

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

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

# Case studies: France

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# Case Study: The "Pays" policy in France

## Part I: Context for the Case Studies

1. Political and institutional context, and any areas where there is currently or was recently change.

Since the beginning of the 80's France has known a constant move towards decentralization. The years 1982-1983 had seen the creation of the "Conseils régionaux", regional elected authority, notably in charge at regional level of the spatial planning policy. Other existing sub-national elected authorities as the "Conseils généraux" and municipalities had also seen their powers increased. A second phase of the decentralization process has been launched by the Raffarin government (2002-2005) in order to give new powers to regional and local authorities and even, to authorize some specific experiments in the Region, out from the common national laws (see National Overview for details).

Nevertheless, France is still a unitary State where local and regional elected authorities "s'administrent librement" (Article 72, Title XI of the 5th Republic Constitution). It has to be said that this formula implies a slight difference with the idea of self-government.

Dealing precisely with the institutional context of the case study three main laws must be quoted:

The 1995 law ("Loi d'orientation pour l'aménagement et le développement du territoire") define the "Pays" as a territory of a certain cohesion in terms of geographical, cultural, economic and social components. On this basis the local authorities can gather to propose a local development project, which must be elaborated with the concerned actors. These ones and the nature of the project are not precisely defined in the law.

The 1999 law ("Loi d'orientation pour l'aménagement et le développement durable du territoire") reinforce the "Pays" policy in defining more precisely its scale, equivalent to a local labour market area, its general role in terms of "aménagement du territoire", that is to say to promote the solidarity between rural and urban space, the shape of the common project of local development. The first step to create a "Pays" is to predefine a study perimeter which can evolves according to the outcomes of the local negotiation between local elected actors. The law also makes obligatory the creation in every "Pays" of a "Conseil de développement", a local consultative forum involving the local civil society; and the creation of a dedicated public structure to manage the local development project and the funding. The law implies also a greater involvement of the State and of the Regional authorities in the funding of the "Pays" as far as a specific budgetary line will be dedicated to the projects proposed by the "Pays".

After the 2002 general elections, the "Pays" policy come through a period of uncertainties as far as the position of the new government do not appear very clear towards their future. It is

only in 2003 with a new law ("Loi urbanisme et habitat") that this policy is really taken into account by the new government. The new "Pays" can be created directly without the first step of the study perimeter. The obligation to create a dedicated structure is also cancelled. The "Pays" can be managed directly by the local authorities which are taking part to the project which agreed on the way to do it.

This brief description of the political and institutional context and of the recent evolution shows that the "Pays" policy has known, in a changing legal framework, a certain continuity.

2. Type of territory - physical (rural, urban, etc) and geographical (trans-national, FUA, local, institutional, non-institutional…)

Different types of territories are under the "Pays" name. Naturally, they are all of a local scale but their geographical organisation can be of different types. We have identified four different types among the 344 counted "Pays" in June 2005[1]:

- Urban "Pays" when more than 90% of the population is included in an urban area. They are approximately 3%;
- Peri-urban "Pays" when a significant part (generally more than 20%) of the population is leaving in urban area. In that case the city at the core of the urban area is located outside the "Pays". They are approximately 14%;
- Urban-rural "Pays". They are approximately 22%;
- Rural "Pays" which are independent from an urban area. This category is the more important one with a share estimated to 61%.

Even if this last category appears as the more important one, it can be noticed a clear move towards the urban-rural configuration in the recent years surely due to the new legislative framework for the "Pays" inaugurated by the 1999 law. Indeed, this category is more in line with the new legislative framework than the others, which were more related to the previous legislation.

Among the 344 "Pays", 6 are cross-boarder ones, 41 are of an inter-departmental[2] and 15 are of an inter-regional[3].

**Table n° 1 – Pays. Institutional types**

| Institutional type | % |
|---|---|
| Association of local authorities | 32 |
| Dedicated inter-municipal structures[4] | 39 |
| Other inter-municipal structures[5] | 17 |
| "Groupement d'intérêt public de développement local" | 5 |
| Others | 7 |

Source: www.intercommunalités.com, March 2003

[1] Source : www.intercommunalités.com, May 2005 ; www.projetsdeterritoire.com, June 2005.
[2] For definition of « département », see National Overview.
[3] For definition of « région », see National Overview.
[4] For defintion of « Syndicat mixte », see National Overwiew
[5] One single inter-municipal structure (34 « Communautés de communes » - for definition see National Overview – and 4 « Communautés d'agglomération » - for definition see National Overview -) : 11% ; More than one inter-municipal structures : 6%.

As far as the "Pays" are related to a national policy, they are of an institutional nature. Nevertheless, their local organisation can vary from a mere association of local authorities to an inter-municipal organisation or even to a dedicated structure[6] which allows some kind of public-private partnership.

3. Spatial planning framework, and any areas where there is currently or was recently significant change

**Table n°2 - Principal planning instruments and local application**

| Planning instruments | Main responsabilities | Territorial coverage | Role and Duration | Binding |
|---|---|---|---|---|
| "Schéma de services collectifs"(SSC) | State | National | Prospective (20/25 years) | Yes to a certain extend |
| "Directive Territoriale d'Aménagement (DTA)" | Prefects of department or region | Intermediary (regional, departmental or metropolitan) | Prospective (20/25 years) | Coherence with SSC and SRADT. |
| "Schéma régional d'aménagement et de développement durable du territoire (SRADT)" | Regional Council | Regional | Prospective (20/25 years) | Coherence with SSC and DTA |
| "Contrat de Plan Etat-Region"(CPER) | State and Regional Council | Regional | Planning (7 years) | Coherence with SRADT and DTA |
| "Projet d'agglomération" | Urban intermunicipality | Agglomeration | Prospective (20/25 years) | Coherence with SRADT and DTA |
| "Contrat d'agglomération" | Urban intermunicipality | Agglomeration | Planning (7 years) | Coherence with CPER |
| "Charte de Pays" | Pays | Urban/rural or rural areas | Prospective (20/25 ans) | Coherence with SRADT and DTA |
| "Contrat de pays" | Pays | Urban/rural or rural areas | Planning (7 ans) | Coherence with CPER |
| "Schéma de cohérence territoriale" (SCOT) | Urban intermunicipality or Pays | Agglomeration or rural association of communes | Town planning | Articulation to the PLU |
| "Programme Local d'Urbanisme" (PLU) | Intermunicipality or municipal | Local (Commune or agglomeration) | Town planning | Coherence with SCOT |
| "Contrat de ville" | Urban intercommunity or urban commune | Local (Commune or agglomeration) | Planning (7 ans) | Integrated in the "contrat d'agglomération" |
| "Plan de déplacements urbains" (PDU) | Urban intercommunity or urban commune | Local (Commune or agglomeration) | Planning | |
| "Grand Projet de Ville" (GPV) | Urban intercommunity or urban commune | Local (Commune or agglomeration) | Town Planning (7 ans) | Integrated in the "contrat d'agglomération" |

4. Which territorial levels are involved in the case study (a description)?

The territorial levels involve in the case study are the national, the regional and the local ones:

- National as far as the "Pays" policy is regulated by law and because of the funding by the State through the "Contrat de Plan État-Région"[7];
- Regional as far as the "Conseil régional" take part to the funding of the "Pays" thank to the "Contrat de Plan État-Région";
- local as far as "Pays" are of a local dimension.

[6] "Groupement d'intérêt public de développement local"
[7] For definition of « Contrat de Plan État-Région », see National Overview.

5. What actors are involved (a description), at which territorial level?

The actors involved in the "Pays" are elected members of the local authorities (municipalities, inter-municipalities), which take part in the project but also actors of the civil society thanks to their participation to the "Conseil de développement" organised as a local forum[8]. As far as the funding is coming partly through the "Contrat de Plan État-Région" the regional actors ("Conseils regionaux" and the State representative in the Region, the Regional Prefect"[9]) are also involved.

6. What is at stake? What could happen in future?

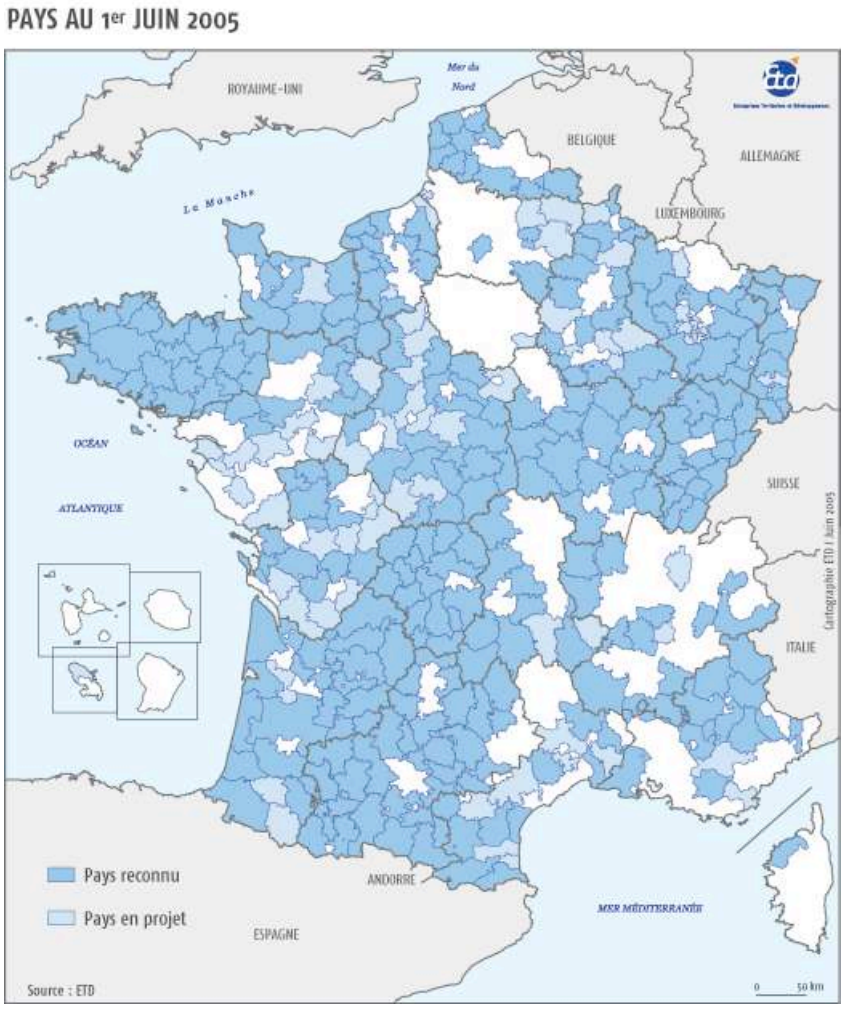
A change in the way local representatives see and manage their relations to the local civil society is at stake. Indeed, even if local elected representatives are somehow reluctant to share their power, the structures of the "Pays" can aim to a new way to see the local relations between actors and even reveal the need for elected members to play a role in the management of local relations away from the political usual framework they are used to.

Naturally, this perspective can vary from a project to another, from a region to another. From that point of view, the regional culture (tradition of cooperation and of dealing with local development issues) can give some explanation to these variations.

In a broader perspective, it can be said that the "Pays" policy can also give way to new operational cuttings in terms of local development issues more based on projects than on institutions[10] (SANTAMARIA, 2003).

[8] See National Overview for more details
[9] For definition of Prefect of Region, see National Overview.
[10] - GIRAUT F., VANIER M., 1999, " Plaidoyer pour la complexité territoriale ", *Utopie pour le territoire : cohérence ou complexité ?* sous la dir. de F. Gerbaux, La Tour d'Aigues, Edition de l'Aube, p. 143-172."
- SANTAMARIA, 2003,

7. Map




# Part II: Thematic Sections: Key Aspects of Governance Identified in Case Study

**I: Vertical relations during processes of public decision making in the case study (effectiveness, coherence, accountability, subsidiarity):**

Vertical multi-level (of territories) relations of governance ("MLG")

1. What roles does the central state play, both formal (legal, institutional) and informal (relational networks, unofficial pressure or bargaining…)?

The central State plays an important role as far as the "Pays" policy derived from national law. Its role is also important in funding the "Pays" policy as far as part of the money to finance local projects come from the "Contrat de Plan-État Region". Nevertheless, today, the

role of central State is more difficult to identify because of a lack of political investment in this policy at the central level. At regional level, the more or less pro-active role of the State Prefect of Region can explain differences in dynamism from a region to another.

2. What roles do the sub-national (infra-national) levels play, both formal and informal? What kind of involvement is there from local and regional authorities?

**Table n° 2 – Involvement from local and regional authorities**

| | **-1 (not involved)** | **0 (involved)** | **1 (strongly involved, main actors)** |
|---|---|---|---|
| **Regional** | | X | |
| **Local** | | | X |

The "Conseils régionaux" play an important part according to its formal role in terms of spatial planning at the regional level defining general orientations, notably when negotiating with the State the "Contrat de Plan État-Région". Consequently, the "Conseils régionaux" also contribute to the funding of the "Pays". Nevertheless, from a region to another they can have a more or less pro-active role to promote the "Pays". Sometimes, they can be considered only as money dispensers. It must be noticed that some regions had, before the laws, already organised their territory in sub-regional entities, which can be identified to the "Pays".

The local authorities both municipalities and inter-municipalities are directly concerned by the "Pays" policy as far as they are the ones which elaborated the development project and organise the "Pays". To finance their project they can rely on money from the State and the "Conseil regional" *via* the "Contrat de Plan État-Région". Naturally, it is a system of co-funding where local authorities also pay their share. Nevertheless, it can be said that regional authorities can have a certain power on the definition of the project even if the orientations are generally sufficiently broad for the local authorities to exert their right to choose the projects which seem to them appropriates.

