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**TOWN-PLANNING PROSPECTS IN SAINT-PETERSBURG:
THE PUBLIC, LOCAL AUTHORITIES AND BUSINESS COOPERATION**

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1. Introduction

Common urban space is an issue of concern to various interest groups, such as local authorities, business representatives and the public—their positions are often opposed to one another. However, to make urban space comfortable - to achieve win-win situation - stakeholders should accept the idea of three-sided equal rights dialog and cooperation based on urban-planning and environment awareness.

The main goal of the paper is to provide policymakers with policy recommendations in order to modify the structure of the Public Council for Town-planning and Architectural Issues, an advisory body of the Government of St. Petersburg. I propose that the Council:

- 1 should invite NGOs and civic movements' representatives aware of town-planning issues to participate on equal rights in a trilateral dialog with local authorities and business;
- 2 be granted rights needed to influence projects development and urban-planning policy in whole.

2. Problem Description

The problem consists in the lack of an inter-active platform, where the concerned public, local authorities and business representatives could discuss town-planning issues, working out jointly alternatives for construction, road-building and other projects. Currently, the public is not involved in such collaboration process.

2.1 History of the problem

Saint-Petersburg (former Leningrad) did not have any laws providing citizens with public participation procedures in town-planning issues until 2004. This was in breach of the requirements for public participation, contained in the Russian Federation Urban Development Code, adopted in 1998, which defined public hearings as an obligatory procedure. At first the City of Saint-Petersburg adopted in 2000 an administrative decree (994R), which did not have any significant effect on the level of public participation. Although public participation procedure

was launched, the decree lacked provisions for consideration procedure. As a result, the local authorities could ignore the comments and suggestions raised by the participants of public hearings

This state of affairs was particularly unacceptable as town-planning conflicts erupted following the 1999 construction boom during which business displayed a desire to build and to build a lot. In response, in 2002 civil society representatives, St.Petersburg Society of Naturalists, Assessment Centre “ECOM” independent experts collaborated on establishing an order of the Saint-Petersburg town-planning activities, which would provide information and participation for citizens in discussion and decision-making. However, this bill proposal was rejected.

In 2004, the Russian United Democratic Party YABLOKO” (Legislative Assembly of Saint-Petersburg) appealed to Statutory Court against the administrative decree 994R because of its invalidity. They insisted that according to Russian Federation Urban Development Code citizen participation procedures in town-planning issues had to be regulated by a law, not by a decree. The court voided a decree and Saint-Petersburg Legislative Assembly was given three months to draft a new law. Assessment Centre “ECOM” experts were invited to elaborate as expert knowledge owners. The law “About an order of the Saint-Petersburg town-planning activities informing and citizen participation in discussion and decision-making in town-planning issues in Saint-Petersburg” was adopted in 2004, 15/03. That was an absolutely innovative law, in compliance with the Aarhus Convention, the law, providing sanctions for allowance infringements resulting from public hearings, which then might be canceled.

However, the progress achieved until then has declined since 2006. Following the entry into force of the revised Russian Federation Urban Development Code, in 2006 Saint-Petersburg passed a new version of the law – “About an order of public hearings arrangement and conducting and citizen informing about town-planning activities in Saint-Petersburg” (N 400-61). Under this law, public hearings may not be canceled.

Currently, the following town-planning documents of St.Petersburg require the adoption of compulsory procedures of public participation:

Territorial planning documentation: the law of Saint-Petersburg “About the alteration of Master Plan”.

Territorial zoning documentation: the law of Saint-Petersburg “Land use and

development Code”, the law of Saint-Petersburg “About the alteration of Land use and development Code”.

Land planning documentation: land planning projects, land subdivision projects.

Special permissions: permissions to a variance from maximum characteristics of allowed construction, capital construction projects reconstruction; permissions to a conditionally allowed type of land or capital construction project using.

Different types of town-planning documents require different public discussion order.

