e.g. planning of functional urban regions, inter-municipal or inter-regional planning arrangements, transfer of responsibilities to jointly created bodies).

It exists several inter-regional or inter-municipal initiatives for planning arrangements or functional urban regions. They have been settled to try to ameliorate the dialogue, the coordination, and the interventions of different authorities that depend on different sectors or fields of action.

Some of them have been settled by the State like the "**Mission interministérielle et interrégionale d'aménagement du territoire**" (cf. *supra* point 4.2.) or the "**Schémas interregionaux de massif**" (cf. *supra* point 6.5.) Of course, the trans-national and cross-border initiatives and agencies support by *Interreg* funds (cf. *supra* point 5.1 and point 5.2.) can also come under this point.

One can also quote some kind of "**spontaneous**" **association of qualified individuals who gather in order to defend the interests (lobbying) of specific areas** as for instance the "Association Nationale des Elus de Montagne" (ANEM)<sup>29</sup>. It is an association of elected people, which defends the interests of the French mountain areas. This kind of geographical based association have a regional, interregional and national influence on debates on spatial planning issues.

Another well-known economic and spatial lobbies are the associations of "**Arc atlantique**" and of "**Arc méditerranéen**" which support the establishment of spatial planning programmes at Atlantic or Mediterranean coast scale.

Dealing with urban areas, it exists **metropolitan associations that gather several authorities of a same enlarged urban area** (Regional Council, Departmental Councils, important municipalities and inter-municipal structures; socio-economic actors). They undertake to have global projects to organize an urban polycentric area that includes metropolitan dynamics, without the administrative limits of departmental or communal administrations. So, one can quote the "Région Urbaine de Lyon" (RUL)<sup>30</sup>.

8.5. Strategic planning initiatives, especially at regional and / or metropolitan level.

The actual French system of strategic planning initiatives is defined according to the recent planning laws (Cf. *supra* point 4.1.). Three types of instruments can be identified:

- the **prospective instruments** (20/25 years): SCC, DTA, SRADT, "Charte de pays", "Projet d'agglomération" (Cf. *supra* point 6.1), that define the general priorities in a scheme declined at different levels of political and executive power and spatial problems. They are often incentive documents;

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<sup>29</sup> [www.anem.org](http://www.anem.org)

<sup>30</sup> [www.regionurbainedelyon.fr](http://www.regionurbainedelyon.fr)

- The **general planning instruments** (7 years to respect European funds calendar and CPER calendar): “Contrat de plan État-Région”, “Contrat de Ville”, “Contrat de pays” (Cf. *supra* point 6.1);
- The **specific (or town planning) instruments** dedicated to a sector (like transports for the ‘Plan de déplacements urbains’, or urban problem for the “Grand Projet de Ville”) or transversal like the “Schéma de cohérence territoriale” (Cf. *supra* point 6.1).

## 9. Final comments

### 9.1. Brief description of the style of planning, which is characteristic of the country.

From the post-war period, it can be said that spatial planning in France is a **State business**. The creation of the DATAR in 1963, placed under the responsibility of the Prime Minister was one major achievement to pilot the policy of spatial planning in France. Even before, given the need to rebuild the country, the governments of the Fourth Republic had already put in place a set of policies in order to achieve this objective from a central impetus. The first period (from 1947 to the beginning of the 50’s) was not really dedicated to spatial planning as far as balanced development is concerned. It is only in a second period, from the mid-50’s, that the question of a better balanced development became a central concern. Different methods were applied to counterbalance the weight of Paris particularly in economic terms (settlement restriction in the Paris region, subsidies to help firms to settle in the Province). From that point of view, **it can be said that even if the policies were centralized their aim was to counterbalance the effect of centralization...**

Meanwhile, regional and local initiatives taken by regional and local leaders in that period were incorporated in national frameworks (cf. *supra* point 3.2.). Traditionally, the State structure implies also tight link between local leaders and the central government structure (GREMION, 1976). Consequently, even if it cannot be denied that the French style of spatial planning is a centralized one, **the reality of the relations is more subtle (initiatives, methods, influence, power) in the sense of a bottom up influence.**

After a period of doubt about the place and role of the central State in spatial planning issues, mainly in the 80’s, due to an ideological shift, the economic crisis, the decentralization process, the increasing influence of the European structural funds, we assisted to a new involvement of the State in spatial issues at the beginning of the 90’s. The deliver of the 1995 law (modify in 1999) on spatial planning gives a new general framework. From a structural point of view, even if the State evolves towards a more decentralized approach with increasing powers given to regional and local (mainly inter-municipalities) authorities, the role of the State still important. **The decentralization process has given way to active relations organised by the State where local and regional authorities are involved in a kind of permanent bargaining process.**

