

## STRATEGIES FOR TAKING INTO ACCOUNT THE INTER-COMMUNAL SCALE ON URBAN PLANNING IN FRANCE AND IN ITALY

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The urban professionals, researchers and politicians, are now facing the challenge of adapting their tools and their land management strategies to major society changes, like result of awareness of environmental issues. In this sense, our work deals make a comparative analysis of development tools created to take into account these challenges. Synthetically, we analyse in France, changing the Master Plan – *schéma directeur* (SD) to Territorial Coherence Plan - *schéma de cohérence territoriale* (SCOT), and in Italy, the evolution of regulator plan - *piano regolatore* (PRG or PRGC) to large zone plan - *piano di area vasta* (PAV). In short, this work makes a comparative analysis between the preliminary results of two thesis being developed, which deal respectively to planning tools to intercommunal level in France and Italy face the major issues taken into account sustainable development in planning and meeting the challenges of urban safety.

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### Introduction

The European cities have been planned for communities for a long period of time, which, according to the historic period and the current urban theories, were dependent on planning norms and regulations, communal and national and more or less were adapted to their context and those demands of society.

For example, during the Renaissance, the artists, the politicians, the architects thought and imagined a city with a rational and laic order, with the aim to render the medieval city – characterised to organic and spontaneous order - more rational and beautiful.

Utopias, projects and plans are made up on a whole of territorial regulations, from the dimensions of the buildings to the illumination of the roads and the collection of rubbish, among other things. In this context, aesthetics is primordial (Roncayolo & Paquot, 1992, page 15). However, the changes of theoretical models invert the priorities. The moderne théory undergoe aesthetic order to functional, to profitable, to economics and to engineering orders.

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According to R. Fishman (1977, page 9), during the modern movement, the recurring idea is that of a radical reconstruction of the cities to solve not only the urban crisis, but also the social crisis of the times. Modern thought intended to express the power and the beauty of modern technology and the most advanced ideas of justice through plans of factories, office buildings, schools, parks, transport systems, including the creation of new cities. As long as the ideal city becomes a reality, innovation is considered the only method. The idea of a progressive improvement of what is, does not seem sufficient and the theorists believed that a complete transformation of the city is required.

Nowadays a new revolution of the way of thinking is oriented towards new instruments of urban development. At the same time the territorial authorities create new instruments of urban management more adequate to the use of transport and the district networks that characterise everyday life. The new urban theory demands a sustainable development where harmony, between development and environment, is a must. Technology is significant of well-being, of the quality of life both in the city and in the environment.

According to Sachs (1986), to reach this point, it is necessary to redefine and think out new aims and actions so that the environment may be considered as a dimension of development and taken into account at all levels of decision-making. The problems of the resources, energy, environment, population and development will be concretely perceived only through an inter-relational analysis which requires a coherent plan in order to be successful.

To deal with these issues, the urban professionals, researchers and the politicians are invited to reflect upon the instruments and the strategies of territorial management in relation to what we call here ecological conscience. These strategies take place, above all, by using the new politics of transport, environment and economy. The urban city is seen as the key environment where these urban results are proof of a successful project after having put to use the new urban strategy planning.

In France and Italy, these strategies are developed keeping in mind the new demands, surely influenced by the neighbouring countries, but even by the requests of the European Union. Among these processes, the creation of the new territorial collectivity - in the scale of metropolitan areas - is a communal strategy. This new territorial scale is the heart of our study as well as the documents of urban planning that were adapted to this scale. We believe it important that the administrative power must be on the same scale as the major environmental and urban problems.

Therefore, three questions are present in this document: What strategies of planning must be considered for a more balanced and sustainable development in European cities? How do countries deal with the urban project (instruments and policy) beyond the municipal level? How are these instruments influenced by the specificity of each State, above all, by the administrative power of the city?

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This study deals with the models of planning and their instruments, in relation to the change of the socio-political context of France and Italy. More specifically, our study compares the evolution in France from *Schéma Directeur* (SD) to *Schéma de cohérence territoriale* (SCOT), with the evolution in Italy of the *Piano regolatore generale* (PRG) to *Piano di area vasta* (PAV). These two documents, SCOT and PAV, have the purpose to balance out in each country the new borders of territory and the new strategies of planning. At the same time it is necessary to compare:

- a) The scales of application of these instruments, their law and political status;
- b) The institutional actors present in the design and management;
- c) The influence of the each country administrative structure in order to approve and apply these instruments.

In order to develop these comparisons, this work is supported by the methodology of comparing cases (Yin, 2003). This research strategy has been chosen so that the presumed casual links in real-life interventions too complex for the survey or experimental strategies, can be explained. Moreover, this methodology, based on several compared studies, includes some generalisations. Thus our contribution is to open to discussion and encourage a debate about the urban tools which take into account new territorial boundaries that the present new comparisons. In a complementary way, we also want to bring our findings about the difficulties in cross-national studies.

### **1. A brief description of the administrative and territorial organisation in France and Italy.**

France is the result of a slow evolution of its borders which were defined at the end of the 15th century. The territory is strongly unified with a still forceful state power in counter position of a decentralisation which began in the 1980s. In 2011, it has been exactly 150 years since Italy had attained unification<sup>i</sup>. On the other hand, the regions have attained great power competing with the State following a process of Federalism which should result by 2012.

