

# Two Tier Metropolitan Arrangements in Europe A Desk Study for the Tuselog Programme

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## 1. Introduction

Since the beginning of the 20 century, administrative forms have lagged behind the dynamic changes triggered by urbanization and urban sprawl and – recently also – by globalisation and metropolisation (Savitch and Vogel 2000, 160; Kübler and Schwab 2007). The ample metropolitan debate and practice is an answer to the main problem of these growing urban areas, namely the mismatch between their formal and real structures (Savitch and Vogel 2000, 160; Kübler and Schwab 2007; see also the distinction between institutional and functional territory: Lefèvre 1998). Politico-administrative fragmentation of a functionally bounded area leads to several managerial and organisational problems. When a number of jurisdictions operate in a metropolitan area, there is a need for coordination of the policies performed by these autonomous subjects. Many functions exceed local boundaries and so does the everyday routine of many “metropolitan habitants”. The organisational responses suggested to this challenge have changed over time, together with the general debate on urbanisation and on the functions of self-government.

A two-tier metropolitan unit was one of the basic solutions proposed under the first wave of metropolitan debate called “old regionalism”<sup>1</sup>. Already in the 1920’s the metropolitan reform theory suggested that the fragmentation of highly urbanized areas should be overcome by changing the existing territorial-administrative organization, introducing a specific metropolitan institution of government<sup>2</sup>. The opposite concept, also found within the old regionalism paradigm, was developed only in the late 1950’s on a basis of public choice theory. Its main assumption was that a large number of administrative units is a democratic value itself and as such should not be modified. The presence of a large number of self-government units is positive as it induces inter-municipal competition, which leads to economic effectiveness and efficiency and is beneficial for habitants of the area. Problems with coordination stemming from politico-administrative fragmentation of metropolitan areas can– according to this paradigm - be overcome by means of voluntary cooperation between independent municipalities. Summing up, there is an opposition of “*hard*” metropolitan structures (meaning administrative reform and establishment of a formal metropolitan tier) and “*soft*” metropolitan structures (meaning metropolitan cooperation without much change in institutional setting and without establishing formal metropolitan tier of government).

Proponents of metropolitan reform argued that metropolitan units have many positive effects: economies of scale, redistributive policies, social justice (the same level of services in

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<sup>1</sup> Old regionalism – paradigm which prevailed in metropolitan debate until 1980s. The main focus of the debate on metropolitan problem was on: (1) provision of statutory services local governments are responsible for, (2) shape of the formal government institutions within the metropolitan areas. Two competing schools developed under this paradigm were: metropolitan reform approach arguing for new metropolitan government structures and public choice theory arguing for bottom-up voluntary coordination of independent small local governments, who also compete with each other.

<sup>2</sup> This attitude can be called *metropolitan regionalism* understood as “all strategies to establish institutions, policies or governance mechanisms at a geographical scale which approximates that of existing socioeconomic interdependencies within an urban agglomeration” (Brenner 2002: 4-5).

the whole urbanized area) and metropolitan identity contributing to metropolitan solidarity<sup>3</sup>. There are several ways to form a metropolitan unit: from a simple annexation of suburban municipalities by a core city and amalgamation of a few local units through city-county consolidation to establishment of a new jurisdiction operating within a complex two-tier structure. The latter solution can differ significantly depending on the details of the reform. The unit can function as an additional independent tier, it can operate on a mezzo level (as a metropolitan province or county) or even on a regional level<sup>4</sup>. There is also variation in: (1) the internal structure of metropolitan institution, (2) the scope of functions assigned to metropolitan tier, (3) the degree of autonomy left to the municipalities still operating on the lowest level of territorial organization. Democratic legitimacy can be either direct (with a metropolitan body elected by the habitants of the unit) or indirect (metropolitan body composed of the representatives of the member-municipalities).

It should be stressed that two tier metropolitan arrangements need to be clearly distinguished from a two tier city structure, as the two are often confused in the analysis of the structure of big cities. The difference is in the spatial scope of the two structures. The two tier city unit does not go beyond the urban local boundaries and as such does not deal with problems of metropolitan coordination and cooperation.

