



Rural-Urban Outlooks: Unlocking Synergies (ROBUST)

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Regional Authority FrankfurtRheinMain
Reinhard Henke
henke@region-frankfurt.de

Rural-Urban Governance Arrangements and Planning Instruments

The Metropolitan Act

Frankfurt/Rhein-Main Region

1. Overview

German *Länder* are states with their own legislation. Frankfurt/Rhein-Main region lies within Hessen. The Regional Authority is legally based on the *Gesetz über die Metropolregion Frankfurt/Rhein-Main*, the Metropolitan Act, passed by the Hessen Parliament on 8 March 2011. The Act is a non-standard, tailor-made solution to modify what is essentially local government to make it fit in view of meeting regional challenges. Unusual for German laws, it sets out with a preamble presenting the objective – “*the Metropolitan Region is supposed to foster the achievement potential and the sustainability of Hessen, acting as the engine of societal, economic, social and cultural development*”.

Interestingly, it does *not* define the extent of the Metropolitan region but its core. The act then defines the details of municipal cooperation as well as the reference area, and the responsible body, the *Regionalverband FrankfurtRheinMain* (the Regional Authority).

It is the third act of its kind. Since 2000, Hessen Acts are valid for a limited period of time only; the current act has been updated on 24 August 2018 and will expire by 31 March 2029.

2. Main Challenges

Common Challenges Tackled Together (§ 1)

It is obvious that many issues do not follow administrative, especially municipal boundaries. The Act defines a set of tasks that shall be carried out by associations at the most relevant (municipal) levels. The topics covered are 1. sports and leisure, 2. culture, 3. regional marketing and promotion of economic development, 4. the Regional Park Rhein-Main (see the related rapid appraisal report, G-FR2), and 5. regional transport. The Act applies to the *Ballungsraum* (the conurbation) but is not confined to it.

Absolute Space: A legal definition of a Region (§ 2)

The act defines the *Ballungsraum* (the conurbation) through a list of 75 towns and cities. That is 'absolute space', with some flexibility built in so that neighbouring towns or cities can be added through a defined procedure. This accounts for the specific polycentric structure of this region: Although Frankfurt am Main is the largest city, there is a set of towns and cities of different size and character that create, together, a unique system with sub-centres which cannot be described by the traditional town and countryside dualism. As an indicator, about half of the region's jobs are located in Frankfurt, but the other half is located in the peri-urban area.

Own responsibility (§ 3) and co-ordination (§ 4; § 16)

These regional associations are free to design their governance structure. This freedom is balanced by the coordination task carried out by the *Regionalverband's* executive body, the *Regionalvorstand*. In another provision (§ 16), the Act explicitly demands that the *Regionalverband* gives advice to its members who, in turn, have to inform the *Regionalverband* about all relevant goings-on.

A democratic body based on municipal law (§§ 7 ff)

The second part of the Act is the legal founding basis of the *Regionalverband*. It is established as a *Körperschaft des öffentlichen Rechts* (i.e. a public statutory body). The Act contains an elaborated set of legal provisions to ensure that all needs of a democratically legitimated organisation are fulfilled. For example, the Act defines the institution as such, its administrative office, the executive board and the parliamentary chamber. As this is a tailor-made construction without a real precedent, reference is frequently made to the *Gemeindeordnung* (i.e. Local Government Law): Although it is operating on a regional scale it is, technically, local government.

Multiple functions

Besides the structural definitions explained before, the Act also defines roles and the division of tasks: Who is supposed to do what?

- > The *Regionalverband* as such is responsible for Regional Land Use Planning and for Landscape Planning, based on Federal law. It can also, under certain conditions, participate in the regional associations defined in § 1. Additionally, the member towns and cities can assign, by majority vote, additional competences to the *Regionalverband* provided they are found to be essential for the development of the *Ballungsraum*.
- > The *Verbandskammer*, the parliamentary chamber, is the central decision-making body. Members are democratically legitimated. They are elected by the respective member municipalities (thus 75 members) and must have their own democratic mandate: They must either be a member of the municipal council or a municipal

executive. As a rule, there is one vote per member; only the larger cities, which are differentiated by size, have more votes (up to 12).