It can also be argued that local initiatives, has had an influence on the actual framework of spatial planning. The new orientations of the 1999 law, shows clearly **the influence of local development (bottom-up, participation, use of local resources...) methods**, which has been incorporated in the law and its further developments. To a certain extent, as described in previous sections, it can be said that it constitutes a step towards governance as defined in the White Paper: openness to civil society in terms of information, participation and accountability; care about coherence and effectiveness – territorial coherence, projects synergy. To sum it up, **it can be said that the French style of planning is State run but with permanent interactions with local / regional authorities; legally structure but influenced by regional and local initiatives developed out of the formal government system.**

### 9.2. Conditions leading to shifts in governance.

As evoked above, permanence and changes can be identified in the French case. Firstly, it is necessary not to have a too caricatural view on the building of the French spatial planning policy over the years as far as, as we pointed it out, the elements of influence and evolutions of the policies are not only proceeding from the central State decisions applied uniformly on the French territory. At the same time, the reasons of shifts in governance are not univocal. Nevertheless, let’s identify important



elements over the past 20 years. It is clear that **the decentralization process has had a great impact** on the administration of spatial planning in France. Even if some tends to consider that it has been a way for the central State to devolve some power keeping the bulk of it, there is no doubt that it has had an influence on the relations between central and regional / local levels: development of partnerships, development of competencies, mutual recognition, exchange of practices. The crisis of the 70's and the 80's (ideological, economic, financial crisis) has also be the period of the **development of local development methods**, which are now incorporated as "official" methods in laws and rules. This evolution leads to an increasing movement towards the involvement of the civil society (cf. "conseil de development", local referendum, public inquiry...). Nevertheless, this movement is still legally and politically regulated. Indeed, local and regional politicians still have control and initiative, which is generally considered in the France as a democratic guarantee and a way to counterbalance the influence of lobbies. It can also be sometimes considered as a reluctance to share the power or a difficulty to deal with new forms of governance in a system where local representatives were used to deal directly with the central State.

## 10. Proposed case studies

### - Case study 1 (Territorial governance):

We propose at both **national and local levels** a synthesis and analysis of governance practices ("good practices") in the framework of the "**Pays**" policy ("Charte de pays", "contrat de pays", – cf. *supra* point 6.1.) dedicated to **rural and rural/urban areas**. We will try to define the nature of the governance (horizontal, vertical, transversal, global or sectoral) and its mechanisms. Two important reasons make us propose this policy as case study:

- Firstly, because we think that the governance dimension of these local development and spatial planning policies is enshrined in the more recent legislative frameworks;
- Secondly, because the policy of the "Pays" seems to have been quite successful considering the number of inter-municipal cooperations launched to put it into practice.

### - Case study 2 (Urban governance):

We propose an analysis of the planning instruments of the **urban area of Lyon (Functional Urban Area)**. This analysis will be particularly focused on **participative democracy**. The city of Lyon it is an interesting example as **the second metropolitan area in France and as a city with a long town planning experience**. We will study the different levels of organisation to solve urban problems (land use, living conditions, accessibility, economic development, urban segregation...) and to define spatial planning priorities and actions. Lyon is governed by a municipal council and also by a powerful urban authority, the Grand Lyon<sup>31</sup>. The Grand Lyon is engaged in important urban policies (ex. Contrat d'agglomération, cf. *supra* p.) and use several planning instruments (SCOT, PLU, PDU – cf. *supra* p.). The local authorities should organize their schemes in collaboration with the State (Regional and Departmental Prefectures) and thanks to a dialogue with the inhabitants, which is a local political priority. We will study the main urban issues and the methods to shape and to put into practice spatial planning policies.

### - Case study 3 (Transnational governance):

We propose to analyse the evolution of the framework of trans-national cooperation in France, more precisely **cross-border urban cooperation** as far as we assist to a continuous deepening of cooperation thanks to the changes in legislation from the beginning of the 80's (cf. *supra* point 5.1.). Nevertheless, it can be said that France evolutes from a rather reluctant standpoint towards types of cooperation that could have an impact on national territorial organisation, to a pragmatic adaptation to the reality and needs of trans-national cooperation. Consequently, it would be interesting to study how concrete relations and partnerships (including local / regional elected authorities but also firms and other institutions as universities for instance) have an impact on governance traditions. Another point of interest would be to identified how the relations between the populations from one side of the boarder to another can interact or not in the process of cooperation. It will also give the opportunity to take into account the role of European *Interreg* programme. This case study will be of a peculiar interest at a time when the 13<sup>th</sup> of August 2004 law dealing with local liberties and responsibilities has

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<sup>31</sup> <http://www.grandlyon.com>

allowed the creation of European districts. These local organisations of cross-boarder cooperations based on the initiative of local authorities are autonomous financially and in terms of organisation; which can be considered as very innovative in the French context as far as it could lead to the creation of kinds of autonomous cross-boarder local authorities. Examples will be given using the ones quoted at table n° 13.

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