Talking about the establishment of any metropolitan arrangement one should remember that the arguments for it can be very different depending on the approach adopted. The underlying argument for the first initiatives of metropolitan regionalism was the control over the urban growth outwards from a core city into the rural fringes. After World War II the main problem changed into the regulation of the metropolitan functional structure so as to moderate the sociospatial differentiation of metropolitan areas (Brenner 2002: 7). In general, the first wave of metropolitan regionalism, which was developed under the old regionalism, was strongly connected to the basic tasks of self-governments. Metropolitan units were to assure more even (i.e. fairer) and more effective supply of local services (due to economies of scale) as well as transparent democratic control over a functionally bounded area. The main tasks usually mentioned as the ones which need metropolitan-wide coordination include: spatial planning, public transport, road and rail system, waste management, and waste-water management. Some experts also mention social assistance, health care, and education. Following this paradigm, numerous metropolitan arrangements were created in the 1960's and 1970's in North America (Toronto 1954; Montreal 1960;

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<sup>3</sup> The term “metropolitan solidarity” refers to the attitude of local elites, who are able to give up at least part of local particularism in favour of the interests of the whole metropolitan region. It also means support for the poorer parts of the metropolitan area. This kind of solidarity is difficult to achieve, as local and metropolitan interests may contradict each other (especially in the short term). Moreover, if elections take place on the local level only, politicians do not have an incentive to take into account the broader interests of the whole area, but usually concentrate on particular local agenda.

<sup>4</sup> This situation most frequently results from the “coincidental” coherence of metropolitan and regional boundaries, as it is in Madrid or Paris. To some extent one can see such solution in Berlin, Hamburg or Prague, yet in these examples the spatial delimitation of the region (or federal state) is so narrow, that the unit does not cover the whole metropolitan area, rather just the core city and as such should not be treated as a metropolitan arrangement.

Vancouver 1967; Portland 1970<sup>5</sup>) and in Europe (metropolitan counties in the UK; 1 Rotterdam 1964; Barcelona 1974; Kopenhagen 1974; Frankfurt 1965; Hanover 1962; Stuttgart 1972)<sup>6</sup>.

Only recently, under the “new regionalism” paradigm<sup>7</sup>, the focus has been extended (or even shifted) from the coordination of specific urban services to the economic development and competitiveness of the area. New challenges brought about by globalization have given new impetus to the debate and practice of metropolitan reform. Some authors claim that economic competitiveness offers a strong stimulus for metropolitan cooperation (regardless of the form it takes), something which was missing under the previous paradigm (Norris 2001b). Even though the general picture speaks against this enthusiastic opinion<sup>8</sup>, in Europe of the 1990-2000 we witnessed the so called “second golden age of metropolitan reform” (Kübler 2003: 537). New forms of metropolitan coordination have emerged in many European regions after 1990. They were rarely brand new structures established ex nihilo, but in most cases referred either to the arrangements abolished in the 1980’s (Barcelona 1987; Kopenhagen 1999) or were the direct reorganization of existing structures (Stuttgart 1994; Hanover 2001).

An interesting aspect of the new wave of metropolitan reform is that the focus on international competitiveness seems to have overshadowed the debate on the mere organisational structure. Metropolitan politico-academic discourse ceased to seek for an optimal institutional setting as the main goal, instead raising issues of the political and economic role played by the metropolises on the global scene<sup>9</sup>. The search for an exact organisational form lost its meaning, something which, next to the shift towards economic competitiveness, is one of the reasons why the metropolitan arrangement established after 1990 are treated as qualitatively different from the ones of 1960 and 1970s.

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<sup>5</sup> Already in 1966 a first regional association of governments was established, yet it was soon dominated by a much more advanced structure (Metropolitan Service District) established in 1970.

<sup>6</sup> (1) Many of those metro-units were abolished in the 1980’s. (2) Not all of the mentioned metropolitan arrangements are two-tier units; most typical of such arrangements are discussed in the next part of the report.

<sup>7</sup> The new regionalism paradigm has to a large extent replaced the old regionalism in the 1980s. Apart from the two concerns of the old approach it concentrates a lot on international competitiveness of metropolitan areas. It stresses that local and metropolitan governments in addition to the statutory services they deliver to local communities, have to deal also with fostering of economic development of their territories and territorial marketing (issues which were not included in the old regionalism). In this paradigm, the precise institutional setting for metropolitan area is less in the focus of the attention, while the role of *governance* understood as a semi-formal cooperation of public and non-public (business, societal organizations etc.) actors is seen as essential.

<sup>8</sup> The economic argument does not contribute to a boom in metropolitan cooperation. There are very few examples of complex metropolitan reforms resulting in a profound change of territorial-administrative organisation and establishment of a strong metropolitan unit. For example, fiscal autonomy of metropolitan governments is an exception rather than a rule.

