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## Report

drawn up on behalf of the Committee on Regional  
Policy and Regional Planning

on a European regional planning scheme

Rapporteur: Mr Paul-Henry GENDEBIEN

PE 86.025/fin.



Pursuant to Rule 47 of the Rules of Procedure, the European Parliament, at its sitting of 10 May 1982, referred the motion for a resolution by Mrs Lizin on a European regional planning scheme (Doc. 1-175/82), to the Committee on Regional Policy and Regional Planning.

At its meeting of 22 and 23 June 1982, the committee decided to draw up a report and, at its meeting of 19 October 1982, appointed Mr Gendebien rapporteur.

At its sitting of 7 March 1983, the European Parliament referred the motion for a resolution by Mr Sassano and others, on behalf of the EPP Group, on the promotion by the Commission of studies concerning the possibility of constructing nuclear power stations in areas of low population density (Doc. 1-1269/82/rev.) to the Committee on Regional Policy and Regional Planning as the committee responsible and to the Committee on the Environment, Public Health and Consumer Protection, the Committee on Budgets and the Committee on Energy and Research for their opinions.

At its meeting of 18 March 1983, the committee decided not to draw up a report but to attach this motion for a resolution to Mr Gendebien's report.

The draft report was considered at the meetings of 27 May 1983, 27 September 1983, 18 October 1983 and 3 November 1983, and at the last-mentioned meeting, the motion for a resolution as a whole was adopted unanimously with one abstention.

The following took part in the vote:

Mr De Pasquale, chairman; Mrs Fullet and Mr Faure, vice-chairmen; Mr Gendebien, rapporteur; Mr Hutton Mr Kazazis, Mr Kyrkos, Mr Nikolson, Mr Pöttering, Mr Puletti, Mr Verroken and Mr Ziagas (deputizing for Mr Van der Vring)

The Committee on the Environment, Public Health and Consumer Protection and the Committee on Energy and Research were asked for their opinions on the motion for a resolution tabled by Mr Sassano and others (Doc. 1-1269/82/rev.) but decided not to deliver opinions.

This report was tabled on 10 November 1983.

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ANNEX I: Motion for a resolution tabled by Mrs Lizin (Doc. 1-175/82)

ANNEX II: Motion for a resolution tabled by Mr Sassano and others  
(Doc. 1-1269/82/rev.)

The Committee on Regional Policy and Regional Planning hereby submits to the European Parliament the following motion for a resolution together with explanatory statement:

A

MOTION FOR A RESOLUTION

on a European regional planning scheme

The European Parliament,

- having regard to the motion for a resolution tabled by Mrs Lizin on a European regional planning scheme (Doc. 1-175/82),
- having regard to the motion for a resolution tabled by Mr Sassano and others, on behalf of the EEP Group, on the promotion by the Commission of studies concerning the possibility of constructing power stations in areas of low population density (Doc. 1-1269/82/rev.)
- having regard to the preamble and Articles 2, 3 and 235 of the Treaty of Rome,
- having regard to the terms of reference of the European Parliament and, in particular, of its Committee on Regional Policy and Regional Planning,
- having regard to the report of the Committee on Regional Policy and Regional Planning (Doc. 1-1026/83),
  - A. having regard to the numerous opinions already delivered by the European Parliament on problems directly or indirectly linked to regional planning;
  - B. noting that many Community activities and measures in areas such as regional, agricultural, environmental, energy or transport policies are already having a definite impact on European regional planning;
  - C. considering, nevertheless, that the absence or inadequacy of a coherent Community policy in some of these areas may have unforeseen, and even negative, effects on European regional planning;

- D. having regard to the work of the Council of Europe and in particular the Declarations of Galway (1975) and Bordeaux (1978), Resolution 122 (1981) of the Conference of Local and Regional Authorities in Europe and the European Regional Planning Charter adopted in Torremolinos on 20 May 1983.
1. Invites the European Community to implement an overall European regional planning policy which will give expression to the political determination effectively to administer and to preserve the territory of Europe as a common domain;
  2. Takes the view that such a Community policy is necessary because of the structural changes which are taking place (the decline of certain industries, the drift from the land, the delocalization of certain activities, the increasing interpenetration of economies and populations, cultural changes, shifting patterns in the tourist trade, the increase in the number of ecological disasters and the accelerating deterioration of our natural heritage);
  3. Considers that the administration of the European territory must not be based solely on short-term economic criteria, but must also take account of contemporary aspirations to a better quality of social and cultural life for present and future generations;
  4. Considers that a European regional planning policy must pursue three main objectives:
    - (a) to coordinate existing Community measures and instruments (with each other and with those of the States and regions) to ensure the functional and financial rationalization of such measures and instruments in time and space and, in particular, to ensure that, from the spatial point of view, no decision will stand in contradiction to any other and require additional corrective measures and coordinate national and regional development measures connected with Community objectives;
    - (b) to promote balanced and integrated regional development leading to:
      - genuine decentralization and a better distribution of activities, employment and population in Europe;
      - mobilization of the endogenous resources of the regions;
      - improvements to the environment, public health and quality of life;



- (c) to assume a forward-looking and protective role with a view to guaranteeing the lasting survival of the European heritage in its many facets (natural resources, sensitive areas of European interest, flora and fauna, cultural heritage, etc.) and maintaining 'diversity' as one of Europe's riches;
5. Proposes that a European regional planning scheme should be devised to determine the siting or course of certain infrastructures and activities, projects or zones of European interest for which the Community intends:
- to adopt specific regulation
  - and/or to provide financial backing;
6. Proposes that the scheme should be based on an inventory of the various problems as regards facilities, development, and the environment, with particular reference to:
- (a) the balanced development of the least-favoured regions or those regions where urban concentration is excessive and, in particular, a balanced distribution of industrial activities and employment in all the regions of the Community;
  - (b) the major transport and communication infrastructures (railways, roads, ports, inland waterways, airports, energy transport);
  - (c) interregional cooperation in Europe, particularly cooperation between border regions;
  - (d) protection of the heritage and the recognition of natural rural and architectural zones of European interest which could be the subject of regulations and/or Community financial backing;
  - (e) energy policy (low growth based on low energy consumption, use of own resources, regional energy assessments);
  - (f) the location of hazardous or polluting activities and the transport of the waste products created by such activities to the places where they are to be reprocessed or buried;
  - (g) the maintenance of agricultural activity or certain lines of agricultural production requiring either special regulations or adjustments to the price policy with a view to preserving the vitality of certain rural areas or maintaining a more diversified agriculture;

- (h) the impact of particular policies linked to regional planning, such as forestry policy, fisheries policy, tourism policy;
7. Calls for the European regional planning scheme to function as a genuine instrument of consultation and arbitration in accordance with a 'grass-roots' democratic procedure, i.e. on the basis of the needs and aspirations expressed by the regions themselves and by local opinion-leaders;
  8. Suggests that the scheme and its various component parts should be drawn up in accordance with the following procedure:
    - (a) first phase: survey and inventory of the situations and needs in the regions, on the basis of information provided by the regional authorities;
    - (b) second phase: preparation of a first summary document by the Commission setting out priorities and possible choices;
    - (c) third phase: consultation of the regions which submit definitive opinions;
    - (d) fourth phase: proposal from the Commission to the Council;
    - (e) fifth phase: opinion of the European Parliament;
  9. Calls for the creation of an operational unit to be placed under the authority of a Commissioner and made responsible for regional planning and the spatial coordination of the various Community instruments and measures;
  10. Calls on the Commission to take practical measures to implement the recommendations of this report and in particular to make an initial report to the European Parliament within six months on the ideas developed in the light of this resolution;
  11. Instructs its President to forward this resolution to the Commission, the Council, the governments and regional authorities of the Member States.

B  
EXPLANATORY STATEMENT

C H A P T E R I

THE LEGAL FRAMEWORK FOR A COMMUNITY REGIONAL PLANNING POLICY

I. THE TREATIES.

1. Today, in 1983, the extension of the European Community's field of action and the need for further harmonization of the policies of the Member States are an undeniable argument in favour of a Community regional planning policy.

Such a policy, which could provide a framework for and supplement national policies, would bring greater coherence to the organization and effective administration of the territory of Europe and greater rationality to the multiplicity of Community measures.

The first question to be answered is whether and to what extent a legal framework exists authorizing the institutions, i.e. the Council, the Commission and the European Parliament, to pursue a Community regional planning policy.

The Treaties establishing the Community conferred no more general or specific responsibilities on Community bodies in the field of regional planning than in regional policy or environment policy. However, the latter 'new' policies have been in existence for the last ten years.

2. As regards regional planning, the political determination of the fathers of Europe was nonetheless a fact. From the very beginning, they thought that the creation of an area of free trade and the free movement of goods and persons would not alone suffice for an adjustment of structures and infrastructures. In other words, a common market would not necessarily lead to the integration or even the convergence of the economies.

It is significant that the authors of the communiqué of the Conference of Messina should have recognized, in connection with their first objective, that the extension of trade and the movement of persons called for the joint development of major communication networks. To this end a joint study of development plans was to be undertaken on the basis of the establishment of a European network of canals, motorways and electrified lines and of the standardization of equipment and efforts to improve the coordination of air transport.

Thus, from 1955, the theme of joint European regional planning appears implicitly in the idea of a joint study of development plans.

3. The Treaty of Rome of 25 March 1957, which was the outcome of the Conference of Messina, was quite obviously a 'framework treaty'. This means that, apart from the automatic clauses concerning the introduction of the customs union, the Treaty of Rome basically fixes general objectives to be achieved gradually by a series of common or Community policies.

3.1. In the preamble to the Treaty, the contracting parties affirmed 'as the essential objective of their efforts the constant improvement of the living and working conditions of their peoples' and declared that they were 'anxious to strengthen the unity of their economies and ensure their harmonious development by reducing the differences existing between the various regions and the backwardness of the less favoured regions'.

3.2 Article 2 of the Treaty seeks 'to promote throughout the Community a harmonious development of economic activities, a continuous and balanced expansion, an increase in stability, an accelerated raising of the standards of living and closer relations between the States belonging to it'.

Implicit in the terms used by the authors of these provisions:

- 'harmonious development',
- 'throughout the Community',
- 'balanced expansion',

is an appeal for economic and social action applied to all the major sectors of activity but also to the whole of the common territory. The territorial dimension is already present since the aim is also to ensure that certain regions are not excluded from the presupposed benefits of the common market. The notions of 'harmony' and 'balance', subjective though they are, imply coordination, management, even planning, and hence, in particular, regional and environmental planning.

3.3 More precise are the responsibilities or tasks assigned by Article 3 to the Community institutions. Subparagraph d) provides for 'the adoption of a common policy in the sphere of agriculture' (Title II); subparagraph e) calls for the same thing in 'the sphere of transport' (Title IV). The

report deals at a later stage with the direct links between the common agricultural policy and regional planning. As regards transport, these links are close inasmuch as this policy does not seem possible without the prior establishment of regional planning schemes or plans.

3.4 Finally, Article 235, of course, provides that 'if action by the Community should prove necessary to attain, in the course of the operation of the common market, one of the objectives of the Community and this Treaty has not provided the necessary powers, the Council shall, acting unanimously on a proposal from the Commission and after consulting the Assembly, take the appropriate measures'.

