

## **Governing territories between Regions and the EU: A dialogue**

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### **Abstract**

Drawing on the debate on ‘territorial cohesion’, this paper focuses on the challenges of governing territories from a regional perspective, within the ‘EU space’. It is a dialogue between two researchers, one of them being at the moment Region Councillor with responsibility for Planning, Housing and Urban Policy in Puglia, Southern Italy.

### **Keywords**

Territorial cohesion, EU territorial policies, government/governance.

### **Premise: A dialogue<sup>1</sup>, why?**

Researchers may be linked in several ways with the phenomena they observe when they carry out research work. And all the more so if empirical research is concerned. As a consequence, to highlight this relation between the researcher and the subjects he/she is dealing with is essential to better understand his/her point of view.

Until to the middle 2000s the two authors of this contribution have been carrying out many joint research works. The impact of EU territorial policies on Italian planning practices was one

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among our favourite topics. Our discussions on it involved a junior researcher (Carla) and a senior researcher (Angela). In 2005 Angela was appointed as Planning, Housing and Urban Policy Councillor by the newly elected Apulia Region government. The election for the first time of a left wing regional government involved a significant shift in regional policies. Our discussions continued, but they slowly transformed into interviews taken by a researcher to another researcher temporary having the opportunity to observe as an 'insider' the phenomena and the processes she used to research. Thus, we came up with the idea to write down, as a dialogue, our reflections on the challenges of governing territories from a regional perspective, within the 'EU space'.

### **What space is the 'EU space'?**

As it is well-known, the Treaties do not assign a specific mandate to EU in the field of spatial planning. However, since the late 1980s, Brussels promoted territorial (or spatial) policies which either explicitly or implicitly influenced domestic planning systems as well as planning practices in the Member States.

Within the academic debate, this new role played by the EU in national (and local) planning arenas and its relationships with the varied (and often conflicting) spatial planning systems and practices in the different Member States has been observed from different perspectives, focusing on several of its aspects (Tedesco, 2007; 2008). Some authors focused on the process of construction of the European Spatial Development Perspective (ESDP)<sup>2</sup> (Janin Rivolin, 2004) as both a process and a document developing a common understanding of European spatial development policy (Schön, 2005) and its application in the different Member States (Faludi, 2003, 2005). One of the first outcomes of the document's approval was the establishment of ESPON (European Spatial Planning Observatory Network) aiming at promoting research on the territorial impacts of EU policies. The application of the general principles of the ESDP was realized by several instruments and mechanisms. Among

them: transnational and trans-border planning initiatives, the acknowledgement of the ESDP as an institutional planning tool, the establishment of formal agreements and partnerships (Shaw, Sykes, 2009).

Other authors focused on the domestic level and observe the changing role of planning within the EU system of multi-level governance, which raised several issues in relation to its regional dimension (Alden, 2001). The latter were acknowledged to be particularly meaningful in some Member States such as the UK.

A third perspective focused, instead, on the indirect impact of some EU sector policy (transnational cooperation, transport, environment, energy, agriculture, structural funds etc.) on the operation of the planning process (Tewdwr-Jones, Bishop, Wilkinson, 2000), through the analysis of the EU's influence on the planning process documentation. More or less in the same direction, further contributions focused on the entering *de facto* of the EU as a new actor in local planning arenas through a number of EU policy practices, such as those developed within area-based initiatives promoted and/or funded by structural funds policy (Barbanente, 2005; Doria, Fedeli, Tedesco 2006; Tedesco, 2005). The latter were established across a number of different target areas and assumed different focuses, varying from rural development in sub-regional areas to the struggle against social exclusion in urban deprived areas. In this perspective the misfit between EU objectives and principles and local practices is a key-concept to understand local impacts of EU policies (Risse, Cowles, Caporaso, 2001).

If one looks at them thoroughly, these perspectives can be interestingly interrelated. In fact, it is possible to single them out only starting from an analytical perspective, useful to frame the issues at stake, but easy to be overcome both from a theoretical and an empirical point of view, as it is stated in some documents linking the three main objectives of the ESDP to 2007-2013 cohesion policy. In the same perspective, it is possible to bring up some reflections on the concept of 'territorial cohesion, which is central to 2014-2020 programming period (see EU, 2011) as even distribution of human activities, i.e. as a concept useful to translate the sustainable development objective in

territorial terms (CEC 2004, quoted in Duhr, Colomb, Nadin, 2010).