- > The *Regionalvorstand* is the executive board that represents the *Regionalverband*. It implements the decisions of the *Verbandsversammlung*. Its chairperson has the title *Verbandsdirektor*, a function comparable to the mayor of a city. There are up to two other full-time members (*Beigeordnete*, a function usually translated as Deputy Director). These full-time members are the superiors of the employees of the administration and responsible for a defined portfolio of tasks. It is important to know that these aren't appointed directors but have a political mandate: they are elected by the *Verbandsversammlung*. Additionally, there is a set of honorary and advisory members to ensure that the political spectrum is represented. The heads of the executives of the NUTS3 entities within the *Ballungsraum* are automatically (ex officio) members of the *Regionalvorstand*.
- > The *Regionalvorstand* has an own set of tasks and responsibilities mainly concerning regional cooperation, including the participation of towns and cities outside the *Ballungsraum*.

3. Main Insights

3.1. Insights related to the broad area of "network governance"

This system provides for an intricate balance: Municipal autonomy is respected, and cooperation is encouraged or enforced where it makes sense or is necessary. The Regional Land Use Plan (for details see the respective appraisal report, G-FR1) and amendments to it have to be passed by majority vote. All 75 towns and cities interact at eye level: they each have one representative in the parliamentary chamber. The only concession for the differences in size is that the vote of larger cities is weighed higher, but the ratio is far from being proportionate: 1 vote for 4,000 inhabitants in the smallest town as opposed to 12 votes for 730,000 inhabitants in Frankfurt. If the number of votes were proportionate to size, Frankfurt would otherwise have 192.

3.2. Insights related to mechanisms of cross-sectoral coordination and cooperation

Cross-sectoral coordination and cooperation does form the very core of the system established by this Act. The Parliamentary Chamber is the formal forum of exchange between municipal politicians, and the *Regionalverband's* administration is the service provider (e.g. know-how and data).

The *Regionalvorstand's* task of promoting regional cooperation has been operationalised through the *Arbeitsgemeinschaft der Geschäftsführer der Regionalen Gesellschaften, Vereine und Netzwerke* (working committee of the managers of regional companies, societies and networks). There are some 20 entities covering a large variety of topics, like regional transport (*Rhein-Main Verkehrsverbund GmbH*), culture (*Kulturregion*

FrankfurtRheinMain gGmbH), and science and economy (House of Logistics and Mobility GmbH).

3.3. Insights related to the role of (actual, potential) social, organizational, institutional innovations

The Act promotes creating tailor-made bodies to tackle tasks of regional relevance that otherwise would be carried out by authorities. This provides flexibility in finding the most suitable form of corporate structure, and to account for different functional geographies as described under 3.2.

In line with this, the *Regionalverband* founded the *Europabüro der Metropolregion FrankfurtRheinMain*, Frankfurt Region European Office, which is, legally, a commercial company jointly owned by the Regionalverband and the City of Frankfurt am Main, and co-funded by various regional stakeholders. This office is based in Frankfurt and has two permanent representatives in Brussels.

The “Houses of” (of Logistics and Mobility, of Finance, of IT and of Pharma and Health Care) are triple helix platforms involving science, economy and politics, implementing parts of the “*Hessische Innovationsstrategie 2020*” published in 2013 (see the related appraisal report, S-FR3).

4. Effectiveness Indicators

The system established by this Act is widely accepted. Although it is marginally modified from time to time, it has not been challenged fundamentally yet, at least not by relevant majorities. The political parties appreciate it, obviously, because the two large ones agreed to a long-term coalition independent of municipal election outcomes.

Although the Metropolitan Act introduces an additional level within the administrative structure, this is considered adequate because it fills the void between the layers as described in the NUTS system:

- > The municipalities (LAU3, ex NUTS5) represent the local level and have a very strong position because Article 28 of the German Federal Constitution guarantees that they are free to rule their own affairs, but they are too small and too numerous.
- > NUTS3 hardly accounts for functional geometries. It is the level of the larger cities (*kreisfreie Städte*) and the groupings of smaller municipalities (*Kreise*), a structure that has evolved over decades and does not reflect the day-to-day reality of commuting, labour or housing markets.
- > NUTS2 is decentralised government, best described as province old-style. They are non-legislative governing bodies concerned mostly with administrative decisions.

The Act creates an in-between level, roughly between NUTS2 and NUTS3. In the absence of this system, too many ad-hoc cooperation moments would be needed – or missed.

5. Illustration and further information

The Act *defines* absolute space by listing 75 towns and cities that form the *Ballungsraum* (conurbation core) and creates legal responsibilities for spatial planning. Additionally, the Act *describes* the larger Metropolitan Region considered to be the engine of societal, economic, social and cultural development.

[More information about the Act is available on the Hessen website](#) (German).



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