

Cohering the spatial and strategic planning in the Czech Republic

Jiřina Bergatt Jackson

(Jiřina Bergatt Jackson, IURS-Institute pro udržitelný rozvoj sídel o.s., V Babyku 843/3, 193 00 Praha, jjackson@iurs.cz)

1 ABSTRACT

Over the last 7 years, there was a substantial progress in the Czech planning disciplines. The spatial planning gained a new law introducing new tools. Structural Funds became the main driver for the strategic planning, which became embedded in national, regional and local levels of governance. The integration of spatial and strategic planning is beginning to be re-introduced. Despite the progress, there is still a vast amount of learning and experience sharing yet to come, to push for example the new planning law and the tools it offers into the full practise. There is also a lot of work to tune the tools, which would allow to measure and monitor the development effects against desired and stated strategies. On a positive side, the local client base is slowly gaining some practical experience. But what is still missing is:

- suitable formats of institutional support,
- products geared to improve skills of the key local government decision makers (elected),
- broadening and restructuring of spatial planers´and urban orientated education,
- improvements in sharing the benefits arising from stakeholder´s experiences.

2 DEFINING RELATIONSHIP BETWEEN PLANNING AND STRATEGIC PLANNING

To determine a direction of local development and to approve local plans is the Czech communities basic right. Planning (spatial and strategic) is a key tool, by which Czech communities steer their development and safeguard private and public benefits. In the Czech Republic during the last two decades there was however a little connection between the vertical planning integration. Missing was also the horizontal integration between the strategic planning and the spatial planning. This was despite the fact, that both types of activities are significantly interdependent on each other. The strategic planning relies on spatial limits identified by spatial planning and the spatial planning relies on projected type of desirable development indicated in the strategic plan and in follow on action plans¹. In the Czech Republic the spatial planning is strongly based in law, whereas most of the strategic planning remains outside the legal regulation. As from 2007, the new spatial planning law 198/2006Sb. came in force and introduced new types of planning documents aiming to re-establish the vertical integration of spatial planning between the different governance levels, but this new law does not refer to strategic planning. The hierarchy of planning documents and the interconnection with strategic planning is only now being re-invented. See Picture 1, illustrating diagram, which describes the interconnection and hierarchy of various Czech planning documents.

2.1 International and local intervention into Czech planning

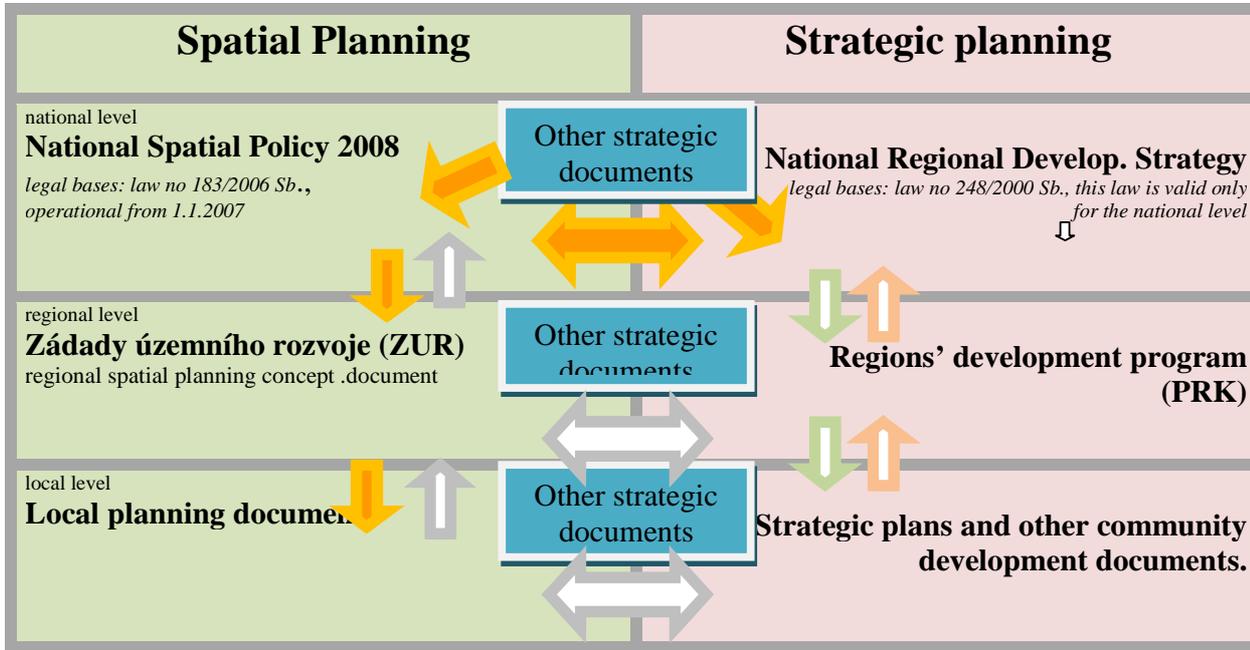
Two decade back, the initial international Technical Assistance (TA), which the post communists´ regimes received, has not concerned itself much with planning. Only after a great amount of explaining and lobbying various funders, the UK knowhow fund grant was received in 1994 to supply than totally absent knowledge on strategic planning to the City of Prague². This action had established strategic planning in the Czech cities. Most of the later EU TA to the Czech ministries and institutions usually also included the strategic planning. The TA force was however geared mainly to prepare the Czech administration for the SF and usually finished at the level of national and later regional strategic documents.