2.2 Current context of the issue

Saint-Petersburg town-planning activists have gained experience and competence in the last five years. The city adopted and amended two essential town-planning documents going through the public hearings procedure in all 18 districts of Saint-Petersburg). The first town-planning discussion was not successful: local authorities were not ready for consultation level of citizen participation ladder. But with the lapse of time, having collected experience and learnt to be more insistent in defense of their rights, activists gained expert reputation with the officials, mass media and the public.

Currently, a lot of NGOs are active in Saint-Petersburg, protecting historical and cultural heritage as well as green space. They carry out permanent monitoring of town-planning issues , initiate legal cases and run public campaigns. Citizens may contact them and receive legal advice and information to deal with threats in town-planning. It is now widely acknowledged that the NGOs and civic movements have been successful in assisting ordinary people in problems of different magnitude.

2.3 Symptoms of the problem

Citizen participation in town-planning decision-making has only a nominal character in Saint-Petersburg. The actors interested in urban planning issues – socially active civic movements, NGOs or neighbourhoods may obtain access to information and provide input on a project only after it has been worked out and confirmed by both business and local authorities. Participation in Saint-Petersburg is also limited at the consultation level, presented by public

hearings. The current instruments for involving the public and receiving feedback do not guarantee actual citizen impact on a project development. The problem lies in the exclusion of the public from the initial collaboration phase when it could really influence a project development, offer alternatives and its exclusive expert knowledge.

Such exclusion results in public disapproval of urban planning policy. Moreover, it reduces the incentives for investors' compliance with the town-planning legislation: in the absence of the involvement of the public or public control, investors often evade meeting compulsory construction standards. For example, when the LenSpecSMU construction holding built the commodity exchange in downtown Saint-Petersburg, the acceptable local height limit fixed in the Land Use and Development Code was exceeded. The violation was acknowledged by the city authorities only later, and the investor was obliged to reduce the height to an appropriate level. Unfortunately, such sanctions are very rare for Saint-Petersburg, and numerous projects in progress are still not found to be in violation of the urban-planning legislation in force.

2.4 Who is affected?

Urban planning decision-making implies participation of three actors: local authorities, business and the public.

Business may be divided into several segments--key business actors are Investors, represented by a company top management, holders and owner of a company. Investors make principal decisions to create a project and search for money and delegate to Designers (the second component of the business bloc) the task of conceptualizing the project. Once details of the project are worked out, the third business component, the Developers, get the order to realize it.

Another set of actors includes local authorities and local bodies as well as expert commissions. Local authorities and bodies supply the city with town-planning legislation and secure compliance with federal and city laws, while expert commissions carry out official project appraisals.

The last actor participating in the decision-making on urban-planning policy is the public, represented by civic movements, NGOs, neighbourhood communities concerned with town-planning policy.

3. Prerequisites for establishing an inter-active platform

There are sufficient conditions for introducing civic society representatives into the town-planning collaboration process. They include on the one hand the potential of Saint-Petersburg urban movements and NGOs, and on the other hand the presence of obligatory public participation procedures binding St-Petersburg town-planning official bodies for the exercise of urban planning activities. These can serve as the basis for launching a trilateral dialog platform.

- ***Urban movements and NGOs potential***

Saint-Petersburg is notable for competent, strong and stable civic movements and NGOs that are aware of urban planning issues. They affirmed their expert status by taking an active part in the legislative process, and they are open for dialogue as representatives of broad interest groups .

- ***Public participation procedures obligatory for the Saint-Petersburg urban planning activities exercise***

Procedures for obligatory public participation in town-planning activities are laid down in the Saint-Petersburg law “About an order of public hearings arrangement and conducting and citizen informing about urban planning activities in Saint-Petersburg” (N 400-61). The law stipulated obligatory requirements for access to information about town-planning activities for citizens and citizen associations, terms of providing information about urban planning activities, organization of urban planning expositions and of public hearings, consideration of and response to public hearings results. Enforcement of these provisions is the responsibility of the executive authorities as well as local bodies.