<sup>9</sup> To a large extent these issues are discussed in the concepts of rescaling (see e.g. Brenner 2004; Savitch, Vogel 2009).

## 2. Overview of two tier metropolitan arrangements

Among the various options of metropolitan regionalism, two tier arrangements seem to offer a tempting mixture of relatively high formalization and (at least partial) preservation of local autonomies. Firstly, its formal character guarantees stability (abolition of a metropolitan unit is more difficult than dissolution of inter-municipal association or loose voluntary cooperation), giving a possibility for implementation of long-term policies and development of a common identity and solidarity. The latter are also fostered by the mere existence of metropolitan institutions which are adequate to the functionally bounded urban area. Secondly, formal structures imply a clear division of responsibilities and powers, making it possible to avoid constant negotiations and non-decisions (which is typical for multi-level governance systems and ad hoc inter-municipal cooperation; Scharpf 1999, Tömmel 2008). Once the institutional setting is fixed and agreed upon by all the members, the functioning of metropolitan arrangement is based on the established procedures rather than on the short-term interests of member municipalities. Thirdly, the details of an arrangement may provide room for legitimacy through direct elections, something which increases transparency in the metro-unit as well as public control of its actions (an element which is often lacking in inter-municipal associations). It also strengthens the metropolitan identity, both among the citizens and the elites. The permanent metropolitan body fosters development of such a metro-elite and assures the representation of the metropolitan common interest. Fourthly, there is larger room of manoeuvre in organising financing of the functions to be performed by the new institution.

Despite the advantages, two-tier metropolitan units are not a commonly applied solution to the metropolitan problem. In a classic form they have been successfully established in very few areas. The main reason for this is the same as for most of the discussed merits – its formal character. Unlike many softer forms of cooperation (e.g. associations or special districts), the establishment of a two-tier metro-unit requires deep changes in the existing administrative division of the country. As such, it may find many opponents not only among the public choice theorists but also among the local politicians fearing the loss of their power positions. It applies especially to mezzo-tier (for example county) governments, which are threatened with abolition if a new metropolitan structure is established. In addition, regional authorities often oppose the creation of a very strong institution within their boundaries. Fixed institutional setting also means that it is difficult later to introduce changes to the metro-unit (e.g. its extension on new areas) – the formalized structure lacks flexibility. Finally, the details of the reform always cause vibrant debates and reveal different preferences which may be difficult to bring together.

In sum, there are many advantages to two-tier metropolitan arrangements, but it is also burdened with severe obstacles connected to numerous actors potentially affected by the reform. Below, we briefly discuss the most interesting cases of struggles around the metropolitan two-tier units.

**Germany** is often quoted as an interesting example of various metropolitan governance arrangements. Their abundance was possible due to the federal structure of the state –

federal states (*länder*) are responsible for setting the legal framework governing metropolitan institutions, meaning that each *land* may have its own, specific solution. Moreover, it seems that thanks to the fact that law-giver is closer to the problem area (than in unitary state) the issue can easier gain on importance. Furthermore, it is often argued that each metropolitan region requires specific arrangement due to variations in their character, something which is hard to achieve by central government law in an unitary state. In Germany, each metropolitan area has its own institutional setting, established by federal law. A second important factor influencing the German case is the long tradition of metropolitan cooperation. It goes back to the 1920s and 1930s; has a peak of old regionalism in the 1960s and 1970s and has recently experienced a revival within the paradigm of economic competitiveness, which has often led to structural modification drawing on metropolitan reform tradition. In the late 1990s a network of European Metropolitan Regions in Germany was established gathering at first 6, and later 11 areas of various institutional setting. The main goal of the network was to present the metropolises on the international scene and “to provide a united front in facing the federal government” (Zimmermann 2011: 56). A more detailed description of the German experience is provided in section 3 of this report.

Many other European examples are less convincing. Some of these are briefly discussed below.

In **Italy** there was a long standing demand for metropolitan coordination, and in 1990 a new law introducing metropolitan government institution was approved by the Parliament (Bobbio 2005). The new metropolitan governments were supposed to have directly elected councils and were expected to take over several functions so far delivered by provinces. It was decided that the definition of boundaries of metropolitan areas and supervision of their establishment would be performed by the regions. However, the regions were not willing to support the emergence of new, strong political institutions which could become strong competitors on the political arena. In spite of the fact that metropolitan areas were later included in the 2001 constitution, and that they could theoretically regulated by a government bill proposed in 2007, in practice they have never been established (Piattoni, Brunazzo 2011: 338).