The role of the departments ("Conseil général"[11]) is more difficult to appreciate as far as they do not have any formal involvement in the "Pays" policy and because their members were, right from the beginning, rather reluctant to participate to this policy. Indeed, most of them have seen the "Pays" policy as a threat to their power on infra-departmental territories (notably, rural ones) and a risk to see the departmental borders put into question by inter-departmental agreements between local authorities. Nevertheless, their behaviour towards the "Pays" policy has been slightly different from one to another: from an attempt to control the whole process putting pressure (political and financial) on local authorities to cooperate within the limits of the department, to an attempt to be a link between local authorities and the region.

[11] For definition of « Conseil général », see National Overview.

3. What kind of autonomy is there at the sub-national levels, in relation to competences, negotiating power, financial resources, etc?

**Table n° 3 – "Pays": Competences, negotiating power, financial resources**

| | **- 1 (no autonomy)** | **0 (balanced situation)** | **1 (full autonomy)** |
|---|---|---|---|
| **Competences** | | X (see explanations below) | |
| **Negotiating power** | | X (see explanations below | |
| **Financial resources** | X | | |

"Pays" on their own do not have any specific competences except if a dedicated structure has been created to manage the project. In that case, the local authorities can decide to transfer some of their competences to the "Pays" level. But generally, the "Pays" dimension is the one to establish the project of territorial development and not the one to have in charge the financial and operational management, which is the role of the local authorities at municipal or inter-municipal levels.

The negotiating power of the "Pays" towards the Regional authorities and the State is determined by the Region competence in terms of spatial planning and by the bargaining between the State and the Region when dealing with the "Contrat de Plan État-Région", particularly when dealing with the money issue. The role of the "Pays" is more to propose but their means of negotiation can be considered as relatively limited.

4. Which kind of relations are there between the different levels: hierarchical (top-down), cooperation, coordination, OMC, conflictual? Are we in a regulated or a contractual context? Are there overlap of competences?

A double interaction can be identified here based on a contractual framework. Firstly, the bargaining relation between the Central State and the Regions; secondly, the relation between the Regions and the local authorities involved in a "Pays" project. Consequently, even if the first relation has some consequences on the "Pays", a direct relation can be identified in between the local ("Pays") and the regional levels. Naturally, this relation can vary from a Region to another according to the level of involvement of the "Conseil régional" in the Pays policy. As a whole, it can be said that, for financial reasons, the relation between the Region and the "Pays" is rather vertical but in some cases the "Conseil régional" can have a role of coordination of the different "Pays" projects, dealing for instance with the adjustment of their perimeter or in helping to develop their own expertise.

5. What non-public actors are involved, and in which way? Is there any cooperation/ coordination, dialogue, etc, between actors from different territorial levels?

**Table n° 5 – Cooperation/coordination, dialogue between actors**

| | **- 1 (inexistent)** | **0 (balanced)** | **1 (permanent strongly integrated part of decision making)** |
|---|---|---|---|
| **Cooperation** | | X | |
| **Coordination** | | X | |
| **Dialogue** | | X | |

NB: For other aspects see text below.

The non-public actors involved thanks to the "Conseil de développement" are actors of the cultural, economic and social fields (association leaders, actors of the local economy…). As members of this consultative body, they participate to the elaboration of the territorial project in relation with local elected representatives. They must also be informed of the implementation of the project. Their role is consultative. That can open the way to cooperation between actors (public-private, private-private). It is a way for the local elected representatives to better know the actors of their territory and even of the nearby areas. It is also a way for the actors involved to better coordinate their actions knowing what each other is doing inside and sometimes outside the territory. The relation with the economic actors can also be a way to take into account issues at other scales than the one of the local territory.

In spite of the legal consultative nature of the "Conseil de développement", some of them have a more important role than other as far as they take part to the decision. An article published in 2000 in the *Gazette des communes* (GAZETTE DES COMMUNES, 2000) give some examples of a more proactive role: evaluation of the programmes, information and communication, call for expertise, training and even selection of the projects.

6. Conflict resolution: are there formal or informal mechanisms to deal with conflict? Is there a main actor in those mechanisms? Is it possible to appeal against the decision?

The conflicts in between the "Pays" and the Departmental, Regional or State authorities can mainly be identified in two fields: the definition of the territorial limits of the Pays and the bargaining on the financial contributions of the Region (inside the "Contrat de Plan État-Région") and the State.

Formally, the "Conseil régional" and the "Conseil général" validate the perimeter and the project of development ("Chartre", see National Overview) and on this basis the Prefect of Region validate the perimeter.

The informal processes are mainly of a political nature and they are linked to the regional political context (relations between the Region and the Department and between the Pays and these sub-national and sub-regional authorities).

7. Is there one (easily identified) body ultimately responsible (held accountable)? If yes, which one?

Related to what have been said before, the ultimate decision is generally taken after a bargaining process. It can be considered that it is a kind of shared process of decision. Consequently, it is difficult to identified one body responsible for the decision in a vertical perspective.

**II: Horizontal relations during processes of public decision-making in the case study (effectiveness, coherence, accountability, openness):**

Horizontal relations among territories, coordination of territorially based policies, multisectoral or integrated policies approaches

1. Which are the municipalities with the closest relations in the case study area?

They can be municipalities on their own or municipalities gathered in an inter-municipal structure taking part to a "Pays".

2. What are the types of relations among the territories involved (integrated policies, coordination, cooperation, dialogue, conflict, non relations)?

**Table n° 6 – Types of relations among the territories involved**

| | **- 1 (inexistent)** | **0 (balanced)** | **1 (permanent strongly integrated part of the decision making)** |
|---|---|---|---|
| **Integrated policies** | | X | |
| **Cooperation** | | X | |
| **Coordination** | | X | |
| **Dialogue** | | | X |
| **Conflict** | | X | |
| **Non relations** | | X | |

The territories involve in a "Pays" are the ones of the municipalities and / or of the inter-municipalities. The policies developed in the framework of the "Pays" can range from a list of actions which refers to specific sub-areas of the pays (municipalities and inter-municipalities) to selected integrated policy in topic of a general interest for the "Pays" as a whole. There is a diversity of situation links to factors describe below.

The coordination action can be linked to the establishment of relations between infrastructures, equipments and services to better their efficiency at the scale of the "Pays". Cooperation has to be seen as a way to avoid redundancies in public actions and to make bigger investment. Naturally, the dialogue can take place *a minima* thanks to the use of the basic instruments which are compulsory by law as the "Conseil of development". Nevertheless, the local dialogue relies very much on the personality of the local actors particularly the local political leaders.

The case of conflicts or non-relations can be identified when the perimeter of the "Pays" has been imposed by regional or sometimes State authorities (Prefects). The situation then is the one of local actors without any will to cooperate. It can also be linked to changes in local politics.

3. Due to what type of factors (infrastructural, institutional, social, cultural, etc)?

As point it out above, the type of relations vary from one "Pays" to another. That can be explained by the rather flexible legal framework. It also depends on:

- the type of issues which need to be tackled thanks to the "Pays" type of organisation;
- the scale of action (example: management of water supply);
- the fact that the theme to be treated need to involve actors which are not local representatives (example: local economic development).

What is more, the implementation can vary from one area to another essentially due to the regional tradition in terms of local development.

4. Is there a mechanism for coordination? and specifically:

There is no formal mechanism for coordination. It depends largely on the type of relations between the local authorities and between them and the actors involved in the "Conseil de développement". It can vary largely from one place to another.

5. Is there any mechanism for coordinated spatial planning for the area (statutory or not)? If not, what is a possible explanation?

The "Pays" by itself is not dealing with spatial planning issue. The location of the projects is generally not taken into account. Nevertheless, it is possible for a "Pays" to deal with spatial issue as far as a collective decision is taken to realise a "Schéma de cohérence territoriale" (SCOT). The SCOT is a planning document, which indicates where the projects should be located and how (see National Overview for details).

In 2003, 50% of the "Pays" including a "communauté d'agglomération" (see National Overview for definition) were working on the realisation of a SCOT, which can be considered as a will to think about the future spatial organization of a larger urban area. For instance, urban "Pays" as the one of Lorient (Morbihan) or the one of Rennes (Ille-et-Vilaine) are working in that direction. But rural "Pays" as the one of Brocéliande (76 517 inhabitants, main urban area, Montfort-sur-Meu, 5 412 inhabitants) can also be quoted here as an example.

Some rural "pays" are preparing a SCOT mainly to counterbalance the influence of the nearest urban area; when a "pays" is under the influence of two urban areas the spatial planning question is sometimes politically difficult to handle.

6. Is there territorial integration of policies or policy packages (cross-sectoral approach)? If yes, what kind?

**Table n° 7 – Territorial integration of policies or policy packages**

| | **- 1 (non existent)** | **0 (fair experience)** | **1 (main way of acting)** |
|---|---|---|---|
| **Integration of policies** | | X | |
| **Policies packages** | | | X |

Dealing with territorial integration of policies, the local development projects can range from a mere list of actions to a negotiation on their location.

The project of development (called "Charte", see National Overview) are by nature policy packages as far as their aim is to tackle all the development issues of the local territory.

7. In case of territorial integration, what about conflict resolution: are there formal or informal mechanisms to deal with conflict? Is there a main actor in those mechanisms?

As far as the "Pays" can be composed of different municipalities or inter-municipalities, the conflict resolution issue is mainly political in between local elected representatives. When a dedicated structure rules the "Pays" the decision can be taken in this framework on a democratic basis (majority rules).

A source of conflict can be identified between the local elected representatives and the "Conseil de développement" as far as the first ones are generally rather reluctant to share their power with a non-elected assembly. It depends on the local representatives and on their vision of the local development process to give an important role to the "Conseil de développement" or to avoid any interferences with the local political process.

8. Is there one (easily identified) body ultimately responsible (held accountable)?

The often complex structure of the "Pays" – the average number of municipalities is 78 and the average number of inter-municipality is 6 by "Pays"[12] – make it difficult to identify a ultimate or a single responsible. Naturally, the task is easier when a dedicated public structure has been created to pilot the local "Pays" policy. But, even in that case, as far as the dedicated structure are more focused on the project building aspects than on the operational matters (which are generally the task of the local authorities taking part to the project: inter-municapilities or municipalities), it is difficult to identify a ultimate responsible.

9. If there is a thematic approach (sectoral), are all the territories concerned involved in the decision making process?

The thematic approach is defined by the "Pays" themselves on the basis of the evaluation of the issues the territory has to face. The themes constitute headings for different actions developed in the same field of action (themes).

[12] Source : www.projetdeterritoire.com

The different municipalities and / or inter-municipalities are formally involved (vote) in the decision making process.

10. In which way (which process – cooperation, coordination, subsidiarity, partnership, contract …-, which actors (public, private, civil society…) involved? Is there supra-municipal cooperation for planning?

The definition of the development project is negotiated between the different municipalities. It can be considered as a contract. That can give way to cooperation and coordination of local policy or also to a mere sharing of project and money in between the municipalities. From that point of view, that can vary from a "Pays" to another. The principle of subsidiarity can be identified in two cases:

- first, when a dedicated public structure has been created to manage the "pays" policy at local level with real competences to act at the "Pays" scale;
- second, when one of the local authorities (municipality or inter-municipality) has been collectively chosen to realise some specific action at the "Pays" scale.

Partnership can be identified between local authorities in the framework of the "Pays" when some of them decide to realise and to finance common projects. It can also be the case when the local forum ("Conseil de développement") involves actors of the economy. It can be a way to initiate public-private partnership.

The question of supra-municipal cooperation for planning is a difficult one as far as the project of development is not generally a document with a spatial planning ambition. Nevertheless, some "Pays" have integrated this issue, notably with the perspective to realise a SCOT (see National Overview and Point 5 above).

11. Conflict resolution: are there formal or informal mechanisms to deal with conflict? Is there a main actor in those mechanisms?

They can be both, formal or informal. In the case of a dedicated structure, that manages the "Pays", the decisions taken are validated thanks to a democratic process (vote). When there is no dedicated structure is more a bargaining process between the municipalities and/or the inter-municipalities.

The conflict can also come in the relations between the local elected representatives and the local forum ("Conseil de développement"). When it is happening, as far as the "Conseil de développement" is mainly a consultative body, the power of decision still the one of the local elected representatives.

12. Is there one (easily identified) body ultimately responsible (held accountable)?

Naturally, in the case of a dedicated structure it is easier to identify a body responsible for the management of local "Pays" policy. When no formal structure exists, the responsability is spread between the different local authorities, that make it more difficult to identify a body responsible for the management of the project.

**III Participation, openness**

A: Public (non-governmental) participation in the processes of decision-making, and the implementation of decisions

1. Are there specific mechanisms or instruments to involve civil society or the private sector (cf part II, II A 6) in the decision-making process, or in its implementation?

The instrument is the "Conseil de développement".

2. What kind of mechanisms: ad hoc meetings, consultation, referendums, public inquiries, etc?

The "Conseil de développement" is an organ, which is compulsory to create in the framework of a "Pays". Nevertheless, the legal requirement is only to call it to inform its members on the project and on the way it is implemented.

In reality, different local situation can be identified: from a simple formal call to present and validate what has been done by experts and negotiated between local authorities, to a real role of proposal and expertise (in the framework of thematic commission for instance); and even in the involvement of the general public.

3. Are the mechanisms statutory?

The organ ("Conseil de développement) by itself and its basic role are statutory as far as they derived from the law. Nevertheless, on this basis, the real mechanism depends very much on what the local actors, precisely the local representatives, are prepared to do. Nevertheless, it has to be said that a quite important share estimated to 60% of the "Conseil de devéloppement" has adopted formal rules for their organisation[13].

4. Are the results of the mechanisms binding? In what way?

**Table n° 8 – Binding mechanisms**

| | - 1 (non binding) | 0 (soft binding) | 1 (strongly binding) |
|---|---|---|---|
| Are those mechanisms biding? | X | | |

The final result is not binding as far as the final decision relies on the democratic process of validation inside the local elected bodies (municipalities, inter-municipalities).