- ***Town-planning official bodies in Saint-Petersburg***

The Legislative Assembly of St.Petersburg contains two commissions dealing with urban planning policymaking: *the Commission for municipal services, town-planning and land use* and *the Chief Commission for transport complex*. These commissions are responsible for drafting legislation in a range of issues, such as problems of road and land improvement, municipal transportation, communications and information systems, land use, planning and land policy,

economic conditions, contributing to development of Saint-Petersburg as a transportation hub.

The Government of St. Petersburg contains several committees and services in charge of town-planning policy. *The Committee for Construction* implements state policy in Saint-Petersburg construction sector and coordinates activities in urban area development, raising investment in real estate, capital construction and renovation. *The Committee for Improvement and Road Sector* enforces state policy and is responsible for management of the following sectors: roads, bridges, parks and green spaces, roadside service objects, and other integrated improvement objects.

The Committee for the State Control, Use and Protection of Architectural and Cultural Monuments is an organizational department of Saint-Petersburg Government, set up for implementation of state policy in the use and protection of architectural and cultural monuments. *The Committee for Town-Planning and Architecture* forms and realises urban-planning policy of Saint-Petersburg, examines and approves projects, delivers permits for construction, as well as controls construction quality.

State Construction Supervision and Expert Examination Service of the city of St. Petersburg is authorized to verify project documentation and engineering survey results, to issue orders for works based on changing conditions of improvement, to issue orders for building of capital construction objects, and to supervise state construction projects.

- ***Advisory town-planning bodies in Saint-Petersburg***

Town-planning Council of Saint-Petersburg, was established by governor's decree N 1184-r (1998) "About the Town-planning Council of Saint-Petersburg". The Council is responsible to the chairman of the Committee for Town-Planning and Architecture and consists of leading Saint-Petersburg experts in architecture and town-planning.

Council for the Conservation of Cultural Heritage was established by the Saint-Petersburg Administration's decree N 1371(2004) "About the Council for the Conservation of

Cultural Heritage of Saint-Petersburg”. The body consists of Saint-Petersburg Legislative Assembly deputies, officials, expert community and cultural figures representatives.

Public Council for town-planning and architecture problems was set up in 2008 under the supervision of the governor of Saint-Petersburg. This advisory body is an attempt to create a platform for social dialog around town-planning issues. However, the Council still offers limited public participation as the public is represented only by expert community (architects, artists) and cultural figures. At the same time, NGOs and civic movements are not invited to this dialog.

Creation of the Public Council for town-planning and architecture problems was the first step towards establishing trilateral talks. Saint-Petersburg has legal basis for involving civil society representatives into such dialog. Practically, cooperation with the civic society representatives is secured by the legislative act: in Saint-Petersburg Administration decree N 1681 (the year of 2005) “About the Saint-Petersburg strategy of cultural heritage conservation”, the paragraph “Organisational and administrative measures” includes such a measure: “Active cooperation with Federal methodological Council for cultural heritage conservation (Russian Federation culture and mass communications Ministry), as well as with the All-Russian Society of historical and cultural monuments preservation, creative organizations and non-governmental organizations”.

To ensure greater public participation, more competencies need to be assigned to the Public Council to influence town-planning and participate in the process of project collaboration. The Council also needs more independence from local authorities and – particularly – from the governor.

4. Polish experience

Public participation in town-planning issues in Poland grants greater role to the Citizen Power compared to the situation in Russian Federation. Nowadays Poland is on the *placation* stage when citizens are admitted to the process of discussion town-planning strategies and

development of projects with local authorities and business representatives. Citizens can study and discuss project documentation, offering alternatives. However, the power holders retain the right to judge the legitimacy or feasibility of the advice provided.

An example of a placation strategy is the Commission for Social Dialogue at the Architecture and City Planning Department of the City Government of Warsaw. It holds meetings of advisory character, inviting NGOs, civic movements and neighbourhood communities to the dialog with concerned officials and business.