**Netherlands** provide an example of the form of metropolitan governance which locates itself between voluntary inter-municipal cooperation and a metropolitan tier of government (Denters, Klok 2005). In 1994, regional public authorities created seven major metropolitan areas. However, these authorities are not directly elected, but are appointed by the councils of member municipalities. Neither are they regular inter-municipal associations as the law allocates special competencies to them, which are related to spatial and economic planning, infrastructure, housing and environment protection. They may be described as a kind of obligatory inter-municipal cooperation (Hendriks, Schaap 2011: 113), while the efforts to create full-blown metropolitan regions failed. There was an attempt to strengthen this form of cooperation and turn it into a more formalised metropolitan tier. Yet, this raised significant criticism (e.g. the referenda results spoke against such a reform), so the idea was

abandoned and metropolitan institutions have been left on the less formal organisational level described above.

The most often quoted successful case of metropolitan coordination based on solid institutions based on voluntary cooperation of *communes* is **France**, where the extreme territorial fragmentation (approx. 36 thousands of communes, most of them being very small units, with less than 1,000 residents) creates significant demand for coordination and institutions benefiting from economy of scale. The form of inter-municipal *syndicates* and later *communautés* has been gradually evolving towards a separate tier of government (including direct election of its council form 2014). This very complex case is discussed in more details in section 4 of this report.

Another example referring to inter-municipal cooperation is **Helsinki (Finland)**. As in many other European cities, Helsinki was for a long time growing through the annexation of suburban areas. The last considerable expansion of city boundaries took place in 1996 but “as neighbourhood municipalities were starting to grow they organized themselves to make sure that no more annexation would be possible” (Haila, Le Galés 2005: 121). As a response to the tensions between demand for the expansion of the core city and the resistance of surrounding municipalities, the Council of Helsinki Metropolitan Area (YTV), operating as inter-municipal association of 4 cities, was created at the beginning of 1970s (Kaczmarek, Mikula 2007). YTV deals with waste management, public transport planning, spatial planning, and air pollution control. It buys services mainly from the private sector, since most of service provision was privatized in 1980s and 1990s. From the political point of view, the operation of YTV is based on the principle of balance of power. 7 out of 14 members of the YTV Board are appointed by the City of Helsinki, and 7 by the remaining 3 cities. There is similar proportion of members in Metropolitan Council. The YTV institution successfully plays a coordinating role. However, it is also criticised for low democratic legitimacy (stemming partially from the lack of direct elections) and low transparency of management.

So far, countries of East-Central Europe do not provide any mature examples of real metropolitan institutions of government. Two-tier government structures exist in several capital cities (including Budapest, Prague and Warsaw) but cover the territory of core city only, leaving aside the municipalities of the suburban area. **Prague (Czech Republic)** is a *de jure* single municipality. However, the law allows the municipal council to take decisions on its internal structure provided that the city issues a statute which must include at the minimum: the delineation of the city district boundaries, the powers and responsibilities of the city and the city districts, and specification of the relations between the authorities of the city and authorities of the city districts. By the decision of the city, Prague is divided into 57 districts, which population size varies from 250 to over 140,000. There is a directly elected (through a proportional electoral system) council of the City of Prague, which appoints a collective executive board (11 members). The structure of district government institutions is very similar to the one at the city level. The city of Prague has at the same time the status of administrative region (Kostelecký et al. 2008, Kubatova, Pavel 2007).

**Budapest (Hungary)** is divided into 23 districts. The present territory of the city is a result of the great enlargement of 1950 (Balás 2007). In the current system there is a general assembly on city level and a directly elected General Mayor. In addition, each of the districts has its own council and district mayor (Temesi 2011, Balás 2007). Basic social services are provided by the districts, while the main communal services (gas, water, electricity) fall under the authority of the city level. In general, in 2005 districts spent 58% and city 48% of Budapest local public money (Balás 2007). The city has the right to pass framework regulations that are compulsory for the districts in some fields, the most important ones are in the field of construction and local development. The districts can legally interfere in the work of the City Council – the delegates of the districts can participate in the hearing, they can address question to the City Mayor and initiate discussions in the city council. There is also a Committee of District Coordination which is directly responsible for the discussion of the district related issues.