Even if Article 235 did not exist, the need for a European regional planning policy would arise directly from the broad objectives laid down in the preamble and in Articles 2 and 3 of the Treaty.

With a view to carrying out their responsibilities the institutions have launched a series of policies whose respective spatial implications, when taken together, form the constituent parts of a de facto regional planning policy.

This applies to the agricultural structures policy under the EAGGF, environmental policy, regional policy (ERDF), the embryonic transport and tourism policies, and several aspects of the energy policy as well as certain interventions by the European Investment Bank.

Some of the responsibilities involved derive explicitly from the letter of the Treaty (agriculture, transport, EIB). Others are implicit, but their legal basis has never been, or is no longer, contested (see point 4 below).

Moreover, it would be impossible to exclude from the developing and forward-looking application of a 'framework treaty' a Community regional planning policy which, after all, would simply be giving expression to the determination to rationalize and harmonize other Community policies.

The object of this report is to show more precisely that European regional planning is not only a responsibility which is implicit in or derived from the Treaty, but that it is also the vital complement of, or even a pre-condition for many other Community policies.

## II. COMMUNITY MEASURES TAKEN BY THE COUNCIL AND COMMISSION IN FIELDS CONNECTED WITH REGIONAL PLANNING

### 4. Commissioner Giolitti's point of view

Any attempt to establish the legal bases for action by the institutions in the field of regional planning must take into account the numerous measures adopted by the Council and implemented by the Commission with a view to successfully fulfilling the duties laid down by the Treaties.

The provisions, norms or acts involved (regulations, directives, decisions, resolutions . . .) relate, in particular, to areas which have direct or indirect consequences on spatial organization.

As will be seen below, in the full text of the answer given by Commissioner Giolitti to our Question No. 1526/82<sup>1</sup>, the Commission 'does have responsibilities concerning some of the most important economic factors from a Community point of view that are related to regional planning'. The Commissioner also recognizes that by virtue of its monitoring of regional aids under Articles 92 and 93 of the Treaty, the Commission 'exercises an influence where regional aids have a direct link with regional planning'.

#### 4.1 Written Question No. 1526/82 by Mr Gendebien to the Commission:

'Can the Commission state what specific or general powers it has for its part in the field of regional planning, as under the Treaties or by virtue of its daily management of Community affairs?

Do such things as Community objectives or achievements really exist in the field of regional planning or is European regional planning merely the arbitrary and haphazard result of diverse uncoordinated decisions?

Is the Commission satisfied with the powers it has and what decisions it takes in the field of regional development and, if not, what improvements or reforms does it hope to achieve in the future?'

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<sup>1</sup> OJ No. C 100 of 13 April 1983, p.10

#### 4.2 Answer given by Mr Giolitti on behalf of the Commission:

'Although Article 2 of the Treaty assigns the Community the task of promoting the harmonious development of economic activities in the Community, there is no particular provision in the Treaty which gives it specific powers in the field of regional planning. Regional planning as such is not therefore one of the Commission's responsibilities. The concept of regional planning in any case denotes different things in different Member States, ranging from simple physical planning to regional development.

Under certain Community policies the Commission does, however, have responsibilities concerning some of the most important economic factors from a Community point of view that are related to regional planning.

Principal among these responsibilities are:

- (a) the examination of regional development programmes under Article 6 of the European Regional Fund Regulation,<sup>1</sup>
- (b) the implementation of the European Community action programme on the environment<sup>2</sup>,
- (c) approval of programmes for common measures within the meaning of Article 6(1) of Council Regulation (EEC) No. 729/70, financed by the European Agricultural Guidance and Guarantee Fund<sup>3</sup>,
- (d) application of the Council Directive of 28 April 1975 on mountain and hill farming in certain less-favoured areas<sup>4</sup>,
- (e) coordination of plans and programmes for the development of transport infrastructures under the Council Decision of 20 February 1978<sup>5</sup>.

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<sup>1</sup> OJ No. L 73, 21.3.1975

<sup>2</sup> OJ No. C 139, 13.6.1977

<sup>3</sup> OJ No. L 94, 28.4.1970

<sup>4</sup> OJ No. L 128, 19.5.1975

<sup>5</sup> OJ No. L 54, 25.2.1978

The Commission also exercises an influence where regional aids have a direct link with regional planning, through its monitoring of such aids under Articles 92 and 93 of the EEC Treaty.

Lastly, under the Community action programme on the environment the Commission has to take account of the town and country planning implications of activities under the various Community policies'.

#### 5. Agricultural structures policy

The regulations and directives governing action under the Guidance Section of the EAGGF (European Agricultural Guidance and Guarantee Fund) provide the legal basis for a series of measures influencing regional planning through changes in agricultural structures.

To take just a few examples, we have Council Directive 75/268 of 28 April 1975 on mountain and hill farming in certain less-favoured areas<sup>1</sup>, which provides for measures to encourage the continuation of farming activities and the maintenance of a minimum population to maintain the rural environment; Regulation 1760/78<sup>2</sup>, which establishes the principle of a grant for public amenities in certain rural areas in southern France and the Mezzogiorno; the Regulation 269/79<sup>3</sup> introducing a common measure for forestry in certain Mediterranean zones of the Community . . .

#### 6. Regional policy

Regulation No. 724/75<sup>4</sup> establishing the European Regional Development Fund constitutes a basis for action with a view to achieving the harmonious development of the economies of the Member States in their regions implicitly through regional planning. Article 6(1) of Regulation No. 214/79 of 6 February 1979<sup>5</sup> amending the said Regulation stipulates that: 'Investments

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<sup>1</sup> OJ No. L 128, 19.5.1975

<sup>2</sup> OJ No. L 204, 18.7.1978

<sup>3</sup> OJ No. L 38, 14.2.1979

<sup>4</sup> OJ No. L 73, 21.3.1975

<sup>5</sup> OJ No. L 35, 9.2.1979



may benefit from the Fund's assistance only if they fall within the framework of a regional development programme the implementation of which is such as to contribute to the correction of the main regional imbalances within the Community which may prejudice the proper functioning of the Common Market and the convergence of the Member States' economies, with a view, in particular, to the attainment of economic and monetary union'.

The Council Decision of 18 March 1975<sup>1</sup> setting up a regional policy committee provides an even more direct basis for Community action in the field of regional planning. In this decision, the Council, after pointing out that the heads of state or government undertook in October 1972 to coordinate the regional policies of the Member States, continues: 'Whereas to this end coordinating objectives, means of concerted action and overall assessments of regional development in the Community should be progressively evolved'.

## 7. Environment policy

This is an area where Community action, although not explicitly authorized by the Treaties, has gradually taken hold. As environment policy and regional planning policy are directly linked, it is particularly important to draw attention to the legal bases of this 'new' Community policy.

The Euratom Treaty contains articles (2(b) and 30 to 39) making provision for the protection of workers and the general public against nuclear hazards. Certain directives have been adopted to this effect.

On a more general level, Article 2 of the Treaty of Rome which has been used to justify the introduction of several Community provisions aimed at improving the quality of life and protecting the environment.

The process began in July 1971 with a 'first Communication from the Commission on Community policy on the environment'<sup>2</sup>.

On 20 October 1972, meeting in Paris, the heads of State or government recognized the merits of an environment policy and called on the Council to adopt an initial Community action programme on the environment. This was done on 22 November 1973<sup>3</sup>.

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<sup>1</sup> Council Decision 75/185/EEC - OJ No. L 73, 21.3.1975

<sup>2</sup> SEC(71) 2616, 22.7.1981

<sup>3</sup> OJ No. C 112, 20.12.1973

The Second Five-Year Programme (1977-1983) was adopted by the Council on 17 May 1977<sup>1</sup>.

Finally, the preamble of the Council Resolution of 7 February 1983<sup>2</sup> on the continuation and implementation of a European Community policy and action programme on the environment (1982-1986) states: 'a harmonious development of economic activities and a continuous and balanced expansion ( . . . ) is inconceivable, even in changed economic circumstances, without making the most economic use possible of the natural resources offered by the environment and without improving the quality of life and the protection of the environment'.

As the Community's action programme on the environment shows, this is not possible without rational spatial management.

When the first programme was adopted in 1973<sup>3</sup>, the Council had already set itself certain general objectives (see the Council Declaration of 22 November 1973<sup>3</sup>) among which attention should be drawn to the taking into account of environmental considerations in regional planning and the maintenance of a satisfactory ecological balance. The programme itself included schemes for reducing pollution and, in particular, specific measures to protect certain areas of common interest such as the seas, the Rhine Basin and frontier zones. Other measures tended towards improving the environment, and were to be carried out in conjunction with other Community policies (e.g. agricultural, social and regional). In this framework, attention was already being turned to protection of the natural environment and town and country planning.

Although the action programmes on the environment have admittedly been open to criticism for their inadequacies and limitations, they have nevertheless helped to establish the legal framework for a Community regional planning policy. In addition, the Council invited the Commission to draw up an ecological map of the Community, that is to say an inventory classifying European territory on the basis of its characteristics in the decision-making and financing

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<sup>1</sup> OJ No. C 139, 13.6.1977

<sup>2</sup> OJ No. C 46, 17.2.1983

<sup>3</sup> OJ No. C 112, 20.12.1973

<sup>4</sup> See in this connection the report by Mr Johnson (Doc. 1-101/83) adopted in plenary sitting on 15.4.1983 - OJ NO. C 128, 16.5.1983

processes in relation to regional planning and facilities or the protection of the natural heritage in certain sensitive areas of Community interest<sup>1</sup>. As regards the latter, the Council Directive of 2 April 1979<sup>2</sup> on the protection of wild birds and thus on the conservation of the biotopes frequented by certain species, already revealed the beginnings of an interest in the protection of fauna and flora and natural areas meriting conservation.

It should also be noted that on 20 February 1974, the Commission submitted to the Council a proposal for a directive on forestry policy, improving the profitability of forests, reforestation, etc. . . .<sup>3</sup>. The fact that the Council has not yet adopted it does not alter the fact that this text also raised the prospects of Community action in the field of regional planning in certain areas.

#### 8. Transport policy

Transport policy also contains one of the most solid indirect legal bases to justify a European regional planning scheme.

Besides the reference texts (Article 3(e) and Title IV of the second part of the Treaty of Rome), it should be remembered that the Commission is responsible for coordinating plans and programmes for developing transport infrastructures, as indicated in the Council Decision of 20 February 1978<sup>4</sup>.

#### 9. Policy on tourism

This demands active conservation of the natural, cultural and architectural heritage of Europe. It also calls for a reasonable choice in the matter of reception and leisure facilities.

Here again the Community seems to be heading towards an extension of its powers since the Commission published on 1 July 1982 a communication to the Council entitled 'Initial guidelines for a Community policy on tourism'<sup>5</sup>.