[13] source : Entreprises, Territoire, Développement, 2005

5. Are those mechanisms and instruments effective?

Table n° 9 – Effectiveness of mechanisms and instruments

| | **- 1 (non effective)** | **0 (fairly effective)** | **1 (extremely effective)** |
|---|---|---|---|
| **Are those mechanisms and instruments effective?** | | X | |

a. Are significant and representative numbers of people participating?

The number of people participating to the « Conseils de développement » can vary largely from one to another. More than the half (51%) are composed by 50 to 100 people; 10% by 100 to 150 people; 5% by 150 to 200 people; and 6% by more than 200 people. 28% are only composed by less than 50 people. Their size is then relatively modest compared to the average population of the "Pays", 72 390[14].

In three fourth of the cases, the choice of the members has been done in relation with the local elected representatives and sometimes directly by them. What is more, 63% of the "Conseil de développement" have local elected representatives as members. Consequently, the "Conseil de développement" are closely linked to the local elected authorities, in spite of their role to represent the civil society. Nevertheless, a recent enquiry, shows that 35% to 40% of the "Conseil de développement" tends to consider the participation of local association and inhabitants as strong. Only 17% of them consider the one of the local elected representatives as strong. The lowest participation seems to be the one of local economic actors[15].

b. Are demands taken into account when making decisions?

The situation can vary from one "Pays" to another. In some cases, demands from the "Conseil de développement" can be taken into account as far as it has a real role in the decision making process when elaborating the development project (to the selection of operation) but most of them have only a consultative role[16].

c. Are actors involved in the implementation?

After the building of the project of development, the role of the "Conseil de développement" tends to diminish strongly by a lack of financial means and / or a disagreement between the local elected representatives on the role the "Conseil de développement" should play[17].

[14] Entreprises, Territoires, Développement, 2005
[15] idem
[16] idem
[17] idem

6. Are there possibilities for non-governmental actors to influence public decisions thanks to participation process?

**Table n° 10 – Possibility for influence**

| | **- 1 (no possibility)** | **0 (fair possibility)** | **1 (strong possibility)** |
|---|---|---|---|
| **Possibility for influence** | | X | |

When nothing it is said on the role of the "Conseil de développement", this one can at least been used as a "tribune" for the non-governmental local actors. By and large, it can be said that the basic opportunity for local actors in the framework of the "Pays" is to try, through the "Conseil de développement", to influence the public decisions.

7. Or is it a mere formality, with no real impact?

As said before, in some cases it can be a mere formality, notably in cases where the "Conseil de développement" is gather at the end of the process of the elaboration of the project without having been involved in the all process of elaboration.

8. Who is participating?

The local association plays an important role in the "Conseils de développement". Actors from the local economy and sometimes experts are also participating to the "Conseils de développement". The inhabitants can be mobilized thanks to specific actions and according to the different power the "Conseil de développement" has.

9. Which interests are best represented? Are interest groups easy to identify (i.e. is it possible to identify lobby activities)?

It appears that the association have a strong capacity to express their views but with the risk to be over-represented compared to their real weight in the population. Then the "Conseil de développement" would be less an organ that is supposed to represent the civil society than a "tribune" for lobbies – in that case local associations -. This analysis is the one of an important part of the local elected representatives, which tends to consider the "Conseil de développement" as a counter-power to their own power.

10. Which part has the participation process in the decision making process?

**Table n° 11 – Participation process / decision making process**

| | **- 1 (not very important)** | **0 (important)** | **1 (extremely important)** |
|---|---|---|---|
| **Part of the participation process in the decision making process** | X (see explanation below) | | |

The use of participative process has to be related to the relative power the "Conseil de développement" have both in financial and political terms to develop that kind of process. It can then vary from one place to another.

11. Are there actors, or some of them, coordinating their efforts?

**Table n° 12 – Coordination between actors**

| | **- 1 (no coordination)** | **0 (coordination is existing)** | **1 (coordination is the main part of the decision making process)** |
|---|---|---|---|
| **Actors coordination** | | X | |

The answer to this question would imply a case by case study. At the national scale, (sometimes at regional scales) different organisations[18] are dealing with the different "Pays" issues in order to create networks of actors and experiences to coordinate their efforts.

12. Are there actors appearing for the first time involved in this process of participation (eg an organised citizen group, or an existing representative group, usually involved in other areas, cf part II, II A 7)?

The "Conseil de développement" is a rather innovative instrument in the process of shaping development and spatial planning policies. What is more, in the French political context quite awkward on participative process, it can be said that the "Conseil de développement" inaugurated in a more formal and transparent way the possibility of expression for actors in the field of territorial policies. That does not mean that this actors or group of actors (association) did not have any influence on the political decision before.

13. Are there actors, which should be involved in the process, but are not?

The non-involvement of certain actors, even if they should be clearly associated is possible as far as the composition of the "Conseil de développement" is largely dependant on local authorities.

[18] For exemple : « Union nationale des associations de développement local » (UNADEL) ; « Entreprises, développement, territoires » (ETD), « Mairie-Conseils »…

14. Are there actors "mobilizing" (very active) the territory (civil society protest, pressure groups, political leaders, planners, business leaders, trade unions, etc) further than participation? If yes, by what means (a specific project, a spatial vision, etc).

It is clear that the local dynamic is often linked to the personality of a local political leader and to its commitment and understanding of local development issues. Local association can also play a very pro-active role.

B: Openness

1. What has been put in place for openness? What type of mechanisms or instruments? (agencies for information, law on administrative transparency…)

Information on the action of the "Pays" varies from one place to another. When an important role is given to the "Conseil de développement" this one can have a role of delivering the information to actors involved and to the public.

2. Are those mechanisms or instruments known to the actors concerned by the decision (the stakeholders), and can they be used by them?

**Table n° 13 – Knowledge of mechanisms or instruments by the actors**

| | **- 1 (no)** | **0 (fairly)** | **1 (yes, intensively)** |
|---|---|---|---|
| **Mechanisms and instruments knows by the actors** | | X | |
| **Used by the actors** | | X | |

NB: see above to understand the non-answer.

3. Were those mechanisms and instruments used? With which results?

Some "Pays" – the one who give an important role to the "Conseil de développement" - have really getting into a process of involving actors and inhabitants in the elaboration and in the implementation of the project of development.

4. Is the information accessible to the general public? Is there communication with the public?

**Table n° 14 – Accessibility of information**

| | **- 1 (no)** | **0 (fairly)** | **1 (yes, extremely)** |
|---|---|---|---|
| **Information accessible** | ?? | ?? | ?? |
| **Communication** | ?? | ?? | ?? |

NB: see above to understand the non-answer.

5. Is there any mechanism to involve actors who should be involved but are not participating (lack of time, interest, knowledge, etc)? (If possible, give a socio-economic profile of these non-participating actors)

The more difficult issue is to involve the general public. As far as the "Conseil de développement" is organised with a little number of selected actors coming from different socio-economic fields, it is important to find ways and means to get closer in order to promote interactions between the general public and the "Pays". That is for some experts an important question which some "pays" has just started to deal with. The link can be done thanks to the action of the members of the "Conseil de développement" who share their knowledge and information in their field of activity (example: Trade unions leaders). The "Pays" can also organise territorial commission in order to meet the local population or to have relation with some local elected representatives who play the role of a convey belt towards their electors.

6. Are there any resources (financial and/or human) made available to those instruments?

The financial means given to the "Conseil de développement" are limited according to the organisation "Entreprises, Territoires, Développement". According to this organisation, 56% of the "Conseil de développement" do not have any financial means of their own (ETD, 2005).

7. Have specific agencies been created for the management of a policy, including openness to the public?

No information on that aspect. The answer should be probably not.

**V Outcomes (policies, strategies, partly refer to matrix 'integrated policies'): decisions and implementation**

A: The decision(s):

1. Was it possible to reach a decision?

It can be considered that the achievement of the contractual process (contract between the "Pays" and the Region) it is the "decision". From that point of view, on 344 counted "Pays" in June 2005, 231 have signed a contract, that is a rather good proportion.

2. How was it reached? Who took the final decision? Was it a top-down decision in the end, or were local actors active and influent in the elaboration of the decision or the strategy?

As already point it out, the way to elaborate the project of development, basis of the contractual process, can vary very much from one place to another. From very formal processes where the "Conseil de développement" is only a formal assembly which role is to validate decisions already taken by local elected representatives, to active participative processes where the "Conseil de développement" is organised in thematic commissions working on proposals, that are discussed and integrated in the final project. In some cases the

"Conseil de développement" can also have a role of link between the local politicians and the public.

3. Were the agreed policies and strategies a short-term, one thematic (sectoral) decision? Or were they the result of a pluri sectoral approach? To which point? Was it possible to elaborate integrated policy package and/or a spatial common vision?

The strategy agreed on is a long-term strategy as far as the project of development ("Charter") has a prospective dimension (15 – 20 years). The contract signed on this basis it is linked to the regional "Contrat de Plan État-Région" of a seven years period. By nature, the project of development is pluri-sectoral. The process of elaboration begins with a general study on the main issues of the territory. On this basis, policies and strategies are decided. The main policies fields are tourism, environment, public services, local trade, transports, access to new technologies and also sustainable development, identity, training and employment (LA GAZETTE DES COMMUNES, 2003). Consequently, the policy package is though to be integrated that does not mean that sometimes it is not the mere result of a bargaining process between local politicians. Relatively to spatial visions as said before the Pays project of development does not include generally a spatial dimension. In general, no spatial policy documents are provided. Nevertheless, the common spatial vision can be related to the work to identify the issues of the territory as far as they are often of a spatial dimension (use of maps, of images, representations…) and also to the reference to a territorial identity.

4. Was there any integrated planning (within an FUA, metropolitan area, 'inter-municipality' area) or territorial policy coordination? Was there a capacity to "integrate and shape (local) interests… and to represent them to external actors" (cf Le Gallès citation in FIR)?

The local project of development is by nature an attempt towards territorial policy coordination. It can be considered at various degrees that this operation aim to « integrate and shape (local ) interests » in order to build a dialogue between the "Pays" and external actors (in the negotiation with the sub-regional authorities but also to promote a certain image for external relations and attractiveness).

5. What was developed in relation to spatial planning?

In some cases the local project of development ("Charter") contains some spatial considerations. Some "Pays" are also thinking about a SCOT or are totally or partly integrated in the SCOT of urban area[19].

6. Is it helping EU territorial cohesion?

Territorial cohesion is one of the key word of the 1999 law on "Pays". The aim of the pre-study (before the elaboration of the project) is to identify a coherent territory in geographical, cultural, economic and social terms. It can be said that it is an attempt towards a territorial cohesion at local levels even if other element interferes with that process, notably the ones of a strictly political nature. Dealing with the results is a difficult task as far as the contracts run until 2006.

[19] See Part II, section II, point 5

7. What about the "sustainability" of the policy (social, economic and environmental aspects)?

Similarly as above, the general framework of the "Pays" was a law on spatial planning and sustainable development. It has been inspired by the French Green Party (the leader of the Green Party, Dominique VOYNET was by then, Minister of Spatial Planning). The method is by and large taken from the local development approach, that implies a balanced use of local resources to the benefice of local populations. Saying that, it is difficult to assess whether or not these principles have been integrated in all the local policies. Nevertheless, as said before, "sustainable development" is often used as a concept in the local project of development (GAZETTE DES COMMUNES, 2003). From a more general point of view, it can be said that at least, through the specific method of project building, "sustainable development" can be considered as a perspective.

8. What relations are there to EU strategies, rules, policies, funding in general?

According to interviews with experts[20], the European dimension of the "Pays" policy is weak. There are no direct relations in between the EU strategies, rules and policies and the "Pays". The *Leader* programme is by and large disconnected of the "Pays" policy. Nevertheless, elements of the projects of development can be funded by European funds but it is more a question of opportunity than a question of strategy.

9. What relationship is there to the ESDP, in particular?

See above.

10. What is a possible explanation, and what are the consequences?

Possible explanation can be the local dimension of the project and the fact that the European policy is more a regional matter than a local one in France.

There are no clear European tools at the local levels and the ones that exist are not directly articulated to this national policy.

B: Implementation

1. What decision on implementation was taken?

The implementation is done through a more or less formal dialogue between local authorities (municipalities and inter-municipalities). The form depends on the structures chosen for the implementation of the project: from informal dialogue when no dedicated structures is in charge of the "Pays" to formal process of decisions when a dedicated structure exists.

[20] see Part III, point 1

2. Which interests were best taken into account?

At the stage of implementation it can be said that the local elected authorities interest prevails, but it depends also on the different elaboration process that can imply to a different extend the civil society and the general public.

3. Who is in charge of implementation? Are there specific "governance" modes for implementation?

The local elected authorities are in charge of the implementation. At this stage, the minimum requirements of the law are to inform the "Conseil de développement". Again, the involvement of the "Conseil de développement" at that stage can vary from one place to another from the respect of basic legal requirements to real participation to the re-orientations of the actions.

4. Which groups benefit from the implementation?

Difficult to say.

5. Which groups loose from the implementation?

Difficult to say.

6. Who is financing the implementation? Who is controlling the allocation of resources?

The contractual form implies different sources of funding through the "Contrat de Plan Etat-Région" (State, Regions but also departments) and the contribution of local authorities. The allocation of resources is controlled mainly as far as the "Contrat de Plan État-Région" is concerned by the State and the Region. Local authorities control the type of project and decide the amount of money they want to invest in.

# Part III: Governance failures and successes

1. Based on interviews with experts[21], what is the general understanding of the case? Is it considered a success? In which aspects?

