

STILL LOOKING FOR THE RIGHT PATH – SLOVENIAN PLANNING SYSTEM 20 YEARS AFTER

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Recent “development”



Dilapidation of the building fund – no renewal money

Recent “development”



Space as marketing polygon

Recent “development”



Flooding area as construction site

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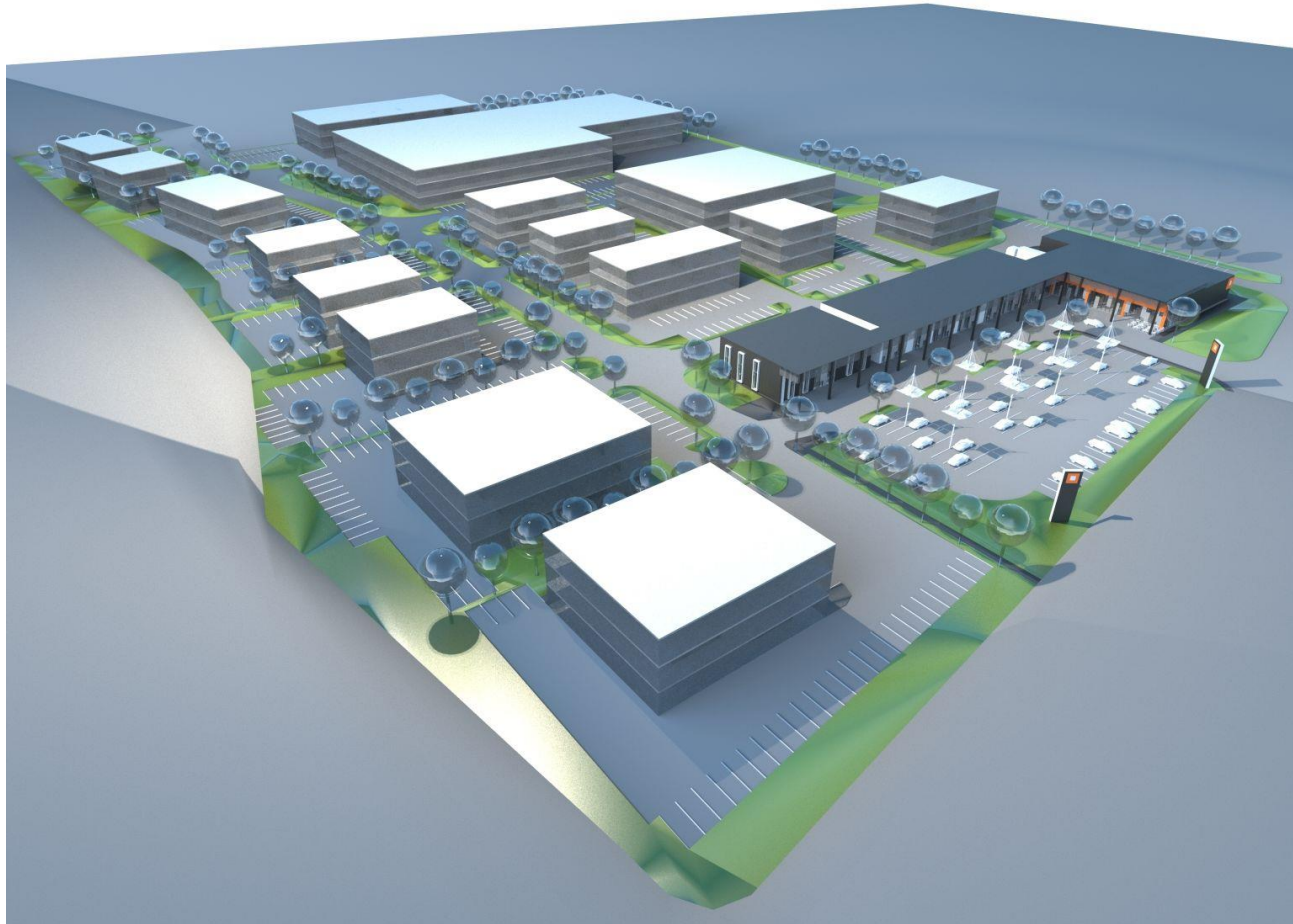
Recent “development”



Motorway – the vein of life and work

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Recent “development”