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<sup>1</sup> See in this connection the report by Mr Johnson (Doc. 1-101/83) adopted in plenary sitting on 15.4.1983 - OJ No. C 128, 16.5.1983

<sup>2</sup> Directive 79/409/EEC - OJ No. L 103, 1979

<sup>3</sup> OJ No. C 44, 19.4.1974

<sup>4</sup> OJ No. L 54, 25.2.1978

<sup>5</sup> COM(82) 385 final, 14.7.1982

### III. THE OPINIONS OF THE EUROPEAN PARLIAMENT

10. As its name suggests and as the resolution adopted by the European Parliament at its sitting of 19 May 1983 states, questions relating to regional planning have always fallen within the terms of reference of the European Parliament's Committee on Regional Policy and Regional Planning, and, in particular 'the problems relating to the relationship between national town and country planning forecasts and decisions and Community regional policy'<sup>1</sup>.

11. This responsibility is reflected in various resolutions adopted by the European Parliament on the basis of reports drawn up by the Committee on Regional Policy and Regional Planning. For example, the resolution adopted on the report by Mr Faure on measures to combat excessive urban concentration and to promote institutional polycentrism through regional planning at European level and the use of modern means of transport and communication<sup>2</sup> points out in paragraph 22 that the European Parliament has always called for the implementation of a global regional planning policy.

12. In addition, in paragraph 15 of its resolution of 22 April 1982<sup>3</sup>, based on a report by Mr De Pasquale on the proposal from the Commission for a Council regulation amending the regulation setting up the ERDF<sup>4</sup>, the European Parliament formulates a specific request in this field by calling on the Commission to take into consideration the possibility of drawing up an integrated development plan . . . which constitutes a reference framework for the various regional and national development plans.

### IV. THE WORK OF THE COUNCIL OF EUROPE

13. In considering the possibilities for Community action in the field of regional planning, mention should also be made of the considerable work undertaken, in this area, by the Council of Europe and its conferences of ministers for regional planning (CEMAT), ministers of transport (CEMT) and European local and regional authorities as well as by the Association of European Border Regions.

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<sup>1</sup> OJ No. C 161, 20.6.1983, p. 129 - Doc. 1-1310/82

<sup>2</sup> OJ No. C 292, 8.11.1982 - Doc. 1-295/82

<sup>3</sup> OJ No. C 125, 17.5.1982

<sup>4</sup> Doc. 1-61/82 A + B

Particular attention should be drawn in this connection to the Galway Declaration (October 1975)<sup>1</sup>, the Bordeaux Declaration (February 1978)<sup>2</sup> and Resolution 122 on the regional policies of the Member States of the Council of Europe and the European institutions (October 1981)<sup>3</sup>, which says that elementary justice calls for solidarity between the various European regions (. . .) it is essential to achieve interregional balance in democratic Europe and to make full use of the potential for human, social and economic development in each region, a token of the maintenance of our type of society, and to establish greater confidence in relations between institutions and citizens.

It should be pointed out that the subject of the present report has for several years been the subject of studies carried out by a group of experts on the Council of Europe's steering committee on regional planning (CDAT) which is working on the definition of a European concept of regional planning<sup>4</sup>. It goes without saying that the EEC-Council of Europe's 1981 joint seminar on the role of regional planning in the protection and rational management of the environment and European natural resources augurs well for collaboration between the Council of Europe and the EEC as regards the European regional planning scheme.

14. One of the noteworthy results of the work of the above-mentioned bodies is Resolution 124 (1981) of the Conference of European Local and Regional Authorities, on the European network of trunk communications and in particular paragraph 6(1) thereof, which states that a real overall voluntarist regional planning policy, implying rational development and conservation of the land and the optimum use of natural resources with a view to more harmonious economic development and its self-fulfilment of the people, constitutes the basic instrument, at European level, for reducing regional disparities in economic and social development and encouraging the development of the European heritage as a whole.

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<sup>1</sup> First convention of the authorities of the European peripheral regions, Galway (Ireland), 14 - 16.10.1975

<sup>2</sup> Convention of the Council of Europe on problems of regionalization, Bordeaux (France), 30.1 - 1.2.1978

<sup>3</sup> Conference of the European local and regional authorities - sixteenth session 27 - 29 October 1981

<sup>4</sup> See, in particular, the study 'Towards a European regional planning scheme' - Series of studies Nos 32, 33, 38 and 42

15.1 The European Ministers for Regional Planning also referred quite unequivocally to the relationship between regional planning and the reduction of regional disparities by declaring at the Bonn conference in 1970<sup>1</sup> that experience acquired in recent years showed that European integration, the free movement of goods and workers and trend towards industrial concentration could further aggravate geographical differences if they were not accompanied by a common approach to regional planning and regional development.

15.2 On 19 and 20 May 1983, the European Ministers for Regional Planning (Council of Europe) discussed, at their sixth meeting, the various factors involved in drawing up a European regional planning scheme and, in their final resolution, accorded particular importance to their preparatory work.

To carry out this project, they also came out in favour of cooperation with other European and international organizations.

15.3 The European Ministers for Regional Planning also discussed the basic aims of regional planning and adopted the text of the European regional planning charter<sup>2</sup>, which defines for the first time, at European level, the notion of regional planning, its characteristics, main objectives and implementation.

This charter could be considered as a first reference framework for the drawing up of a European regional management scheme.

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<sup>1</sup> Final resolution of the first session of CEMAT (European Conference of Ministers for Regional Planning)

<sup>2</sup> Council of Europe - 'European regional planning charter' - CEMAT (83) 4

IMPACT OF CURRENT COMMUNITY POLICIES ON REGIONAL PLANNING

I. COMMUNITY PLANNING - AN UNWITTING PROCESS

16. Attention should be drawn here to the wide range of regional planning operations upon which the Community has already embarked. Every individual Community policy has its spatial implications and all financial aid from the Community affects an area which it thus helps to develop. In addition, a number of Community measures are specifically intended to influence European regional planning proper.

This chapter deals with such direct Community influence - intentional or otherwise - on the organization of the territory of Europe.

It should also be pointed out that the absence of Community policy in certain areas, for example with regard to the siting of nuclear power stations, has negative consequences for regional planning.

The aim of our report is to demonstrate the urgent need for a voluntarist scheme to give coherence and purpose to the various Community operations by ensuring the harmonization of State actions and the establishment of a common policy. Finally (in Chapter III) we shall show that systematic thought and flexible planning are vital prerequisites for a series of decisions which can no longer be taken on an ad hoc or extempore basis.

II. AGRICULTURAL POLICY

17. Agriculture and regional planning

Outside towns and industrial areas, most of the land is still given over to agriculture. Farmers thus have a key influence in these regions - by their very presence or all too often their departure and by the use they make of their land or the methods they employ. It is the farmers who have moulded the countryside of Europe. In the past they exercised a stable influence with changes coming only slowly. Since the Second World War, and particularly over the past 25 years, the modernization of agriculture - based on the industrial philosophy of maximized production and productivity - has had an impact on this heritage which has often been underestimated.

Agriculture has an effect on the appearance of the countryside and thus in the long term on its appeal and on tourism. (For example, in the space of a single decade those parts of Wallonia which used to contain small farms in a landscape of winding lanes and hedgerows have become dismal, uniform and empty areas as a result of the exclusive cultivation of sugar beet. This is an irretrievable loss. Similar cases have occurred throughout Europe). The choice of agricultural buildings can also have a significant effect on the attractiveness of the countryside.

Agriculture often has a decisive ecological influence. Intensive methods - fertilizers, herbicides, pesticides and intensive stock rearing disturb natural cycles, impoverish the environment (flora and fauna) and often pollute underground and surface water.

Agriculture is vital to the maintenance of the social and cultural fabric of rural regions. The massive and continued drift from the land reduces the viability of social structures (schools, public transport, craftsmen, specialist shops) and thus quickens the pace of the flight to the towns.

#### 18. The common agricultural policy and regional planning

The CAP is not a policy for agriculture, or even for farmers, but basically a market policy for agricultural products. There was never really any question of consciously endeavouring to guide or influence agricultural development. The effects have therefore been fortuitous.

The CAP has strengthened and speeded up various structural trends in agriculture - modernization, mechanization, intensive methods - which have had the effects referred to above.

The prices policy and the guarantee system have generally favoured the most efficient farmers, increasing the incomes gap and speeding up the drift from rural areas and the progressive depopulation of 'marginal' districts, in particular in mountain and hill regions.

The very uniform nature of the CAP has disrupted certain local structures and in particular has accentuated the productivity and income differences between agricultural regions and types of farmers. This gap has been widening through the 1970s. Mrs Barbarella's opinion (Doc. 1-648/81/Annex),



drawn up on behalf of the Committee on Agriculture, on the contribution of rural development to the re-establishment of regional balances in the in the Community<sup>1</sup> state that 'in the period 1964-65 (taking base 100 for the 9 EEC countries, incomes ranged from a maximum of 307 in West Nederland to a minimum of 39 in Basilicata, that is, a ratio of nearly 8 to 1. In the period 1976-77 incomes ranged from 285 in West Nederland to a minimum of 27 in Molise, that is a ratio of 10.5 to 1'.

#### 19. The regional effects of the CAP

The Commission was very slow to take stock of this situation.

On 12 July 1978, following the adoption in June 1977 of the new Community regional policy guidelines which stated that the 'territorial dimension' of each Community policy must be considered, the Commission called for a 'study of the regional impact of the common agricultural policy'<sup>2</sup>. This study shows that various aspects of the agricultural policy have affected the development of agricultural regions and the relationships between them.

For example,

- (a) The trends in the regional structure of agriculture - in particular crop specializations in the areas which prove to be most favourable - are affected by the price structures.
- (b) Dairy products benefit from a very strong support system (total price guarantee for an unlimited quantity); production has become concentrated in the most suitable areas, to the detriment in relative terms of marginal areas where milk production used to be the cornerstone of the agricultural economy; fruit and vegetables have only received partial support and protection and the bulk of production has moved from the traditional production areas in the south where there are small production units to capital intensive production in northern countries.

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<sup>1</sup> See Mr Faure's report (Doc. 1-648/81 adopted in plenary sitting on 16.2.1982 - OJ No. C 66 of 15.3.1982

<sup>2</sup> Commission of the European Communities - Studies - regional policy series: No. 21

The effect of the level of protection is clearly shown in the case of soya where the lack of a tariff has allowed penetration by compound feeding stuffs, encouraging a concentration of intensive dairy farms and stock-breeding units (pigs, hens, eggs) around import centres and the cessation of production based on fodder crops in other areas.

- (c) In general the common agricultural policy has helped to increase the gap in incomes between farmers and regions and has brought about changes in the scale and structure of holdings.

It is quite reasonable to say that the CAP has influenced regional planning by helping to alter, and in some cases damage, the countryside, the rural environment and ecology.

## 20. The role of the EAGGF Guidance Section

According to the study referred to above, the Guidance Section of the Agricultural Fund was intended at the outset to use 25% of the total costs committed in this field.

In fact, 'in the total EAGGF budget, structural expenditure decreased from 15% in 1964 to 3% in 1978'.

It has thus become negligible by comparison with expenditure on guarantees which is automatically channelled largely to those who are more efficient and produce the most.

The study also notes that even the expenditure which has been incurred has sometimes had 'paradoxical' effects. The aid for modernization, one of the last traces of the Mansholt Plan, has thus been channelled more towards prosperous agricultural regions than the least-developed regions<sup>1</sup>.