On the one hand, it has been largely recognised that (non-linear) relations do occur between what has been experienced in the field of EU territorial governance and the existing national planning traditions. From this point of view four distinct perspectives on European spatial planning can be outlined: North-Western, British, Nordic and Mediterranean (Janin Rivolin, 2005). As far as the Mediterranean perspective is concerned, it has been observed that (mainly at the local level, but also at the regional and national levels) innovations in planning have been developed by participating in the different initiatives promoted and/or funded by EU structural funds. Put differently, in the Mediterranean Countries such as Italy – where there has not been any influence of the ESDP on the planning system, the latter being largely ignored by planners until the late 1990s (Janin Rivolin, 2004) – an EU spatial development perspective has been somehow diffused through the EU governance principles underpinning structural funds initiatives. On the other hand, it can be pointed out that the ESDP contributes to pay attention to specific territorial problems which are (should be) central within structural funds policy such as those of urban areas (Atkinson, 2001) and that it includes a variety of policy options, which can be considered a ‘non-binding’ guidance for structural funds policy.

Furthermore, it is possible to argue that, through the debate developed around the concept of ‘territorial cohesion’ and its implication for the future of the ESDP (Böhme, 2005; Faludi, 2005), the aforementioned different perspectives have an increasing amount of points in common: the ESDP has been acknowledged to have paved the way for an institutional recognition of the territorial dimension of cohesion and its future has been linked to the opening of intergovernmental discussion on a possible definition of shared principles of EU territorial governance, useful to link the cohesion policy with the operational national planning systems (Janin Rivolin, 2005, p. 19).

Referring to the concept of territorial cohesion some authors

argue that a new relationship between spatial and regional policies can be envisaged for the future, as it is possible to point out that the Structural Funds are in fact already contributing to increased territorial cohesion within the EU (Polverari, Bachtler, 2005, p. 29).

Following Schön (2005, p. 393) the concept of 'territorial cohesion' can be developed as closely linked to the political aim of supporting weak, lagging behind or handicapped regions and thus to diminishing inequalities and disparities between the different parts of the European territory. However, equity in living conditions is not sufficient as a policy aim. Rather, the quality and nature of those living conditions are also of significance. Thus, achieving a high level of living conditions on a regionally balanced basis is central to the aim of territorial cohesion.

### **A regional perspective**

Given this framework, emerging from both theoretical and empirical research work on the role of the EU in territorial policies, a first – maybe obvious – question is: what is the role of the EU at the local level, in particular at the regional level, in building up territorial policies?

*I will not refer generically to the regional level and to spatial planning policies, as such an approach would be misleading: after the transfer of spatial planning jurisdiction from the central government to the Regions in the late 1970s, in Italy regional spatial planning approaches and experiences have become more and more varied. My reflections are based on empirical evidence of the case study of Regione Puglia, as a Member of Regione Puglia's executive committee of responsible for spatial planning. Under the 2007-13 programming period Puglia is one of the EU Convergence objective regions in the Italian Mezzogiorno. The Convergence objective aims to reduce economic disparity within the European Union, and thus a large amount of EU spending are channelled into the Convergence objective regions.*

*Simple questions are very useful in order to highlight basic matters. I think that Europe at the local level mainly represents a funding source, also for*

*building up territorial policies. The more the economic crisis goes on, the more difficult it becomes to reverse this prevailing perception. And the more local governments lack of financial resources to provide essential infrastructures and services, the more EU funds tend to replace ordinary funds, contrasting with the additionality principle. The more an Italian policy for the Mezzogiorno disappears from the national political agenda and the national level of government, the more EU funds replace national funds for regional development and territorial cohesion. We should reflect further on the role that Europeanization had as a strategic asset exploited at the domestic level, namely by the national government, in order to abandon the national policy for the Mezzogiorno (Bull, Baudner, 2004). Furthermore, the issue of co-financing within structural funds policy, cannot be taken into account if one does not consider the constraints of the Internal Stability Pact and how are they regulated in national norms. Hence the national tier does influence regional policies.*