Direct international intervention to spatial planning was relatively small, as it was felt by donors, that the issue was one of a national responsibility. Whereas it is relatively easy to succeed with the TA directed to strategic planning (because any strategy can be perceived as a system overlay), it is much more difficult to provide a successful TA to spatial planning. The nature of such TA is more of a “repair job”. And to do a successful repair, one has to deeply understand not only the object of the repair, but also the habits and abilities of its users. In the early 1990, the international TA had not seemed to be overflowing with the relevant knowhow related to spatial planning knowhow transfear. Despite this, some indirect intervention

¹ MILAN PŮČEK, page 3, Strategické verus územní plánování: Urbanismus a územní rozvoj, vol 1-2/2009, UUR

² Lllewellyn Davis acted as consultants, the contract value was then around GBP 600 000

took place in a more general way. There was an EU advisor stationed at the Czech Ministry of Regional Development (MMR) and from 2001 also this ministry has received some TA. Since the mid 1990 a conscious attempt was made by the Czech administration to prepare and pass a new planning law and in this respect, some TA was received from selected German states, especially the Westphalia. Since 2003 the Czech universities started sparingly participating, on the EU ESPON³ research and on the 4th and further Research Framework Programs⁴ (mainly as subcontractors) and some of this gained knowhow had seeped into their teaching.



Picture 1: Relation between the spatial and strategic planning (Source: adapted from Kašparová, Půček (2008) viz. www.uur.cz. Arrows marked in full colour represent legally binding relationships)

2.2 The national cohesion attempts

National attempts to cohere the strategic and spatial planning were for a long time floored by the departmentalization of the MMR where the spatial and strategic planning was, and still is, covered by two different departments. Research into any form of planning remained limited for number of years. The national research programs have not quite seen the planning disciplines as an actual academic subject. Until the year 2005, the MMR had no research budget. There was also an insufficient expert research or expert support geared to the needs of the policymakers. The Ministry of Education research programs relied heavily on the academic input, which set up research priorities often far devoid from any contact with practitioners, or stakeholders.

3 THE STATE OF ART OF PLANNING IN THE CZECH REPUBLIC

3.1 The drivers for spatial planning and strategic development

In early 1990, the initial spatial planning driver in the Czech Republic was to profit on the newly established landownership rights, which were gravely restrained by the previous regime. The second driver was to accommodate restructuring of economic development (industrial zones and commercial zones). The third driver was the strong position, in which the Czech communities found themselves in early 1990 (at that time, there was yet no regional level established). The fourth strong driver was the rising environmental protection awareness and the rights of the civic society to information access, which had to be accommodated. The fifth and the probably the foremost driver to spatial planning was to provide investors with security, predictability and risk reduction.

³ www.espon.eu

⁴ http://cordis.europa.eu/fp7

On the site of the strategic planning one of the first drivers was the public accountability and the need to justify the distribution of public investments and public grants funding. The second driver was to coordinate various sectoral investments, especially in the regional context. The third driver was to motivate private investment into specific areas. The fourth driver was to satisfy the private investors needs to be aware of public investments interests and intentions. The fifth driver was the need of the newly formed Czech regions (2001) to differentiate themselves against the self governing local communities and to gain control over their administrative areas by actioning regional strategies and steering regional investments.