## 21. Greater regionalization of the CAP

Significantly the study on the regional effects of the CAP (page 91) concludes that 'the CAP has been unable to stop the process' which results in growing disparities in regional agriculture incomes. It adds: ' . . . It seems indispensable for prices and market policy mechanisms to take more account of different situations in agricultural regions which even if unable

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<sup>1</sup> See Mrs Barbarella's opinion: Doc. 1-648/81/Annex, p. 4

to improve the situation of Community regional agricultural imbalances in income at the present time might at least avoid the current continuing aggravation of these imbalances'.

Measures of the type contained in Directive 75/268 on aid to mountain and hill agriculture and certain less-favoured agricultural areas should be increased. This directive provides for direct aid to support agricultural incomes with a view to combatting the depopulation of such areas, which is also one of the aims of regional planning.

Mrs Barbarella's opinion<sup>1</sup> also indicated - and this bears out our thesis - that in agriculture 'today's general awareness of regional diversity should be taken to its logical conclusion and that a genuine regional policy with specific aid aimed at developing a particular rural area should be established.

The first steps have already been taken in the form of the directive on mountain and hill regions and by the adoption of a number of (very modest) integrated development programmes for certain areas in Scotland (Western Isles), France (Lozere) and Wallonia (South-East).

22. We take the view very definitely that the CAP has not been neutral as regards the structure of the countryside, farms and agricultural holdings, population density and habitat and hence spatial planning.

The intensive agriculture encouraged by the Commission has in some cases had negative effects on the environment: the extension of crops to areas which had not previously been cultivated or, conversely, the abandonment of certain less profitable areas, the destruction of typical habitats, drainage of wetlands and the increased use of chemical agricultural products with the resultant pollution of water resources, increased erosion, etc.

Only a regionalized agricultural structures policy would allow aid to be directed towards those most in need and the agricultural regulations to be adapted to regional requirements (drainage, reforestation, infra-structures, marketing of regional specialities). this regionalization of the CAP would require a precise study of the economic and biological characteristics of the land concerned. The European scheme, by virtue of ecological mapping, should ensure coherence and make this a properly 'integrated' study.

<sup>1</sup> See Mrs Barbarella's opinion: Doc. 1-648/81/Annex, p. 6

Mr Faure's report (Doc. 1-648/81) of 16 November 1981<sup>1</sup> proposes measures in line with this more regionalized approach to the CAP, but without undermining the unity of Community markets.

### III. THE ERDF, REGIONAL POLICY AND THE INDUSTRIAL RESTRUCTURING POLICY

23. The definition, or at any rate the selection, of peripheral regions and assisted regions represents regional planning measure on the part of the ERDF authorities.

The same applies to the implementation of integrated programmes.

However, the structure of the ERDF makes it impossible for it to fulfil the ambitious goal of correcting the main regional imbalances in the Community. The Fund's resources are used almost exclusively to provide reimbursement for national regional policy measures. The Fund's rather inadequate structure tends rather to hamper the realization of regional policy and planning goals.

It is to be hoped that the increase in appropriations in the non-quota section to a maximum of 20% of the Fund's resources for regions severely affected by industrial decline, which the Commission advocated in its proposal amending the Fund regulation, will lead to an extension of the Community's field of action in regional planning and thereby prevent the collapse of economic and social structures in the areas affected by the restructuring of old industrial sectors such as the iron and steel industry, textiles and shipbuilding.

In this connection, the notions of integrated programmes and multi-annual programmes and the development of endogenous resources in the various regions clearly call for coordination of the Community's various financial aids with a view to achieving more harmonious and balanced regional development. Because of its physical implications the latter objective clearly amounts to regional planning.

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<sup>1</sup> Mr Faure's report on behalf of the Committee on Regional Policy and Regional Planning on the contribution of rural development to the re-establishment of regional balances in the Community. The resolution was adopted in plenary sitting on 16.2.1982, OJ No. C 66 of 15.3.1982

#### IV. ENERGY POLICY

24. Despite the lack of a real Community energy policy, a number of Community measures and operations - some the product of specific choices - have nonetheless been implemented in the various energy sectors.

Thus, in the case of expenditure entered in the Community budget and EIB loans, priority has so far been given to the development of nuclear energy with very much smaller sums being provided for the development of certain 'new' energy sources (research and development programme for solar energy, ERDF assistance for the development of local energy resources, etc.).

The priority given to nuclear energy has given rise to various consequences which can easily be identified:

- (a) Nuclear power stations represent a centralized source of electricity and help to strengthen trends towards a regrouping of industrial activities (and services) in regions which are already overdeveloped.
- (b) For technical reasons power stations tend to be located near water (for cooling) and in thinly populated areas (for safety), i.e. along the Community's internal frontiers formed by the major rivers (Rhine, Meuse etc.).

This creates, or should create, the need for close transfrontier cooperation on environmental matters (thermal pollution, radiation) and safety (evacuation plans, health checks etc.).

25. As already mentioned, the Community's action in deciding on objectives and the means of implementing them, in adopting regulations and making financial contributions has a bearing on regional planning. This is particularly true in the field of energy policy.

The St. Geours report in favour of an energy-efficient society<sup>1</sup> provides a particularly interesting starting point for reflections on European regional planning.

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<sup>1</sup> Commission of the European Communities - Studies - Energy series No. 4 (1979)

Here too, it would be unacceptable for Community operations and financial aid in particular to have contradictory effects. It would be useful if the Commission could devise a European regional planning scenario for energy-efficient growth. Once approved, this would provide the framework for Community operations and financial aid.

The Community has embarked upon a number of regional energy planning studies which are intended to provide a better definition of energy demand by type of requirement (or specific usage) on the basis of a regional and local approach. The general content of these studies will become part of the European regional planning scheme.

The spatial and environmental implications of the various possible ways of meeting requirements should be considered when solutions are devised.

26. On 13 January 1976 the European Parliament adopted a resolution calling for the establishment of a Community consultation procedure on nuclear power stations in frontier regions<sup>1</sup>.

On 20 November 1980<sup>2</sup> the European Parliament again adopted a resolution on the same subject and calling for a community arbitration procedure in the event of failure of the consultation procedure. The resolution also called on Member States to involve regions in impact studies before decisions were taken on power stations.

Current events continue to highlight the significance of the trans-frontier problems caused by the siting of nuclear power stations. The French power stations at Chooz, two kilometres from the border of Wallonia (south of Belgium), are a case in point. Two to four new units (1,275, 1,300 and 1,500 megawatts) are allegedly going to be added to the existing plant (300 megawatts). This project, which has already been started, will have a direct effect on regional planning on both sides of the frontier and in particular on:

(a) the quality of water in the Meuse (heating and harnessing of water supplies);

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<sup>1</sup> OJ No. C 28 of 9.2.1976 - Report by Mrs Walz: Doc. 392/75

<sup>2</sup> OJ No. C 327 of 15.12.1980 - Report by Mrs von Alemann: Doc. 1-442/80

- (b) construction of new heavy infrastructure such as the Houille Dam on the Belgian side;
- (c) the existing nuclear power stations located downstream (Tihange, heating of cooling water);
- (d) the Belgium-Netherlands agreements on the quality and quantity of Meuse water;
- (e) air pollution;
- (f) road infrastructure (evacuation routes etc.).

The Council of Europe's Recommendation No. 949 of 1982<sup>1</sup> was also concerned with the concentration of industrial installations and nuclear power stations in frontier regions.

#### V. ENVIRONMENTAL POLICY

In the vast field of environmental policy, whether in the protection of our heritage or in the fight against pollution, it is clear that the Community's planned or actual activities form a definite part of regional planning.

27. The Directive of 2 April 1979 on the conservation of wild birds<sup>2</sup> led to the recognition of areas of European interest under a procedure which made the Member States responsible for preparing the lists of such areas.

Budget heading 66.11 allows the release of financial resources for these areas pending the introduction of a Community financial instrument for the environment (European Environment Fund).

Under the European Regional Planning Scheme it should be possible to extend this definition of areas of European interest to other areas.

28. The restoration and protection of our architectural heritage should be one of the new Community priorities. Not only do buildings form an essential part of the heritage of Europe, but such a policy would also be

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<sup>1</sup> Recommendation of the Parliamentary Assembly of the Council of Europe

<sup>2</sup> Directive 79/409/EEC - OJ No. C 103 of 1979

of considerable value in view of the economic initiatives to which it would give rise and the jobs it would create.

Mr Griffith's report on the problems of urban concentration in the Community<sup>1</sup> provides in respect of the ERDF, for the drafting of a non-quota proposal for urban concentrations within assisted regions.

In connection with strengthening Community action in the cultural sector, Member States should also be encouraged to define the scope of cultural matters of European interest in respect of which the various possible forms of financial aid from the different Community funds would be coordinated.

The aim of this would be to exploit the potential of historic monuments and the urban and architectural heritage as instruments of general urban renewal to achieve a coherent whole integrating the various stages of development.

Efforts must be made to ensure that the measures implemented are properly integrated. This will call for action to improve the environment, which could include changes in the pattern of urban activities (new traffic plans, a new approach to zoning, action against pollution, etc.).

29. Similar information on the state of the environment in the Community (ecological mapping) is a prerequisite for rational spatial management. The information system on the state of the environment will allow better conservation and protection of areas fulfilling important ecological or cultural functions and will ensure the compatibility of Community sectoral policies with environmental protection. This information system would thus be an important aspect of a European regional planning scheme.

30. Article 5 of the council directive of 24 June 1982<sup>2</sup> on the major-accident hazards of certain industrial activities specifies that Member States shall introduce the necessary measures to require the manufacturer to notify the competent authorities, providing information relating inter alia to:

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<sup>1</sup> Doc. 1-1001/82 - resolution adopted in plenary sitting on 11.2.1983  
OJ No. C 68 of 14.3.1983

<sup>2</sup> Directive 82/501/EEC - OJ No. L 230 of 5.8.1982



- the geographical location of the installations and predominant meteorological conditions and sources of danger arising from the location of the site;
- to emergency plans.

Article 8(2) states that 'the Member States concerned shall at the same time make available to the other Member States concerned, as a basis for all necessary consultation within the framework of their bilateral relations, the same information as that which is disseminated to their own nationals'.

On the basis of the second recital ('the best policy consists in obviating possible accidents at source by the integration of safety at the various stages of design, construction and operation'), it can be seen that even at the spatial planning level these problems must be taken into account. Bilateral consultations between member States on regional planning for frontier areas are also necessary.

31. Lastly, the new Environment Fund could allow financing in sensitive areas of Community interest<sup>1</sup> which would also presuppose a degree of regional planning.

## VI. TRANSPORT POLICY

32. The European Parliament has stated in numerous resolutions that the framing of a common transport infrastructures policy represents a key element in a joint and effective transport policy and has stressed in particular that the Council should adopt the Commission's 1976 proposal, amended on two occasions, for a regulation on support for projects of Community interest in transport infrastructure<sup>2</sup>. One of the clearest statements by the Committee on Regional Policy is contained in Mr FAURE's report on excessive urban concentrations<sup>3</sup>.