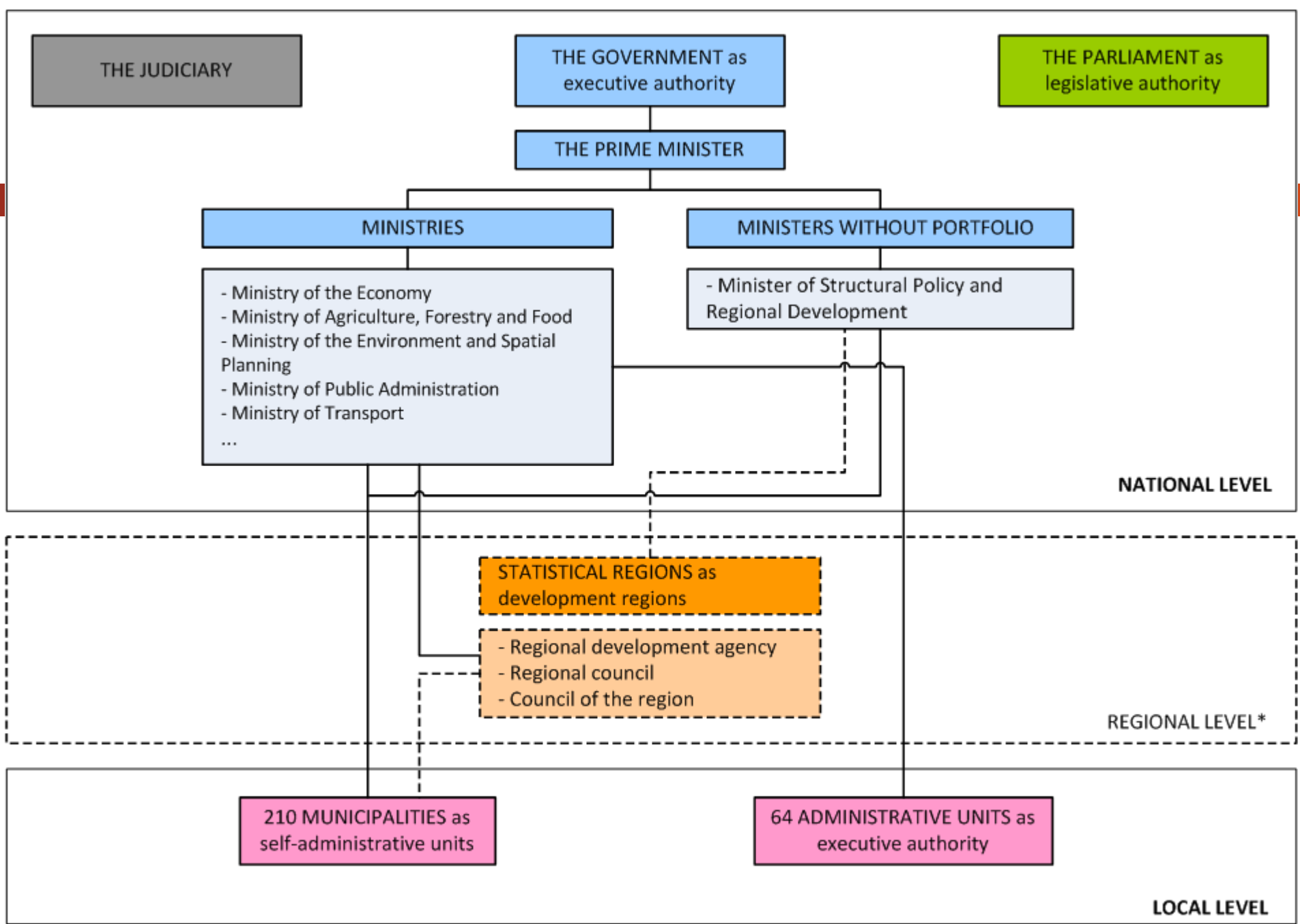


Business zone in each municipality

<http://www.zirovnica.si/povezava.aspx?pid=821>

Spatial Planning Act in 2007





* There is no administrative regional level in Slovenia. The statistical NUTS3 regions function as development regions but without executive authority.

IN CHARGE OF IMPLEMENTATION:

a) Municipalities

- capacity and sources
- influence of legislation (its changes) to their work
- influence of town planners on legislation preparation and adopted document
- opinion on the quality of legislation

b) Planning companies

- capacity and sources
- influence of legislation (its changes) to their work
- influence of companies on legislation preparation and adopted document
- opinion on the quality of legislation

Changes in implementation
because of the influence of
the planning system

Changes of the system
because of the influence
of the implementation
practice

SLOVENIAN SPATIAL PLANNING SYSTEM:

- modern trends in the planning theory and the planning systems in EU MS and the world
- development of the system
- current state of the art
- role of the legislation in the system

Changes in implementation
because of the influence of
planning legislation

Changes of the legislation
because of the influence of the
implementation practice

?

?

SPATIAL PLANNING LEGISLATION:

a) Development of legislation (1984, 2003 and 2007)

b) Quality of legislation:

- comprehensibility
- feasibility
- efficiency, effectiveness
- transparency
- legitimacy
- sustainability

Changes of the system
because of the planning
legislation influence

Changes of the
legislation because of
the planning system's
influence

Research question

What is the **role of planning legislation** in the spatial planning system and **how good does the legislation play out this role?**



If Slovenian planning legislation **achieves criteria of good legislation**, than it **plays its role**, defined with its adoption, **sufficiently**.

Methodology

- Review of existing regulatory impact assessment, studies
- Six criteria, descriptive and numeric indicators
- Data gathering:
 - Questionnaire for municipal planners/representatives of municipalities
 - Interviews with 11 representatives of planning companies
 - Comparative analysis of the laws from 1984, 2003 and 2007
 - *Observation of the legislative process*
 - *Analysis of existing studies*

ANALYSIS OF PLANNING ACTS

COMPREHENSIBILITY

COMPREHENSIBILITY= Legislation is clear and simple for understanding and user friendly. Definitions and tasks are set unambiguously and do not allow dubious interpretation.

FEASIBILITY

Numerical assessment:

- 0 – absolutely does not apply to criterion
- 1 – does not apply to criterion
- 2 – partially applies to criterion
- 3 – applies to criterion
- 4 – absolutely applies to criterion

EFFICIENCY/EFFECTIVENESS

Evaluation of indicators is sum up

evaluated
partially adds/
achievement

LEGITIMACY

EFFICIENCY/EFFECTIVENESS = Legislation is efficient if it reaches the goals and solves existing problems in the way that the least sources are used for the maximum outcome and benefits for the society.

TRANSPARENCY, OPENNESS

Techniques, used for public participation
Comprehension of public participation
Participation in legislation preparation

Influence of legislation changes onto the work of planners
Participation in legislation preparation

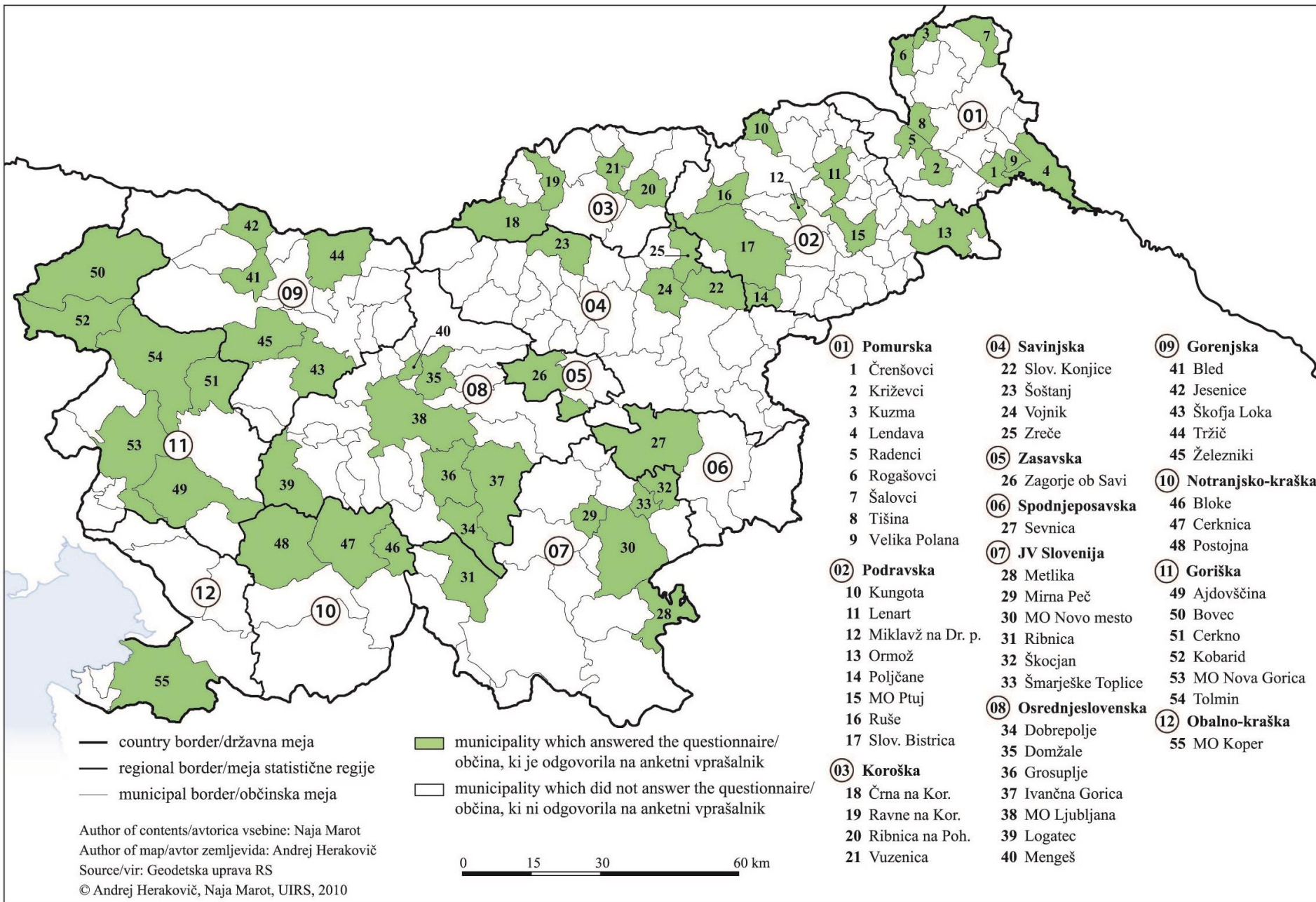
public participation process
Process of planning legislation preparation