The experts tend to think that the "Pays" policy is a good experiment to change the relations the local elected representatives have towards the civil society and form a good balance between representative and participative democracy. The "Pays" policy has introduced non-

[21] Experts :
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- Mr. Gilles REY-GIRAUD, Chargé de mission, Entreprises, Territoires et Développement, Tel. : + 33 (0)1 43 92 67 96, email : g.rey-giraud@etd.asso.fr
- Mr. Stéphane LOUKIANOFF, Coordinateur, Assocation Générons enseoble des acteurs pour de nouveaux territoires solidaires (GEANTS), Tel. : + 33 (0) 20 88 33 52, email : sloukianoff.geants@tele2.fr

elected actors in the process of decision-making and the identification of functional territories instead of only political ones. Nevertheless, this evolution is not the same from one place to another and this process is still somehow fragile mainly because of the lack of confidence local actors have in the long term involvement of the State and sometimes of the "Conseil Regional" in this policy. The experts identified a certain weakness of the "Conseil de développement" in the sense that if their role is quite clear when elaborating the project of development, their role in the implementation is unclear. At that stage, they identified a kind of demobilization of the members of the "Conseil de développement" because the nature of the relations between elected and non-elected persons does not really change. Some local political leader tends to consider the "Conseil de développement" as an expert comity and not as a link towards a broader public. This aspect is anyway rather difficult to deal with as far as no satisfactory solution has been found to involve the local population even if some local experiments try to tackle this question. The projects of development ("Charter") are considered as good and ambitious projects associating different territorial actors but the funds available does not always permit to realize the actions. The problem relies often on the lack of support from the State and regional level (regions, departments).

2. Do you agree with that understanding? Is it an example of governance practice (cf part II, IV)? In what sense?

The understanding of the key experts summarized above give a good concise opinion on the stage in which the "Pays" policy is. It can be considered as an experiment to introduce at local level elements of governance, even if the example still incomplete and somehow fragile. For local elected representatives it is a challenge as far as they have to consider their role more as "territorial managers" than as leaders without any power to counterbalance their decisions. Nevertheless, there is some irony to consider that that kind of process is promoted at local level and not at regional and national ones…

The experts also underline the fact that in a unitary State as France, it is important for local actors to have a clear view on the policy perspective at national level, that not seem to be the case today as far as the "Pays" policy is concerned.

3. Were the new ways of territorial governance successful

    - Was it possible to build a consensus? On what basis (consensus, MOC, partnership, contract, etc)?

As far as the institutional contractual form can be considered as a final consensus building, it can be said that in most of the cases a consensus was reached on a contractual basis.

    - Was it possible to agree on the contribution of each partner/stakeholder involved?

The contractual form implies a basic definition of the contribution of each partner/stakeholder. Nevertheless, as said before, the place and role of the "Conseil de développement" members, their relations to the elected local representatives and to a larger public still to be defined in a number of cases.

    - Could they achieve "negotiated and shared rules" in a "governance" mode (consensus, shared vision)?

The national picture of the "Pays" policy is rather fuzzy when it comes to definition of rules. The general picture is more the one of different local situations or of a certain confusion.

- Was it possible to achieve an integration of the territorial action (among sectors, actors, instruments, networks, levels, etc)?

As said before, the local project of development is by nature inter-sectoral and multi-actors. It can use different instruments and relies on supra-local levels (department, regions, state). The territorial dimension is important in the sense that the limits of the "Pays" has to be defined according to a certain cohesion in terms of culture, geography, history, economy… taking into account functional organization rather than political ones.

- Was it possible to reach a common spatial vision for the area of the case study?

The project of development is based on a pre-study dealing with the main issue of the "Pays". From that point of view, it can be said that this study held in every "Pays" has surely help to foster a common spatial vision.

- Was it possible to go on with implementation?

At the stage of implementation, the role of the civil society diminishes or even nearly disappears. The "Pays" policy tends to become at that stage a policy implemented by local authorities.

4. If no consensual decision could be reached, what solution, if any, was found?

Non relevant.

5. What were the main aspects of the new mode of territorial governance?

The main aspects of the territorial governance in the mainstream framework of the "Pays" policy are:

- formal involvement of actors of the civil society in the definition of the local project of development;
- new types of relations between local elected representatives and local actors;
- definition of a common territory of action;
- multi-sectoral approach of the project of development;
- systematization of contractual forms at local level.

6. Describe the main changes leading to new territorial governance (in relation to the previous situation) in the policy design and application phases?

At local level, the "Pays" policy could lead to a change in the relation between elected representatives and local actors. What is more the project oriented dimension of the policy lead to a definition of the territory in functional terms and also of a territory defined by the type of actions to be lead.

7. How old are these changes? What degree of relationship do they have with the ESDP and mainstream EU policies?

The changes in local territorial governance are recent as far as the main impulse to this policy has been given by the 1999 law and some contracts are not yet signed. What is more, they appear to be reversible or to lead to a more classical way of territorial management when the contract are signed.

The degree of relation with the ESDP and the EU policies is weak. An implicit link can be established thanks to the study of the project of development and their stress on sustainable development issues.

The EU policies can be a source of funds but do not seems, according to the experts, to have an important influence on the definition of local policies.

8. What about the "rapport de force" balance of power and power struggle? Were there obvious winners and losers as a consequence of the decision which was taken?

It cannot be said that the "rapport de force" has changed between the civil society and the local elected representatives. The last ones still have the bulk of the power. Nevertheless, the "Pays" policy can trigger interesting consequences on the way local representative look at and take into account local actors of the civil society.

9. Which groups benefited from the implementation?

The role of the local association is sometimes considered as more important than their real weight in democratic terms. Consequently, it is possible that local lobbies have benefited more than other groups of the Pays policy.

10. Which groups 'lost' due to the implementation? Were there mechanisms of compensation?

The "Conseil de développement" can be considered as a way to counterbalance the weight of the elected bodies. In that sense, it could be said that elected bodies have lost a part of their power. But, as said before, the whole process is still broadly an elected persons process. Their "lost" of power will depend on their will to abandon power to the "Conseil de développement".

11. Were there obstacles or barriers making it difficult to use governance practices and tools (cf part II, IV)?

Local elected representatives tend to be rather reluctant to abandon a part of their power as far as they consider to be the only ones to be legitimate due to the election process. The "Conseil général" (Departmental elected authority) have been also reluctant to put into practice the "Pays" policy because they have considered it as a challenge to their own local power and to the to the departmental limits (in case of trans-departmental "Pays"). Sometimes, the role played by the State at regional or local level (Prefects) has also been an obstacle as far as they promote "Pays" in the existing administrative territorial framework not allowing the local actors to make their own choices. But it has to be said that in some cases the local inertia of

local elected representatives as also be an obstacle to put into practice the "Pays" policy by itself.

12. Considering the processes and outcomes of governance, what are the main weaknesses and strengths (Strengths, Weaknesses, Opportunities, Threats - SWOT analysis)?

**Table n° 15 – "Pays" policy : SWOT analysis**

| STRENGTHS | WEAKNESSES | OPPORTUNITIES | THREATS |
|---|---|---|---|
| - National policy<br>- Contractual framework<br>- Territorial basis for action | - Not very formalized process as far as governance tools are concerned<br>- Rather inconstant view-point from the Central State<br>- Awkward involvement of regional and departmental authorities | - Shaping new and relevant territories for action<br>- Development of participative methods | - Back to normal process of decisions for implementation<br>- Diminishing interest from the central level |

13. Is the balance of the SWOT analysis changing over time?

After the 2002-2003 period of uncertainties, the legislator has renewed the "Pays" policy. Nevertheless, the central impulse seems to be weaker today than it was at the beginning of the process. At local level, the phases of implementation (after the signatures of the contracts) make uncertain the role of the "Conseils de développement" will have in the future. The "Pays" policy is still an uncertain policy even if it has been at local level a good experiment in a governance perspective.

14. What about future development?

It is difficult to assess the intention of the central government dealing with the "Pays" policy. It can be noticed that the 2003 law (see part I, point 1) seems to legitimate it again. The future development, as far as the "Pays" policy is concerned, will have to be considered at the light of the reform of the "Contrat de Plan État-Région" (main source of funds for the "Pays") by 2007. Dealing with governance issue, nothing it is said on a extension of the role of the "Conseil de développement". At present, it can only be said that the future is linked to the will of local actors and strongly to the one of the local elected representatives to go further in the governance direction.

# Case Study: Town planning instruments and dialogue in the urban area of Lyon (France)

## Part I: Context for the Case Studies

1. Political and institutional context, and any areas where there is currently or was recently change

Since the beginning of the 80's France has known a constant move towards decentralization. Dealing precisely with the institutional context of the case study that refers to urban and town planning policies, there are two crossing movements:

- one concerns national general laws considered as a way to regulate local initiatives, taking into account regional and local diversity in one hand; and trying to guarantee the principles of an equal treatment of citizen over the national territory in the other hand. They include urban chapters;
- the other concerns specific measures and laws to fight "urban crisis", called "politique de la ville".

Four main national general laws must be quoted[22].

- The Pasqua law ("Loi d'orientation pour l'aménagement et le développement du territoire", 1995) defines a positive discrimination on a territorial basis ("priority geography") with the "zones de redynamisation urbaine" (470 ZRU) and the "zones franches" on priority quarters.

- The Voynet law ("Loi d'orientation pour l'aménagement et le développement durable du territoire", 1999) reinforces contractual forms between State and local authorities. At a urban local scale, it exists two main forms of contract : the "contrat d'agglomération" composed of different projects to achieve dedicated to urban areas of more than 50 000 inhabitants organise as an inter-municipal local authorities (the projects are jointly funded in the framework of the CPER with different types of possible partnership); the "contrat de ville" that are dedicated to cities with urban areas which are facing specific urban problems (they are now included as part of the "contrats d'agglomération"). The "contrats de ville" generally implies many partners from different origins: governmental, administration, local authorities, association, public/private structures. Contracts are on a seven years basis (2000 – 2006). In the process of elaboration of the "contrat d'agglomération", it is compulsory by law to organize a local forum involving the civil society. The "conseils de développement" (CDC) have at least a consultative role to play. Nevertheless, in some cases, the CDC has been organised in working groups, mainly towards the realisation of the "contrat de pays", and has participated actively to the realisation of project of development, basis of the contractual method at a local scale.

- The Chevènement law ("Loi relative au renforcement et à la simplification intercommunale, 1999) incites the communes to create three types of communal groupings structures according

[22] Cf. 232 National Overview, part II, 4.1, p.17

to their demographic weight : “communautés urbaines” (> 500 000 inhabitants), “communautés d’agglomération” (> 50 000 inhabitants) and “communautés de communes”.

- The 2002 law (“Loi démocratie de proximité”): it is compulsory for cities of more than 80 000 inhabitants to divide the cities in quarters and to organise quarter councils which have to be gathered at least twice a year. They can propose projects to the municipality. They are composed by local elected members and by citizens of the quarters and local associations.

Dealing with the “politique de la ville” (urban policy) :
- the “Plan de relance pour la ville”(1993) defines the “contrat de ville” (214 contracts signed for the period 1994-1999).
- the “Pacte de relance pour la ville” (1996) establish “priority geography” with exceptional measures on three types of quarters: “zones urbaines sensibles”, “zones de rénovation urbaines” and “zones franches urbaines”.
- the “Plan de solidarité et de rénovation urbaine” (1999) defines an urban renewal programme composed of 50 GPV (“Grands projets de ville”) and 40 ORU (“Opérations de renouvellement urbain”, 30 have been added in October 2001). These operations are integrated in the “Contrats de ville” 2000-2006. These projects are global, with components of a social, economic, cultural, educational and urban dimensions.
- the “Loi Solidarité et Renouvellement Urbain” (loi SRU, 2000) creates new forms of urban government and town planning with the definition of four instruments : the “contrat d’agglomeration”, the “contrat de ville”, the “schéma de coherence territoriale” (SCOT) and the “Programme Local d’Urbanisme” (PLU). This law reinforces the obligation of dialogue with inhabitants. This law replace the law of land orientation of 1967. In 2003, the law “Urbanisme et habitat” tries to adapt the principles of this law for a better implementation.
- The Borloo law (“Loi d’orientation et de programmation pour la ville et la rénovation urbaine”, 2003) is a new attempt to fight against social and territorial urban inequalities with, for example, a new programme for urban renewal.

2. Type of territory - physical (rural, urban, etc) and geographical (trans-national, FUA, local, institutional, non-institutional …)

The geographical dimension of this case study is a functional urban area and metropolitan region.
The Lyon agglomeration has a crossing position between the North and the South of the national and European territories, on an historic and logistic axe organised by rivers and high-speed transport infrastructures (highways A6 and A7, high speed train). The relief of the Massif Central creates a limit to the West, whereas the East and the North is opened on a plain to the Alps.
Lyon is the second metropolitan area in France, with 1 648 216 inhabitants on 3 306 $km^2$ in 1999 (INSEE). The population represents 80% of the Rhône department (15% of the surface). By its place in the French and European urban hierarchy (population, functions and economic potential), Lyon can be considered as a medium-size “euro-city”. Since 1995, Lyon is associated with Barcelona, Genes, Turin and Milan to compete with North European cities. This cooperation supports, for instance, the Lyon-Turin high-speed train project.

Population has increased regularly since 1954 (930 000 inhabitants in 1954, +0,68% per year between 1990 and 1999). As the national tendency, population grows more in the periphery (different waves of peri-urbanization) than in the urban centre that reckons population loses.

A move towards counter-urbanization, since the middle of 1970's, can be noticed. Urban sprawl concerns more and more distant areas, with a dissymmetry to the East.

The Lyon agglomeration is organised as a polycentric urban area with different types of communes:

- First suburb communes with urban and economic development since early 20th.
- Second suburbs communes knowing since last decades an intense residential development.
- Distant communes (third suburb) knowing a recent residential development (since ten years).
- Secondary poles with administrative and economic functions increasingly included in the metropolitan area.

A new town was settled by the central State in the 70's in the East plain : L'Isle-d'Abeau (12 034 inhabitants in 1999).

The metropolitan area is facing the issue of its administrative limits. Indeed, it is sprayed over three different "departments": the Rhône (in central position), the Ain (North) and the Isère (East and South).