The French territory is divided into five levels: cities, the intercommunity, provinces, regions and the State. Each one of these has its own executive power. In Italy the administrative division, after the Constitution of 1948, is composed of the cities, provinces, regions. Constitutional law n°3 of 2001 inserted the metropolitan cities and among these a special norm for Rome, the capital<sup>ii</sup>.

According to INSEE (2010), the smallest French administrative division is the city. The city perimeter, officially instituted in 1789, was dictated in the Middle Ages. On January 1, 2006, France has 36,685 cities, of which 36,571 are in continental areas<sup>iii</sup>.

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According to the *Code de Communes* (Legisfrance, 2010), the cities have parallel power with the State in the administrative and territorial planning and in the economic, social, health, cultural and scientific development. The mayor, elected by universal suffrage, is the executive power of the city; he manages the budget, and represents the community. For the French, the city scale predominates in local territorial matters. The mayor is seen as the person who is responsible for the successes and defeats of the urban policies. According to the communities' norms, the city, the province and the region are administered by the council of the members elected. The division of competence among the city, the province and the region are equally independent of one another. When there are transversal competences, meetings are held to come to an agreement.

Historically, the intercommunity is the most recent division, acknowledged by the Voynet Law of July 12, 1999, with the intention to institutionalise a territorial scale capable of managing principal issues. The LOADDT with the aim to modify the old law, LOADT - Law for Spatial Planning Orientation and Development Territory - proposing a new organization of the territory based on two new territorial entities: the *pays*<sup>iv</sup> and inter-communal territories.

These new territorial entities do not correspond to a new tier of government created, nor do they represent new territorial communities like cities, provinces or regions. They are, above all, a voluntary cooperation group that are characterised to geography coherence, culturally, economically, and socially.

The new territorial collectivity simplifies the French administrative scenario characterised by a great communal fragmentation, which determines environmental and financial inequalities. At the same time, it is a strategy in order to overcome the city's difficulties so that projects can be realized on a greater scale.

The province corresponds to a territorial scale of more cities where numerous services are available by the State. Defined in 1789, the provinces correspond to a territorial community after 1790-1800. In France there are 95 provinces which have been managed by the general councils, and have increased their competences more and more. Currently, each province takes care of social and health services, space planning, infrastructure of country roads, school buses, port authority of commerce and fishing. They are also responsible, along with the region, for middle and secondary schools, culture, patrimony, and economic activities (La vie Public, 2010).

In the province, the provincial department of territory and sea<sup>v</sup> to which our study is related, is very active and concerns the technical support of documents of city planning, and furthermore, supports the members elected of the administration in their decisions. The department gives its opinion on city planning during the steps of discussion until the final report which goes to the Prefect.

Some provinces participate in urban planning in specific situations. For example, in Montpellier, the province of Hérault has decided to concentrate on sport management and culture, and their own archives in a

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large compound located northwest of the city, surrounded by a network of science activities and by a residential area. In cooperation with the inter-communal territories and the city, this new neighborhood must be treated in coherence with SCOT's recommendations - urban instrument - above mentioned.

In France, the region corresponds to the most recent division. Its creation was determined by Law n°.72-619 of July 5, 1972, and includes numerous services decentralised from the State, organised in the regional departments. We can associate its creation with the policies conducted by the delegation to the Planning and Regional Action - DATAR - which since 1963 has played the role of rebalancing the French territory. The president of the regional council is the executive power of the region, and is elected by the regional council which, in turn is elected by universal suffrage. He prepares and carries out the deliberations made by the council.

Currently, France has 26 regions, of which 22 are situated in Europe, and the other 4 are referred to regions overseas. After the law of decentralisation, the regions have the competence to promote the economic, social, health, cultural and scientific development, and the organization of the territory. According to the law (Legisfrance, 2010), the region can carry out activities complementary to the State and the territorial communities, and the other public institutions that are in the region, in the domain and the conditions dictated by law.

In Italy the regions are becoming more and more important in the administrative sector and in the people's life. There are 20 regions of which 5 have administrative autonomy: the two islands *Sicilia* and *Sardegna* and the regions similar in the cultural aspects and traditions of the neighbouring countries, namely the *Valle d'Aosta*, *Trentino Alto Adige* and *Friuli Venezia Giulia*. After the Constitutional law of 2001, the regions, except for some domains like National Defence, Financial Politics, among others, are carried out legislatively parallel to the State. In other domains the regions have exclusive competence, as does the territorial Government. Created in 1970, the regions developed their autonomy in the 1990s, and strongly in 1995, when there was the direct election for the Governor of the region, which, however, took place after the direct elections for the Mayor and the President of the province.

The role of the regions is more and more determinant in Italy, as is demonstrated in law n°. 42 of 2009, for the institution of a Federal State, responsible for the attribution to the regions of a patrimony and a fiscal revenue. This process will present some difficulties; not so much because of the richer regions in Central and Northern Italy, but because Southern Italy is in a more complex situation, above all, for tax evasion. The communities are, like in France, on the smallest administrative scale, but they are much more populated. Most communities (6,888 - 85%) are under 10,000 inhabitants. According to ISTAT (2010), Italy is comprised of 8,094 communities, four times less than France, despite there not being a great difference in extension: France – 527,970 Km<sup>2</sup>, Italy – 301,230 Km<sup>2</sup>.

