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Council of Europe Conference
of Ministers responsible for Spatial/Regional Planning

16th session, Napflion, 17 June 2014

RESOLUTION N.1

NAPFLION DECLARATION:

PROMOTING TERRITORIAL DEMOCRACY IN SPATIAL PLANNING

NAFPLION DECLARATION:

promoting territorial democracy in spatial planning

WE, THE MINISTERS responsible for spatial planning of the member States of the Council of Europe, meeting in Nafplion, Greece, on 17 June 2014, at the invitation of our Greek colleague, Mr Yannis Maniatis, for the 16th session of our Council of Europe Conference

RECALLING the Guiding principles that apply to spatial planning processes and initiatives having an impact on a territory, its population and well-being enshrined in Recommendation Rec(2002)1 of the Committee of Ministers of the Council of Europe on the Guiding Principles for Sustainable Spatial Development of the European Continent

MINDFUL of the Council of Europe Convention on Access to Official Documents (STE No 205) and the Additional Protocol to the European Charter of Local Self-Government (STE No 207)

ALSO MINDFUL of the definition of Participatory planning in CEMAT's Glossary as "a specific form of planning activities practiced by public authorities mainly at local level which makes possible for the citizens to play a part in the planning process"

GRATEFULLY ACKNOWLEDGING the opportunity offered by this 16th session, held at the invitation of our Greek host, to discuss the theme "Promoting democracy in spatial planning"

I. DECLARE

a The recent financial and economic crisis, as well as the accelerating globalization, have unveiled the vulnerabilities of European societies. Substantial impacts are evident on some of the territories of Europe, significantly increasing regional disparities.

b Similarly, such factors as demographic change, unevenly distributed across the territory, climate change and the financial sustainability of projects are influencing the decision-making at domestic and European levels to an extent rarely experienced so-far and make a strong case for participatory planning.

c At the same time the development of the “digital society” as witnessed by the exponential growth of the number of users of social media has immensely enlarged the potential and scope of participants in the consultation and decision-taking processes, outside the traditional arenas of the democratic debate.

d Spatial development policies, like other public policies, have a major impact on peoples’ lives and their quality of life. They guide and support the choices as to where people live, where business can be established, how public utilities and public services are distributed across the territories and how access to them is ensured.

e These policies are subject to the same public scrutiny and public accountability as other public policies. They must be - and be seen to be - transparent, responsive and effective, in terms of public participation and delivery of appropriate responses to economic, cultural, social, environmental and demographic challenges.

f By all means, we are witnessing a consolidating demand for transparency in decision-making processes, enhanced public participation and full accountability by those exerting public authority.

g Our member States’ legislations and policies with regard to public participation in the process of sustainable spatial development have numerous features in common the consolidation and sharing of which will facilitate the spreading of good practices and improve the democratic quality of spatial planning processes.

II. AGREE THE FOLLOWING GUIDELINES FOR PUBLIC PARTICIPATION IN SPATIAL PLANNING

A. *Public participation is important.*

1. Spatial planning has to deal with conflicting interests in the use of space, through balanced and equitable adjustments, alterations and concessions.
2. Public participation enables interested parties and actors to engage in a process of reconciliation of interests within a given set of rules.
3. Public participation, in its full diversity, aims to inform political decision-making on spatial planning policies in compliance with democratic rules.

4. Public participation allows for the purpose and goals of spatial planning policy to be shared and benefit from the widest public support. It is an exercise in democracy and consolidates the legitimacy of a shared decision making process and the sustainability of its outcomes.

5. Public participation enables communities to develop and pursue a shared vision for their territory and enhances their sense of belonging.

6. In particular, in spatial plans impacting socially or economically declining or destitute areas, notably urban deprived areas, public participation can be a useful tool for social inclusion and social cohesion.

B. Who should participate.

7. Actors involved individually or collectively in public participation in spatial planning have distinctive characteristics, perspectives, and motivations to participate.

8. Procedures should allow for individuals, territorial authorities at various levels of governance and interested groups to express themselves fully yet orderly.