SUSTAINABILITY

Adequacy of the sustainable development goal
Delivery of sustainable development

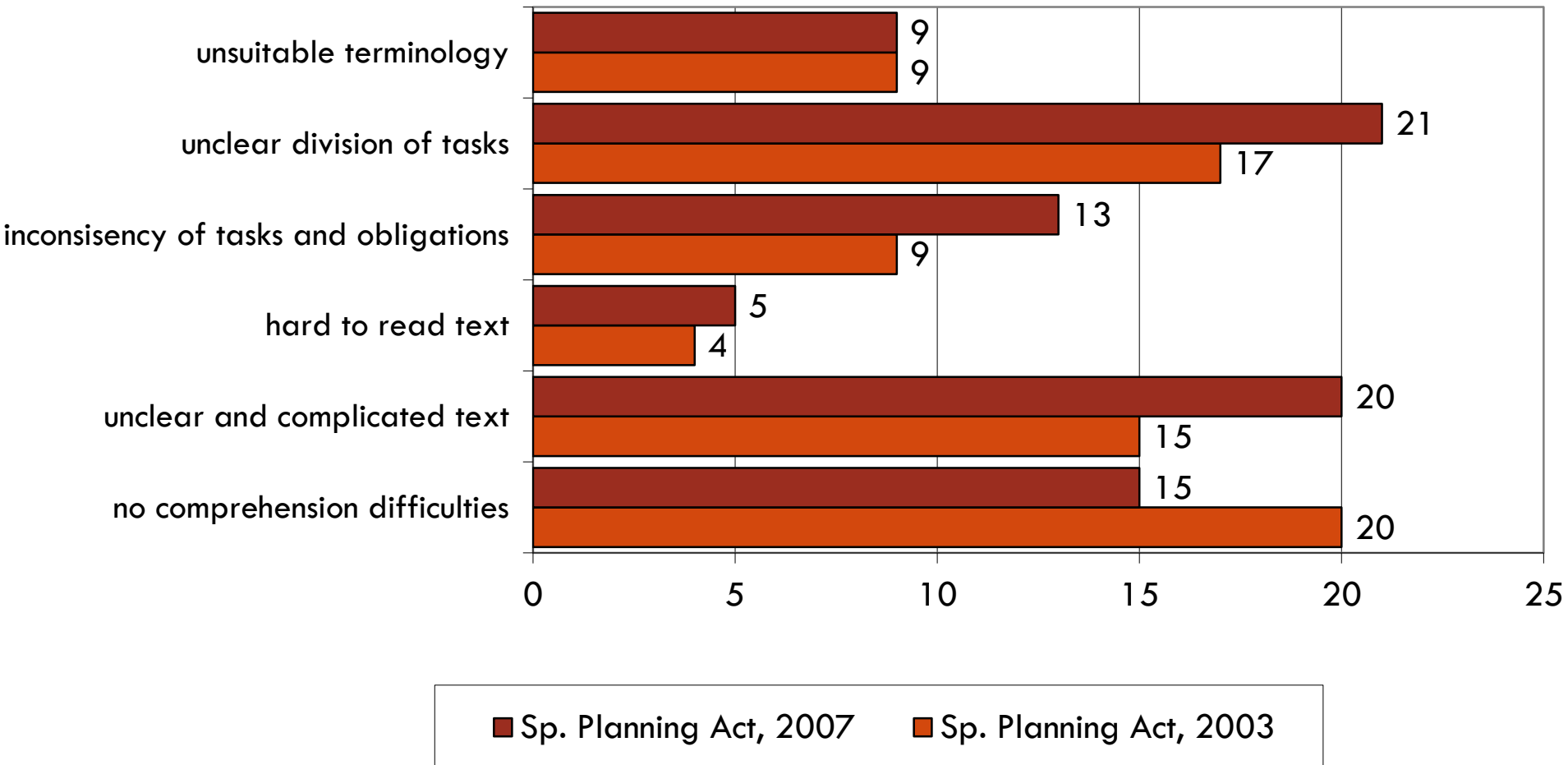
Adequacy of the sustainable development goal
Delivery of sustainable development

Principles of spatial development
Goals of spatial development
Role of detailed analysis in the master plan preparation process



Comprehensibility

Frequency of answers

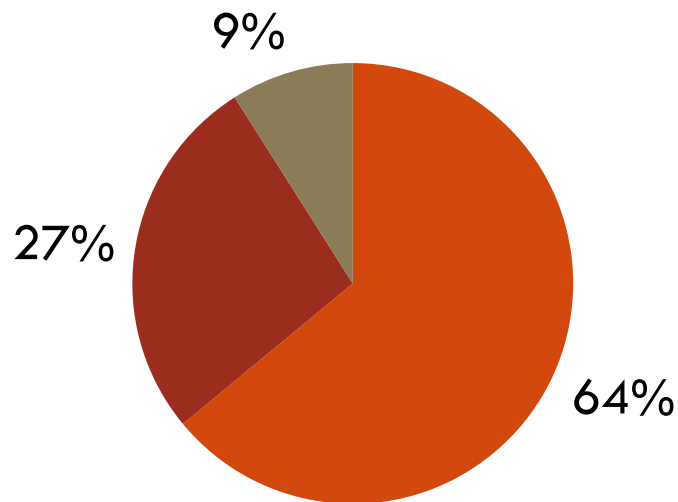


Feasibility

- Staff capacity of municipalities:
 - ▣ Partially adequate
 - ▣ Average number of employees: 4
 - ▣ Educational structure: architects (24 %), civil eng.(15 %), geographers (9 %), geodesy eng. (7 %)
 - ▣ New positions opened: 20/55 municipalities
 - ▣ New positions needed: 33/55 municipalities
 - ▣ The role of town planner?
- Municipal budget expenditure: 2 to 4%, ↓ in last decade