*As far as the European Spatial Development Perspective (ESDP) is concerned, its influence was extremely limited both on EU Structural Funds mainstream programmes and on existing territorial policies and plans. The reasons are numerous and complex. In the experience of Regione Puglia, cognitive aspects and organisational aspects, interrelated to the Italian spatial planning tradition, seem to prevail on other reasons. The European Spatial Development Perspective is largely unknown outside the narrow circles of academic research and practitioners involved in EU projects. The INTERREG III Programme, which is considered as a way to promote the application of several ESDP topics, empowered a group of bureaucratic actors of the Regione Puglia's service responsible for that Programme with procedural expertises and wide-ranging groups of consultants, but did not involve the regional spatial planning services.*

*Comparative studies on spatial planning in Europe emphasize the strong concern of the Italian spatial planning system with physical planning, urban design and rigid zoning and codes, whether they include it in the 'Mediterranean tradition', under the 'urbanism' approach (European Commission, 1997) or they include it in the 'Napoleonic legal style' with a tendency to prepare a national code of planning regulations and to create a hierarchy of plans (Newman, Thornley, 1996). Among the three elements of urban planning systems described by Healey and Williams (1993), the plan making function, the developmental function, and the regulatory or control function, in Italy the latter continues to prevail also at the regional level.*

*And it is clear that just this is the most distant planning function from the ESDP policy objectives and options to be addressed to all those involved in spatial development at the national, regional and local levels. In this context, both Regione Puglia officials and professionals working in the spatial planning field are deficient in knowledge and experience in strategic planning as a framework for the spatial coordination of public investments as well as for the spatialisation of a policy discourse about social cohesion.*

*Regione Puglia tried to bridge the gap between the spatial planning tradition and the strategic approach on which the EU cohesion funds programming should be based. On the one hand, it promoted ten strategic plans for some many sub-regional aggregations of municipalities, just in order to spur them to share a common strategy in order to promote local development and base on it the EU structural funds allocation for a more coherent and effective use of those funds. On the other hand, it changed the approach of the statutory spatial planning system, both at the regional and at the local level, reinforcing the strategic part of those plans, promoting the innovation of their contents through the crucial role given to public participation and environmental sustainability, and thus make local spatial planning and cohesion policy more permeable from the cognitive and experiential point of view.*

*But, the scarce influence of the European Spatial Development Perspective (ESDP) was not limited to the spatial planning field. Also in the circles of the 'community programming' the spatial dimension of the cohesion policy is neglected. No reference is made to the European Spatial Development Perspective in the National Strategic Reference Framework (NSRF) 2007-2013 and in Mezzogiorno Strategic Document (Documento Strategico Mezzogiorno - Linee per un Nuovo Programma Mezzogiorno 2007-2013). And from the viewpoint of Regione Puglia, also the transfer of regional development good practices developed within the INTERREG Programme into EU Structural Funds mainstream programmes seems to be very limited.*

*Even in the specific field of planning, the 'gatekeeping' role of the national level is relevant. This role is developed through different tools (norms, funds, procedures) and is evident in several policy fields (both formal and informal). It impacts on different aspects of EU territorial cohesion objective. This mechanism is different from the direct link established between the EU and the local level within pilot or Community Initiatives such as the URBAN and the LIFE programmes, where the central government role is very weak. A good example of the direct influence of EU on planning procedures (at*

*different scales) is the Environmental Strategic Assessment (ESA) procedure, which has been adopted at the national level (Directive 2001/42/EC), and which is binding for regions.*

Focusing our field of interest and considering the operational aspects of the issues we are dealing with, as you suggest, what are the outcomes of the EU territorial cohesion objective, as mediated by the national level, on both the planning regional system and planning practices at the regional level?

*As far as structural funds policy is concerned, the delivering of resources is possible only when EU rules are followed. However, the EU assessment criteria only concern the efficiency of the expenditure and the compliance with the procedures, hence the latter became the only dimension seriously taken into account by regional powerful bureaucrats, while the territorial cohesion objective can be missed. In particular, some fundamental principles of the of EU territorial approach related to territorial cohesion (such as integration, participation ...) require a long time to be fully assimilated in local practices, due to their innovation features. This long time is easily labeled as 'inefficiency'. Of course the political objective of efficient expenditure of EU resource is a significant one, and all the more so in a 'backward' region such as the Italian Mezzogiorno, often described by some political parties such as a homogeneously underdeveloped one, where the money invested does not produce development due to waste and inefficiency.*