3. Spatial planning framework, and any areas where there is currently or was recently significant change

**Table n°1 - Principal planning instruments and local application[23]**

| Planning Instruments | Main Responsibilities | Territorial coverage | Role and Duration | Binding | Case study |
|---|---|---|---|---|---|
| "Schéma de services collectifs"(SSC) | State | National | Prospective (20/25 years) | | To a certain extend, yes. |
| "Directive Territoriale d'Aménagement (DTA)" | Prefects of department or region | Intermediary (regional, departmental or metropolitan) | Prospective (20/25 years) | Coherence with SSC and SRADT. | Since 1998. Consultative process in 2004 and public inquiry in 2005[24] |
| "Schéma régional d'aménagement et de développement durable du territoire (SRADT)" | Regional Council | Regional | Prospective (20/25 years) | Coherence with SSC and DTA | 1999-2020 |
| "Contrat de Plan Etat-Region"(CPER) | State and Regional Council | Regional | Planning (7 years) | Coherence with SRADT and DTA | 2000-2006 |
| "Projet d'agglomération" | Urban Inter-municipality | Agglomeration | Prospective (20/25 years) | Coherence with SRADT and DTA | |
| "Contrat d'agglomération" | Urban inter-municipality | Agglomeration | Planning (7 years) | Coherence with CPER | 2003-2007 on the territory of the inter-municipal organization "Grand Lyon" (55 communes) |

[23] cf. synthetic presentation out of national overview[23]. In the last column the declination for the case study of Lyon.
[24] cf http://www.rhone-alpes.equipement.gouv.fr/urbanisme/DTA/dtalyon.htm

| | | | | | |
|---|---|---|---|---|---|
| "Charte de Pays" | Pays | Urban/rural or rural Areas | Prospective (20/25 ans) | Coherence with SRADT and DTA | No |
| "Contrat de pays" | Pays | Urban/rural or rural areas | Planning (7 ans) | Coherence with CPER | No |
| "Schéma de cohérence territoriale" (SCOT) | Urban inter-municipality or Pays | Agglomeration or rural association of communes | Town planning | Articulation to the PLU | In process of being elaborated<br>Diagnosis in 2004-2005[25]<br>On a large territory including 5 inter-municipalities |
| "Programme Local d'Urbanisme" (PLU) | Inter-municipality or municipal | Local (Commune or agglomeration) | Town planning | Coherence with SCOT | In process of being elaborated<br>Dialogue phases (2003), public inquiry (2004)<br>on the territory of the inter-municipal organization "Grand Lyon" |
| "Contrat de ville"[26] | Urban intercommunity or urban commune | Local (Commune or agglomeration) | Planning (7 ans) | Integrated in the "contrat d'agglomération" | 2000-2006<br>on the territory of the inter municipal organization "Grand Lyon"<br>26 sub-areas concerned |
| "Plan de déplacements urbains" (PDU) | Urban intercommunity or urban commune | Local (Commune or agglomeration) | Planning | | Public inquiry (2004) on the territory of inter-municipality "Grand Lyon" + 11 associated communes |
| "Grand Projet de Ville" (GPV) | Urban intercommunity or urban commune | Local (Commune or agglomeration) | Town Planning (7 ans) | Integrated in the "contrat d'agglomération" | |

In this case study, we are dealing with five instruments of town planning[27]:

- "contrat d'agglomération" and "contrat de ville"
- "schéma de cohérence territoriale" (SCOT)
- "programme local d'urbanisme" (PLU)
- "grand projet de ville" (GPV)

[25] Agence d'urbanisme pour le développement de l'agglomération lyonnaise, 2004, *Rapport pré diagnostic. Etat des lieux du territoire du Scot. Premiers questionnements*, 309 p.

[26] For the study of case, the "contrat de ville" is named "contrat de ville de l'agglomération lyonnaise". It constitutes one part of the "contrat d'agglomération" (social cohesion and solidarity).
Cf: http://www.grandlyon.com/fileadmin/user_upload/Pdf/activites/urbanisme/Politique_ville/contratdeville.pdf

[27] Cf. National overview, Part I (3.3, p.14) and Part II (6.2, p.25).

4. Which territorial levels are involved in the case study?

**Table n°2 – Territorial levels involved in urban policy**

| Territorial levels | Types of actions | Instruments |
|---|---|---|
| European[28] | Directives and funds | DOCUP, PIC (Urban II) |
| National | Laws, regulation and funds | |
| Regional | Contracts, regulation and funds | SRADT, CPER |
| Local (urban intercommunity) | Diagnosis, definition of priorities, negotiation with other public actors (communal, regional and national), consultation of civil society, funds | "Contrat d'agglomération", "contrat de ville", "grand projet de ville", SCOT, PLU, PDU |

- European as far as the PIC Urban II sustains few projects in France. The objective 2 concerns 13 sites (124 395 inhabitants for 2000-2006).
- National as far as the urban policy ("politique de la ville") is regulated by laws and because of the funding by the State through several contracts ("Contrat d'agglomération", "Contrat de ville", "Contrat de Plan État-Région"[29]) and priority actions ("Grand Projet de ville[30] –GPV- for example);
- Regional as far as the "Conseil régional" takes part to the funding of the "contrat d'agglomération" thanks to the "Contrat de Plan État-Région";
- Local as far as urban policy has an important local dimension with the role of municipalities (responsible of the local part of contract) and inter-muciplaities (as "communautés d'agglomération" or, in the case of Lyon, the "communauté urbaine"[31], responsible of the agglomeration dimension).

5. What actors are involved, at which territorial level?

**Table n° 3- Actors involved in urban policy (for the case study of Lyon)**

| Actors involved | Level | Nature | Type of relations |
|---|---|---|---|
| Municipality | Local | Elected members | Cooperation |
| Inter-municipality (Grand Lyon) | Local | Elected members | Cooperation |
| Development council ("conseil de développement") | Local | Civil society | Cooperation or conflict according to the situation |
| Regional council (Rhône-Alpes) | Regional | Elected members | Cooperation, negotiation |
| Regional representant of the State ("Préfet de Région") | Regional | Nominated members and regional and local State administrations | Cooperation, negotiation |
| State | National | Elected members and central administration | Cooperation, negotiation |
| Europe | European | Elected members and General Direction "Regional Policy" | Cooperation |

[28] The Lyon's agglomeration benefited from an Urban programme (Est lyonnais) over the period 1994-1999. the programme came to an end in 1999 and was reimplaced by an Urban programme for the Grenoble's metropolitan area in the Rhône-Alpes region for 2000-2006.
[29] For the definition of these contracts, see National Overview.
[30] For the definition of this action, see National Overview.
[31] For the definition of these local structures, see National Overview.

The actors involved in town planning are elected members of the local authorities (municipalities, inter-municipalities), who take part in the project but also actors of the civil society thanks to their participation to the "Conseil de développement" organised as a local forum[32]. As far as the funding is coming through different sources, the regional actors ("Conseils régionaux" and the Regional Prefect – State representative -"[33]) are also involved.

Lyon benefits of a mature town planning experience. Lyon, like Paris and Marseille, is directly governed by a municipal council and by district councils ("mairies d'arrondissement"). Since 1967, the local urban government is also led by a powerful urban inter-municipality authority ("Communauté urbaine de Lyon").
The inter-municipality of Lyon (named "Grand Lyon") gathers 55 municipalities of 1,2 million inhabitants. The smallest has 849 inhabitants (Poleymieux) and the biggest 444 369 (Lyon).

The 55 municipalities have delegated to the inter-municipal organization three main competencies: town-planning and housing, urban services (waste, water and highway maintenance), and economic development. The "Grand Lyon" is a very integrated framework.

It exists also many partners for the local contracts. For the "contrat de ville", for instance :

- elected members at different levels: city of Lyon (central municipality), district municipalities ("mairies d'arrondissement"), inter-municipality ("communauté urbaine du Grand Lyon"), Regional Council, Departmental Council;
- State representative at regional and departmental levels;
- local and inter-municipal technical staffs;
- national institutions : Caisse d'Allocations Familiales (i.e. family allowance department) and "Fonds d'Action et de Soutien pour l'intégration et la Lutte contre les Discriminations" (national specific fund for integration and fight against discrimination).

For the "contrat d'agglomération", on top of these partners, one can quote several agencies referring to social building ("Association des Bailleurs et Constructeurs du Rhône" -ABC HLM -), employment ("Agence Nationale pour l'Emploi" – ANPE), public transports ("Syndicat Mixte des Transports pour le Rhône et l'Agglomération Lyonnaise" – SYTRAL), and public investment organization ("Caisse des Dépôts et Consignations").

6. What is at stake? What could happen in future?

What is at stake when dealing with contractual urban policy is local governance (i.e. new modalities of local government) and definition of town planning priorities.

Since 1980's, and even more since 1990's, French spatial planning policies are developed under a contractual framework. At local level, that relies on local inter-municipality.

Dealing with town planning issues, the contracts (notably the "contrat d'agglomération" and the "schéma de cohérence territoriale" –SCOT[34]) must define global way to manage urban evolutions efficiently (for example, how to control urban sprawl and how to define a polycentric scheme?).

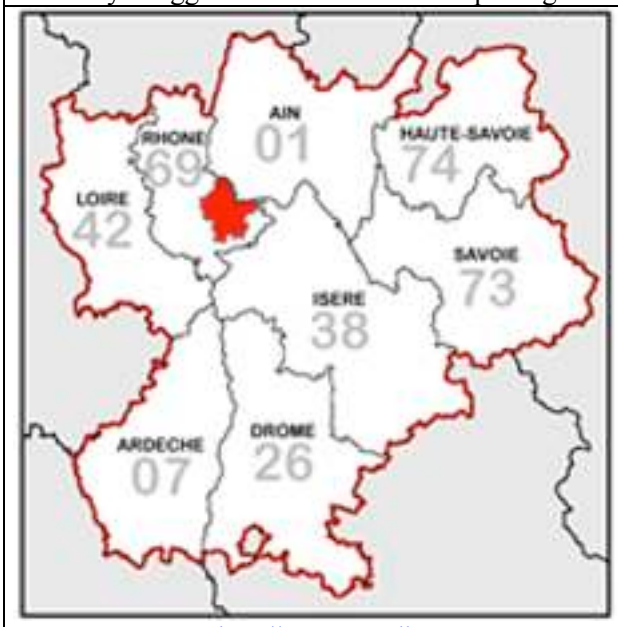
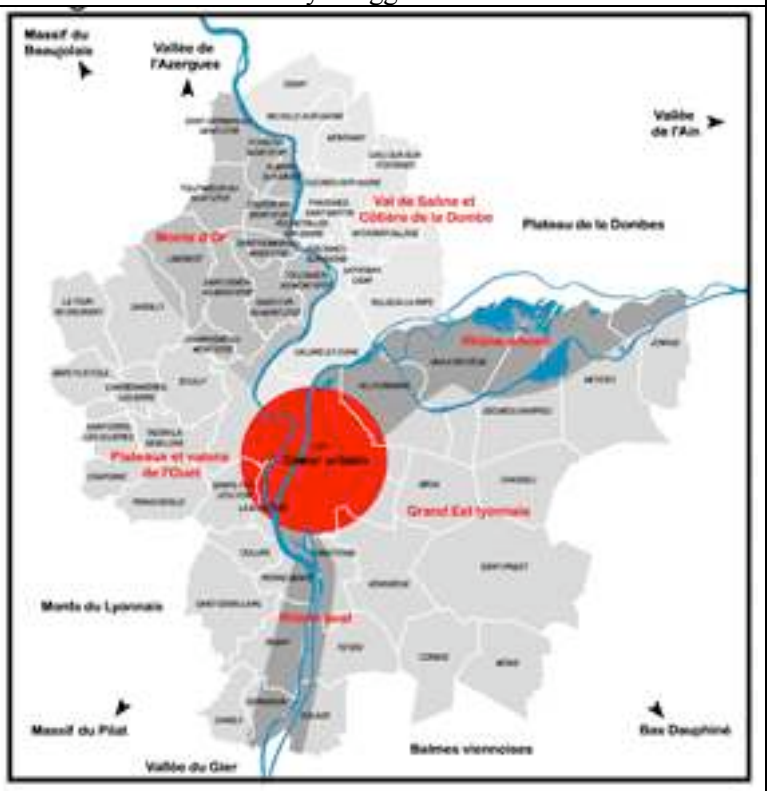
[32] See National Overview for more details
[33] For definition of Prefect of Region, see National Overview.
[34] The SCOT area is larger than the « contrat d'agglomération » area. It includes 5 urban intercommunities, including the Grand Lyon.

Several thematic projects are decided to promote in a coherent way spatial, economic and social development taking into account the environment. Consequently, the urban policy of the agglomeration of Lyon is made of several interconnected fields[35]: economic development, access to employment, training, education, but also public services, housing policy and culture, prevention of criminality and bettering of security, participation of the inhabitants.

These priorities are achieved thanks to specific thematic contracts, like "Programme Local de l'Habitat" (PLH) or "Plan de Déplacement Urbain" (PDU). It exists many different thematic local contracts.

If the different themes are included in a global urban project (integrated policies), one can observe more and more territorial integration at a larger scale that transcends local boundaries to an inter-urban regional area. The urban policy is now thought at a metropolitan scale that includes the other regional cities, like Saint-Etienne and Grenoble.

7. Map

| The Lyon agglomeration in Rhône-Alpes region | The Lyon agglomeration |
|---|---|
|  source : http://www.grandlyon.com |  source : http://www.grandlyon.com |

[35] Cf. Contrat de ville de Lyon 2000-2006, 2002, *La politique de la ville à Lyon*, 37 p.

# Part II: Thematic Sections: Key Aspects of Governance Identified in Case Studies

**I: Vertical relations during processes of public decision making in the case study** (effectiveness, coherence, accountability, subsidiarity)

A: Vertical multi-level (of territories) relations of governance ("MLG")

1. What roles does the central state play, both formal (legal, institutional) and informal (relational networks, unofficial pressure or bargaining…)?

