



Rural-Urban Outlooks: Unlocking Synergies (ROBUST)

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Rural-Urban Governance Arrangements and Planning Instruments

Law of Tuscany Region 65/2014 on the Government of the Territory

Lucca, Italy

1. Overview

The new urban planning law 65/2014 of the Tuscany Region (replacing the previous law 1/2005) is directed at enhancing the landscape heritage for sustainable development, counteracting land consumption and promoting the multifunctional role of the rural territory. It includes public participation as a standard procedure for drawing up the territorial plans.

“Territorial governance” indicates a model in which public actors, responsible for territorial planning in compliance with the principle of subsidiarity, differentiation and adequacy, are able to steer the responsibility for all relevant stakeholders. The new law aims to operationalise the principle (already present in the previous law 1/2005) which states that new land commitments are allowed only if there is no possibility to re-use the existing settlements and infrastructure, codifying devices and procedures aimed at counteracting the consumption of new soil.

2. Main Challenges

Counteracting land consumption

- > The law is concerned with limiting land consumption, as land consumption continued over the years as a result of converting agricultural land for construction purposes. The law states that *"new land commitments for settlement and infrastructural purposes are allowed only if there are no alternatives to reuse and reorganize existing settlements and infrastructures"*.
- > This is translated in operational instruments, including the definition of boundaries between urbanized territory and agricultural (rural) territory where it will no longer be possible to build. However, specific actions for protection and enhancement through integrated policies must be adopted.

- > The challenge is to elaborate policy instruments to implement these protection and enhancement actions considering, for example, that the current RDP (Rural Development Plans) shows limits to intervene in peri-urban contexts (that are not eligible for RDP).

Landscape preservation

- > One of the principle of the law is to limit fragmentation of agricultural land caused by non-agricultural land use or development. The law provides that local planning tools identify: i) "heritage of historical rural settlements" whose transformations must be consistent with surrounding settlements, ii) "open spaces surrounding villages of historical and cultural interest" whose landscape value must be protected, and iii) "peri-urban areas" to promote forms of agriculture that can be integrated with urban settlements. The challenge is understanding how to implement these strategies (i.e., finding the best tools).

3. Main Insights

3.1. Insights related to the broad area of “network governance”

The governance tool at stake is a planning tool, with precise aims and potentials and expectations shouldn't go beyond its scope. The current challenge concerns understanding which modalities and instruments are necessary to “activate planning” in the peri-urban areas: What integrations with existing policies should be pursued? What financial resources should be dedicated to this? Is there a need for specific new rules within current local planning tools? Are pilot projects a suitable strategy? The risk is, in fact, that the rule of LR 65/2014 remains an "empty box".

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

Consistent with a regional law on participation, participation activities are to be included in the procedure for developing territorial planning tools. To this end, citizen participation in the territorial governance processes has been reorganized at the regional level. Citizens have the right of access administrative documents related to the proceedings of territorial governance. It is rather a tension for transparency than actual participation: it should be stressed that the concept of public participation and its modalities, such as the one offered by the regional legislation, are not (yet) very clear to the general public. Participation, in fact, is often seen only as a general willingness to debate and not as a concrete possibility to influence public decision-making.

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

Severe deterioration and abandonment of peri-urban agricultural areas is widespread in Tuscany, especially in urban areas characterized by land fragmentation and settlement dispersion. It is therefore critical to address urban sprawl, according to the concept of smart development, and to develop a new vision of territory that is able to offer a higher quality of life and well-being that is based, in practice, on the valorization of services related to “neo-rurality” (such as food production functions, recreational functions, fruitive, etc.).

This requires activating forms of social innovation among various local actors to favor a growing interdependence between urbanity and rurality, and to redesign, in a more sustainable way, relations between open and built spaces and, therefore, between the different actors who use / enjoy these spaces. In this regard, developing "pilot projects / plans" becomes important.

4. Effectiveness Indicators

From the territorial planning point of view, this law formally recognizes the strategic role that rural territories have for sustainable development and enhanced relationships between the city and countryside. However, in practice, the governance of rural areas is limited to regulating building permissions, which is not much different from what was defined in the previous law. The meanings and the potentials that agricultural activities could gain, in view of a reciprocal and less-conflicted link with urban areas, are not considered. With reference to peri-urban areas, there is a very complex mix of situations between professional farms, hobby agriculture and situations of degradation and abandonment.

At the level of territorial planning, there is an unbalanced relationship between the urban and the rural components of territories, which often benefits the former and ignores the latter. This is also true at the municipal planning scale (which, in Italy, is the most incisive in terms of territorial transformations). There are serious gaps in the knowledge of the rural territory due to the conflict of interests and values, different skills, and actors' perspectives.

There is a clear need to create new linkages to share knowledge, build mutually-beneficial strategies for different actors, and to protect non-renewable resources, such as soil. However, planning tools must be reinforced with other tools that ensure effective and lasting relationships among stakeholders over time. This is where a Living Lab, where policy makers, experts and members of civil society collaborate to identify and solve problems, is most welcome.

Illustration and further information

For more information about the Regional Law for Territorial Governance see (Italian):

<http://www.toscana-notizie.it/-/governo-del-territorio-i-punti-principali-della-nuova-legge>

<http://www.regione.toscana.it/-/il-governo-del-territorio-legge-regionale-65-2014->

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