*While the EU policies' impact on procedures and financial accounting is very strong, their impact on planning practices and approaches, as well as on the regional planning system, is largely weaker. Notwithstanding that, structural funds can be considered to be an opportunity for supporting the building up of strategic planning and urban design. Hence, they somehow temperate the prevailing regulatory features of the Italian planning tradition. This concretely and meaningfully occurred in the setting up of regional guidelines for municipal plans as well as in the setting up of the Regional Landscape Plan.*

*Even in the SEA the EU objective of territorial cohesion has been weakened due to both the way it was adopted in domestic legislation and the misfit between the Italian planning tradition and the main elements of the strategic approach. In fact, even if the Dlg 152/06 and its following modifications and integrations state that the SEA has to accompany all the*



*policy process, shaping knowledge, objectives and outcomes towards environmental sustainability, it de facto produces an interpretation of SEA as an ex post assessment, useful to evaluate the conformity of plans to the law. Thus SEA concretely becomes a sort of Environmental Impact Assessment applied to plans rather than to projects. The reasons for this peculiar interpretation of SEA are mainly in the separation between the competent authority and the implementing authority as well as in the prevailing role of the first authority on all the other institutions involved: it is the competent authority that selects the institutions to be involved, collects, coordinates and assesses their opinions, states the compatibility of the plan. In addition, the implementing authority has many difficulties in interpreting the SEA as a tool useful to improve the policy process and to shape the contents of the plan towards social, economic and environmental sustainability. This difficulty is due not only to the regional technical, political and practice tradition, ignoring or misleading the importance of public consultation in the phase of policy design, but also to the difficulties in acknowledging the usefulness of drawing the plans on several alternatives and on the assessment of their impact on the environment and society. Within this framework, the risk is that SEA can be considered to be just a formal step within the planning process, contributing on the one hand to slow it, on the other hand, to reinforce hierarchical relationships rather than opening the decision-making processes. Thus, also in the field of environmental assessment, the control function tends to overwhelm other important functions, and SEA was not able to mitigate the dominant regulatory function of planning, introducing a strategic perspective.*

### **Some reflections on the government/governance relationship**

Notwithstanding the problems you brought up, the attempt of regional territorial policy to highlight the different dimensions of planning (following Mazza, 2004, regulatory, strategic, design), partly supported by EU territorial policies, emerges.

The relevance in the planning field of approaches and tools not based on hierarchical control suggests us to mention the governance concept, referring to governance as a new style of government, distinct from the hierarchical model and

characterized by a stronger degree of cooperation and the interaction between state and non-state actors within decision-making networks that mix public and private actors (Mayntz, 1999). However, the framework you just described shows us the coexistence of *government* and *governance* forms, each of them characterized by specific knowledge, actors, tools, singling out two different expertise domains rather than a passage from government to governance.

To what extent can we recognize a separation between government and governance domains in terms of knowledge, actors, policy tools, and to what extent do these domains communicate, being related to Puglia's regional government political objectives?

*Coming back to the gatekeeping role of the national level we started from, it is worth underlining that in national legislation the passage from government to governance is taken for granted, for instance in the use of negotiating tools such as 'protocolli di intesa' o 'accordi di programma'. Even in the new planning model we built up at the regional level the policy process is opened to several public and private actors since the first phases. This suggests us to consider the governance and government domains as not divided.*

*Furthermore, relationships between the government and governance domains are also in the continuous alternating of hierarchical and cooperative modes within the policy process. Even in the EU programmes, drawn on the notion of governance, in fact, when the relationship between the regional administration and the beneficiaries of structural funds becomes a relationship between those who deliver and those who benefit from the funds, the hierarchical relationship is reproduced. And all the more so, if the prevailing criterion shaping action is the criterion of efficient expenditure: local administrations concentrate once again on procedures reinforcing the hierarchical relationship and transforming some participants to the arrangements into overarching controllers.*

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*Notes*

<sup>1</sup> This contribution has been developed by a dialogue between the two authors on all the issues developed. However, sections 1 and 2 as well as all the questions have been written by Carla Tedesco. Section 3 has been written by Angela Barbanente.

<sup>2</sup> As it is well known, the ESDP is the result of a ten-year period of studies, research, conferences, meetings of the informal council of ministries responsible for 'spatial development' policy. This document proposes some policy options articulated around three main objectives: Polycentric spatial development and a new relationship between town and country, Equality of access to infrastructure and knowledge, Wise management of the natural and cultural heritage.

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