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<sup>1</sup> See report by Mr JOHNSON (Doc. 1-101/83) adopted in plenary sitting on 15.4.1983, OJ No. C 128 of 16.5.1983, p. 88

<sup>2</sup> OJ No. C 207 of 2.9.1976, OJ No. C 249 of 18.10.1977, OJ No. C 89 of 1980

<sup>3</sup> Report by Mr FAURE (Doc. 1-295/82) on measures to combat excessive urban concentration and to promote institutional polycentrism through regional planning at European level and the use of modern means of transport and communication. Resolution adopted in plenary sitting on 14.10.1982, OJ No. C 292 of 8.11.1982

33. The Conference of European Local and Regional Authorities has also pointed out, in resolutions Nos. 89 (1977) and 100 (1978), that close links exist between regional development and a balanced network of interurban communications, the latter being the basis and precondition for achieving a real European regional planning policy.

34. Council of Europe Resolution No. 124 (1981) on the European network of trunk communications is particularly relevant in this connection. Not only does it stress the clear link between transport policy and regional planning but it also calls on our Parliament 'in preparing reports on transport infrastructure policy, to make increasing allowances for the impact of this policy on regional development and balance and to consult local and regional authority representatives before approving any major proposals in this field with regional implications'.

35. More recently Mrs von ALEMANN's report, on behalf of the Committee on Transport, on trans-frontier transport policy in frontier regions<sup>1</sup> reaffirms that transport infrastructure policy still falls within the competence of the Member States because of the lack of Community action and that it is still based on national criteria because it is closely linked to the economic development and regional planning policies pursued by these States. The recent report on bottlenecks in transport infrastructures<sup>2</sup>, which signally fails to define the concept of a 'bottleneck in transport infrastructures' from the point of view of joint European planning, provides further evidence of this situation.

36. The rapporteur would stress, however, that the socio-economic situation in the Member States has changed considerably since the day when the founding fathers of the Community first proposed the establishment of a common transport policy some 30 years ago. The European Parliament therefore should not demand a policy at any cost solely in order to establish its institutional authority by comparison with the Council. It should, rather, call for a transport policy which, while based on the principles laid down in the Treaty, takes into account any consequences for the environment and energy policy and the trend towards the formation of urban concentrations and the depopulation of town centres.

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<sup>1</sup> Doc. 1-1205/82, Resolution adopted in plenary sitting on 11.3.1983, OJ No. C 96 of 11.4.1983

<sup>2</sup> See report by Mr MOORHOUSE (Doc. 1-214/82), Resolution adopted in plenary sitting on 9.7.1982, OJ No. C 238 of 13.9.1982

37. As Resolution 124 (1981) of the Conference of European Local and Regional Authorities points out, an infrastructure development policy does not only affect production; transport infrastructures also form part of social well-being and contribute to the continuing improvement of living and working conditions throughout the Community. Only a joint Community regional planning strategy will make it possible to ensure that transport infrastructure projects, even when partially financed by the Community, are not based solely on national criteria and therefore do not perpetuate the differences and imbalances which exist at present in the European transport network.

38. As one Commission communication<sup>1</sup> states: 'During the Council meeting of 10 June 1982 there was a general exchange of views on the proposal for a Regulation concerning financial support for Community interest transport infrastructure projects. In conclusion, the Council asked the Commission to prepare a balanced and experimental programme extending over a 3 to 5 year period comprising precise infrastructure projects.'

The rapporteur considers that the content of this programme, frame of reference (with adjustments), the selection of projects of Community interest and the evaluation of these projects should form part of the European regional planning scheme. Efforts must be made, perhaps using the scenario technique, to control the effects on 'regional development and balance', to place the programme in the context of an energy-saving policy and to establish consultation mechanisms involving representatives of local and regional authorities and interested non-governmental bodies.

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<sup>1</sup> COM(82) 828 final of 14.12.1982, p.2 paragraph 1. This document contains the experimental programme which was called for by the Council and Mr M. MARTIN's report (Doc. 1-85/83) is based on this programme

## CHAPTER III

### PROPOSALS FOR A EUROPEAN REGIONAL PLANNING SCHEME

Towards a European regional planning scheme as a prerequisite for a new common policy on regional development and the conservation of the European heritage.

#### I. JUSTIFICATION

39. Regional planning inevitably concentrates on rational spatial organization as a function of information (on human activities, natural resources, architectural and rural heritage) and of social, economic and cultural choices.

Within a local, regional, national or even larger, community, it reflects the political determination to manage and preserve our territory as a common domain. In the eyes of the European Parliament this common domain belongs to all Europeans of present and future generations.

If the Community wishes to be more than an entity in which national interests and hence conflicting policies simply exist side by side; if it wishes to coordinate current disparate activities and financing operations; if it wishes to assume full responsibility for its future by making conscious decisions on facilities and development rather than simply accepting measures or even improvisations which are all too often adopted on an ad hoc basis; if moreover it wishes to save the immense wealth of natural and cultural diversity it is vital that the Community should create and implement the global European regional planning policy.

40. The structural changes of our times JUSTIFY SUCH A POLICY AND MAKE IT MORE IMPERATIVE THAN IT WAS 25 YEARS AGO.

For example:

- the collapse of certain industrial sectors which has severely affected many regions;

- the unabating drift from the land, in particular in peripheral areas, and the consequent depopulation;
- at the same time, the clear beginnings of a certain drift from the towns;
- the proliferation of ecological disasters (Amoco-Cadiz, Seveso, dying forests in Germany, etc.);
- the expansion of dangerous or polluting industrial activities and the problem of waste materials;
- the damage to sites in sensitive regions and in particular in overburdened tourist areas (coast and mountains);
- the doubts cast on certain types of growth and the firm determination of regions and the public to play their part in progress;
- problems associated with frontier regions, etc.

All this calls for joint and coherent management of the territory of Europe.

41. Moreover, it has been established (see Chapter I) that the legal framework already exists, at least implicitly, for a common regional planning policy. It has also been shown (see Chapter II) that in its daily work the Community - albeit unintentionally - already implements regional planning measures. Given that 'new policies' are being called for, this is one which would have the double virtue of being inexpensive and introducing more democracy to the construction of Europe.

Lastly, the forthcoming enlargement of the Community to include Spain and Portugal provides us with an additional argument in favour of our scheme.

42. On another level - leaving aside the matter of the legal framework of direct or indirect Community action and the work so far undertaken by other European organizations - the rapporteur considers that the establishment of a European regional development plan can also be justified by an increased public awareness with regard to certain specific issues. It may well be that, despite the vigorous efforts by political parties, non-governmental organizations, specific groups etc., the public are beginning to run out of patience, and rightly so, because of governments' inability to cooperate

and work out projects jointly in the long-term interest of European society as a whole, and because of the clearly adverse consequences of a lack of joint planning in certain areas such as transport, the environment or the problems of frontier regions.

## II. THE OBJECTIVES OF A EUROPEAN REGIONAL PLANNING SCHEME

### 43. Three main objectives

The European regional planning scheme as an instrument of a genuine new Community policy should set itself three main objectives:

#### 43.1 To achieve coordination of Community measures to ensure their operational and financial rationalization in time and space

The aim should be to prevent a Community measure conflicting in spatial terms with another measure and thus to ensure that one Community financial intervention does not have to 'make good' the effects of another Community measure.

The mere post-facto correction of the effects of the crisis is not enough.

#### 43.2 To guarantee the long-term survival of the European heritage through forward planning and preventive action and to maintain the 'diversity' of this heritage as the wealth of Europe in all its facets (human resources, natural resources, countryside, fauna, flora and cultural heritage).

#### 43.3 To act for balanced, integrated and 'grass-roots' regional development

Without conflicting with the general objective of economic and social convergence in the Community, the concept of balanced regional development will make it possible to prevent the destructuralization of a region whilst conserving its identity and its special characteristics. The purpose of regional planning here will be to deal with the centralizing and homogenizing effects of Community policies.

Commissioner Giolitti's idea of developing the endogenous resources of the regions is in line with the growing need of these regions to work out their own modes of development.

With reference to 'grass-roots' development, the European Regional Planning Scheme must be drawn up with the full participation of regional and local authorities which will make it possible to ensure the effective participation of the local people in the realization of the scheme, in the redevelopment of their regions and in the construction of their own Europe.

Practical expression must also be given to the old regionalist demand for true industrial decentralization generating local employment.

44. The idea of rationalizing Community aid has led the Community to launch various initiatives to achieve more integrated management with the aim of coordinating the Community's financial instruments in order to increase their effectiveness:

- an initial experiment was carried out, in the framework of the ERDF, in the Naples region and a second in the Belfast region;
- a study on the integrated development of mountain and hill regions was made on the basis of the environment action programme of 17 May 1977<sup>1</sup>;
- the idea of an overall countryside policy has started to emerge. On 16 February 1982 the European Parliament adopted a resolution on the contribution of rural development to the re-establishment of regional balances in the Community (report by Mr Faure)<sup>2</sup>;
- the principles of integrated planning for the coast-line which were developed by the Council of Europe led the Commission to undertake two case studies (in Brittany and les Pouilles). On 18 June 1982 the European Parliament adopted a resolution<sup>3</sup> giving full support to the European Coastal Charter<sup>4</sup>, and in May 1983 it adopted another resolution on specific

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<sup>1</sup> OJ No. C 139 of 13.6.1977

<sup>2</sup> OJ No. C 66 of 15.3.1982

<sup>3</sup> OJ No. C 182 of 19.7.1982 - Report by Mr Harris: Doc. 1-302/82

<sup>4</sup> Conference of the peripheral maritime regions of the Community - 8.10.1981

Community measures and programmes intended to alleviate the particular social and economic problems of the peripheral maritime regions and islands<sup>1</sup>.

- Apart from the structural measures undertaken by the EAGGF for the Mezzogiorno, Corsica and the South of France, in 1981 the Commission advocated a genuine Mediterranean policy. This received the support of the European Parliament in its resolution of 16 February 1982<sup>2</sup>. On 22 July 1982 the Commission published an interim report on the scope for Community action in favour of Mediterranean regions<sup>3</sup> and the Council's resolution on the third environment action programme<sup>4</sup> also refers to this. The Community intends to play an active part in the UNEP Convention<sup>5</sup> on the protection of the Mediterranean which is another facet of cooperation in regional planning, the protection of resources and the environment.

#### 45. Regional planning policy and environment policy must be closely linked

The Community environment policy should not be seen as a sectoral policy, but as a determined effort, involving all Community policies and measures, to assess, as far in advance as possible, the repercussions of projects, regulations and Community financial intervention on the environment. A broad approach is needed and it is therefore vital for policies to be integrated.

The Community environment policy must also be an 'overall preventive' policy. Moreover it has indeed developed along these lines, as is pointed out in the European Community's third action programme for the environment for 1982 to 1986<sup>4</sup>.

As this programme stresses, a further objective must be to define 'the limits and the actions required to attain more balanced development without wastage'. This implies improved coordination.

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<sup>1</sup> Report by Mr Harris: Doc. 1-105/83 - Resolution adopted in plenary sitting on 20.5.1983 - OJ No. C 161 of 20.6.1983

<sup>2</sup> OJ No. C 66 of 15.3.1982 - Report by Mr Pöttering: Doc. 1-738/81

<sup>3</sup> COM(82) 352 final of 22.7.1982

<sup>4</sup> OJ No. C 46 of 17.2.1983

<sup>5</sup> United National Environment Programme



Lastly, it is clear that one of the Community's major objectives must be the preservation of the European heritage in all its diversity. This implies an approach which is both 'preventive' and forward-looking.