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The city is directed by the Mayor who also names the junta of the city. There is a city council consisting of from 12 to 60 members, which is the deliberating organ, and there is also a city Junta which has executive power, always under the Mayor's direction. The larger cities<sup>vi</sup> are subdivided in districts. Both the Mayor and the city council members are elected directly by the citizens. The most recent reforms have given the Mayor more power, above all, in urban safety. So, the community administrations are more stable, and the citizens are demanding more from their Mayor. Unfortunately, the mayor does not always have the power to meet their needs, and however, the Mayor's duties are often impeded by a scarce budget. The Mayor carries out functions of Government and Civil State.

The middle scale is the Province. The Provinces have territorial competences since they make the Provincial Territorial Coordination Plan - *Piano Territoriale di Coordinamento Provinciale* (PTCP) – they are also responsible for road maintenance, and take care of matters in the secondary schools among a few other matters.

There is always talk about suppressing some provinces, but then, there is always the making of a new province<sup>vii</sup>. The Province is directed by the President of the Province, who also names the junta of the province. Like the provincial council, the President is directly elected by the citizens.

In each Province, there is a Prefect who represents the State, and, as in France, he directs the Prefecture – Territorial office of the government. Currently, he does not have much power of control over the administrative acts of the communities, provinces - and regions. He does have, however, the responsibility to supervise the communal and provincial activities when acts of illegality are evident, and for grave incidents in public ordinance. At that point, he nominates a commissary to run things until there are new elections.

Since 1942 territorial planning has been the province's responsibility to prepare the Territorial Coordination Plan - *piano territoriale di coordinamento* (PTC, like a PTCP) – in order to preserve some zones of the provincial territory. Currently, the PTCP is considered a sector plan in regional law to protect the environment, rivers, lakes, the land and the natural beauty of the territory. However, not all the provinces have adopted this norm. In this sense, the process of constitutional revision has not changed the role of the Italian provinces, but it has created a new territorial administrative scale, thus being the metropolitan cities - *città metropolitane*, which will substitute some municipalities in the provinces where the law has provided to do so. But this is still only in law.

The process of the creation of the metropolitan cities, in most cases, occurs through the strategic planning of the large zone - *area vasta* - of which there are many cases; some for the reason of having been ordered by the region, others by choice of the neighbouring towns, all of which have been financed by the EU and the State -FAS Funds – funds for unexploited areas (Sommella, 2008).

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The strategic plans are used to bring together public works like infrastructures and social and cultural activities. These experiences were first developed from centre to north Italy; only after the arrival of financial aid, did they begin in the south. These processes are important because their aim is to unite the communities to a point of optimal fulfillment defined as *area vasta*, which is the ideal dimension that we are working on, that is, the urban issues (Florio, 2010).

In both Italy and France, the last administrative scale is the State. In spite of the decentralisation in the State of France, it is still present in the territorial planning through regional and provincial departments, and above all, through the Prefect. The State has been represented in each region through many departments since January, 2010, when they were unified in only one Regional Department of the Environment, Planning and Residential construction – *Direction Régionale de l'Environnement, de l'Aménagement et du Logement* (DREAL). In cooperation with the province, DREAL deals with the environment, and Province Department takes care of the territorial planning. The objective of these reforms is to unify the State policies in order to facilitate the Prefect's decisions.

The regional Prefect represents the government alongside the regional community, and directs the State's administrative and civil services. The Prefect has the power to block the urban planning documents – as does SCOT – and also the perimeters of the intercommunity. His action is based on the opinions and recommendations that he receives on the provincial and regional directions. This highlights the compatibility of the territorial scales, important for the coherence of the administrative acts. Many times there is only one Prefect for the region and the province, therefore, it is simpler to be coherent with the State.

On the other hand, in Italy, the central power has a lesser role. We believe that this situation is due to the strength of a political group which flourishes in the north of the country. This group has become through its dynamics, the key element of Italian politics in the past 15 years. It has a strong social acceptance among the people, and its initial purpose was to divide the country.

All this leads us to think that the regions' role is stronger in order to balance Italian politics, and this, in consequence, can give greater power to the regions and the communities which, in turn, permits a higher participation of the citizens in the activities to resolve and face the challenges of the problems of development.

## **2. The new scales: intercommunity or metropolitan areas?**

France and Italy are developing their territorial entities to adapt to the demands of a more sustainable strategic planning. In France, from the laws LOADT<sup>viii</sup> (or Loi Pasqua - February 4, 1995) and Law LOADDT<sup>ix</sup> (or Voynet law of 12 July 1999), the territorial scale is known as inter-communal which is organized on a voluntary basis. The French government has indicated willingness to create large metropolitan areas, but this proposal is still under discussion.

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In Italy law n°. 142 of June 8, 1990 - called for the reform of the local government - and law n°. 267 of August 18, 2000 - code of laws on local authorities - have legally established local authorities. We have not yet spoken to several others that have been set up, from 1971, as mountain community - *Comunità montane* - and from 1990 of those called Unions of municipalities - *Unione di comuni*. There are 330 mountain communities<sup>x</sup>. The object is to value the mountain areas, to make associated functions of municipalities which must give their opinion about *Piani Territoriali di Coordinamento Provinciale* (PTCP). As usual, the mountain communities have been subject to controversy concerning the cost of their maintenance, reinforced by legislation that transferred the jurisdiction to the region. In this context, some regional laws have dissolved many mountain communities, but those laws have been declared unconstitutional.