The central State plays an important role as far as the urban policy derived from national laws[36]. Its role is also important in funding the urban policy. Indeed, part of the money to finance local projects comes from specific programmes (urban renewal). Another part comes from the "Contrat de Plan-État Region". Nevertheless, today, the role of the central State is more difficult to identify because of a lack of political investment in this policy at the central level. At regional level, the pro-active role of the State Prefect of Region Rhône-Alpes can explain the local dynamism of urban policy. Indeed, his role is central when dealing with European programmes.

2. What roles do the sub-national (infranational) levels play, both formal and informal? What kind of involvement is there from local and regional authorities?

**Table n°4 – Involvement from local and regional authorities**

| | -1 (not involved) | 0 (involved) | 1 (strongly involved, main actors) |
|---|---|---|---|
| Regional | | X | |
| Local | | | X |

The local authorities, both municipalities and inter-municipalities, are directly concerned by the urban policy. Indeed, they have elaborated the project and have decided the main priorities of actions. To finance their projects, they can use money of the State (general subsidies and specific funds), of the "Conseil régional" *via* the "Contrat de Plan État-Région", and, of course, money deriving from local taxes. The orientations are generally sufficiently broad for the local authorities to exert their right to choose the projects that seem to them the more appropriate. But the regional authorities can have a certain power on the definition and coordination of the project through the CPER in which the "contrat d'agglomération" and the "contrat de ville" are included.

The Regional Council plays an important part according to its formal role in terms of spatial planning at the regional level defining general orientations, notably when negotiating with the State the "Contrat de Plan État-Région" (CPER). So, in the last CPER (2000-2006), the Rhône-Alpes Regional Council participates up to 700 millions euros for the budget line named 'urban policy, housing, social and territorial solidarities' on a total of 8 396 millions euros (8,3% of the regional participation). At the same time, the State contribution is 1 339,5 millions euros (16% of State participation). The total line reaches 12% of the total budget of the CPER.

[36] cf. Part I.1

The intervention of the departments ("Conseil général"[37]) refers to its legal competence in social field. Its role is growing with the increasing role play by social measures in urban policy.

3. What kind of autonomy is there at the sub-national levels, in relation to competences, negotiating power, financial resources, etc?

**Table n°5 – Urban policy: competences, negotiating power, financial resources for the sub-national levels**

| | -1 (no autonomy) | 0 (balanced situation) | 1 (full autonomy) |
|---|---|---|---|
| Competences | | | X |
| Negotiating power | | X or … | …X |
| Financial resources | | X or … | …X |
| Other (specify) | | X or … | …X |

Since 1969, the agglomeration of Lyon is endowed with a powerful inter-municipalities structure, the "communauté urbaine", named "Grand Lyon". It is competent for town planning for 55 municipalities. It manages a specific budget to implement the political decisions. It has a technical staff, and runs a town-planning agency[38] in charge of general studies, diagnosis, elaboration of spatial planning documents in urban areas in relation with local authorities and the State (combination and adaptation of different general policies).
It is also competent for waste treatment, economic development and infrastructures.
The inter-municipal structure is also in charge of prospective studies. The "Mission de la Prospective et des Stratégies d'Agglomération" (DPSA) is also in charge of dialogue and networking in between actors of spatial planning and development.
The new law on decentralisation ("Loi sur les libertés locales", 2002) allows the urban community to broaden its competences in the housing field, sport facilities, cultural policies and on the management of European funds (management of structural funds).
The "Grand Lyon" negotiates with the other levels in charge of town planning, particularly the State and the Regional Council.

4. Which kind of relations are there between the different levels: hierarchical (top-down), cooperation, coordination, OMC, conflictual? Are we in a regulated or a contractual context? Are there overlaps of competences?

The effects of the decentralization process can be considered as the general picture in which new instruments of town planning are nowadays developed. The local, regional, national and European levels interact through these specific town-planning instruments in a contractual way.

Given the example of the "contrat d'agglomération", the coordination between different levels (including financial issues) can be dealt with. This contract was signed in 2004 by the State Prefect of Region, the Presidents of the Regional Council, of the Departmental Council and of the urban intercommunity ("Grand Lyon") for the period 2003-2007.

The total amount is 316,33 millions euros, shared as followed :
- State (93,74 millions, 29,7%),

[37] For definition of « Conseil général », see National Overview.
[38] For more details about actions of the Agence d'urbanisme pour le développement de l'agglomération lyonnaise, cf. http://www.urbalyon.org.

- regional level (63,25 millions, 20%),
- departmental level (33,3 millions, 10,5%),
- urban intercommunity (118 millions, 37,3%),
- concerned municipalities (7,97 millions, 2,5%).

The "contrat d'agglomération" addressed 5 priority fields :
- economic development (82,4 millions, 26%),
- public transports (bus) (60 millions, 19%),
- urban renewal (59,05 millions, 18,7%),
- territorial attractiveness and environment (29,35 millions, 9,3%),
- equipments and cultural attractiveness (28,8 millions, 9,1%).

5. What non-public actors are involved, and in which way? Is there any cooperation/ coordination, dialogue, etc, between actors from different territorial levels?

**Table n°6 – Cooperation/coordination, dialogue between actors**

| | -1 (inexistent) | 0 (balanced) | 1 (permanent strongly integrated part of decision making) |
|---|---|---|---|
| Cooperation | | X | |
| Coordination | | X | |
| Dialogue | | X | |

The "Grand Lyon" wants to initiate and develop a closer dialogue between elected representatives and inhabitants of the metropolitan territory. One of priorities is to allow inhabitants to take part to diagnosis and decisions. This new methods of government involving non-public actors is largely promoted in the framework of the "contrat de ville de l'agglomération lyonnaise"[39].

The "conseil de développement" (CDC) has been created by the "Grand Lyon" in December 2000 (one of the first to be settled in France). It is a tool to promote dialogue between elected representatives of the urban community and the civil society. The CDC is a consultative institution.

It is composed of 500 representatives of the civil society (citizens, economic, social, cultural and associative actors). It is organized freely. The number of persons involved can vary over time : some can join it or leave it without any kind of formal constraints. Nevertheless, 50 members take part to the CDC on a compulsory basis: representatives of political and social institutions, trade unions. Other members are voluntary citizens.

In accordance with the principles of participative democracy, the "Grand Lyon" seeks to develop a culture and a practice of dialogue beyond legal obligatory frame in order to take into account citizen opinion. This is why the "Grand Lyon" has adopted in 2003 a citizen participation charter ("charte de la participation citoyenne"[40]).

[39] Cf. Communauté urbaine de Lyon, 2000, « La place des habitants », in *Contrat de ville de l'agglomération lyonnaise*, pp. 140-144.
[40] Cf. http://www.grandlyon.com/charte-de-la-participation.1376.0.html

6. Conflict resolution: are there formal or informal mechanisms to deal with conflict? Is there a main actor in those mechanisms? Is it possible to appeal against the decision?

Conflicts in between the Lyon agglomeration, the Departmental, Regional or State authorities do not seem to be very numerous in the field of urban policy. The main issue would be the bargaining on the financial support by the State that seems decreasing meanwhile the burden seems to be heavier for local authorities.

In the case of town planning, the conflict is often between municipalities and the inter-municipality structure. If the first local level (municipality) transfers competences at the intercommunity level, it wants to keep a central role in decision, notably for its municipal territory. This type of conflict is solved by discussions and negotiations.

7. Is there one (easily identified) body ultimately responsible (held accountable)? If yes, which one?

Related to what have been said before, the ultimate decision is generally taken after a bargaining process. It can be considered that it is a kind of shared process of decision. Consequently, it is difficult to identified one body responsible for the decision in a vertical perspective, even if one can say that the President of the intercommunity, who is also a mayor (the mayor of Lyon) has a central role to play and makes the final choice.

**II: Horizontal relations during processes of public decision-making in the case study** (effectiveness, coherence, accountability, openness)

A: Horizontal "multi-channel" relations between actors, governmental and non-governmental (civil society, private sector),

The following paragraphs are focused on the role of the "conseil de développement" (CDC) of the urban community.

1. What is the role of the actors involved?

The "Conseil de Développement" (CDC) of the "Grand Lyon" gives advices on the development issues of the agglomeration. It has given its opinion on the "projet d'agglomération". It is a consultative body that deals with the shaping of the general project but also on its implementation (on-going evaluation). It can be consulted on all questions related to the development of the agglomeration. It can also propose prospective expertise due to influence the elective body.

The "Conseil de Développement" (CDC) is gathered twice a year one to plan its working programme and another to delivered the work done. In between, it is organised in 5 thematic working groups.

Meanwhile, elected representatives still have the final decision and the power to allocate the funds.

2. Are there specific actors mostly involved, due to the elaboration of specific policies or projects (e.g. urban renewal, environment…)?

See previous paragraphs.

The President of the CDC is the President of the urban community, who is an elected representative. He appoints the delegate President of the CDC chosen among the members of the civil society. He is in charge to give orientations and to manage the works of the CDC.

**Table n°7 - Composition of « conseil de développement »**[41]

| **Permanent members** | **Institutions** | **Politics**: President or a representative of the Regional Council and of the Departmental Council (2) |
|---|---|---|
| | | **Economics**: President or a representative of the "Conseil Economique Social Régional" (CESR), of the Chamber of Commerce and Industry, of the Guild Chamber, of the Chamber of Agriculture, and other firms organizations (9) |
| | | **Trade unions**: Departmental secretary or a representative of the principal trade unions (7) |
| | | **Social**: President of the "Caisse d'allocations familiales", Director of the "Agence nationale pour l'Emploi", Director of the "Caisse régionale d'assurance maladie" (3) |
| | | **Education-research**: universities and high schools |
| | | **Culture**: 4 representatives proposed by the President of urban community |
| | | **Sport**: 3 representatives proposed by the Olympic Committee |
| | | **Religious**: a representative of each religion (4) |
| | **Qualified members** | 12 members chosen by the President outside the agglomeration of Lyon |
| **Other members** | | All registered volunteers (associations and citizens) |

It is difficult to know the members exact number.

3. In what ways are the actors involved; formal (institutional structures, legally constituted partnerships, established lobbying organisations, etc) or informal (ad hoc group, contractual negotiations, informal meetings and consultation, actions "on the ground", etc)?

**Table n°8 – Way to involve actors**

| | - 1 (mainly formal) | 0 (balanced of formal and informal) | 1 (mainly informal) |
|---|---|---|---|
| Actors involvement | X | | |

The CDC is an efficient way to involve different types of actors[42]. This framework of public debate is relatively formal, with bi-annual reunions and many workshops (5 working groups) organised all over the year.
Even if the CDC only gives advices, the elected representatives has understood the interest of such an organization, notably in order to shape decisions that are on line with civil society claims and objectives. From that point of view, it can be said that participative democracy seems to be quite efficient in the "Grand Lyon".

[41] Communauté urbaine de Lyon, *Règlement intérieur du Conseil de développement de l'agglomération lyonnaise*, adopté le 6 juillet 2001, 16 p.
[42] Cf. supra II.A.1.

4. Which part do the actors have in the decision making process?

It is difficult to know precisely if some actors of the CDC are more involved than others. Meanwhile, they are strongly involved in the process of decision-making[43] even if elected representatives are the ones to decide priorities, to take the final decisions (by vote) and to decide the budget. Saying that, it is important to bear in mind that the CDC only has a consultative role.

5. Are there actors, or some of them, coordinating their efforts?

It exists several structures of actors coordination along the decision making process. Many members of the CDC are already institutionally organised (ex. : Chamber of commerce and industry, trade unions, associations, etc). Civil society actors can take part to associations of inhabitants.
Thanks to these organizations, the different actors can collectively think about their involvement in the CDC and determine their own priorities. From that point of view, issues as environment and living conditions are particularly dealt with.

6. Are there new modes of governance in the way the actors are involved

The dialogue established since 2002 between elected bodies and the inhabitants on the "Plan Local d'Urbanisme" (PLU) can be quoted as a good example of these new modes of governance (cf. Part II – B for more details).

7. Are there actors appearing for the first time involved in this process (eg an organised citizen group, or an existing representative group, usually involved in other areas)?

One can say that, with this new formal/informal processes of public debate, new actors appear, or have a voice in the town-planning project, at different scales (neighbourhood, city and inter-city).
Thanks to the implementation of new laws, as the "Loi démocratie de proximité" voted in 2002, we assist to a little renewal of local associative life. Meanwhile, this renewal is largely encouraged but also contained by elected representatives and the administrations (State and its representatives).

8. Are there actors which should be involved in the processes, but are not?

In our opinion, different types of actors are involved in the processes, as the composition of the "conseil de développement" (table n°7) tends to prove it.

9. Are there actors "mobilizing" (very active) the territory (civil society protest, pressure groups, political leaders, planners, business leaders, trade unions, etc)? If yes, by what means (a specific project, a spatial vision, etc)

The composition (number, diversity of actors) of the CDC by itself is a guarantee of a certain "mobilization" (civil society, business leaders, trade unions, cultural and sports associations)[44].

[43] cf. infra Parts II.A.6 and II.B, with the example of the negotiation about the « Plan Local d'urbanisme » (PLU).
[44] Cf. supra part II.A.2, table n°7 « composition of the CDC »

The local political leaders are, of course, directly involved. They are indirectly elected every six years by each municipal council of the communes taking part to the "Grand Lyon" inter-municipality. All the elective members of the urban community are municipal elected members. The President of the "Grand Lyon" by custom the mayor of Lyon.

10. Is there a main actor, public or private, who has the final say about the decision?

In France, at all levels (national, regional, local), decisions are finally taken by elected representatives[45]. The processes of participative democracy are not involved in the very final decisions.