9. Procedures must enable everyone of those impacted by or having an interest in the plan to participate.

10. Public participation should not be limited to residents in a given area but open to persons and groups having an interest in the plan or the process, such as the business community, the users of services, those who are likely to be affected or anticipate being directly or indirectly affected by the outcomes of the plan or the process, civil and other professional organisations.

11. In case spatial planning in a given country has or is likely to have an impact across the border, the neighbouring populations and authorities should also be informed and given an opportunity to take part in the public participation process.

12. In order to enhance the effectiveness and efficiency of the participatory process, both the motivation and capacity of the public concerned are important and may require the provision of adequate and timely information. Specific training on communication, participation and decision-making skills prove helpful.

13. Awareness-raising measures involving as appropriate civil society groups should be considered as part of the process.

14. It is important that individual decision-makers or bodies with decision-making authority make themselves available for questioning and debating with the public, in the most appropriate form, prior to taking any definite decision.

C. Modalities of the process.

15. Public participation modalities may vary in relation to the territorial scope of plans, their planning level and the size of populations concerned as well as to the administrative structure and degree of decentralisation.

16. Public participation methods must be sensitive to the local context and take into account local characteristics, be they cultural, social, economic or environmental.

17. Public participation should be included in the spatial planning process as an essential component of it, as far as possible from the inception of the planning until its completion and beyond, possibly covering the implementation and evaluation phase too.

18. Spatial planning processes should be conducted in a way that is transparent, participatory and open to scrutiny by those concerned.

19. It is important that spatial planners or spatial planning consultants with adequate skills as facilitators provide professional technical support in order to remedy skill deficiencies and enable a better representation of participants' arguments and proposals.

20. Spatial planners and policy makers should see public participation as a means of improving and validating their work not as an impediment to it.

21. Territorial authorities at different levels must be involved in participatory planning both as responsible for the process and as concerned stakeholders. These authorities must possess or be enabled to acquire an understanding of the specific context and issue, communication skills, technical assistance and time availability.

22. A public body or authority that is recognised as being impartial and credible could monitor and audit the public participation process to ensure that it is open, fair, inclusive and unbiased.
23. A prerequisite of effective public participation is the availability of and access to adequate and timely information.
24. Information must cover also the intended objectives, actions and implementation measures, their financing and time schedule of implementation as proposed by spatial plans.
25. Information should be comprehensible to those who have an interest and want to take part, coherent, unbiased and open to challenge.
26. Sensitive information related to national security, industrial property rights or privacy right of individuals may not be divulged. The fact that some information is not disclosed or made available should however be publicly acknowledged.
27. All levels of the public authorities involved in spatial planning should disseminate information and provide explanations in a timely manner about the most important plans in their territories, any progress and fundamental changes in the decisions already taken.
28. Information can be made available in a variety of ways and through a wide spectrum of means – publications, meetings, direct mailing, public hearings, internet and social media, etc.
29. Care should however be taken to include as much as possible those who have difficulties in accessing or using digital or electronic means of communication.
30. Due process of law should be guaranteed for people objecting to a particular decision pertaining to the public participation strategy, process or result.
31. Timing and phasing of public participation should be managed as an important element of the process. It should allow for enough time to foster the exchange of information and facilitate dialogue but at the same time it must be concluded within reasonable times not to hamper decision-making.

D. Outcomes and follow-up

32. Outputs of the participation – comments submitted, objections raised, additional or alternative proposals made, etc. – must be made public, whether changes or adjustments are made to the original plans or not. Whenever the outputs are not taken into consideration, this must be justified.

33. This information is important in order to foster a sense of usefulness for those who have taken part in it and to promote accountability on the part of spatial planners and decision making bodies.

34. Lessons learned in particular with regard to raising the capacity of democratic and service-oriented local institutions, communication techniques and community empowerment should be processed, disseminated and taken into account in subsequent spatial planning.

III. COMMIT OURSELVES

to follow these guidelines, within our means and competences, in accordance with the principle of subsidiarity, and to promote also their use at the regional and local levels.