Municipality formation and influence of municipalities' separation

Attainment of the legislative criterion

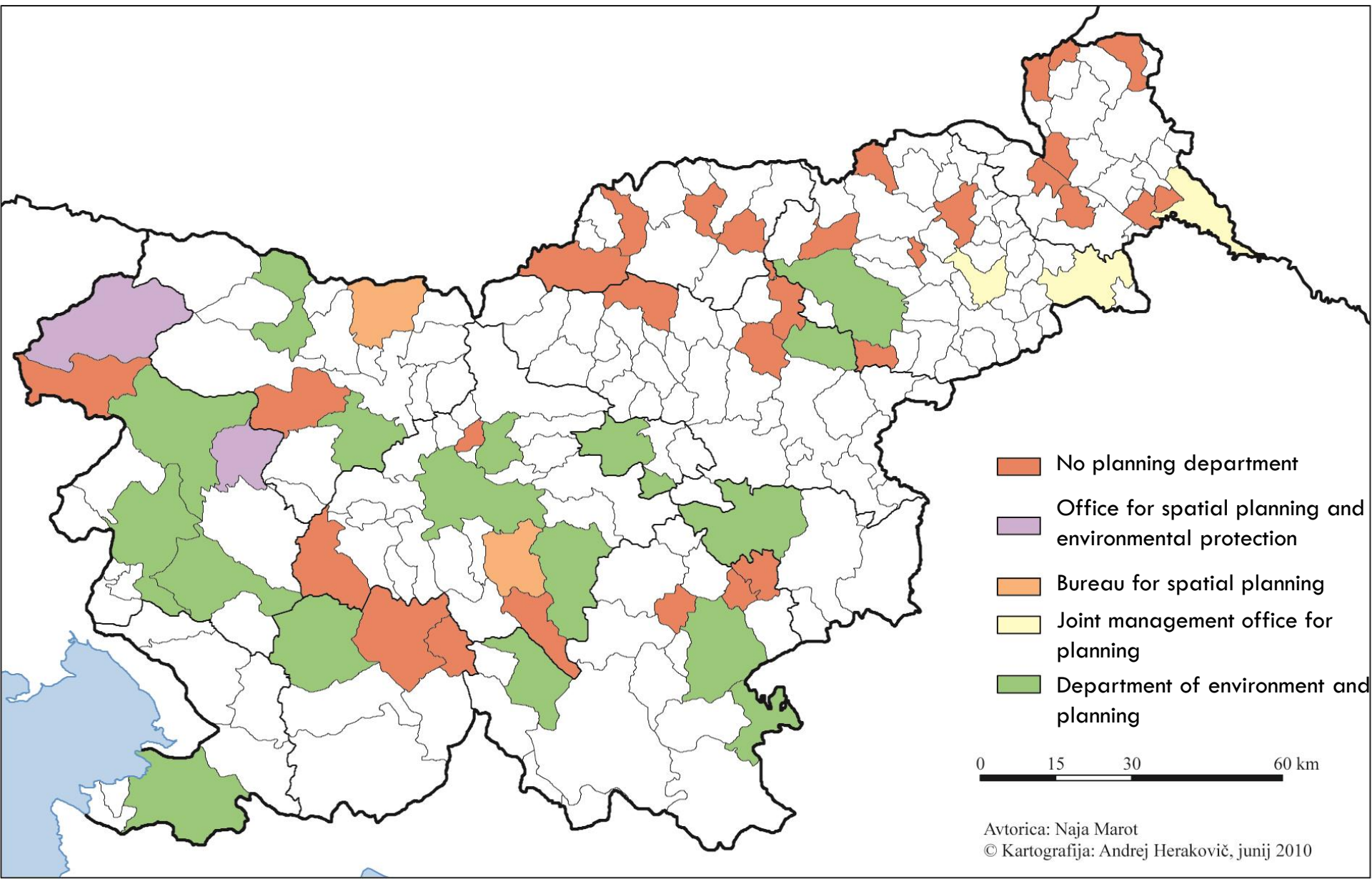


- More than 5,000 inh.
- 2,000 to 5,000 inh.
- Less than 2,000 inh.

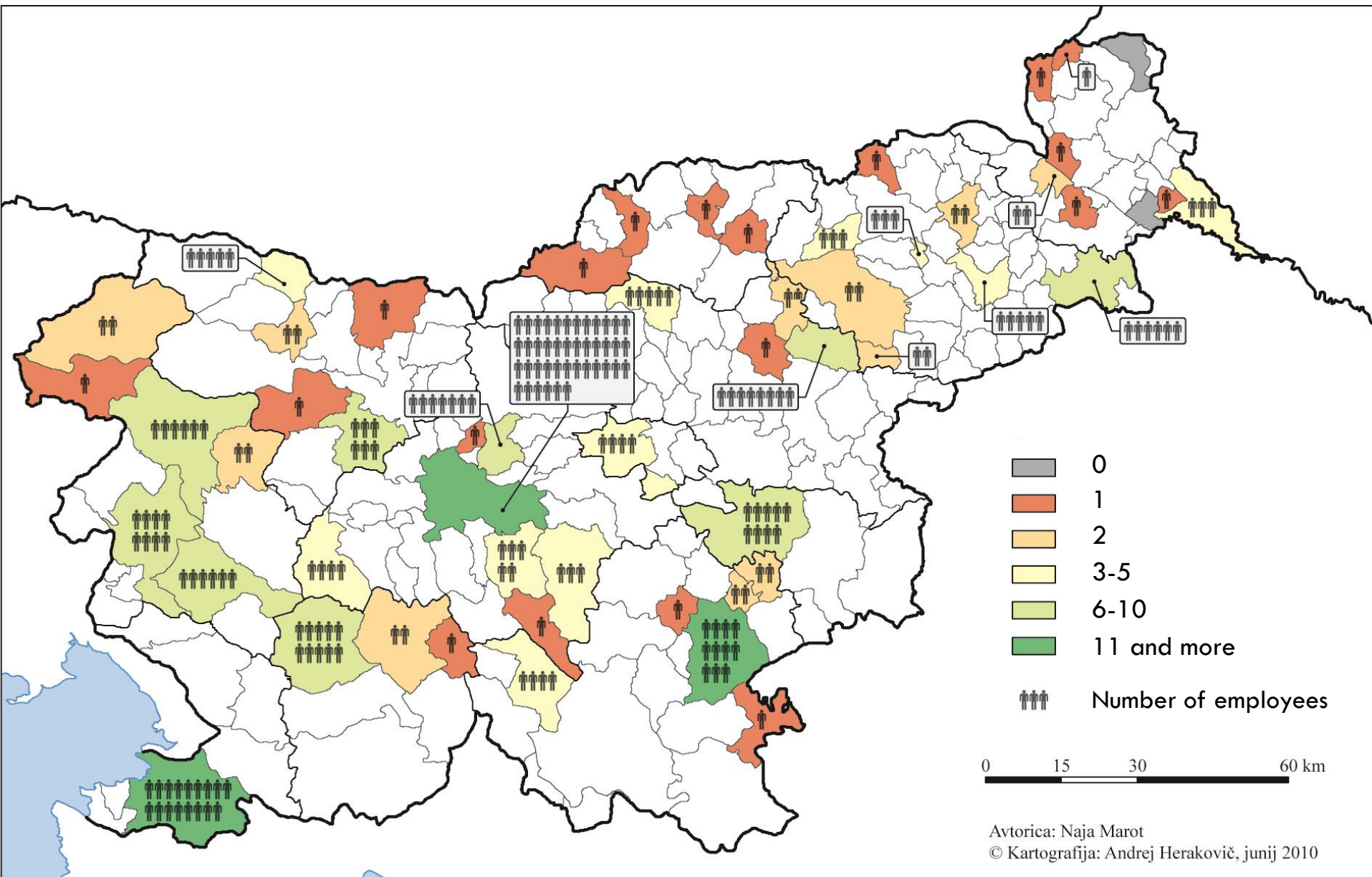
Management quality after separation

- no change in 14/29 municip., 4/29 ☹️, 10/29 😊
- 😊: better knowledge of territory, own planner & spatial acts
- ☹️: one person responsible for multiple task&areas, lack of knowledge, predomination of the influential individuals' interests