Polish social strategy is also very open to civil society organizations. In Warsaw, the body responsible for social communication – Centre for public communications – coordinates cooperation of the offices, local government departments and agencies of the districts of the Capital City Warsaw with non-governmental organizations.

The Polish concept of “working teams” is also very useful for the Russian context. As part of the elaboration of the city’s social strategy, the Team for Social Strategy for Warsaw, City Hall set up ten teams of experts (including NGO activists). Each team was assigned an appropriate problem area (e.g. “disabled people” or “retirees”) so that experts from different groups had experience in different areas and each team elaborated a strategy for its theme. The key idea of such brainstorming was to use competence, exclusive knowledge of experts and NGOs and participants, in line with the principle that together people can come up with better solutions than as individuals.

As in Saint-Petersburg, Warsaw has a compulsory procedure of public hearings (public discussions). However, town-planning process is characterised by transparency. One aspect is the independence of Polish publishing houses from the priorities of business or shareholders . Unlike in Poland, the content of the Russian mass media publications or broadcasts reflect shareholders’ wishes, keeping the public ill-informed of civic initiatives in Saint-Petersburg. In contrast, Polish national newspapers run stories of demonstrations and other practices of civic activism.

At the same time, Saint-Petersburg is more advanced as regards the town-planning documentation and regulation of the development process. Saint-Petersburg has the Land use and development Code, which regulates construction in all of its 18 districts, while Warsaw’s regulations cover only 18% of the city’s territory.

5. The outcome: advantages of civic society representatives involving into the town-planning decision-making

5.1 Advantages for authorities and business representatives

Undoubtedly, the civic society representatives' involvement into the town-planning collaboration process is very significant for the public image of the authorities. The level of public participation in decision-making is a measure of the democratization of this process. The contribution of the authorities to increasing a more participatory development is likely to raise the approval of the general public for individual construction or development projects as well as town-planning policy in whole. Socially-oriented projects are also likely to be acknowledged by the public, leading to the reduction of conflicts over projects at large.

Inclusion of expert local knowledge of NGOs and civic movements' representatives could also make decisions more reasonable and comprehensive, and as a result more effective, bringing about general improvement of decision-making.

Trilateral dialog and collaboration granting equal rights to all the participants is likely to deter corruption because the involvement of public representatives would provide independent supervision. Involved businesses could in turn increase their reputation, which would positively affect their market-value, by displaying their social responsibility through sitting with the public concerned down to a round work table.

5.2 Implementation

Structure of the procedure for town-planning and architecture problems' settlement should be modified: NGOs and civic movements should be allowed to participate in regular trilateral talks on town-planning. They should be granted rights to offer alternatives to city construction projects, discuss them during the collaboration stage and influence their final shape.

The idea of "working teams" should also be introduced in the operations of Saint-Petersburg local authorities for collaboration on town-planning strategy. Moreover, announcements ought to be disseminated on the recruitment of NGOs and civic movements' representatives to the Public Council for town-planning and architecture problems.

5.3 Recommendations

NGOs and civic movements active in the field of town-planning ought to be involved in the process of collaboration on projects on the principle of partnership, involving negotiation between citizens and power holders. The public representatives are to be empowered – local authorities should share with them planning and decision-making responsibilities.

The structure of Public Council for town-planning and architecture problems should be modified accordingly: NGOs and civic movements' representatives should be invited to participate in the trilateral equal-rights dialogue with local authorities and business. The Council should be provided with privileges to influence development of projects and urban-planning policy as a whole.

6. Conclusion

Problem-solving at the local level should be in the hands of the people who know the problems from a closer perspective than anyone else. “Latent knowledge” (knowledge that could be acquired only through the experience) is imperative for those who make decisions. Instead of taking the fact, that all problems are passed upwards and then all solutions come top-down as a matter of course, stakeholders (authorities and business) should start from the idea, that people bearing local knowledge often are in the position to develop the most substantiated and the most effective proposal. Specialisation and local knowledge advantages, as a rule, are thus a match to the assets of management and decision-making skills.