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PROGRAMME OF WORK FOR 2008-2009

IMPROVEMENT OF URBAN ENVIRONMENTAL PERFORMANCE

**DISCUSSION PAPER ON SPATIAL PLANNING AS KEY INSTRUMENT
FOR DEVELOPMENT AND EFFECTIVE GOVERNANCE,
WITH SPECIAL REFERENCE TO COUNTRIES IN TRANSITION**

Note by the secretariat

Summary

At its meeting in April 2007, the Bureau decided that an in-depth discussion should be organized at the Committee's sixty-eighth session based on an executive summary of the study on Spatial Planning.

The present paper also contains questions for discussion to assist countries' representatives in stimulating the debate and in elaborating on their experiences in the area of spatial planning policies and their implementation, highlighting both successes and obstacles encountered.

1. Spatial planning is a key instrument for establishing long-term, sustainable frameworks for social, territorial and economic development both within and between countries. Its primary role is to enhance the integration between sectors such as housing, transport, energy and industry, and to improve national and local systems of urban and rural development, also taking into account environmental considerations.
2. The study on spatial planning is an overview document that draws the attention of policymakers to the importance of spatial planning. The study also aims at raising the awareness of the importance of increased community involvement and social cohesion as well as of the role of all parties concerned in territorial development in the implementation of housing and related policies and in environmental protection.
3. The study puts emphasis on the need for establishing a shared vision and consistent direction for spatial development based on the efficient use of resources, good governance, public-private partnerships, and effective decision-making with regard to investments. While the document is intended for a pan-European audience, it pays special attention to the requirements and challenges faced by countries in transition.
4. Due to the variations in political, cultural and economic conditions between UNECE member States, a single universal approach to spatial planning is not recommended. The study should be reviewed as a resource that must be adapted to suit the needs of the country in question.
5. Spatial planning has a regulatory and a development function. As a regulatory mechanism, government (at local, regional and/or national levels) has to give approval for given activity; as a development mechanism, government has to elaborate upon development tools for providing services and infrastructure, for establishing directions for urban development, preserving national resources, and establishing incentives for investment, etc.
6. Spatial planning aims to:
 - (a) Promote territorial cohesion through a more balanced social and economic development of regions, and improved competitiveness;
 - (b) Encourage development generated by urban functions and improve the relationship between the town and countryside;
 - (c) Promote more balanced accessibility;
 - (d) Develop access to information and knowledge;
 - (e) Reduce environmental damage;
 - (f) Enhance and protect natural resources and natural heritage.
 - (g) Enhance cultural heritage as a factor for development;
 - (h) Develop energy resources while maintaining safety;
 - (i) Encourage high-quality, sustainable tourism;
 - (j) Limit the impact of natural disasters.
7. Effective spatial planning also helps to avoid the duplication of efforts by actors such as government departments, commercial developers, communities and individuals. This is of great

importance, as many of the above issues are of cross-sectoral nature and therefore should be treated as such.

8. Spatial planning is a public-sector activity at all levels. Hence a clear distribution of responsibilities is needed between the different levels of administration.
9. At the national level, Governments are responsible for developing framework policies that both initiate and guide the decision-making process, setting the conditions for the operation of effective planning at regional and local levels. Major tasks include the establishment of effective framework legislation, coordination with other sectors and between regions (including those that cross national boundaries), the monitoring of implementation of national guidelines and principles at regional and local levels, and the identification of bottlenecks in planning and implementation. National authorities are also responsible for supporting regional and national authorities when implementing national guidelines, in particular through capacity-building in terms of professional expertise and political leadership.
10. The main task at regional level is the preparation and coordination of an overall regional spatial strategy by looking ahead 15 to 20 years at the overall development of the region. This should be done in cooperation with regional and local stakeholders. Regional government also has the responsibility of supporting local authorities by providing information on national and regional priorities, designating protected areas, planning and delivering major infrastructural improvements, and providing environmental assessment and appraisal of regionally significant plans and projects, as well as supplying guidance and assistance to local authorities by creating local planning instruments.
11. Local-level spatial planning takes into account policies elaborated at both the national and regional levels. Local plans are especially important because they involve and affect the end-user. Local governments should prepare regulatory planning instruments, establish priorities for action, facilitate the preparation of local spatial plans, coordinate planning with neighbourhood authorities, engage with the community using participatory planning techniques, take proactive measures to encourage development, and monitor the implementation of policies and proposals, e.g. by enforcing adherence to specific planning legislation.
12. Many countries have recently made fundamental reforms to the body of planning law to enable changes in the elaboration and operation of their planning systems. In some countries, however, planning statutes have not kept pace with the reality of spatial development. The problem is usually not a lack of legislation, but rather that the legislation is no longer relevant.
13. In other cases, reform in planning law has not been a high priority. In these cases, effective spatial development at all levels has yet not been implemented, as the legal basis has not been put in place to facilitate the planning process. This includes provisions that require cooperation among planning authorities to address sectoral interests to ensure consistency in the decision-making process. Where planning reform has taken place, it is generally targeted at shifting the focus from physical land-use regulation to an integrative spatial planning approach.
14. The implementation of effective spatial planning depends upon the development of relevant laws, policies, guidance, procedures and incentives. Implementation requires that both