It is these objectives as a whole which justify the European Regional Planning Scheme.

46. With regard to the overall coordination of Community policies, the rapporteur would like to draw attention to observations made in Mr von der Vring's working document<sup>1</sup> on integrated development operations:

'The financial instruments available to the Community, whether they came into being under the Treaty of Rome like the European Agricultural Guidance and Guarantee Fund, the European Social Fund or the European Investment Bank, or whether they were established at a later date, like the European Regional Development Fund or the New Community Instrument, all have one thing in common: not a single paragraph in the individual fund regulations mentions the need to coordinate these financial instruments either with each other or with the different national financial instruments'.

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<sup>1</sup> PE 82.197

### III. THE CONTENT OF THE EUROPEAN REGIONAL PLANNING SCHEME

47. Having defined the objectives (Chapter III, paragraph II), it remains to describe the content of the European Regional Planning Scheme (ERPS). The scheme involves the determination by the Community of the siting or course of certain infrastructures, activities, projects or areas of European interest for which the Community intends:

- to adopt specific regulations;
- and/or provide financial assistance;

This will entail procedures involving Parliament, local and regional authorities and the general public (Chapter III, paragraph IV).

The scheme will consist essentially of:

- an inventory of the various problems relating to facilities, planning and the environment;
- a financial framework and a framework of regulations to help solve these problems.

48. The inventory will cover the following main points:

48.1 The balanced regional development of the least-developed regions:

- definition of priority regions for assistance and the financial aid they are to receive;
- effects of regional development programmes on adjoining areas;
- dealing with the effects of major infrastructure projects of Community interest on regional development;
- dealing with the impact of the various Community policies on the regions;
- incorporation in the ERDF regulation of a clause dealing with the environmental effect of development programmes;
- opening up of the ERDF for urban operations as first referred to in Mr Griffith's report on the problems of urban concentration in

the Community.<sup>1</sup>

#### 48.2 Major Infrastructures

The ERPS should be an instrument for cooperation and arbitration in establishing a joint European programme for:

- railways,
- trunk roads and motorway links,
- airports,
- inland waterways,
- ports.

#### 48.3 The problems of transfrontier regions and interregional cooperation in Europe (see in particular paragraphs 26 and 35 above)

The ERPS will cover, in particular by means of a mapping exercise:

- industrial sites and in particular those which affect the environment in the neighbouring regions;
- large-scale infrastructures;
- protection of our natural water resources;
- major cultural or educational facilities;
- tourism, etc.

The Community has already taken or is supporting various initiatives. The way forward is clearly shown by the European Coastal Charter adopted by the Conference of Peripheral Maritime Regions of the Community, approved by the European Parliament on 18 June 1982<sup>2</sup>, the 1981 transfrontier programme of the EMS-DOLLART Region (Belgium/FRG) and the Community's special programme for the Ireland-Northern Ireland transfrontier region.

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<sup>1</sup> Doc. 1-1001/82 - resolution adopted in plenary sitting on 11.2.1983  
OJ C 68 of 14.3.1983

<sup>2</sup> Doc. 1-302/82 - resolution adopted in plenary sitting on 18.6.1982  
OJ C 182 of 19.7.1982

The rapporteur supports the request made in Mrs von Alemann's report on transfrontier transport policy in frontier regions<sup>1</sup> and Mrs Boot's draft report on the strengthening of transfrontier cooperation<sup>2</sup> for ratification by the Community of the European outline convention on transfrontier cooperation between territorial communities or authorities drawn up by the Council of Europe.<sup>3</sup>

The ERPS should study the practical results of those initiatives which have already been taken by the Community in the field of transfrontier cooperation and which have significant effects on regional planning, such as the Council decision of 11 June 1981 on the conclusion of the Convention on long-range transboundary air pollution<sup>4</sup> and the proposal for a regulation concerning the introduction of a Community consultation procedure in respect of powerstations likely to affect the territory of another Member State<sup>5</sup> (in response to the demand made by the European Parliament for the establishment of a Community policy on the siting of nuclear powerstations<sup>6</sup>).

The ERPS should also take account of the European Parliament's resolutions based on the following reports:

- the report by Mr Gerlach on the Community's regional policy as regards the regions at the Community's internal frontiers<sup>7</sup>;

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<sup>1</sup> Doc. 14205/82 - resolution adopted in plenary sitting on 11.3.1983  
OJ C 96 of 11.4.1983

<sup>2</sup> PE 74.088

<sup>3</sup> Convention opened for signature by Member States of the Council of Europe on 21.5.1980: European Treaties Series No. 106

<sup>4</sup> OJ L171 of 1981

<sup>5</sup> Doc. 506/76

<sup>6</sup> OJ C 28 of 9.2.1976, p. 12 - report by Mrs Walz: Doc. 392/75

<sup>7</sup> Doc. 355/76 - resolution adopted in plenary sitting on 18.11.1976  
OJ C 293 of 13.12.1976

- the report by Mrs Walz on Community consultation in respect of the siting of powerstations<sup>1</sup>.
- the report by Mrs von Alemann on the siting of nuclear powerstations in frontier regions<sup>2</sup>.
- the report by Mr Faure on measures to combat excessive urban concentration and to promote institutional polycentrism through regional planning at European level and the use of modern means of transport and communications<sup>3</sup>.

The rapporteur considers that the Community should encourage existing procedures with regard to information, consultation and inter-regional coordination, for example REGIO BASILIENSIS (at the borders of France, the Federal Republic of Germany and Switzerland) and EUREGIO (an association of 87 Dutch and German municipal and local authorities).

The aim of EUREGIO is to transcend national frontiers which cross its territory in social, cultural and economic terms<sup>4</sup>. Despite the considerable achievements, such as the harmonious improvement of the regional road network and the maintenance of certain secondary passenger rail services despite closure projects, the effectiveness of the association has been hampered by the lack of legal framework for joint planning or coordination.

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<sup>1</sup> Doc. 145/77 - resolution adopted in plenary sitting on 7.7.1977  
OJ C 183 of 1.8.1977

<sup>2</sup> Doc. 1-442/80 - resolution adopted in plenary sitting on 20.11.1980  
OJ C 327 of 15.12.1980

<sup>3</sup> Doc. 1-295/82 - resolution adopted in plenary sitting on 14.10.1982  
OJ C 292 of 8.11.1982

<sup>4</sup> See report by Mrs von Alemann (Doc. 1-442/80) - referred to above - resolution adopted in plenary sitting on 20.11.1980  
OJ C 327 of 15.12.1980

The lack of a legal framework also minimizes the effect of isolated Community measures in this field such as Regulation No. 1468/81<sup>1</sup> on mutual assistance between the administrative authorities of the Member States and cooperation between the latter and the Commission to ensure the correct application of the law on customs or agricultural matters.

It is unlikely that recommendations by themselves, such as those on transfrontier coordination submitted by the Commission to the Member States in November 1981<sup>2</sup>, will enable us to move towards the establishment of a Community regional planning policy, particularly if, as is the case, they fail to take into account or even touch on the need to establish maximum cooperation at the Community's external frontiers.

It should be remembered that in 1976, on the basis of Mr Gerlach's report<sup>3</sup>, the European Parliament asked the Commission to draw up proposals on the establishment of European joint authorities for the organization and planning needed to support the Regional Fund as a financial instrument. Article 5 of the draft proposal for a Council regulation on the creation of transfrontier regional authorities, which forms an integral part of the resolution adopted by the European Parliament, states:

'The task of the European Joint Authority shall be to create an area with balanced economic, social and cultural structures in the fields for which its member authorities are responsible by:

- drawing up its own plans and opinions on national plans;
- coordinating the implementation of national measures;
- assuming independent responsibility for regional administrative matters delegated to it;
- participating in all ways in local or regional projects which are compatible with the aims of public welfare or serve in all areas for which original responsibility has been transferred to the Member Authorities or which have been referred to them for implementation'.

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<sup>1</sup>OJ L 144 of 2.6.1981

<sup>2</sup>OJ L 321 of 10.11.1981

<sup>3</sup>Doc. 355/76 - resolution adopted in plenary sitting on 18.11.1976 - OJ 293 of 13.11.76

Thinking, probably, that European public opinion was not yet ready to accept a relatively complex institutional proposal so soon after the creation of the Regional Fund as a financial instrument, the Commission did not at the time respond to the European Parliament's initiative. We feel, however, that public opinion has high expectations from a formula similar to that proposed by Mr Gerlach's report.

#### 48.4 Protection of our heritage

The important natural, rural and architectural areas of European interest which would be the subject of regulations and/or financial backing must be listed and selected:

- network of parks and nature reserves;
- areas typifying an architectural, urban or rural heritage of European significance;
- sensitive areas such as the seas, the European coastline, mountain regions and wetlands.

The ERPS would be extremely valuable as an instrument for implementing a European directive on the protection of the heritage. For example: the directive on wild birds has led to a recognition of 'natural areas of European interest'.

A similar approach could be extended in particular to the preservation of historic monuments.

The ecological mapping undertaken by the Commission would find a place in the ERPS.

The ERPS, using a procedure to be defined at a later stage, could modify current procedures as regards the directive on wild birds and ecological mapping in the following two important areas:

- the role of local and regional authorities;
- the role of the public in the choice of areas selected (see paragraph IV below).

Because the protection of our heritage would find widespread support among the public it is probable that the European authorities, acting on the basis of

a European regional planning scheme, would spearhead a movement towards more voluntary action on the part of the Member States. It should perhaps also be pointed out that the expected measures, unlike those undertaken in other areas where the aim is harmonization (conditions of competition, economic development, etc.), are in this case designed to protect the 'diversity' which lies at the very heart of our rich heritage. The priority which we feel should be given to safeguarding our heritage comes from the 'race against time' between rampant urbanization which, if it is not brought under control, will destroy everything, and the protection of our heritage.

We would draw attention to three aspects:

(a) It is essential for the European regional planning scheme to provide for a European network of parks or nature reserves. This will provide for the protection of wildlife, as already advocated in the 1978 European directive on the conservation of wild birds. It should be stressed that the recognition of a network of this kind (which has clear transfrontier aspects) will endorse the policies of States which already have such parks and will spur on those which have been slow in their response, such as Belgium, to make up the gap. The transfrontier parks which already exist will form part of the network.

(b) As an extension of the 'urban renaissance' campaign by the Council of Europe, the European regional planning scheme must define those urban areas where the buildings are of European importance. This might also make it possible, as part of the policy of protecting this heritage, to counteract the loss of individuality in European built-up areas arising from the unimaginative and short-sighted approach of some modern architecture and to develop urban reconstruction or renovation and renewal programmes as an element in an economic renewal plan involving a certain amount of local participation. The aim is not to provide an urban skeleton with a view to identifying those towns where growth is needed and those where growth should be stopped, but - much more modestly - to identify those urban areas with an architectural heritage of European interest. This also clearly applies to certain examples of rural architecture.

(c) Protection of the seas and the European coastline is vital for the future of certain sectors such as tourism or fishing and it requires collaboration at European level.