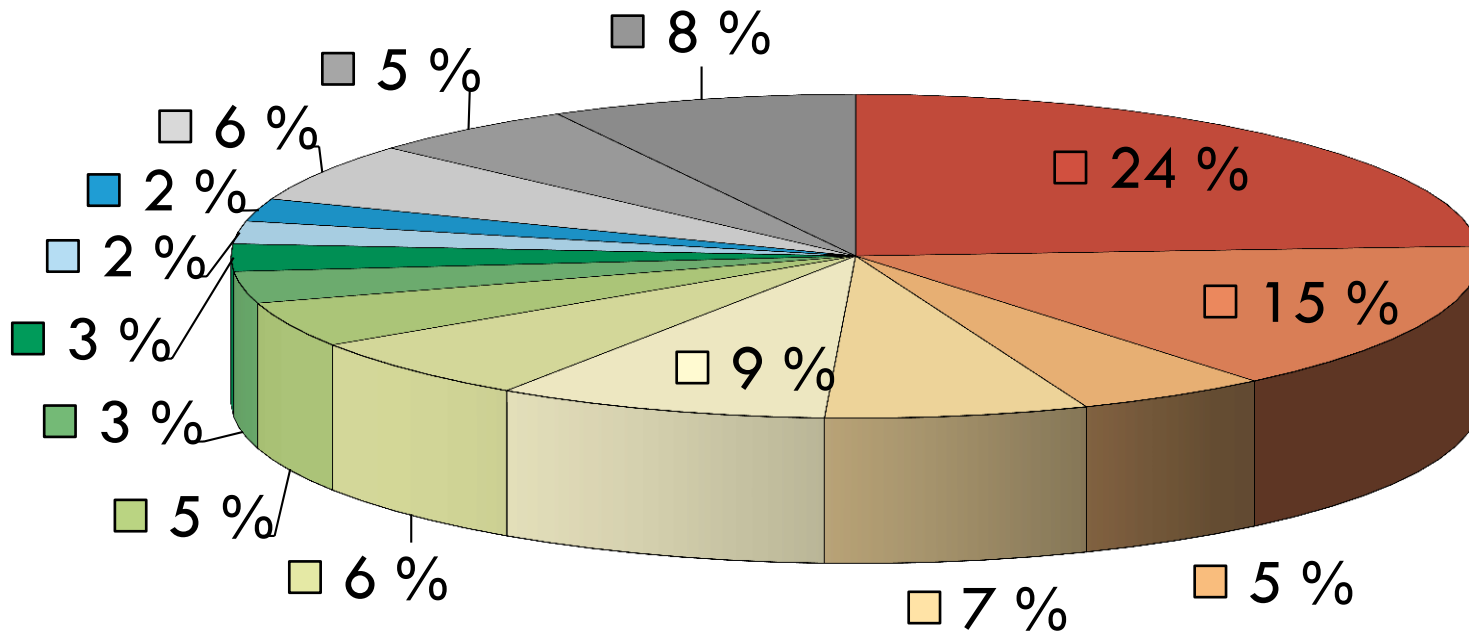
Type of administration



Number of planning employees

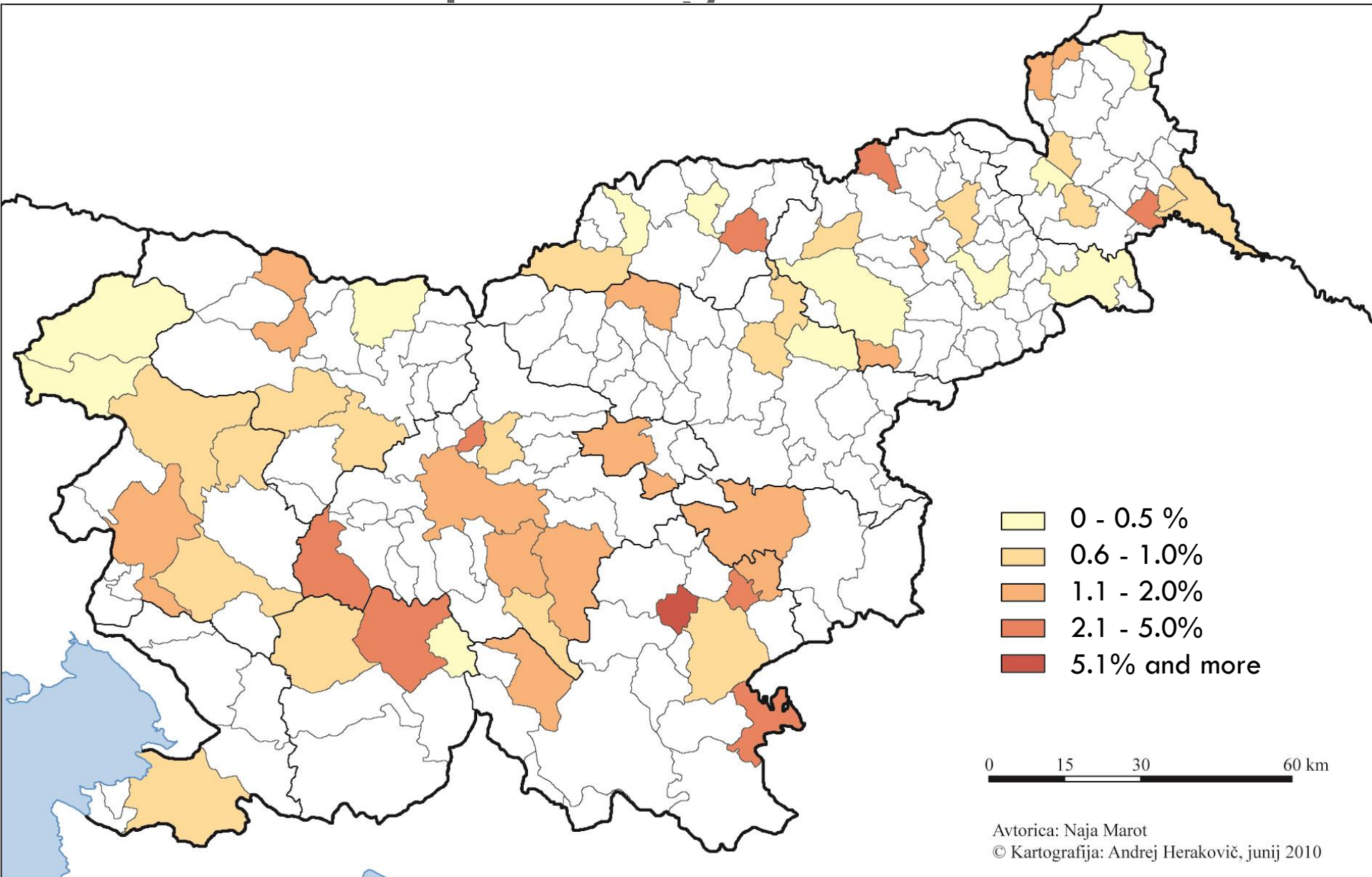


Educational structure

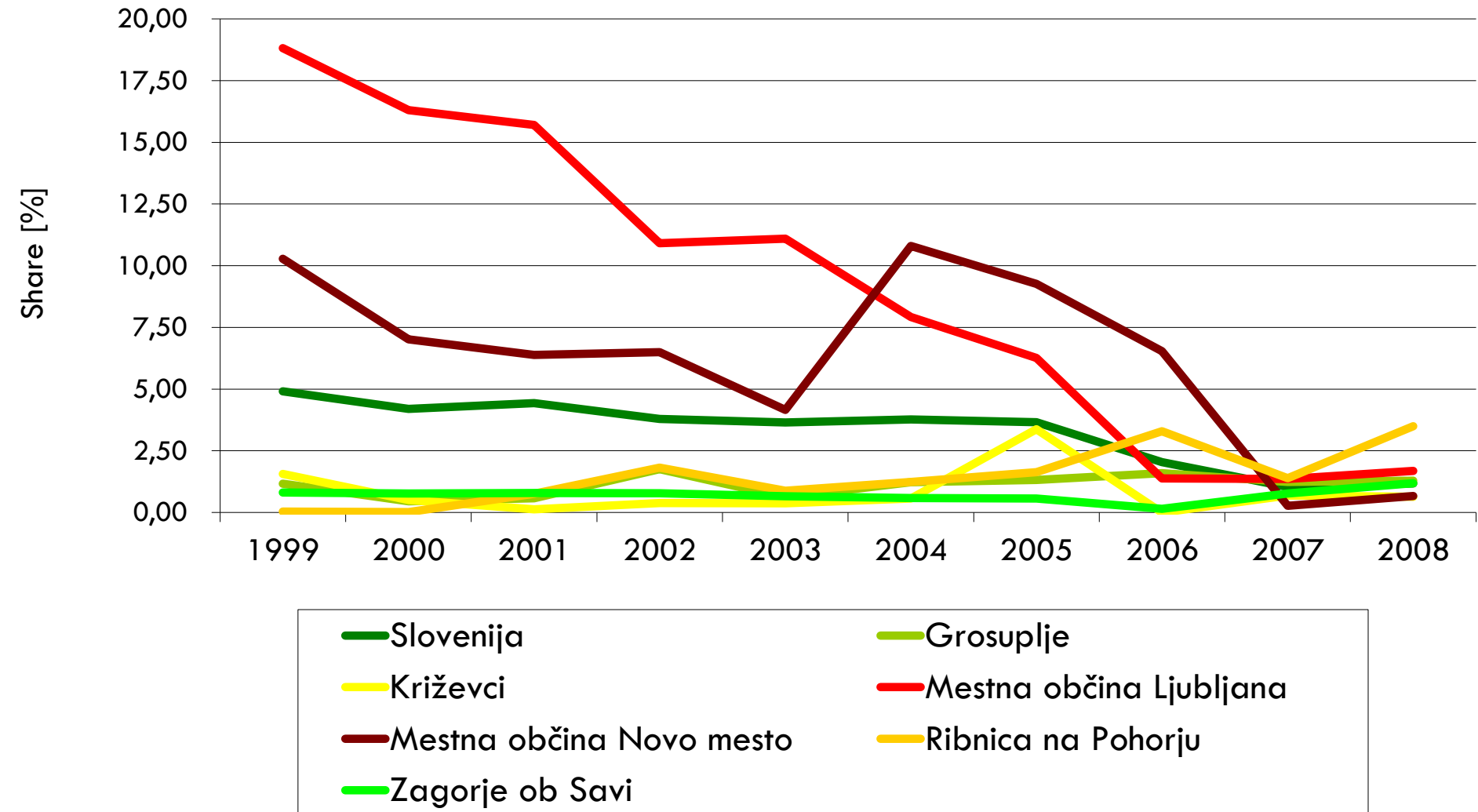


architect	civil engineer - construction	landscape architect