3.2 The barriers to Czech spatial and strategic planning

The system political transition had caught the Czech planners, the politicians and the administrators totally unprepared, when considering the democratic formats of governance and administration. This was because the majority of them had no previous relevant experience and no concept knowledge, where they “were steering the boat too”. The language barrier was very high for majority of the local elected representatives and practising and administering planners. They were therefore not able to benefit from the international experiences available in literature and on webs. Also, the predominantly Western consultants often lacked understanding of the post socialist culture, its high level of technical expertise, creativity and specific local peculiarities. This caused their consultation efforts often being wrongly pitched and of an insufficient impact.

The previous system legacy - The previous regime planning was strong, technically very competent and was underpinned by a centrally planned economy, which sufficed the strategic input. The Czech Planning law, when conceived in 1976, was a very modern and quality document, which later had to face adjustments of the new societal requirements. Since 1989 this planning law undertook several revisions and the planning process faced various and sometimes fairly humorous hiccups.

The institutional instability, lack of continuity, foresight and leadership - The relevant ministry (MMR) was and remains one of the most unstable Czech institutions, as it historically has the highest turnover of ministers (deputies ministers and directors are on such occasions usually also exchanged). Its quality research institutions were dismantled in mid 1990 and nothing had replaced them until today. The remaining institutional support⁵ is weak, narrowly pitched and not at all proactive or creative.

Sweetening the planning: Some anecdotic issues arisen, like the fact, that the communities just freed from a long oppression of the centralist system have felt, they need no planning. And some of them actually refused to produce the local plan, claiming that the law gave them the right to adopt the local plans, but no duty to have to prepare them. This little barrier actually has been removed only by the new planning law. But meanwhile, on the side of public aid investment programs, it was stipulated, that the existence of an “adopted local plan” was a precondition to accessing any of public funding. This was well though measure and it made the Czech local communities to “plan” at the fastest possible time and not forgetting the public participation!

The new law teething problems - It took 17 years to pass the new planning law. The new law still does not address or acknowledge the relationship between the spatial and strategic planning. Also, as everything new, it has to be “run in”. Hence the law needs to be adjusted and adjusted...

The “weak client” - Planners’ potential clients - the local authorities, were facing similar transitional difficulties and were unable to act as a “competent client”. This had produced a situation of “a blind leading the blinds”. The system had not collapsed mainly due to the already mentioned creativity and past technical grounding, which often supplanted for the missing knowledge.

Policies and strategies in the city of Ústí nad Labem: Source: city web www.usti-nl.cz, information on strategic documents provided by the city and information in public domain the city of Ústí nad Labem is an independent entity of 870 ha, with cc 94 000 inhabitants. It is a seat of a regional administration and it also carries certain administrative responsibilities for surrounding communities which were delegated by the state. The city has regulative and strategic documents, which all help it to deal with development. The city also has number of departmental strategic documents, like energy, education, etc. Ústí was one of the first municipalities, which have developed the community planning (US Technical Assistance) and it had already implemented 3 community plans. The city is also a member of the Czech Healthy Cities Network and the

⁵ www.uur.cz, www.cer.cz, www.czechtourism.cz

Czech Union of Towns and Villages. Land Use Plan - the most relevant tool that the city has is its spatial planning document, the Land Use Plan. Present plan is from 1996 and despite several amendments, this plan is now dated. City is required by the law 183/2006Sb to produce a new planning document by 2014. This document is now under preparation and its completion will take approximately 3½ further years. City's Development Strategy until 2015 - this document was approved in 2007 by the City's Assembly. It is a key document, stating the direction, in which the city should develop. Integrated Urban Development Programs - IPRMs were prepared in order to access funding from the Structural Funds 2007-2013, Operational Program Severozápad (ROP SZ) and the Integrated Operational Program (IOP). One of the IPRMs is focused on the city centre and it is to be a tool for improving attractiveness of Ústí's central location. The other IRPM is prepared to help with management of public places and regeneration of run down housing estates. However the major city problem (a vast amount of brownfield land) remains unaddressed by its IPRMs.