11. Are there possibilities for non-governmental actors to influence public decisions?

**Table n°9 – Possibilities for non-governmental actors to influence public decisions**

| | -1 (no possibility) | 0 (fair possibility) | 1 (strong possibility) |
|---|---|---|---|
| Possibilities for influence from non governmental actors | | X | |

Given the new opportunities to intervene in the decision-making decision process, one can say that it exists possibilities for non-governmental actors to influence public decisions at local scale. What is more the CDC are organised in a national network, that has an annual meeting to exchange local experiences.
At regional and national levels, it exists several civil associations in many sectors that can influence public decision in transport, housing or environmental sectors[46], for instance.
Finally, the direct universal suffrage (elections) still the main way to influence public decision.

12. Conflict resolution: are there formal or informal mechanisms to deal with conflict? Is there a main actor in those mechanisms?

One can say that the public debates organised in forums is an informal mechanism to deal with conflict. It exists also formal ways to express disapprovals towards the decisions taken by elected representatives : elections, but also the appeal to the courts when a decision is considered as illegal.

In the case of the agglomeration of Lyon, it exists since 2003 a new structure for dialogue between users and public services (local administration): the "Commission consultative des services publics locaux". This institution is composed by elected representatives and inhabitants and has notably in charge to develop the participation of citizens.
Its objectives are:

- to better take into account users' needs and waits,
- to modernize the governance and the management of the local publics utilities, to improve the quality and the efficiency of public services,
- to evaluate the activity and quality of public services in relations with associations of users or with individuals,
- to better the accountability and the efficiency of public action to promote confidence between the institutions and the citizens.

[45] cf. National Overview, part I.3.2. « the system of governance – debates and attitudes », p.11-12.
[46] Cf. National Overview, part II.7.1., p.27.

13. Is there one (easily identified) body ultimately responsible (held accountable)?

In the French decisional context, one can say that the elected representatives are the ultimate responsible for the decisions at each level.

**B: Horizontal relations among territories, coordination of territorially based policies, multisectoral or integrated policies approaches**

1. Which are the municipalities with the closest relations in the case study area?

They can be municipalities gathered in the inter-municipal structure ("Grand Lyon") or municipalities on their own taking part to integrated policies approaches.

2. What are the types of relations among the territories involved (integrated policies, coordination, cooperation, dialogue, conflict, non relations)?

**Table n° 10 – Types of relations among the territories involved**

| | -1 (inexistent) | 0 (balanced) | 1 (permanent strongly integrated part of decision making) |
|---|---|---|---|
| Integrated policies | | | X |
| Cooperation | | X | |
| Coordination | | X | X |
| Dialogue | | | |
| Conflict | | X | |
| Non relations | X | | |

The "Grand Lyon" is involved in a "Contrat d'agglomération" and uses several planning instruments, like SCOT ("Schéma de cohérence territoriale") - urban planning instrument for the urban area -, and PLU ("Programme local d'urbanisme") - urban planning instrument at municipal level -. The SCOT and the PLU define spatial planning priorities and actions to resolve urban problems as land use, living conditions, accessibility, economic attractiveness, urban segregation. They are integrated policies.

3. Due to what type of factors (infrastructural, institutional, social, cultural, etc)?

One can say that all the factors are included because these integrated policies are of a global nature. But, in reality, infrastructures seem to be more important than other factors. Social issues seem also to be prevalent on other factors.

4. Is there a mechanism for coordination? and specifically:

It exists several mechanisms of coordination at different scales between municipalities and the inter-municipal structure. Some are formal like contracts, plans, others are less formal, like the "Conseil de développement" or even informal, as meetings organized in order to involve the civil society. For example, the process building of the PLU has been realised thanks to a permanent dialogue with the inhabitants of the "Grand Lyon"; the process of coordination

also implies close relations and exchanges between the different mayors, the "Grand Lyon" elected bodies and the technical staff.

5. Is there any mechanism for coordinated spatial planning for the area (statutory or not)? If not, what is a possible explanation?

It exists official (statutory) structures to coordinate spatial planning for the area, as the town planning agency of the "Grand Lyon", urban services of the municipalities, with strong and various technical competences. They coordinate the appropriate instruments. They are in close relations with the other levels notably the regional one ("Préfecture de Région", "Conseil regional"). Some mechanisms have a legal component. The PLU for instance defines and rules land use for individuals and for the administrations.

6. Is there territorial integration of policies or policy packages (cross-sectoral approach)? If yes, what kind?

**Table n°11 – Territorial integration of policies or policy packages**

| | -1 (non existent) | 0 (fair existence) | 1 (main way of acting) |
|---|---|---|---|
| Integration of policies | | | X |
| Policies package | | | X |

Territorial integration of policies or policy packages is the mainstream way for planning policies developed since the 90's. Territorial integration is relevant at local level (for instance, the PLU[47]), at inter-municipal level (SCOT), and in between the different national / regional / local levels in a perspective of subsidiarity[48].
The organization called "Délégation générale au développement urbain" federates competencies in town planning and promotes coherence between municipalities and inter-municipalities policies.

**7.** In case of territorial integration, what about conflict resolution: are there formal or informal mechanisms to deal with conflict? Is there a main actor in those mechanisms?

As far as the "communauté d'agglomération" is composed of different municipalities (55), the conflict resolution issue is mainly political in between local elected representatives. The decision can be taken in this framework on a democratic basis (majority rules).
A source of conflict can be identified between the local elected representatives and the "Conseil de développement" as far as the first ones are generally rather reluctant to share their power with a non-elected assembly. It depends on the local representatives and on their vision of the local development process to give an important role to the "Conseil de développement" or to avoid any interferences with the local political process.

[47] Main orientations of the PLU:
- to develop the town in the respect of its natural environment,
- to foster the quality of live for better cohesion and of social mixity,
- to favour the development of economic activities.

[48] Cf. supra part A, tables n°1 and 2.

8. Is there one (easily identified) body ultimately responsible (held accountable)?

At inter-municipal level, the President of the "communauté urbaine" (the mayor of Lyon) is the ultimate responsible. The "Grand Lyon" is administrated by a community council, composed by municipal elected members (155), who delegates important competences to the "bureau" composed by the President and 37 Vice-Presidents, with specific attributions[49].

9. If there is a thematic approach (sectoral), are all the territories concerned involved in the decision making process?

The different municipalities and / or inter-municipalities are formally involved (vote) in the decision making process.
In case of thematic approaches, it depends on the nature of the sector. Some sectors are dealt with at the urban area scale (water resources, roads); other that concerns specifically quarters or municipalities, like urban renewal projects are dealt with at a more local scale.
Even if municipal level keeps an important role in the decision making process, the decisions will be more and more taken at the urban area scale in the future.

10. In which way (which process – cooperation, coordination, subsidiarity, partnership, contract …-, which actors (public, private, civil society…) involved? Is there supramunicipal cooperation for planning?

As in other urban areas in France supra-municipal cooperation in the field of town and country planning is developed through new formal structures as the "communauté d'agglomération", new mechanisms (new types of contracts) and new instruments (SCOT and PLU). Subsidiarity between municipal and supra-municipal levels is being more and more a way to act at a local scale.

11. Conflict resolution: are there formal or informal mechanisms to deal with conflict? Is there a main actor in those mechanisms?

They can be both, formal or informal. In the case the "Grand Lyon", the decisions taken are validated thanks to a democratic process (vote). When there is no dedicated structure is more a bargaining process between the municipalities and/or the inter-municipalities.

The conflict can also come in the relations between the local elected representatives and the local forum ("Conseil de développement"). When that happens, as far as the "Conseil de développement" is mainly a consultative body, the power of decision still the one of the local elected representatives.

[49] http://www.grandlyon.com/organisation-politique.379.0.html
http://www.grandlyon.com/le-bureau.414.0.html

**III Participation, openness**

A: Public (non-governmental) participation in the processes of decision-making, and the implementation of decisions

1. Are there specific mechanisms or instruments to involve civil society or the private sector in the decision-making process, or in its implementation?

The main instrument is the "Conseil de développement".
It exists other specific mechanisms used to complete specific town planning instruments. For instance, the PLU is discussed thanks to a dialogue with the inhabitants. Concretely, the first phase of dialogue had taken place from June to September 2003 and had been organised thanks to information desks, in each town-halls of 55 municipalities and in the 9 districts of Lyon The second phase of dialogue had taken place from September to December 2003 and had been organised as public meetings.

2. What kind of mechanisms: ad hoc meetings, consultation, referendums, public inquiries, etc?

The creation of the "Conseil de développement" is compulsory. Nevertheless, the only legal requirement is to inform its members on the projects and on the way it is implemented.

For details, see Part II, Chapter A, point 2.

3. Are the mechanisms statutory?

The "Conseil de développement" by itself and its basic role are statutory as far as they derived from the law. But its role is only consultative.

4. Are the results of the mechanisms binding? In what way?

**Table n° 12 – Binding mechanisms**

| | -1 (non binding) | 0 (soft binding) | 1 (strongly binding) |
|---|---|---|---|
| Are those mechanisms binding? | | X | |

The final result is not binding as far as the final decision relies on the democratic process of vote by local elected bodies (municipalities, inter-municipalities).

5. Are those mechanisms and instruments effective?
    a. Are significant and representative numbers of people participating?

See part II, chapter B, point 8.

    b. Are demands taken into account when making decisions?

The situation can vary from one sector to another. In some cases, demands from the "Conseil de développement" can be taken into account as far as it has a real role in the decision making process when elaborating the development project (selection of projects) but in most of the cases, its role is only consultative.

c. Are actors involved in the implementation?

After the building of the project of development, the role of the "Conseil de développement" can be uncertain because of a lack of financial means and / or a local disagreement between the local elected representatives and the associations on the role the "Conseil de développement" should play.

**Table n° 13 – Effectiveness of mechanisms and instruments**

| | -1 (non effective) | 0 (fairly effective) | 1 (extremely effective) |
|---|---|---|---|
| Are those mechanisms and instruments effective | | X | |

6. Are there possibilities for non-governmental actors to influence public decisions thanks to participation process?

**Table n° 14 – Possibility for influence**

| | -1 (no possibility) | 0 ( fair possibility) | 1 ( strong possibility) |
|---|---|---|---|
| Possibilities for influence | | X | |

The "Conseil de développement" can be used as a "tribune" by non-governmental local actors. It can be said that the basic opportunity for local actors is to try, through the "Conseil de développement", to influence the public decisions, but the CDC is only a consultative structure.

7. Or is it a mere formality, with no real impact?

No answer.

8. Who is participating?

The local associations in cultural, economic, environmental or social sectors play an important role in the "Conseils de développement".

9. Which interests are best represented? Are interest groups easy to identify (i.e. is it possible to identify lobby activities)?

It is difficult to say. Some associations have a stronger capacity to express their views compared to their real weight in the population, notably inhabitants associations.

10. Which part has the participation process in the decision making process?

**Table n°15 – Part of participation process in the decision making process**

| | -1 (not very important) | 0 (important) | 1 (extremely important) |
|---|---|---|---|
| Part of the participation process in the decision making process | | X | |

The use of participative process has to be related to the relative power the "Conseil de développement" have both in financial and political terms to develop that kind of process. In the case of Lyon its role is important compared with other examples in France.

11. Are there actors, or some of them, coordinating their efforts?

**Table n°16 – Coordinating actors' efforts**

| | -1 (no coordination) | 0 (coordination is existing) | 1 (coordination is the main part of the decision making process |
|---|---|---|---|
| Actors coordination | | X | |

Sometimes, the civil actors coordinate their efforts to be more influential. Their capacity to coordinate their effort depends on the type of issue and their weight in a broader perspective. For instance, some actors, notably dealing with environmental issues, are organised in national associations, with local or regional counterparts.

12. Are there actors appearing for the first time involved in this process of participation (eg an organised citizen group, or an existing representative group, usually involved in other areas)?

Even if the "Conseil de développement" is a rather innovative instrument in the process of shaping development and spatial planning policies, very few new actors have joined that kind of organization and process. In most of the cases, they are already identified actors who are using the CDC as a tribune to express their views. It is often the case of inhabitants associations.

13. Are there actors which should be involved in the process, but are not?

As far as the actors involved are various and numerous it is difficult to think about the ones who should be involved in the process and are not.

14. Are there actors "mobilizing" (very active) the territory (civil society protest, pressure groups, political leaders, planners, business leaders, trade unions, etc.) further than participation? If yes, by what means (a specific project, a spatial vision, etc.)

It is clear that the local dynamic is often linked to the personality of a local political leader and to its commitment and understanding of local development issues. Local association can also play a very pro-active role. It is often the case for specific projects of transport infrastructures.

**B: Openness**

1. What has been put in place for openness? What type of mechanisms or instruments? (agencies for information, law on administrative transparency…)

An important role is given to the "Conseil de développement". It can deliver information to the actors involved and to the public. The "Grand Lyon" website contains different services in order to help the work of the CDC[50,51,52].
As already said, it exists several legal instruments for dialogue, as for instance public fora.

2. Are those mechanisms or instruments known to the actors concerned by the decision (the stakeholders), and can they be used by them? If yes

**Table n° 17 – Knowledge of mechanisms or instruments by the actors**

| | -1 (no) | 0 (fairly) | 1 (yes, intensively) |
|---|---|---|---|
| Mechanisms and instruments known by the actors | | | X |
| Used by the actors | | X | |

3. Were those mechanisms and instruments used? With which results?

These mechanisms have been very useful to involve actors and inhabitants in the building project process and in its implementation.

4. Is the information accessible to the general public? Is there communication with the public?

**Table n° 18 – Accessibility of information**

| | -1 (no) | 0 (fairly) | 1 (yes, extremely) |
|---|---|---|---|
| Information accessible | | | X |
| Communication | | | X |

General public can get access to information thanks to *Internet* and to a local magazines.

5. Is there any mechanism to involve actors who should be involved but are not participating (lack of time, interest, knowledge, etc)?