land surveyor	geographer	management
jurist	transport engineer	economist
agronomist	civil engineer - utilities	other - univ. degree
other - high school	no data	

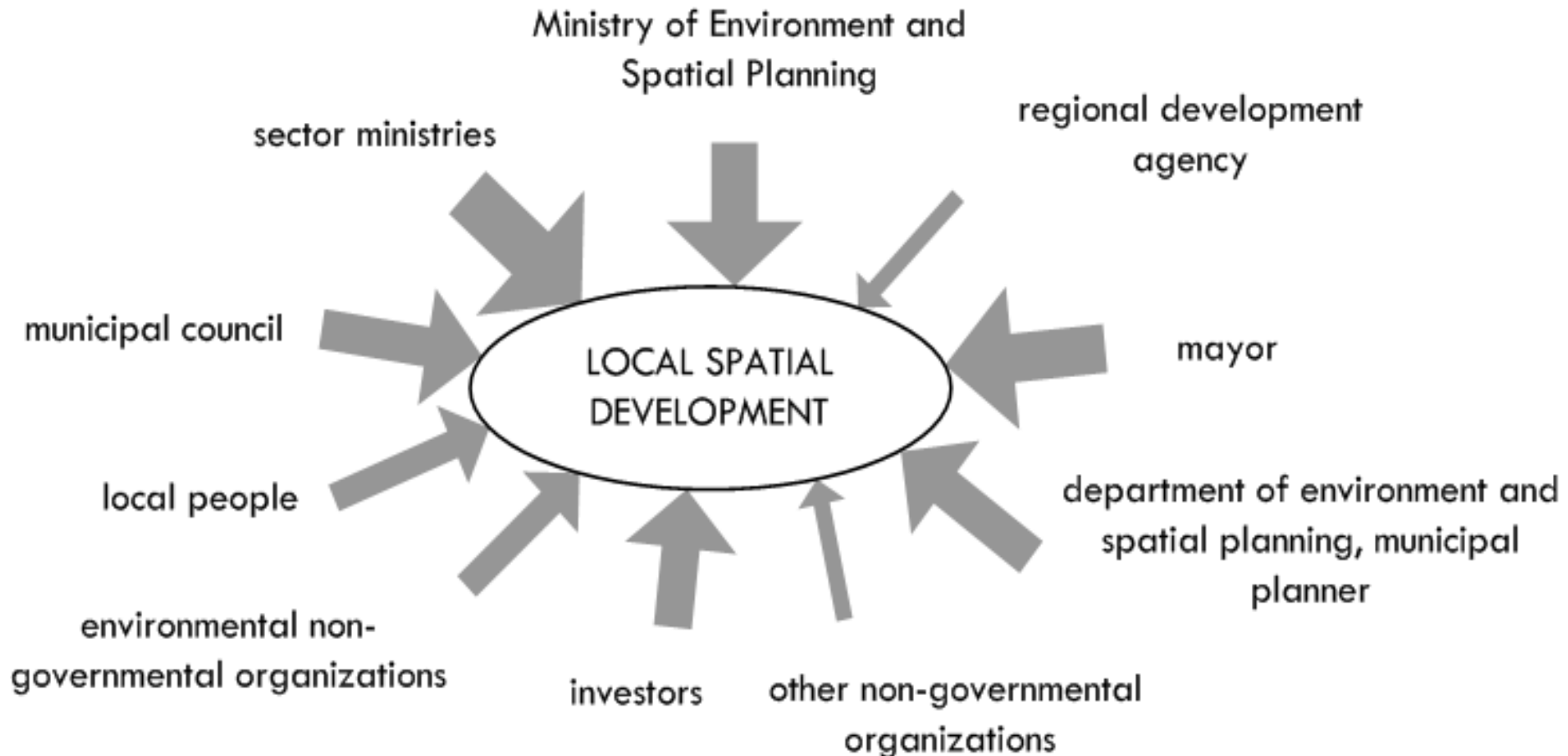
Share of the annual municipal budget, devoted to planning