The education and academia failure – The Czech planners education is still based in the schools of architecture, which are usually devoid of state of art geographic, economic, environmental sociology and demographic inputs, as these subjects are toughed by other schools, then are the technical Universities, which educate the planners. Cooperation between various types of Czech Universities is still fairly limited. To our best knowledge the Urban Economist qualification does not exist in the Czech Republic, but the regional planners, economs and administrators are being educated in several universities. Serious gaps in this type of the Czech higher education were also demonstrated by its uncompetitiveness, when participating for example in the ESPON spatial⁶ and Framework research programs.

Refusal of the cities locally elected representatives to lay open the development cards – When the Czech communities accepted that they have to operate the spatial planning, they still continued to shy from the strategic planning and with an exemption of of Prague, by the year 2005, there were only a very few strategic plans in existence.

Leveraging strategies: The WHO⁷ supported local NNO, the Czech Healthy Cities Network⁸ started to implement the Agenda 21 amides its members, also introducing the instrument of strategic planning. Any progress in strategic planning however only appeared really visible, in 2007 when it became apparent that the integrated regeneration approaches are the “must“, for all the larger cities. Simple fact was, that to argue the priorities in the cities IPRMs, (which gave cities the access to money pots of the SF), the cities have to have their strategy in place, on which their IPRM could be based. By mid 2008 all large Czech cities posted on their web sites the City Strategic Planning documents approved by their elected assemblies.

Luck of cooperative and participative culture - One of the main barriers to Czech planning (spatial and strategic) is the luck of culture to work on issues in a participative and a cooperative manner. This was easier to fix in smaller rural communities than in larger cities, whose administrations are more powerful and where usually exists a layer of technical staff fronting the relevant elected members. However, the IPRM drive brought some improvements, thou sometimes these approaches were very formalistic.

Invoking cohesion: Early after the year 2000, when the pre-accession funding became available the rural program initiative LEADER⁹ had achieved the impossible. The vision of an access to grant finance both for private sector and for public sector have helped to remove all barriers. Firstly it “cohered” the self governing communities, (which had often ostracized each other for a hundred of years) into forming micro-regions and secondly it brought them behind one table with the local private sector. The outcome was a formulation of a micro-regional strategy and an implementation action plan for accessing the EU funding both for public and private stakeholders. Similar, this time the regional cohesion of stakeholders was visible during the year 2007. Then all the Czech regions eagerly renewed their strategic documents in order to represent their “strategic interests” in the future structural funding programs.

3.3 The policies and their phasing

Policies covering the spatial and the strategic planning are described in the Picture 1. This picture also illustrates the hierarchy of various planning documents, their legal bases and their interdependencies. The

⁶ There was no Czech beneficiary in the 2008 ESPON research award - see the www.espond.eu

⁷ www.who.int

⁸ www.nszm.cz

⁹ http://ec.europa.eu/agriculture/rur/leaderplus/pdf/library/methodology/139_en.pdf

first National Spatial Policy was blissfully passed by the government in 2006. Its 2008 version was approved in summer 2009, after problems in preparation of the regional spatial planning documents (ZURs) have appeared. Then the regional stakeholders' lawyers argued, that for the self government, the 2006 version of the National Spatial Policy was not binding, as it lacked any legal bases. Only the new planning law had introduced this verticality between the planning documents. The National Regional Development Strategy¹⁰ was also updated in line to support the 2007-2013 Structural funding objectives and to allow regions to have a national document to refer to in their regional strategies.

Doubling efforts: In the Zlín region, in the year 2008, there existed two separate databases of brownfields. One of them, the "publishable one" was "owned" by the planning department, the other one was "owned" by the strategic department. The strategic department database was relatively extensive, but it was not an active one and the strategic department had lacked the GIS media and mainly "the legal reason" for publishing their gathered data. On the other hand, the planning department had the GIS media and the "legal publicity rights" to publish its data, which theoretically was in an analyzable format. But their data was dismally inadequate. The Zlín region needed strategic analyses for its brownfields situation to justify and reason its ROP proposal for a regional demolition program. Only at the point of tender for this analytical document, the tendering consultants' inquiry, led to the realization of the duplicity. This is by all means not a unique example and further examples of duplicity between the efforts of the strategic planning and the spatial planning departments can be quoted from other self governing units.