The more difficult issue is to involve the general public. It is important to find ways and means to get closer in order to promote interactions between the general public and the members of the "Conseil de développement", and the elected representatives. The link can be done thanks to the action of the members of the "Conseil de développement" who share their knowledge and information in their field of activity. The "Grand Lyon" organises territorial commission in order to meet the local population and to have relations with some local elected representatives who play the role of a convey belt towards their electors.

[50] http://www.grandlyon.com/le-role-du-citoyen.1373.0.html
[51] http://www.grandlyon.com/instances-de-concertation.1377.0.html
[52] http://www.grandlyon.com/conseil-de-developpement.1381.0.html

6. Are there any resources (financial and/or human) made available to those instruments?

**Table n°19 - Resources**

| | -1 (no) | 0 ( fairly) | 1 (yes, a lot) |
|---|---|---|---|
| Available Resources (financial) | | X | |
| Available Resources (human) | | X | |

The financial means given to the "Conseil de développement" appear to be limited, compare to the municipal and the inter-municipal budgets.

7. Have specific agencies been created for the management of a policy, including openness to the public?

It exists an urbanism agency[53] to harmonize public urban policies, but it is essentially a technical structure without direct relations with the public.

## V Outcomes (policies, strategies, partly refer to matrix 'integrated policies'): decisions and implementation

A: The decision(s):

1. Was it possible to reach a decision?

One can consider that the achievement of the contractual process it is the "decision". From that point of view, the Lyon urban area signed a contract ("contrat d'agglomeration") with the 55 municipalities, the Department, the Region and the State for the period of time 2000-2006.

2. How was it reached? Who took the final decision? Was it a top-down decision in the end, or were local actors active and influent in the elaboration of the decision or the strategy?

The way to elaborate the urban project of development is based of the contractual process. The "Conseil de développement" can be considered as a formal assembly that role is to validate decisions already taken by local elected representatives. The "Conseil de développement" is organised in thematic commissions working on proposals, which are discussed and integrated in the final project. In some cases the "Conseil de développement" can also have a linkage role between the local politicians and the public.

[53] http://www.urbalyon.org

3. Were the agreed policies and strategies a short-term, one thematic (sectoral) decision? Or were they the result of a pluri sectoral approach? To which point? Was it possible to elaborate integrated policy package and/or a spatial common vision?

The strategy agreed on is a long-term one as far as the project of development ("Charter") has a prospective dimension (15 – 20 years), as the global town planning documents (the "SCOT", "schéma de cohérence territoriale", and the "PLU", "programme local d'urbanisme"). The contract signed on this basis is linked to the regional "Contrat de Plan État-Région" of a seven years period (2000-2006).
By nature, the project of development is pluri-sectoral. The process of elaboration begins with a general study on the main issues of the territory. On this basis, policies and strategies are decided. The main policies fields are environment, public services, local trade, transports, access to new technologies and also sustainable development, identity, training and education. Consequently, it is an integrated policy package. Spatial policy documents are also provided. The common spatial vision can be related to the identification of the issues the territory is facing as far as they are often of a spatial dimension (use of maps, of images, representations…) and also to the reference to a territorial identity.

4. Was there any integrated planning (within an FUA, metropolitan area, 'inter-municipality' area) or territorial policy coordination? Was there a capacity to "integrate and shape (local) interests… and to represent them to external actors" (cf Le Gallès citation in FIR)?

**Table n°20 – Integrated planning or territorial policy coordination**

| | -1 (no) | 0 (partly) | 1 (yes, fully) |
|---|---|---|---|
| Integrated planning | | | X |
| Territorial policy coordination | | | X |
| Capacity to integrate local interest and to represent them | | X | |

The local project of development is by nature an attempt towards territorial policy coordination. It can be considered at various degree that this operation aim to « integrate and shape « local » interests » in order to build a dialogue between elective bodies, the civil society, inhabitants and external actors (in the negotiation with the sub-regional authorities but also to promote a certain image for external relations and attractiveness).

5. What was developed in relation to spatial planning?

The SCOT is the spatial counterpart of the "projet d'agglomération" of the urban area of Lyon.

6. Is it helping EU territorial cohesion?

**Table n°21**

| | -1 (no) | 0 (a bit) | 1 (a lot) |
|---|---|---|---|
| Helping EU cohesion | | X | |

Territorial cohesion is one of the key word of the 1999 laws (Voynet and Chevènement). The aim of the pre-study (before the elaboration of the project) is to identify a coherent territory in geographical, cultural, economic and social terms. It can be said that it is an attempt towards a territorial cohesion at local levels even if other element interferes with that process, notably the ones of a strictly political nature. However, the Lyon inter-municipality is considered as a forerunner in that field for now thirty years. Dealing with the results is a difficult task as far as the contracts run until 2006.

7. What about the "sustainability" of the policy (social, economic and environmental aspects)?

The policies are developed in the framework of a local Agenda 21 (sustainable development[54]) voted in may 2005 for the period of time 2005-2007. It includes the main town planning instruments (SCOT, PLU) in a global and multi-sectoral project [55].
The "Conseil de développement" has created a specific group on this theme and published a work report [56].

8. What relations are there to EU strategies, rules, policies, funding in general?

One can consider that they are no direct relations in between the EU strategies, rules and policies and the town planning instruments. Even if sustainable development is one of the main orientations of EU strategy it can also be considered as the consequences of international agreements. Nevertheless, elements of the projects of development can be funded by European funds but it is more a question of opportunity than a question of strategy.

9. What relationship is there to the ESDP, in particular?

No information on this point.

10. What is a possible explanation, and what are the consequences?

Possible explanation can be the local dimension of the project and the fact that the European policy is more a regional matter than a local one in France.
There are no clear European tools at the local levels and the ones that exist are not directly articulated to this national policy.

[54] http://www.grandlyon.com/developpement-durable.1398.0.html
[55] http://www.grandlyon.com/politiques-d-action.1217.0.html
[56] http://www.grandlyon.com/fileadmin/user_upload/Pdf/vie_democratique/conseil_developpement/rap_gt203.pdf

**B: Implementation**

1. What decision on implementation was taken?

The implementation is achieved through a more or less formal dialogue between local authorities (municipalities and inter-municipalities) and the civil society. The form depends on the structures chosen for the implementation of the project : from informal to formal processes of decision. It depends on subjects, issues and duration of the processes.

2. Which interests were best taken into account?

At the stage of implementation it can be said that the local elected authorities interest prevails, but depends also on the different elaboration process that can imply, to a different extend, the civil society and the general public.

3. Who is in charge of implementation? Are there specific "governance" modes for implementation?

**Table n°22 – Charge of implementation**

| | -1 (no) | 0 (some) | 1 (all the implementation process is made in new governance mode) |
|---|---|---|---|
| Specific governance mode | | X | |

The local elected bodies are in charge of the implementation. At this stage, the minimum requirements of the law are to inform the "Conseil de développement". In the case of Lyon, the "Conseil de développement" is taking part to the debates on the proposed actions.

4. Which groups benefit from the implementation?

Difficult to say.

5. Which groups loose from the implementation?

Difficult to say.

6. Who is financing the implementation? Who is controlling the allocation of resources?

The contractual form implies different sources of funding through the "Contrat de Plan Etat-Région" (State, Regions but also departments) and the contribution of local authorities. The allocation of resources is controlled mainly as far as the "Contrat de Plan État-Région" is concerned by the State and the Region. Local authorities control the type of project and decide the amount of money they want to invest in.

7. Are there new problems arising from implementation?

No answer.

## Part III: Governance failures and successes

1. Based on interviews with experts, what is the general understanding of the case? Is it considered a success? In which aspects?

The experts think that the "Conseil de développement" is a good experiment to change the relations between the local elected representatives and the civil society. It develops participative, and not only representative, democracy. New instruments are used to exchange and decide on town planning projects.
The public fora have introduced non-elected actors in the process of decision-making. This evolution is very important but it is still fragile. The experts identified a certain weakness of the "Conseil de développement" in the sense that if their role is quite clear when elaborating the project of development, their role in the implementation is unclear. At that stage, they identified a kind of demobilization of the members of the "Conseil de développement" because the nature of the relations between elected and non-elected persons does not really change. Some local political leader tends to consider the "Conseil de développement" as an expert comity and not as a link towards a larger public. The projects of development ("Charter") are considered as good and ambitious projects associating different territorial actors but the funds available are often limited.

2. Do you agree with that understanding? Is it an example of governance practice? In what sense?

This understanding can be considered as an experiment to introduce at local level elements of governance. For local elected representative it is a challenge as far as they have to consider their role more as "territorial managers" than as leaders without any power to counterbalance their decisions.
Nevertheless, the actors of the civil society involved in governance process cannot be considered as the whole civil society. Often the same persons express their opinions. Some questions are still to be answered in that field : who is informed and who is not? How is the information delivered?

3. Were the new ways of territorial governance successful
    a. Was it possible to build a consensus? On what basis (consensus, MOC, partnership, contract, etc)?

As far as the institutional contractual form can be considered as a final consensus building, it can be said that a consensus was reached on a contractual basis.

    b. Was it possible to agree on the contribution of each partner/stakeholder involved?

The contractual form implies a basic definition of the contribution of each partner/stakeholder.

    c. Could they achieve "negotiated and shared rules" in a "governance" mode (consensus, shared vision)?

As far as the process allows the expression of the civil society in the framework of the CDC, the answer is yes.

d. Was it possible to achieve an integration of the territorial action (among sectors, actors, instruments, networks, levels, etc)?

The local project of development is by nature inter-sectoral and multi-actors. It can use different instruments and relies on supra-local levels (department, regions, State). The territorial dimension is important in the sense that the limits of the urban area ("communauté urbaine") has to be defined according to a certain cohesion in terms of culture, geography, history, economy and society taking into account functional organization rather than political ones.

e. Was it possible to reach a common spatial vision for the area of the case study?

The project of development is based on a pre-study that has surely help to foster a common spatial vision.

f. Was it possible to go on with implementation?

At the stage of implementation, the role of the civil society diminishes or even nearly disappears. The policy tends to become a formal urban policy implemented by local authorities.

**Table n°23**

| | -1 (no) | 0 (partly) | 1 (yes, fully) |
|---|---|---|---|
| Build a consensus | | | X |
| To agree on the contribution of each stakeholder | | X | |
| To achieve negotiated and shared rules | | X | |
| To achieve integration of territorial action | | | X |
| To reach a common spatial vision | | | X |
| To go on with implementation | | X | |

4. If no consensual decision could be reached, what solution, if any, was found?

In this case, the solution depends on elected representatives.

5. What were the main aspects of the new mode of territorial governance?

The main aspects of territorial governance for this case study are:

a. formal involvement of actors of the civil society in the definition of the local project of development;
b. new types of relations between local elected representatives and local actors;
c. definition of a common territory of action;
d. multi-sectoral approach of the project of development;
e. systematization of contractual forms at local level.

6. Describe the main changes leading to new territorial governance (in relation to the previous situation) in the policy design and application phases?

At local level, this new form of policy making could lead to a change in the relations between elected representatives and local actors. What is more, the project oriented dimension of the policy lead to a definition of the territory in functional terms and also of a territory defined by the type of actions to be led.

7. How old are these changes? What degree of relationship do they have with the ESDP and mainstream EU policies?

The changes in local territorial governance are recent as far as the main impetus has been the 1999 law. They appear to lead to a more classical way of territorial management when the contract is signed, during the implementation phase.
The EU policies can be a source of complementary funds.

8. What about the "rapport de force" balance of power and power struggle? Were there obvious winners and losers as a consequence of the decision which was taken?

It cannot be said that the "rapport de force" has changed between the civil society and the local elected representatives. The last ones still have the bulk of the power. Nevertheless, the urban policy can trigger interesting consequences on the way local representatives look at and take into account local actors of the civil society.

9. Which groups benefited from the implementation?

The local associations can be considered as the groups that has benefited of the global process, but not directly from the implementation.

10. Which groups 'lost' due to the implementation? Were there mechanisms of compensation?

The "Conseil de développement" can be considered as a way to counterbalance the weight of the elected bodies. In that sense, it could be said that elected bodies have shared (but not lost) a part of their power. The whole process is still broadly an elected persons process. Their "lost" of power will depend on their will to abandon power to the "Conseil de développement".

11. Were there obstacles or barriers making it difficult to use governance practices and tools?

**Table n°24 – Obstacles or barriers**

| | -1 (strong obstacles) | 0 (obstacles possible to overcome) | 1 (no obstacles) |
|---|---|---|---|
| Obstacles and barriers | | X | |

Obstacles and barriers are very few. Nevertheless, some local elected representatives tend to be rather reluctant to abandon a part of their power as far as they consider that they are the only one to be legitimate.

12. Considering the processes and outcomes of governance, what are the main weaknesses and strengths (Strengths, Weaknesses, Opportunities, Threats - SWOT analysis)?

**Table n°25 – Lyon urban policy : SWOT analysis**

| STRENGTHS | WEAKNESSES | OPPORTUNITIES | THREATS |
|---|---|---|---|
| - National policy<br>- Contractual framework<br>- Territorial basis for action | - Not very formalized process as far as governance tools are concerned<br>- Rather inconstant view-point from the Central State | - Development of participative methods | - Back to normal process of decisions for implementation<br>- Diminishing interest from the central level |

13. Is the balance of the SWOT analysis changing over time?

The central impulse (notably in financial terms) seems to be weaker today than it was at the beginning of the process. At local level, the phases of implementation (after the signature of the contracts) make uncertain the role of the "Conseils de développement" in this phase but is still an important structure for the local public debate and a good experiment in a governance perspective at local level.

14. What about future development?

It is difficult to assess the intention of the central Government, even if one can consider that the central level will be less interventionist in the perspective of the new decentralization process. The future development will have to be considered at the light of the reform of the "Contrat de Plan État-Région" by 2007. Dealing with governance issue, nothing it is said on an extension of the role of the "Conseil de développement". At present, it can only be said that the future is linked to the will of local actors and strongly to the one of the local elected representatives to go further in the governance direction.