short-term considerations and constraints be taken into account, and that the work is guided by a long-term vision. Most countries have rigidly defined departments that pursue individual agendas, making it difficult to have an interdisciplinary approach to implementation.

15. Clear legislation and funding policies and improved organizational infrastructure are critical, as experience has shown that these issues are frequently more complex to solve than technical issues. High-level support for developing these plans is essential to ensure the effectiveness of the policies when implemented and regulated at the local level.

16. Identifying and engaging the whole range of stakeholders is crucial. Stakeholders can include those directly involved in the decision-making process, such as local authorities (politicians and officers), other tiers of government, industry and private investors, but should also include community representatives and non-governmental organizations. In order to be more socially inclusive, it is often necessary to redress the balance of public involvement in order to hear the views of people and groups that have been traditionally under-represented.

17. Skilled spatial planners should have the ability to engage actors at all levels of development:

- (a) Participation: engaging actors in reciprocal relationships of communications;
- (b) Consultation: delivering expert advice for the purpose of drawing conclusions;
- (c) Representation: acting on behalf of one or more groups of actors in an effort to represent both ideas and individuals.
- (d) Appeal: acting as advocates for collective decision-making and for the improvement of the affected community.

18. An important factor in the success or failure of spatial planning is the quality of its management. Management is concerned with organization and coordination, policy and planning, and the monitoring of relevant projects. It is also concerned with listening, analysing, decision-making, and communicating ideas that may be misunderstood. Without management capacities, information and communication gaps could persist between representatives dealing with policy framework and local level implementers. A relative shortage of qualified experts, particularly in countries in Eastern Europe, Caucasus and Central Asia, makes the delivery of such projects difficult at times.

19. Effective local programme management must be responsible for the following:

- (a) Leading the planning process as it relates to the sustainability appraisal;
- (b) Overseeing the process of community involvement;
- (c) Influencing the strategic allocation of public and private investments;
- (d) Negotiating with stakeholders and external agencies;
- (e) Reviewing progress against the agreed timetable.

20. Qualified planners should be aware of the importance of integrated spatial planning techniques in implementing policy that represents the interests and realities of all stakeholders with a high degree of objectivity and transparency. Planning authorities should have a good understanding of how to involve local communities in the planning process and how to benefit

from their knowledge and expertise. The ability to streamline the planning process is also key because it reinforces that transparent and multi-level spatial planning is an effective tool for development.

21. Spatial planning must operate in conjunction with land registration, since it involves measures that create new subdivisions of the land and new patterns of land use. Failure to identify existing patterns and rights of ownership frequently leads to delays or even failure in development programmes, especially in urban areas. There must be legally defined procedures for the compulsory acquisition and reallocation of land rights, as well as appeals mechanisms that will ensure public confidence that the security of their titles can be upheld.

22. Well-executed spatial planning strategies support a sustainable model of development in communities. The initial costs of planning are easily offset by improved efficiency, integrated financial strategies and reduced operating costs.

23. In summary, spatial planning in itself will not result in improvement of a particular community. Rather, the collective will of all stakeholders, combined with the establishing of credible framework for action, will facilitate a transparent and achievable net change that will both improve the community in question and serve other communities and higher levels of government.

Questions for discussion:

1. To what extent is the concept of spatial planning applied in your country?
2. Are there any laws in your country that require the elaboration of a spatial planning framework, establishing responsibilities among the different government levels?
3. Has your country drawn up a set of framework plans for urban and rural development at the national, regional and or local levels, taking into account developments within other sectors? What were the challenges encountered?
4. What level of inter-sectoral cooperation exists at the national level in your country? Is local government currently able to support the demands of integrated planning?
5. Is there a mechanism for public participation in the planning process? What results have been achieved?