There are also 323 unions of municipalities (ANCI, 2010) for 1,599 municipalities with a population of 5,802,189 inhabitants. Unions of municipalities - which are generally formed by voluntary choice and among small neighbouring communities - are composed of two or more municipalities to jointly pursue a range of their responsibilities: secretary general, municipal police, waste collection, etc. The union president is chosen by the mayors of the municipalities concerned, even by members of the executive board which must have a minority representation. There may still be, in the case of municipalities formed by fusion, two or more adjacent villages<sup>xi</sup>.

Law 267 provides for alternative methods of cooperation between local authorities that are used for activities or local services. We have the *Consorzi*, *Accordi di Programma*, *Convenzione*. It is important to highlight the *Convenzione* because it has been the legal method used for the constitutions of the associations of municipalities for managing planning of *Area Vasta*. In this planning the larger town is named leader and is responsible for bringing all administrative matters. In these broad associations of municipalities, the council of mayors manage the planning by the leadership of the elected president of the mayors - normally the mayor of the largest city.

Thus there are two aspects that are different but that work on the same course: *aree vaste* and the *aree/città metropolitane*. The former are not planned by the state law but in administrative acts of the regions, the *città metropolitana* - called also *area metropolitana* - are planned in the constitution and the state law. The latter must wait for the perimeter of metropolitan cities and other detailed rules are necessary for their operation. In Italy, the municipality remains a local reality; however, it is not yet known how it will be included in the metropolitan cities (*La riforma metropolitana e i suoi dilemmi*, 2010). This obviously applies only to 15 areas.

In fact, although 20 years have passed<sup>xii</sup>, the metropolitan cities remain on paper due to the uncertainty of institutional subjects. There is a necessity to advance in the process of these cities, because of problems such as the consumption of space with urban extension and aspects of a drop in population<sup>xiii</sup>. To address these issues, Italy has adopted this measure in all metropolitan cities - defined by law - and in the other large zones

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(*aree vaste*) by means of the instrument of “strategic planning”. In all regions of Italy, there are many interesting experiences of inter-communal working, but there is no local authority that can be called the *Area Vasta* (Martinelli, 2005).

In France, there are 3 types of intercommunity recognised by Public Institution of 'Inter-communal Cooperation – *établissements publics de coopération intercommunale* (EPCI) - created through the voluntary association of municipalities for joint management of the territory (INSEE, 2010). The first intercommunity, corresponds to a larger scale and can be compared to large cities. The Urban Communities must consist of an enclave of more than 500,000 inhabitants. These municipalities become partners to develop and lead a common project of urban development and management of their territory. Today there are 2,601 communities with their own fiscal revenue<sup>xiv</sup>. The intermediate level corresponds to Agglomeration Communities and englobe over 50,000 inhabitants around a municipality centre with more than 15,000. Agglomeration communities have the same responsibility and the same objectives of urban communities. The final inter-communal scale is that of Municipalities Community, which have the same objectives as the above mentioned, and they do not have a limit of municipalities or population. We find the community of municipality compounds of urban, rural or mixed.

So, in practice, there is an initial determination of the State to assure that the perimeters of these inter-communal structures correspond more or less to the perimeters defined by INSEE<sup>xv</sup> for the urban or living areas. The voluntary nature of inter-communal associations do not always result in a theoretically consistent perimeter addressing environmental issues, but in direct dependence of political arrangement or political maturity of the elected representatives. The positive side is to have a project boundary where the elected volunteers are more committed. The negative aspect is the difficulty of linking these two elements: the issues of travel, housing, water basin, etc., and that of governance

Moreover, as the intercommunity is managed by a president elected by the mayors of the municipalities and is associated in most cases with political arrangements between elected representatives. The mayor at times delegates some positions of responsibility to the President of the intercommunity. A political move, as is the case of the *Montpellier* area where the former mayor and president of the Agglomeration Community, was elected as president of the Regional Council delegated several responsibilities of the municipality to Agglomeration community before leaving his post as Mayor to his assistant. At the same time, it is very common that the president of the intercommunity or the mayor of the town, economically stronger and more populated, can cause conflicts in defining the scope of the intercommunity.

In conclusion, in spite of the difficulties presented, the institution of the intercommunities, from our point of view, allows for the approach to sustainable urban development at an adequate scale for the issues at hand. The intercommunity represents an evolution in the collective practices to correct the negative effect of fragmentation resulting from the decentralisation process.

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### 3. Planning tools on “inter-comunal scale”: the *Schéma de Cohérence Territoriale* and the *Piano di Area Vasta*

#### 3.1. The *Schéma de Cohérence Territoriale*

In France the “*Schéma Directeur*” has been the main document concerning Strategic Planning after the land orientation law of 1967. For forty years, this document has organized territory through the plan land use, characterised by a territory zoning abstract and without a territory project. Territory have been considered buildings areas or not, only considering building indices and the specific rules, without an overall project.