As a first step the ERPS should persuade each Member State to define its intentions with regard to port, industrial and tourist development and unspoilt coastal areas. As a second stage, the ways and means of achieving coherent development should be established.

#### 48.5 Energy Policy

The ERPS could operate on four different levels:

- (a) List of planned locations and, inter alia, data on nuclear power stations, conventional power stations, renewable sources of energy (this has already been done for the biomass as part of the ecological mapping).
- (b) Regional energy planning: definition of real demand by type of requirement (specific usage) based on a regional and local approach. The Commission's Directorate-General for Energy has started work on this.
- (c) Implementation of the scenarios for energy-efficient growth proposed in the Saint-Geours Report<sup>1</sup>: and request for Community financial aid under any policy which is not covered by these scenarios and whose implications for regional planning remain to be clarified would no longer be acceptable.
- (d) EEC sites and the RUE policy (rational use of energy).

The locations of Community institutions and their means of communication with each other should also be integrated into a policy for the rational use of energy; they should also form a harmonious and integrated part of the urban areas in which they are based.

The European regional development scheme should contain a study of both these factors.

#### 48.6 Hazardous or polluting activities and their waste products

The Seveso disaster and the problems of nuclear power stations make it essential for the ERPS to include among its aims the establishment of procedures for consultation and arbitration on activities which are dangerous to health

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<sup>1</sup> Commission of the European Communities studies Energy Series No. 4 (1979)

or which cause pollution. The same applies to the waste products, the routes by which they are transported, and the places where they are reprocessed or buried.

#### 48.7 Agricultural policy

Consideration must be given to whether the ERPS can help to identify areas where:

- (a) special agricultural regulations could be adopted, possibly with financial compensation, with regard to the regrouping of land, drainage, infrastructure, reforestation, etc.;
- (b) the agricultural prices policy could be adjusted to encourage the maintenance of more diversified agriculture which is more suited to the area concerned and to encourage special lines of agricultural production which are well suited to less-favoured areas.

#### 49 A legal and financial framework

49.1 The Community's integrated operations and programmes should be backed up by the European regional planning scheme, which would provide a frame of reference for the adoption of regulations or directives. Similarly, the Community's financial assistance in the areas referred to above (paragraph 48) should always be channelled through the ERPS, which would ensure greater rationality and coherence.

49.2 Example: the ERPS as a framework for financial contributions from the European Environment Fund.

The different aims of Community policies (for example environment and agriculture) could create areas of conflict (for example with regard to whether or not to protect a wetland area).

The ERPS would conserve sensitive areas and would allow the European Environment Fund to provide compensation for the losses which would be incurred.

#### IV. PREPARATION OF THE ERPS

##### Involvement of the regions and the public on a 'grass-roots' basis

#### 50. Democratic procedure

On the basis of certain documents drawn up by the Council of Europe<sup>1</sup> the rapporteur considers it essential, in political, social and economic terms, to involve the public and the electorate more closely in the development of regional planning. The European Community should set an example, as Europe must, above all, be a people's Europe. The preparation of the European regional planning scheme could represent one more step in this direction provided such an aim was catered for in the way it was implemented.

Furthermore, taking account of the budgetary context in which most public authorities have to work and of trends in the countryside, in our towns and in industrial structures, our vision for the future should be one in which developments take more account of grass-roots movements i.e. which look to initiatives from individuals and from local and regional public authorities as a means of forging a new bond of solidarity and setting up a framework of new economic measures.

Similarly the European Parliament clearly intends to be involved in drawing up the ERPS.

#### 51. Avoidance of an over-theoretical approach which fails to take account of current trends

The objectives set for the European regional planning scheme contain certain key ideas: a common policy is needed and general principles, options and a frame of reference must be defined if a balanced development of European regions is to be achieved.

Picture a group of planners grappling with all the policies which are being implemented, making these into a coherent whole with bold strokes of the pen like a town planner with a new town and deciding on what will be the major

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<sup>1</sup> Guidelines for the establishment of a European regional planning scheme by R. van Ermen - documents of the Steering Committee for Regional Planning 83/2 - 7.1.1983

'poles' of the future and conjecturing on population movements etc.

This eminently theoretical and academic approach has come up against, and will continue to come up against, a series of obstacles, chief of which is the instinctive refusal of people in general and their elected representatives in particular to act as pawns in a strategic game which is the sole preserve of a few theoreticians.

An approach based on 'growth poles', 'functional regions' and 'priority regions' is bound to be treated with mistrust by those who would see inflicted on them a role or position which they have not chosen and which they have not been involved in deciding upon.

Account must be taken of the trends which have become apparent in European society in recent years.

#### 51.1 Institutional trends

These have crystallized round the role of the region in the decision-making process for regional planning. Belgium is a case in point as the sovereign power in regional planning matters is now in the hands of the regional authorities. A similarly significant trend has been seen over the last 20 years in Italy or, more recently, in Spain and France.

For the sake of clarity, 'region' is here used to mean the territorial sub-division which is called a region by the political authorities (Belgium, France, Spain, Great Britain, Italy, etc.) or which is of an equivalent size (the Länder in the Federal Republic of Germany, the Cantons in Switzerland or the Provinces in the Netherlands).

The position of the region (or the federated state) in the institutional structure of the Member States varies from case to case.

Since in Member States such as Belgium the sovereign power for regional planning is vested in the region - i.e. there is no supervision by the central authorities - we feel it is essential at this stage to consider methods for implementing the European regional planning scheme which recognize the region as a fully valid partner in discussion.

Europe has nothing to gain by destroying or 'homogenizing' its geographical and cultural diversity and its diversity of economic and social experience. On the contrary, it should take full advantage of this diversity, which gives it greater resistance to crises, whether they be economic, cultural or social. Experience and the differing traditions of our neighbours are a source of education, mutual enrichment and productive vitality.

The region provides the best support for this diversity and constitutes the key factor in measures to be taken.

Europe must, above all, be a Europe of the people. Unless supranational considerations can be based in the daily realities of the regions they will be rejected by the people.

The Member State should not be the only partner in the discussion, for two reasons:

- (a) The Member State too often sees in the European dimension the means of avoiding democratic debate at home. It hides behind a decision 'from on high' to avoid all debate at national level and to impose guidelines which have received no seal of approval;
- (b) the modern state, which is itself the result of a historical process of unification, is not only made up of very diverse geographical and cultural regions but already constitutes a level of decision-making which is far removed from the people. A level must be sought which is nearer to them and the region fulfils these conditions.

## 51.2 Socio-political trends

Ideas on participation by the general public in regional planning policy have themselves changed considerably over the last two decades.

In Belgium in 1962 public enquiries were the only form of participation, but since then the idea of collaboration has taken root. Now people are calling for local district councils (which already exist in Italy) and are being encouraged to take an interest in supranational affairs by participating in the elections to the European Parliament. In addition, the incompatibility of the paternalistic state - as it has evolved over the years - with a zero growth economy is leading to a reappraisal of the social system. The only way out of the financial impasse which is developing here would seem to be the introduction

of a minimum guaranteed social protection scheme to cover the most costly items of public expenditure (such as major medical bills, family allowances, unemployment benefits and pensions) with insurance to make up any shortfall that occurs; all other benefits (home helps, child-minding facilities, public transport, improvement grants) should involve independent mutual-benefit organizations, which brings us back to our theme.

The latter organizations basically call for the creation of new bonds of solidarity at the level of the district, the village or through the intermediary of societies and associations. The call for participation by the public is and will become more significant here.

Moreover, as we shall see later, the most promising attempts to inject new life into regional development are those which make extensive use of human resources and which try, in particular, to achieve close grass-roots involvement of the people in the preparation of a given project.

This trend, which can be seen at micro-local and regional level, is coupled with a new approach to problems at European or global level when our heritage is at risk. Everyone will remember the public emotion aroused by the oil slicks and the upsurge of concern which followed. And the impact of the campaigns conducted by the animal protection associations (for whales and seals) or by the Council of Europe itself (urban renaissance etc.). Our people are increasingly developing a twin focus of attention - local and international affairs are once again gradually falling within their ambit.

### 51.3 Economic trends

The aim of harmonious and balanced regional economic development has never even come close to achievement and the economic climate which has prevailed in Europe since 1973 has shattered any hopes of seeing it achieved in the medium term. Every region feels that its economic future is threatened: the aims of balanced regional development are giving way to protectionist attitudes.

The devolution of decision-making powers on regional planning from national to regional level combines with the prevailing economic trends to exclude any

idea of still being able to define, at national or supranational level, growth poles and functional or priority regions which would 'arbitrate' between States.

Moreover, as we shall see, it is likely that the economic revival in our European societies will depend increasingly, in Alain Minc's words, on our ability to develop a polymorphic economic and social system<sup>1</sup>. The European regional planning scheme would have little impact on such a system except - and this is, of course, very important - in the area of large-scale infrastructures and, at Community level, in the matter of distributing available appropriations among the least-favoured areas.

## 52. A grass-roots model

Balanced regional development has become the focus of attention as a common objective of the Council of Europe and the European Community. Everyone is aware of the major interregional disparities demonstrated in EEC studies and of the determination to act to solve the problem.

In this connection, the preferred role for the European regional planning scheme would inevitably be linked to our assessment of the current economic crisis and the methods of dealing with it.

We feel that regional development should not be planned at European level except in the (key) fields of infrastructures and the distribution of appropriations among less-favoured areas.

We are in the midst of an economic recession in which the centre of gravity, the world economy, is shifting to the Pacific and the external markets for our European economies are contracting as a result of the debts of the Third World countries, the effects of the recession on the incomes of the oil-producing countries, and the reduction in the purchasing power of consumers in industrialized countries which are faced with extremely high unemployment levels which are unlikely to fall in the near future if only because of the combined effects of the economic recession and the increase in automation.

If regional development is to be safeguarded, it would be unwise to keep to the traditional approaches embodied in such concepts such as 'poles of devel-

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<sup>1</sup> 'L'après-crise est commence' by Alain Minc, Editions Gallimard, 1982

opment' and 'natural proclivities' in respect of which it was once thought that the European regional planning scheme could play the role of organizer or arbiter. Given the situation outlined above, the approach to regional planning must take a different form. It must be based on the grass-roots principle. It must combine all the grass-roots initiatives for establishing contact between people, for firing the imagination, for developing bonds of solidarity and for devising new projects.

The pyramid of economic development, with high value-added undertakings using new high-performance technologies on external markets at its apex, will find a firm foundation in the form of a network of new activities based on the region's human and natural resources which will rekindle hope, create new jobs and reforge the bonds of solidarity.

Developments of this kind have already begun in several countries, as witness the rural renewal operations which have been launched in Wallonia and France. European measures are involved in such developments on 'only' three fronts:

- dealing with the effects of large-scale infrastructures (siting, type) on regional development,
- granting a Community package of appropriations for regional projects and, as a matter of priority, for the least-favoured regions,
- dealing with the impact of Community policies, such as the common agricultural policy or industrial policy, on the preservation of a polymorphic regional economic system, i.e. one which aims to conserve and develop the potential inherent in diversity rather than to introduce uniformity, for example in products.