3.4 Competencies for the spatial and strategic planning

Despite the theory illustrated by the Picture no. 1, in practise, there is so far limited interconnection between the spatial and strategic planning documents, especially at city or regional levels. These disciplines usually sit in 2 different departments, which are empowered by two different ways. The strategic planning is a clear self-governing activity and usually has political leadership connections (these departments are actually physically located close to their elected executives). On the other hand, the planning section falls mainly under the state administration transferred duty (but for the part of local plans commissioning and approvals). Consultants usually have to work really hard on getting the two sides around one table. Although many cities and all the regions now have their strategic documents in place, these documents are often formalistic and sometimes they do not grasp the actual cities needs. In the case of regions, these documents seldom focus on integration of regional investments. Integrated Regional Investment programs are still not in existence, mainly because there are no funding drives for them.

Policies and strategies concerning land management in the Ústí region (Source: regional web www.kr-ustecky.cz): Ústecký region has an area of 5 335 km² (6,8 % of the Czech Republic) and population of 820 000 (8 % of inhabitants of the Czech Republic). Usti Region has 46 cities, where lives 80,7 % of its inhabitants, and 354 villages. Its neighbouring regions are Saxony (Germany), Liberec Region, Karlovy Vary Region and Central Bohemia Region. Its location predestines the Ústí region to a significant position in terms of an international economic and cultural co-operation through which the region gradually integrates into European structures. The concentration of industry and population is representing, in terms of the Czech Republic, important market, well accessible from Prague and also from neighbouring Saxony.

Ústí region was long considered to be one of the most underdeveloped Czech regions, but last few years the regional development have encountered substantial improvements. Some of it was due to an injection of national development programs and strategic investments¹¹. Ústí region has a number of strategic documents, from which the most relevant are the following:

Sustainable strategy for the Ústí region 2006–2020

The Ústí Region's sustainable development strategy aims to establish a framework for long-term development of the Ústí Region, and a vision for the period up to 2020, along with the main priorities for that development. Adopted by council in 2006.

Ústí region Development strategy 2007 – 2013

The programme as a basic tool for policy implementation was adopted by region's council in 2007.

¹⁰ <http://www.mmr.cz/index.php?show=001024004003>, approved 17. 5. 2006 by government degree no. 560

¹¹ an international rail and motorway connection, strategic industrial zone, 15 billion program to mitigate open cast mining activities, program support for underdeveloped regions est.

However, number of major strategic issues are not addressed by the existing strategies and most of the implementation measures to existing strategic priorities are weak, condemning the Ústí Region to lagging on the tail of the Czech regional economic performance.

4 LESSONS LEARNED

In the Czech Republic, in the last 20 years, there was a pendulum swing from a very formalised rigid planning system to a virtual planning anarchy and then back to relatively strict spatial development regulations, which the new planning law tries to invoke. There was also a stride back to introducing the local and the regional development strategies. The upgrading of the skill base for spatial planning without an outside intervention proved to be difficult and slow, causing unpredictable legislative and follow on program effects. The low level of academic input, the “weak client”, the absence of stakeholders input and the consultants and administration inexperience have all caused delays in formulating, focusing and adapting the spatial and the strategic planning requirements. Coping with the ambitions and determination of various level of governance also had its troubles. The experience had shown that when an action is required by the lower levels of governance a “motivation program” needs to follow. An update on the “stakeholders’ reality” and “hand on” experience is needed to be brought into all considerations for legal changes. The best practise and stakeholders experience learned by doing is of an extreme value and therefore it should be collected, publicised and promoted. The new legal instruments have their “running in time”. Meanwhile a nationally based good quality methodological support, vast amount of training and nationwide experience sharing is required to achieve the right “tuning”.

4.1 Recommendations

- Encourage setting up of an institutional support for regional and urban development by providing enabling funding.
- Support setting up of the best example and experience sharing sources.
- Commission and encourage research activities within institutions.
- Enable broad participation of stakeholder in the spatial and urban research
- Encourage and support a common platform of top Czech practitioners (layers, developers, key regional and local planning staff, bankers, ect.) which would address planning and urban development issues.
- Support platform of practitioners, which have experience with application of the new Planning law.
- Improve and modernise education of planners and of urban planners
- Establish education for developers and local government strategic departments’ staff.
- Set up motivation schemes for skill improvement of the elected representatives.