SRU law<sup>xvi</sup> has changed the strategies for territorial planning. The law aims at achieving the inter-communal solidarity and on strengthening of environmental protection, a great step forward in relation to competitive policies between municipalities. The SRU main effects, on planning law have been the replacement of *Schéma Directeur* with *Schéma de Cohérence Territoriale*. The replacement of POS with PLU (local planning projects).

According law SRU the SCOT has to fix the main directions of development to give global strategies, encouraging municipalities to join themselves. The law indeed, gives 10 years, to substitute les *Schéma Directeur* with *Schéma de Cohérence Territoriale* (SCOT). Nowadays French landscape shows the coexistence of many planning documents (figure 1).

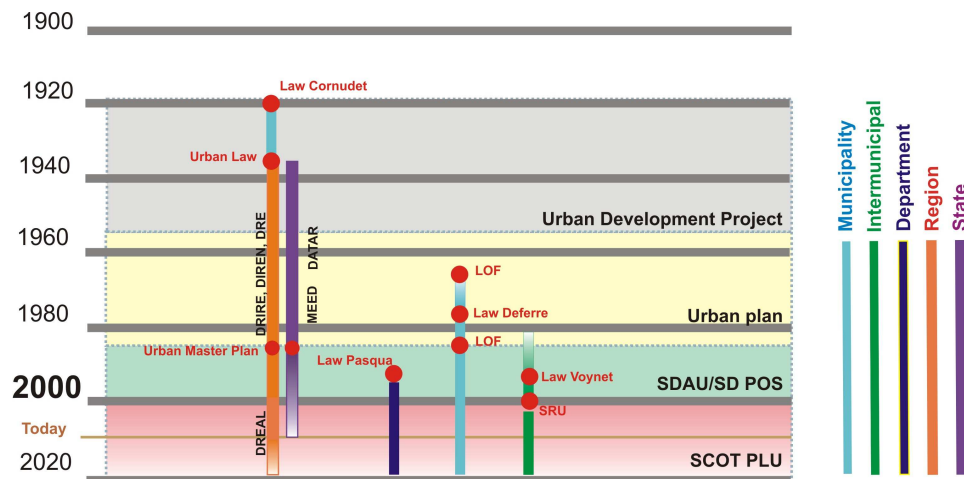


Fig 1 : Principals territorial laws and planning documents in French and the actions scales

From perimeter point of view, SCOT perimeter could be the same as inter-communality perimeter. Many intercommunities could join themselves. Some municipalities of intercommunity could not associate. So, there are two kinds of SCOT: a) SCOT of the de urban area, as the SCOT of *Grenoble* is the major example (in preparation), b) SCOT of agglomeration on the intercommunity perimeter and the same perimeter project. A SCOT has to have a presentation report (SCOT objectives and the area diagnosis), a general orientation documents (implementation tools) and graphic documents supporting projects. Diagnosis step is a detailed

theoretical analysis of the area issues and a starting point for project teams. In any case, the fastness of SCOT implementation planning has not given (allowed) great results. Among most of first generation SCOT, diagnosis moment is only a detailed study, without giving any suggestion for the project. After the Grenelle law, the need of taking into account the environmental aspects gains importance. Second generation of SCOT are being planned like that of *Grenoble* where there are the debate and the issue are also applied on urban scale.

Obviously, since SCOT is conceived as a territorial project, the definitions of their perimeter, the main projects and strategies for their implementation depend mainly on the context. As a matter of fact the Agglomeration Community of *Montpellier* stalled their projects SCOT to projects that have been already made by elected officials. So in this specific case, the SRU has come just legitimize and facilitate the steps already initiated.

Anyway, we cannot ignore the great change made on planned terms, since according what the protagonists<sup>xvii</sup> have said, the notion of the planning project and lasting development is the core of planning. The zoning is replaced by a project which compels the elected politicians to sit and discuss on common projects for their territories. Their town powers and to establish the priorities and the cores to develop. The great defy of SRU law is to conceive a SCOT mot as a puzzle or a bricolage of different communal plans, but, on the contrary, to establish a common - the same - strategy. As for popular participation, the elected and the technicians feel a certain gap between what is planned and what citizens are debating on.

It is felt a certain difficulty to lead the discussion of citizens towards the right issues. Generally speaking, SCOT's public debate, is a group supported by other figures such hospitals, universities, important personalities with no power of decision making. These components are called development advisors and have been created in the 90's. These advising group are taken into account during the consultation phases.

In conclusion, according to us, the SCOT represents a compromise between a strategy and a territory - a contextualized strategy - since it takes into account a wider scale and includes a perspective attitude with different projects in different periods. It represents a good tool able to overcome the conflicts among "inter-community" from a global point of view upon urban changes. At the same time it always involves complex issues difficult to realize. What has created starting problems in realizing this proceeding have been; the perimeter approval, a Land diagnosis and debating and discussion process with the public, not always obvious as it could seem.

### **3.2. The plan of *area vasta***

In Italy, the law 17 August 1942 n° 1150 is the National Planning Law. By law planning protagonists are the Municipality and the State<sup>xviii</sup>. From 1942 the PRG is compulsory for the cities and town. From 70's it

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becomes compulsory for all the municipalities after being approved by regions which have the major competence of territory government<sup>xix</sup>.

On the intercommunity scale the province has to draw the PTCP which is approved by the regional law. The PRG has to respect the PTCP since the provinces give their point of view upon the adoption procedure of the PRG. In general the regions have to approve the planning tools through a quite complex proceeding which assures the participation and control of citizens (Talia, 2003).