The European regional planning scheme would act here as a 'regulator' to ensure balanced regional development, being not so much a prime mover organizing development around concepts such as 'poles', 'corridors' and 'priority aims', as a system which, more modestly, seeks to evaluate the impact of common policies with regard to infrastructures, appropriations or prices in order to ensure that these do not reduce the chances of grass roots and polymorphic development.



## 53. Methods

### 53.1 Facets

We have already seen what facets could be considered as priorities in the European regional planning scheme with regard to the essential requirements imposed by current events and public or political opinion: transfrontier problems, large-scale infrastructures, heritage, less-favoured areas, energy, dangerous activities, etc. As a point of departure we feel that:

(a) The progress of work on each of these facets should be independent of progress on any of the others, i.e. the facets should be taken separately.

This is because the time required to draw up an inventory of projects or problems and the time required to harmonize policies in each of these fields will no doubt vary considerably from one case to the next. This is why we suggest that at the outset the aim should not be an overall and confined presentation of all the facets. A start could be made immediately on pilot studies.

(b) The objective of the methods used should be to establish a procedure for the permanent updating of information. Thus a subject studied throughout the Community would result in:

- the definition of areas of European interest or areas for intervention, in particular using the mapping technique.

For example: nature reserves, architectural heritage, etc.

- The coordination of interregional policies (transport).

In this respect, it would be better, perhaps, to think in terms of a number of European schemes rather than a single scheme.

## 53.2 The phases

The scheme or schemes would be drawn up on the basis of the following procedure:

### First phase

Survey and inventory of situations, requirements and projects in the regions on the basis of information provided by the regional authorities. The regional authorities would arrange for consultations with political, scientific and professional circles and non-governmental organizations (NGOs) representing the specialist associations for planning or the protection of the environment.

### Second phase

The Commission would draw up an initial summary document. To this end, it would establish all appropriate forms of cooperation, in particular with the Council of Europe<sup>1</sup>. The document would evaluate the effects of problems and projects, would propose a choice of priorities and, if necessary, specify which options should be selected.

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<sup>1</sup> Article 230 of the Treaty of Rome states that: 'The Community shall establish all appropriate forms of cooperation with the Council of Europe.'

### Third phase

The Commission would make arrangements for consultations and collaboration with the regions, in the process of which the latter would submit final opinion.

### Fourth phase

The European Parliament would be asked to pronounce on the scheme or an aspect of it.

The resolution would list the areas in which agreements between Member States (or directives) would have to be implemented. It would specify the date on which the particular document concerned would again be the subject to a similar procedure for updating purposes.

The document would then be forwarded to the authority in each Member State which exercises sovereign power for the negotiation of agreements (or directives) on regional planning. The budgetary consequences of the adoption of a scheme would, of course, have to be borne in mind during all phases of the procedure.

### Fifth phase

The Commission would submit proposals to the Council on the basis of the European Parliament's resolution.

## 53.3 An 'operational unit' within the Commission

The rapporteur proposes that, in addition to the existing arrangements for financial coordination, the Commission should set up a spatial planning task force which would coordinate the work undertaken within the Community by the Directors-General for regional policy, transport, agriculture, the environment, consumer protection, nuclear safety and energy and would be responsible for the various phases in the preparation of the schemes.

## V. RIGHT OF APPEAL AND JUDICIAL SUPERVISION

One question which arises is whether a region, a district, a non-governmental organization or even a physical person could lodge an appeal against a decision taken by another region, another State or by

the Commission and likely to have prejudicial effects on the territory of the appellant. The proposal described below was drawn up by the Directorate-General for Research and Documentation and is reproduced here for information.

We would add only that the rapporteur welcomes the possibility of appeal against provisions adopted under a European regional planning scheme where the responsibility of the Community would be involved. Decisions covered by the conditions laid down in Article 215 of the Treaty could be referred to the Court of Justice.

'THE ESTABLISHMENT OF A DIVISION SPECIALIZING IN REGIONAL POLICY WITHIN THE COURT OF JUSTICE OF THE EUROPEAN COMMUNITIES'

Introduction

The act of conferring on the Court of Justice of the European Communities specific powers in the field of regional policy would presuppose, for reasons of efficiency and coherence, that an integrated regional policy existed at Community level, or at least that the Member States or the regional authorities were subject to obligations or standards of conduct. A situation of this kind would of course justify the Court of Justice having such powers. At present the Court of Justice may be competent to deal with any violations of Community law and, possibly, matters arising by virtue of regional policy measures, but in a non-specific way on the basis of Article 169 of the EEC Treaty.

A. The legal bases

There is clearly a legal basis for the establishment of a Community regional policy in the EEC Treaty, Articles 2 and 235 of which have already been drawn on for this purpose. Before a specialized division could be created within the Court of Justice a new Treaty would have to be written or the old one revised. Working on the latter assumption, Article 236 provides that the Government of any Member State of the Commission may submit to the Council proposals for the amendment of the Treaty. The revised Treaty would require ratification by all the Member States in accordance with their own constitutional requirements.

It would therefore seem possible for the European Parliament to ask the Commission to prepare a draft revision of the EEC Treaty.

B. Plan for the establishment of a division of the Court of Justice specializing in regional policy

The basic idea here would be to grant any regional authority of a Member State the right to appeal against a decision taken by another regional authority or another Member State which is likely to have repercussions on the territory of the appellant.

In view of the very different legal positions in the various Member States with regard to the status and powers of the regional authorities, the best solution would appear to be to request a regional authority wishing to lodge an appeal first to exhaust all the internal means of redress in the appropriate courts in the Member State concerned. A precondition should therefore be that a final judgment has been handed down by a national court whose decisions are not subject to appeal under national law.

Once such a final judgment had been obtained, it would be possible to bring the matter before the specialized division of the Court of Justice. A Member State or a regional authority or Community institution could refer a case to the Court of Justice of the European Communities, which would thus play a role similar to that of a supreme court in a federal state. If the Court of Justice found that a Member State or a regional authority or even a Community institution had failed in the duties incumbent upon it, the measures necessary to comply with the judgment handed down by the Court of Justice would have to be taken. A judicial system of this kind, in addition to calling for the ratification of the revision by the regional authorities would also presuppose adjustments to the judicial systems of each of the Member States.

C. Conclusions

- (a) The Commission should be asked to submit to the Council, pursuant to Article 236 of the EEC Treaty, a draft revision of the Treaty.
- (b) This draft revision would relate to the jurisdiction of the Court of Justice of the European Communities.

- (c) The Court would be competent to deliver judgment in respect of appeals lodged by a Member State or a regional authority or an institution of the European Community.
- (d) A precondition would be the need to exhaust all internal means of redress in the Member State where the appellant regional authority had gone to law. To avoid excessively long delays a system of interim rulings or provisional measures could be envisaged to accelerate the course of justice before the national courts.
- (e) If the Court of Justice found that a breach had been established, the Member State or the regional authority or the Community institution concerned would be required to take the necessary measures to comply with the judgment of the Court of Justice.

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Under the current provisions of the EEC Treaty the Community is not competent to arbitrate in disputes between the regional and federal authorities of different Member States. To confer such a power on the Court of Justice would therefore call for a revision of the Treaties.

## VI. CONCLUSIONS

The rapporteur proposes the following practical measures to the Commission of the European Communities with a view to translating the guidelines contained in this report into action:

1. The appointment of one of the commissioners to be responsible for regional planning and the coordination of the spatial aspects of the various policies;
2. Establishment of a specialist body for regional planning (directorate or some other operational unit) with the task of pursuing the objectives described above in accordance with the proposed procedures and in particular undertaking the preparatory work for drawing up the scheme without delay;

3. Within six months of adoption by Parliament of its resolution, formal submission to Parliament of:
- an agreement of principle on the preparation of a Community regional planning programme,
  - a report on the procedures it proposes to ensure the effective participation of local and regional authorities and non-governmental organizations in the preparation of this programme,
  - a proposal for a legal appeals system in the event of disputes bearing on any aspect of the regional planning scheme between either the local or regional authorities or the non-governmental organizations and a Member State or the Community,
  - an immediate undertaking on preparatory work.
4. On the basis of the European Parliament's resolution, the submission of proposals to the Council with a view to the adoption of regulations or directives establishing the legal framework for interregional or transfrontier cooperation and preferential financing arrangements; the same to apply to the measures to be taken in the field of infrastructures, protection of our heritage and the environment, energy policy and certain aspects of the agricultural policy.





## MOTION FOR A RESOLUTION (DOCUMENT 1-175/82)

tabled by Mrs LIZIN

pursuant to Rule 47 of the Rules of Procedure

on a European regional planning scheme

The European Parliament,

- having regard to the particular importance of the role played by the Community in transfrontier matters,
  - whereas the European institutions should assert their role as regards European regional planning and whereas a coordination of policies is called for,
1. Proposes that the Commission draw up a European regional planning scheme;
  2. Considers that this scheme should at the very least consist of:
    - a survey of transfrontier problems,
    - a survey of major infrastructures (completed or planned),
    - a survey of regions to be protected. On this basis, a debate should be arranged in the European Parliament (after consultation of the councils and non-governmental organizations concerned) and its conclusions forwarded to the Council;
  3. Requests that this scheme be organized in cooperation with the administrations of the Member States, with the consultative councils and with the specialist non-governmental organizations;
  4. Instructs its President to forward this resolution to the competent authorities.

5. Proposes that the Community should help to promote studies concerning the siting of nuclear power stations in areas which are remote from the sea or from large rivers and which for morphological reasons would involve higher construction costs, while also encouraging and supporting experiments with dry cooling towers which have lower water consumption requirements;
6. Instructs its President to forward this resolution to the Council of Ministers and the governments of the Member States.

## MOTION FOR A RESOLUTION (DOCUMENT 1-1269/82/rev.)

tabled by Mr SASSANO, Mr TRAVAGLINI, Mr BARBAGLI, Mr DALSSASS,  
Mrs GAIOTTI DE BIASE, Mrs PHLIX, Mr PEDINI, Mr HERMAN, Mr GHERGO,  
Mr KALOYANNIS and Mr KAZAZIS

on behalf of the Group of the European People's Party  
(Christian-Democratic Group)

pursuant to Rule 47 of the Rules of Procedure

on the promotion by the Commission of studies concerning the possibility of  
constructing nuclear power stations in areas of low population density

The European Parliament,

- A. having regard to the report of its Committee on Energy and Research  
(Doc. 1-442/80),
- B. having regard to its previous resolutions, in particular:
- on the conditions for a Community policy on the siting of nuclear  
power stations taking account of their acceptability for the  
population
  - on the draft Council resolution concerning consultation at Community  
level on the siting of power stations,
1. In view of the importance of the construction of nuclear power stations  
for the Community;
  2. Notes that in the Member States of the Community the areas so far selected  
for the siting of nuclear power stations are appreciably smaller than  
those available in the USA and USSR;
  3. Notes that there is growing concern among the population at the siting  
of nuclear power stations in the more densely populated areas;
  4. Considers that the Member States should be asked to re-examine the  
technical and financial constraints hitherto adopted in the selection  
of sites, in order to ensure optimum conditions of safety for the  
population and for the protection of the environment, with special  
reference to the inclination of the terrain, the availability of cooling  
water and low population density;