Trend of annual municipal expenditure for planning, 1998-2008

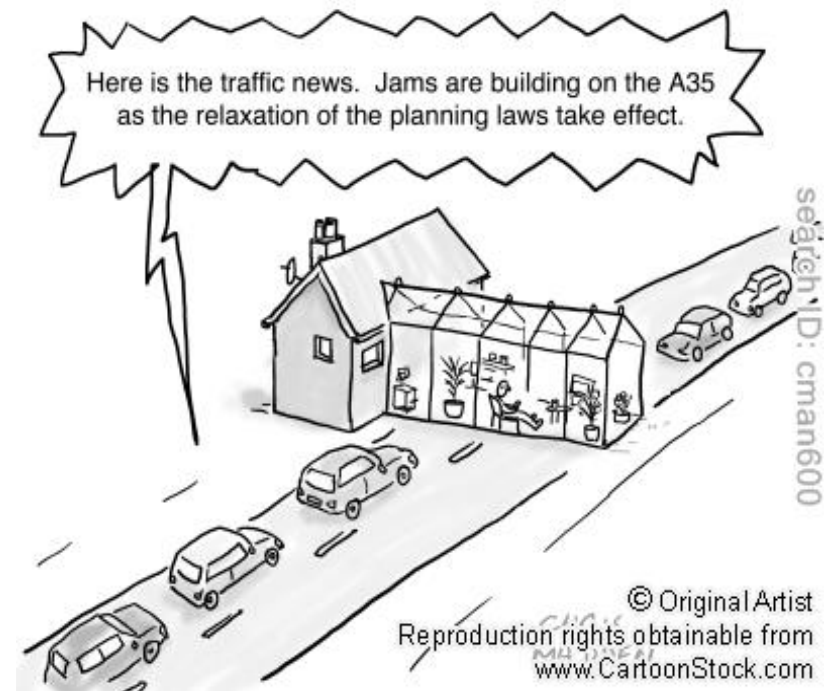


Stakeholders' power/influence



Efficiency & effectiveness

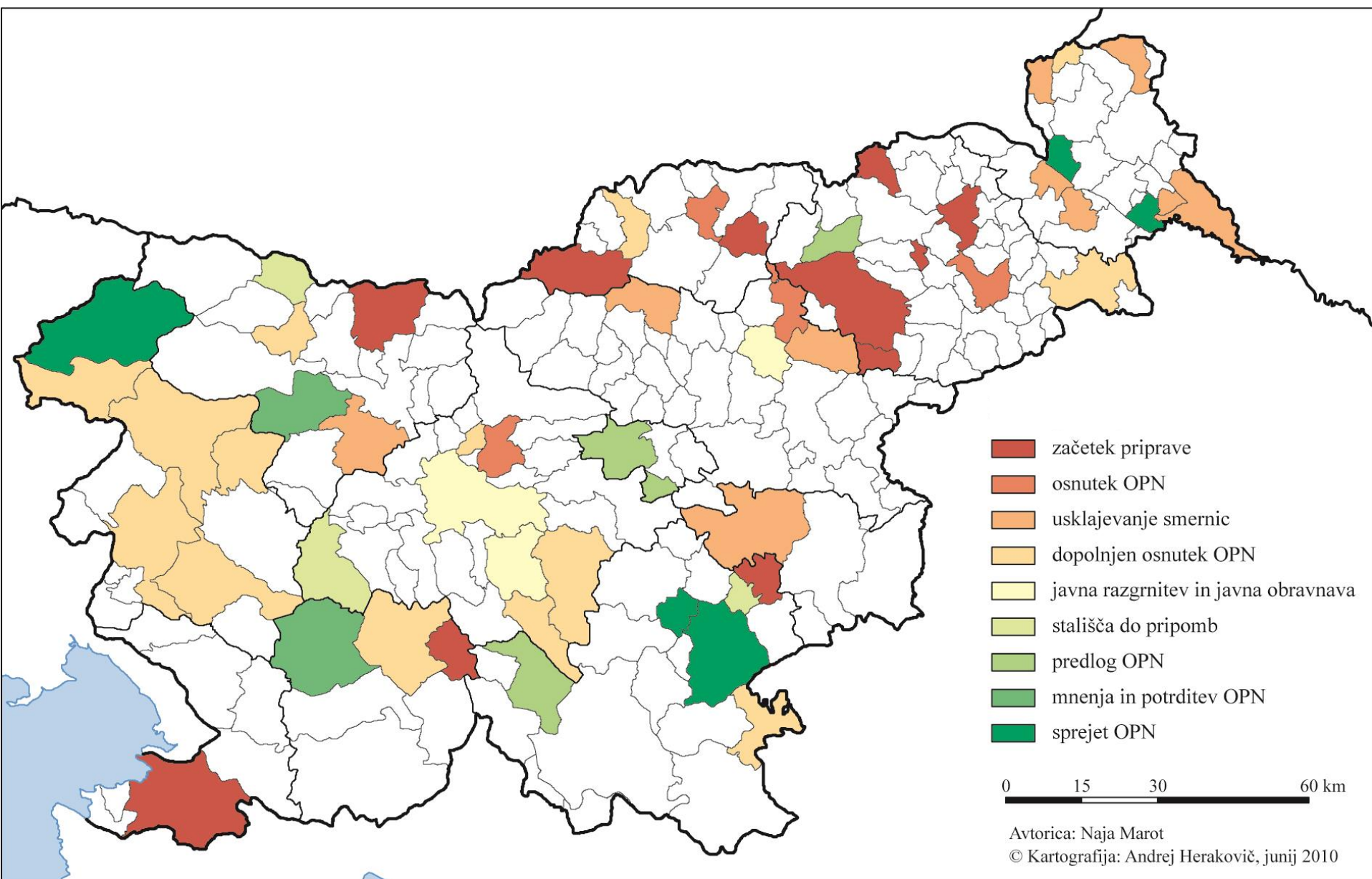
- ❑ Municipalities are facing various spatial problems...
- ❑ ... legislation not addressing them so successfully.
- ❑ Achieving the national spatial development goals: partially