Moreover, all the regions have adopted the regional planning law except Molise which is approving it in 2011. The plans of province (PCTP), which have not been approved yet in all regions, have not played a good role of mediation among municipalities and have not, being able to control the use of territory in large zone. The provinces also have always had a weakness institutional role. There is a matter between the region planning and local power in order to solve important issues.

Nowadays, with the creation of the metropolitan area, the union of municipalities and the possibility of planning on an inter-community scale compels them to “co-plan” in an *area vasta* perspective. The experimentations are several but we know that Italian reforms are protracted in juridical or operative terms.

The most important example of inter-communal planning is that of province of *Padova* where has been realized a shared project of P.A.T.I. (INU, 2009). The regional planning law of *Veneto* n°. 11 of 2000 has encouraged for the first time, after many features, the possibility to cooperate among municipalities aiming at supporting a territory. Coordination policy shared through to participate in a development pattern able to preserve the resources to provide with quality services taking into account the local identity.

By considering the effectiveness and efficiency of public spending, the province of *Padova* has begun an important initiative in order to draw the intercommunity orientation. Plan which involves 12 homogeneous territories. In addition, there are some other regions which have shared and realized the some experience<sup>xx</sup>.

In conclusion, we underline in this work the specificity of Italy where inter-communal plans - *Piano regolatore generale intercomunale* - are called differently in each region. In this way the specificity of plans change according to territories. The scheme below shows the variety of urban territorial plans in Italy and the difficulties to understand the planning documents for those who are not insiders<sup>xxi</sup>.

Regions	Plans of territories			Inter - communal territorial plan (acronyme)
	Regional	Provincial	Municipality	
Abruzzo	QRR	PT	PRG	NO
Basilicata	QST	PSP	PSC	NO
Calabria	QTR	PTCP	PSC	YES (PSA)
Campania	PTR	PTCP	PUC	NO *
Emilia Romagna	PTR	PTCP	PSC	YES *

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Friuli Venezia Giulia	PTR	//	PSC	YES (EPI)
Lazio	PTRG	PTPG	PUCG	YES (et aussi le plan pour Rome capital)
Liguria	PTR	PTC	PUC	NO
Lombardia	PTR	PTC	PGT	YES
Marche	PIT	PTC	PRG	NO
Molise	The regional territorial law will be approved in the 2011			
Piemonte	PTR	PTC (provincial scale) PTM (metropolitan scale)	PRG	YES (PRGI)
Puglia	DRAG	PTCP	PUG	YES (PUGI)
Sardegna	PPR	PCP	PUC	YES (PUI)
Sicilia	PTUR	PTP	PRG	YES (in the metropolitan area) *
Toscana	PIT	PTC	PS	NO
Bolzano (loi de province)	PPSCT		PUC	YES (PUI)
Trento (loi de province)	PUP		PRG	YES (PTC)
Umbria	PUST	PTCP	PRG	YES (PRGI)
Valle d'Aosta	PTP		PRG	NO
Veneto	PTRC	PTCP	PAT	YES (PATI)
In the autonomous region Trentino – Alto - Adige, the provinces of Bolzano and Trento have legislative power.			These plans are structural. To apply these plans it is necessary to have the operative plan, e.g., in the Puglia region there is the PUE (Piano urbanistico esecutivo).	The Inter - communal territorial plan has been LUN law since 1942.
*there are inter - communal territorial plan in the industrial zone				

#### 4. Main reflections.

##### 4.1 Different view - different territorial strategies?

Its comparative analysis already try to explain some deviations among certain states. One of these differences is the creating the procedures of these new inter-communal structures. In France the agglomeration is created by a voluntary association of municipalities through a shared planning project. This new territory scale is equipped with a common tool but it doesn't correspond yet to a new administrative local community.

In Italy instead, there are two different inter-communities only one recognized by law. We will focus one attention on the last one. Metropolitan area corresponds to a local community defined by law, organized in perimeters not yet defined. The process is taking place and the law gives responsibility to plan the territory to metropolitan town<sup>xxii</sup>. We also underline that the status of collectivity for metropolitan areas remain temporary<sup>xxiii</sup>.

Another aspect to stress is that many planning strategy experiences of *area vasta* can help the birth of new *Unione di Comuni* and the strengthening of *Unione di Comuni* already existents. The aim of these associations is to manage the planning territory tools in an associated form to produce the joining of other services among the smaller municipalities. In conclusion a new planning tool has been created but collectivity is not active and the tool has not been applied.

#### **4.2 Questions of French region city: SCOT of Agglomeration or Urban Area<sup>xxiv</sup>?**

Another question is the good scale of tools. As already said, they are two strategies presents in the SCOT adapted into account according the power decision making of protagonist and territory features. The first one expresses the will of elected to manage the great territory issues. In this case the SCOT perimeter coincides with the urban area perimeter. The second strategy is what we call operative SCOT. That is to say, the inter-communality perimeter and the SCOT perimeter are coincident. However, it doesn't exist, at the moment, a SCOT where two perimeters are coincident.