However, the metropolitan area goes beyond administrative boundaries of the capital city, and covers the area of the surrounding county of Pest. Both units (the city and the county) create one NUTS-2<sup>10</sup> region. The (NUTS-2) metropolitan region has a development council (consisting of members appointed by the city of Budapest, Pest county and central government administration) and a Regional Development Agency, with general planning and coordination functions. However in practice, this very soft form of cooperation does not provide a space for a real coordination of functions within the metropolitan area.

In **Warsaw (Poland)** there is also a two-tier structure of government, which does not, however, go beyond administrative city boundaries. There are 18 districts, with population numbers varying from 19,000 to 225,000. Before 2002, each of Warsaw districts was an independent municipality, with relatively weak city level government on the top. The 2002 reform has reversed the situation – nowadays the main power is on the city level, while 18 districts are to a large extent subordinate to the city. There is a single city budget and districts have only limited discretion to decide upon their parts (which – technically speaking – are only annexes to the main city budget). Warsaw has a City Council consisting of 60 members elected in direct, proportional elections, and a directly elected City Mayor. There are also elected councils in each of the districts, as well as district mayors who are appointed by the local council. However, his/ her appointment requires the consent of the City Mayor.

Poland is an example where intense discussions on metropolitan coordination have started only recently (very little happened in this respect before 2000)<sup>11</sup>. In spite of several legal initiatives undertaken during the last decade, none of them has been passed by the Parliament yet. The most advanced was the draft officially announced by the central government in 2008. It assumed that Metropolitan Areas would be governed by a Board with a mayor of a central city as its head and representatives of surrounding counties on the

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<sup>10</sup> NUTS-2 is the basic regional level in the European Union statistics, playing a crucial role in allocation of structural funds for EU regional policies, especially in implementation of Regional Operating Programme.

<sup>11</sup> More detail discussion of the Polish case in English language may be found in: Swianiewicz, Lackowska 2007, Lackowska 2009, Lackowska, Zimmermann 2011.

Board. Decision making would be based on double-majority principle, i.e. important decisions would require support of a majority of the concerned local governments inhabited by more than 50% of the population of the metropolitan area. However, strong opposition from regional governments being afraid of losing part of their power, together with problems with the spatial delimitation of metropolitan areas and some other details in the law, resulted in the government decision of not pushing the proposal through the Parliament. As a consequence of this failure and of a few other uncompleted legislative initiatives in the same area, any coordination within a metropolitan area requires bottom-up voluntary cooperation of municipalities and counties. There have been several attempts to build such coordination structures, but most of them proved insufficient and, as Lackowska (2009) convincingly shows, were usually “condemned to failure”, or in the best case led to very limited successes.

One of the first attempts for bottom up cooperation in Poland was the *Committee for the Strategic Plan for the Wrocław Agglomeration (Komitet Planu Startegicznego Aglomeracji Wrocławskiej)*, established in 1999. However, its activities ceased after few years, and it was gradually replaced by the *Agency for Development of the Wrocław Agglomeration (ARAW – Agencja Rozwoju Aglomeracji Wrocławskiej)*, which takes care of attracting investments and promotion of economic development on behalf of all municipalities within the Wrocław Metropolitan Area. Yet, even basic issues such as common public transport for the agglomeration have not been successfully resolved yet. Conflicts among communities involved (or among leading local politicians) as well as unwillingness to enter real cooperation requiring compromise and giving up part of the powers of member municipalities, are among common problems in these attempts. The case of Warsaw agglomeration, where the city of Warsaw refused to join the *Association of the Warsaw Metropolis (Stowarzyszenie Metropolia Warszawska)* provides a good example of such a weak cooperation culture and lack of trust among the potential partners. Warsaw city prefers to solve problems (such as transport for the agglomeration) through a series of bilateral agreements, in negotiation of which the central city is always the strongest partner. Even the most recent attempts – *Association of Gdańsk Metropolitan Area* (established in 2011, and following the less successful attempt of the *Metropolitan Council of the Gdańsk Bay* – established in 2003) and *Association of Poznań Metropolis* – failed to attract attention of all potentially relevant local governments and in both cases the territory covered by the agreement has a “hole” – one or more local government who refused to join the initiative. There is a growing understanding that metropolises require institutional regulation and strong incentive for co-ordination. There are several concrete proposals under development, but none of them is close to be passed through the Parliament at the moment.

The Polish case (similar to the Italian and Dutch ones) exemplifies the problems that may be encountered when pushing through a complex metropolitan reform, as well as the numerous requirements needed to successfully replace it with voluntary bottom-up cooperation. In the next sections we look at the case of accomplished metropolitan reform (Germany) and successful “voluntary” cooperation (France) discussing the preconditions for success.