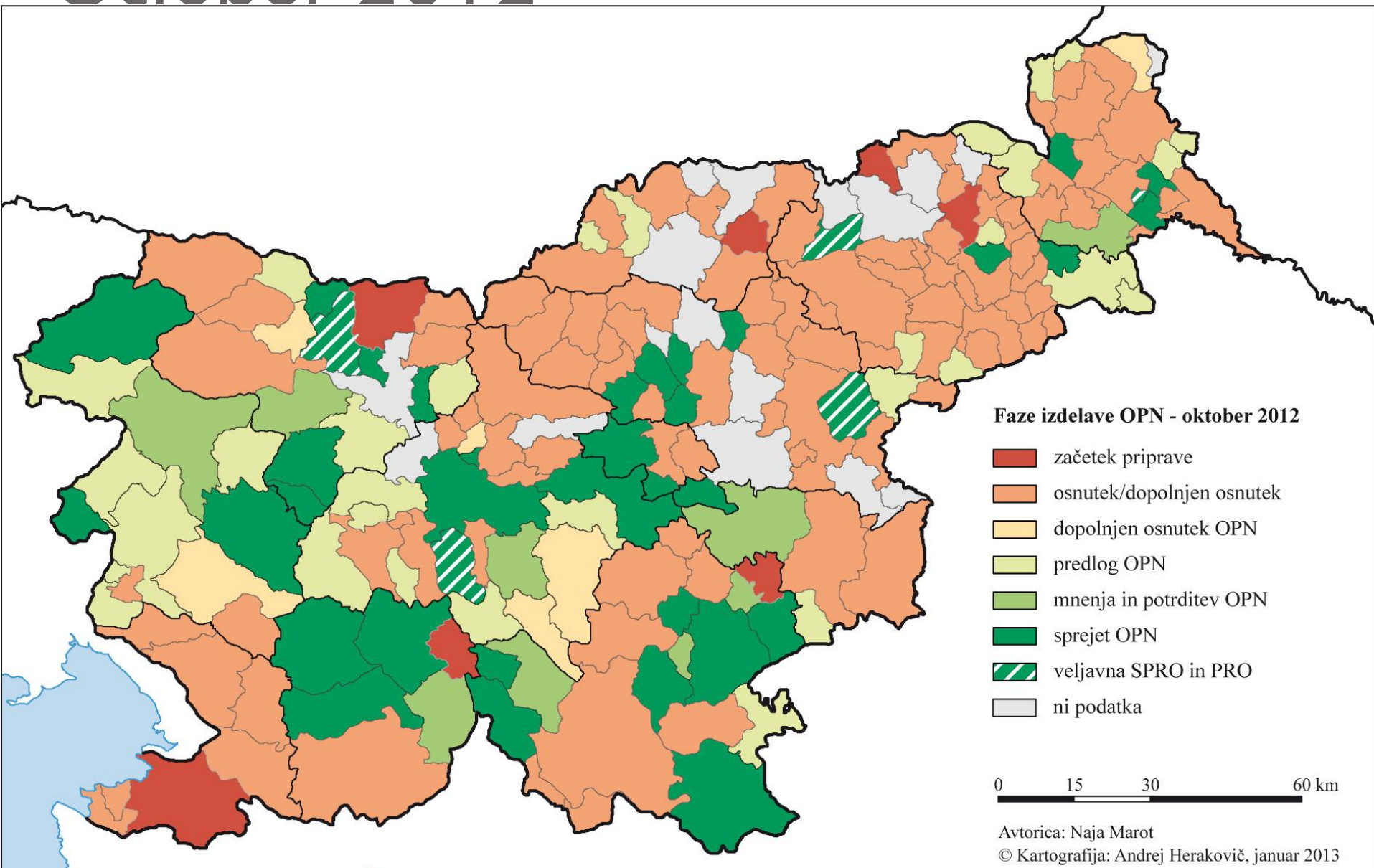
The use of planning instruments

Instrument	N	Users - share	# of uses	Most common uses
Expropriation	53	11 (21%)	1 to 5	<ul style="list-style-type: none"> – reconstruction of the (local) roads, – enlargement of the waste disposal facility, cemetery, construction of the sewage treatment
Reallocation of the land	54	13 (24%)	1 to 8	<ul style="list-style-type: none"> – contract allocation for agricultural land – parcelation for the needs of a detailed plan – individual housing construction, determination of borders between the owner, municipality/state
Urban planning contract	50	18 (36%)	1 to 22	<ul style="list-style-type: none"> – construction of the missing public infrastructure – construction of housing neighbourhoods – construction of the roads, shopping centre
Legal prepurchase right	42	20 (48%)	1 to 118	<ul style="list-style-type: none"> – road reconstruction – provision of the utilities – land purchase for the business zone, educational building, waste management centre
Renewal measures	53	2	2	<ul style="list-style-type: none"> – reconstruction after the earthquake – renewal of façades

Adoption of the new municipal plans, 2010



Adoption of the new municipal plans, October 2012



Transparency

- Regression with the 2007 Spatial Planning Act
- Public communication techniques: web, local newspaper, radio, billboards
- Low level of public participation
- Positive comprehension of public participation
- “Innovative” techniques: workshops, lectures, supervising board...

Legitimacy

- Negative associations prevail
- Participation in the legislative process:
 - Level of participation: 24/52, 9/11
 - Consideration of public proposals: low
- Unbalanced relation between the politics and spatial planning -><- “Spatial planning and the politics should deliver the sustainable development of the municipality together.”

Sustainability

- ☺ Seen as positive influence to grant higher quality of the planning
- ☹ Huge gap: principles vs actual implementation
 - 1/2 of municipalities recognize it as a development goal
 - Goal partially achieved



<http://nfp-si.eionet.europa.eu/sokol/>



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Results of impact assessment

Assessment criteria	Questionnaires		Interviews		Legislation analysis		Sum
	Municipalities		Planning companies		Planning Act (2003)	Planning Act (2007)	
	Descriptive	Numeric	Descriptive	Numeric			
Comprehensibility	no	partially					partially
Feasibility	partially						partially
Efficiency, effectiveness							
Legitimacy							
Transparency	partially						partially
Sustainability	partially						partially
Sum	partially						

Score 1.7 – Legislation partially applies to the criterion of comprehensibility.

Indicators:

-Comprehension of defined terminology: More than ½ municipalities reported comprehension problems, mostly because of unclear and complicated text, changing term.

→ Score **PARTIALLY** – The indicator partially adds to the criterion of comprehension.

-Comprehension of defined tasks: Division of tasks is a common problem, different ways of interpretation.

→ Score **NO**.

Sum: Legislation DOES NOT apply to comprehensibility.

The role of legislation

- **Planning legislation** only partially achieves the criteria:
 - **does not achieve:** efficiency & effectiveness and legitimacy
 - **partially achieves:** comprehensibility, feasibility, transparency and openness, sustainabilityhence it **does not play out its role sufficiently.**
- Municipalities/planning companies **do consider the planning law** and **act accordingly to it** but they have **no or little power to change it** or adapt it according to the needs of the spatial development.

Planning law in 2014

- Better connection of local planning & regional development
- Re-enforcement of strategic plan.
- Precise conditions for individual types of development
- More & better integration of stakeholders (public, sectors)
- Renewal of planning instruments, improved land management
- Change in jurisdictions



Thank you for your attention!

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