The first type works in the so-called "good scale", that is to say Urban Area – *Bassin de vie*, which is presumed to have a specific administrative structure, able to manage the issues. On the contrary, there aren't any institutions on this scale; neither inter-communalities are arrived on this scale because of their voluntary association and resulting from policies issues. In order to work, this SCOT aim at using a *sindicat mixte*, which is a temporary institution with some technician and a secretary. Their functions are to establish a SCOT, to organize the debates so that the elected decision makers arrive to a share result, to a municipality territory project. The truth is that the process and the SCOT voting, the consequent applications of projects depend on institutions responsible for different plans: the municipalities<sup>xxv</sup>, departmental offices in the region and in the provinces.

The first problem is how to manage, because the real issues are how applying the projects to the territory and the strategies and not the idea of a common project. Referring to this kind of SCOT, there could be a gap between the reality of issues - the territory for example - and the difficulty of actors of other scales. It's necessary to have a great political maturity to continue on this way. To face these difficulties, one of the strategies adopted until now, is the development of a great municipality SCOT through the *sindicat mixte*, which will be more developed in specific Sector Plans in order to arrive to the same precision level, the so called Agglomeration SCOT. These two sectors schemes don't replace the Communal Plans.

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The second type works are an operative scale. In this case, the political maturity is already established/built and well developed thanks to the intercommunity organization. It seems a good answer in terms of organization. It seems a good answer in terms of governing but very weak in terms of local issues. That's the case for example of the SCOT's agglomeration of *Montpellier*, where the the appropriate scale didn't have a political maturity to carry out a shared project. So the choice made a determined SCOT who does not fit well scale - the urban area has 120 municipalities - but the operative perimeter - 31 municipalities. The positive aspect from *Montpellier* SCOT manages to be very precise with a good mapping and urban institution from agglomeration is also fully able from implement its projects. On the contrary, some issues as the displacements seem to be a caricature since the public/collective transport system (network) finishes where the inter-communality perimeter finishes and not at the end of the displacement.

#### **4.3 The Italian region city: *Piano di area vasta* or *piano metropolitano*?**

In the new regional law on the territory planning and on the relative plan, it begins to gain importance to the co-planning, in a more attentive vision of all territory. But, as to the metropolitan plans, despite of the existence of all juridical elements for a territory government upon an inter-communal scale, its real realization remains as already said, desirable. There is a beginning of intercommunity cooperation which has allowed to reach many objectives in 15 metropolitan areas<sup>xxvi</sup> as well as in other areas not recognized as metropolitan. There are many examples as associations through strategic plans for *aree vaste* and for *consorzi, comunita montane and unione di comuni*.

So we can say that the scale known as the city region is not yet effective in Italy. But a few advances in the design plans are more consistent in terms from scope - optimum size for sustainable development policies - in France, because from the nature from creation. France and Italy, the European Union policies, designed to stimulate different forms of cooperation, are a unifying element, particularly in the area of funding.

## **5. Conclusions**

The purpose of this work is to expose the complex French and Italian territory, and at the same time to show their strategies for inter-municipality strategic planning. In this direction, taking into account Italy, we think that the problems of territorial governance are very complex, this seems to be obvious; besides, the reforms always take a long time to become effective. They derive, above all, from a political instability which has already lasted a long time.

At the same time, the transfer of competencies from the state to a supranational level - EU and local levels, that is, the region - require highly adaptive tools and strategies. In this institutional framework, some problems can be identified, of which we emphasize that of the conflict between the political forces on different scales, and at the same time, a legislation that is not very clear in these institutional reforms.

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Moreover, in both cases in question, an important aspect to note is the economic interest in these decisions, for example, in the urban sector, which, at times, may determine to slow the process down. Public-private associations do not always defend the general interest, and, in Italy, this often causes the collapse of some local governments.

In synthesis, for both cases – France and Italy - we see a series of strategies: new territorial scales, urban planning documents, policies, etc., that do not yet take into account territorial issues vis-à-vis sustainability. It is necessary that the scientific debate can help communities and their elected representatives to establish a territorial planning capable of responding more effectively. The positions defended by us, in our research work, such as land management across river system, seem very real in science terms, but can't be applied to the political administration: incoherence with administrative limits. In addition, the difficulty of word use and relationship between theory and practice should be emphasized.

Finally, in the development of our paper, several problems have appeared. The first to emphasize, and perhaps most important in our specific case, was the common language because both authors are, respectively, Brazilian and Italian, and the common language dominated by them was French - which is the second language for both. In addition, neither of us worked in her/his mother tongue and several difficulties of communication arose. In this sense, the translation into English was quite difficult, especially in the search for common phrases that could define similar situations, but with particularities impossible to not emphasize.

Another difficulty is, as with almost all comparative studies between both countries, the authors are researchers in the countries of this work, or associated with the same laboratory. We are both in the countries of our case study, although we share the same research laboratory in France. So even if we have several meetings, most of the time, each in her/his country, but unfortunately, the meetings through video-conference were more frequent.

These contradictions justify the interest of the “cross-national studies” on how this work is associated with the need for approaches where the study of local conditions for territorial planning can highlight the reasons for these failures.

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<sup>i</sup> There are still some changes of the borders from 1866 until the end of the 2nd World War.

<sup>ii</sup> The metropolitan cities are already inserted in law no. 142 of 1990 and 267 of 2000. Current Constitution - Art. 114: The Republic is composed of the Municipalities, Provinces, Metropolitan Cities, Regions and the State. Municipalities, provinces, metropolitan cities and regions are autonomous entities with their own statutes, powers and functions according to the principles established by the Constitution. Rome is the capital of the Republic. State law governs its order.

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- iii The other communes are located in regions overseas.
- iv Pays: a type of voluntary communal association to develop cooperation projects, legally recognized since 1995 with the Pasqua Laws. In reality, the pays have existed for years 70 and 80 to develop the tourist economy.
- v Before known as provincial department of equipment.
- vi More than 250,000 inhabitants. This rule is facultative to cities with more than 100,000 inhabitants.
- vii There are in Italy 110 provinces. The 3 latest, after the 2009 provincial's elections, are the provinces of Monza, Fermo and Barletta-Andria-Trani.
- viii Loi d'Orientation pour l'Aménagement et le Développement du Territoire.
- ix Loi d'Orientation pour l'Aménagement et le Développement Durable du Territoire.
- x 2008, UNCEM (Unione Nazionale Comuni Comunità Enti Montani) (National Union of Communities and Mountain Authorities) elaboration of on ISTAT (Istituto nazionale di statistica) (National Institute of Statistics).
- xi There are state and regional laws that provide financial help to the associations and even to merge with the creation from a single joint. The 2010 there were two new municipalities with the birth of the Comano Terme Municipality by the fusion of Lomaso and Bleggio Inferiore municipalities and the birth of Ledro, by the fusion of Commons Bezzecca, Concei, Molina di Ledro, Pieve di Ledro, Tiarno di Sopra e di Sotto Tiarno. (ISTAT, 2010).
- xii Law 142 of 1990.
- xiii From 1971 to 2001 the 11 major Italian cities have lost 680 000 inhabitants. From 2001 there is a small increase especially for the presence of immigrant.
- xiv Data as of Jan 1, 2009, collected in the web-site assembling communities of France <<http://www.adcf.org/>>.
- xv INSEE: *Institut national de la statistique et des études économiques* - National Institute for Statistics and Economic Studies.
- xvi SRU: *Solidarité et Renouvellement Urbains* – Solidarity and Urban Renewal (no.2000-1208 - Dec 13, 2000).
- xvii Working in the regional, Provincial and inter-communal structures.
- xviii He had not the regions that are scheduled for 1970.
- xix Since the laws and judgments from 1972, reinforced by the Constitutional Law No. 3 of 2001
- xx In the Puglia region when the first time there are two municipalities, Otranto and Giurdignano in the province of Lecce (which is the only province in the region that have been adopted in the PTCP) are currently to be adopted PUGI and in the region of Umbria with the project's pilot of Piano Regolatore Generale intercomunale (PRGI) between the municipalities of Monte Castello di Vibio e Fratta Todina
- xxi **Territorial plans – Regional scale** : QRR (Quadro di Riferimento Regionale), QST (Quadro Strutturale Regionale), QTR (Quadro Territoriale Regionale), PTR (Piano Territoriale Regionale), PTRG (Piano territoriale regionale generale), PIT (Piano di inquadramento territoriale), DRAG (Documento Regionale di Assetto Generale), PPR Piano paesistico regionale, PTUR (Piano Territoriale Urbanistico Regionale), PUST (Piano Urbanistico Strategico Territoriale), PIT, Piano di Indirizzo Territoriale, PTRC (Piano territoriale regionale di coordinamento). **Provincial scale**: PT (Piano Territoriale), PSP (Piano Strutturale provinciale), PTCP (Piano territoriale di coordinamento provinciale), PTPG (Piano territoriale provinciale generale), PTC (Piano territoriale di coordinamento), PTC/PTM (Piano territoriale di coordinamento e a livello di area metropolitana), PTP (Piano territoriale provinciale), PUP (Piano Urbanistico Provinciale), PCP (Piani coordinamento Provinciale). **Municipality scale** : PRG (Piano Regolatore Generale), PSC (Piano Strutturale comunale), PUC (Piano urbanistico comunale), PUCG (Piano urbanistico comunale generale), PUC (Piano Urbanistico Comunale), PGT (Piano di governo del territorio), PUG (Piano urbanistico generale), PAT (Piano di assetto del territorio), PRC (piano
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regolatore comunale). **Inter-communal scale** : PSA (Piano strutturale in forma associata), PRGI (Piano regolatore Generale intercomunale), PUGI (Piano urbanistico generale intercomunale), PUI (Piano urbanistico intercomunale), PTC (Piano territoriale della comunità), PATI (Piano di assetto del territorio intercomunale), PS( Piani strutturali).

<sup>xxii</sup> Creating temporary, according to art. 23 of Law 42/2009, metropolitan areas are proposed by the province and the commune chief town, passing for the opinion of the region and the referendum of the citizens of municipalities concerned.

<sup>xxiii</sup> Deadline is mai 21, 2012.

<sup>xxiv</sup> According INSEE définitions.

<sup>xxv</sup> PLU: *Plan Local d'Urbanisme*, PLH: *Plan local de l'Habitat*, PDU: *Plan de déplacement Urbain*

<sup>xxvi</sup> *Bari, Bologna, Cagliari, Catania, Firenze, Genova, Messina, Milano, Napoli, Palermo, Reggio Calabria, Roma, Trieste, Torino and Venezia.*

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