### 3. German experience

Going back to the 1920's, the German tradition of metropolitan cooperation is one of the oldest in Europe. Metropolitan arrangements established until the 1990s (mostly in the 1960s and 1970s) focused mainly on service provision, such as public transport, waste management and spatial planning. They were based almost exclusively on the legal possibility of intermunicipal single- or (more rarely) multi-task associations (*Zweckverbände*, *Mehrzweckverbände*) and as such are of minor importance for this report. Nonetheless, these arrangements gave rise to a boom of various initiatives at the end of the 20 century (Zimmermann, 2012). Among them are two metropolitan two-tier institutions considered examples of the new metropolitan reform: Hanover and Stuttgart. The history of institutional reforms which led to the establishment of the present structures is long and complex, and goes well beyond the scope of this report. However, it is important to keep in mind that both structures have been established as a result of a few decades long try-and-error process of metropolitan institutionalisation. When considering the adoption of one of these structures elsewhere, one should remember that in the course of subsequent reforms, metropolitan actors were given time to accustom to various forms of cooperation and interdependencies, something which could contribute to diminishing their resistance against the reform.

#### 3.1. Stuttgart

Stuttgart's way to metropolitan reform started with very tense relations between suburban municipalities and the core city, which until the 1930s followed a strategy of gradual annexation of adjacent units. The attempts at metropolitan cooperation go back to the 1950s, when two municipal associations were established. Yet, the mistrust between the suburbs and Stuttgart city persisted and hampered cooperation (Zimmermann, 2011b: 190). It was only at the end of 1960s, one can talk about a positive turn, when the Planning Association of Middle Neckar was established. Nonetheless, this formula did not solve all the regional problems and throughout the 1970s, many different institutional solutions were discussed, including both a metropolitan government unit and loose cooperation structures. A strong stimulus for the reform came with the crisis of the 1980s, which affected the Stuttgart cluster of high-tech industries and drew attention to the problems of international competitiveness of metropolitan regions. Like in Hanover (described in 3.2. section), this was linked to the demand for minimising intra-metropolitan competition and instead strengthening (or triggering) metropolitan solidarity. An important role was played by representatives of the business sector, who were concerned about building a positive image of the region and fostering its competitiveness. Local businesses, together with the core city pleaded for intervention of the federal state (*land*), demanding that the state share the costs, which Stuttgart city was carrying for the whole region<sup>12</sup>.

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<sup>12</sup> The high burden of social spending and infrastructure investments is often concentrated in the core metropolitan city, while a high proportion of tax revenues goes to the affluent suburb municipalities, due to migration flows of the upper middle class families and business location decision. In American academic literature this situation is often recalled as “chocolate city – vanilla suburb” archetype of metropolitan areas (Hoffmann-Martinor, Sellers 2005).

Against the background of the tensions between local actors in the region, the involvement of the *land* occurred beneficial for the reform. It was also important that political parties in the federal parliament were increasingly agreeing on the need for metropolitan reform. The undertaking was hampered by the federal state parliamentary elections in 1992. There was a common agreement not to discuss the metropolitan question in the electoral campaign, but it was also clear that the new government would need to find a solution to the metropolitan problem. Furthermore, the debate was pushed by the crisis of 1992-94, which strengthened the pressure to help Stuttgart re-building its international economic position. In the course of a vibrant discussion in the early 1990s<sup>13</sup>, a few reform proposals were elaborated. Mayors of Ludwigshafen and Stuttgart together with many mayors of smaller municipalities supported a regional city model, which however was rejected by the counties. An alternative initiative proposed a compulsory municipal association with extended competencies, direct elections of regional assembly and a municipal chamber posing a counterweight to the assembly.

The central city was interested in the reform as long as this would ensure sharing the financial burden with other jurisdictions in the metropolitan region. It was stressed that the core city carried most of the costs of social security, public transport and cultural facilities used by the whole region. The business sector mainly promoted inter-municipal cooperation in their field of interest (i.e. supporting economic development) and was not interested in development of cost sharing schemes. Zimmermann (2011b: 199-200) lists four reasons which helped to overcome the contrasting interests of the involved actors and enabled the reform. (1) Representatives of the private sector as well as labour unions were actively engaged in supporting the complex metropolitan reform (they even asked the counties to end their resistance and accept the reform). (2) The leading role taken by the federal state was crucial to finding consensus between particular interests on the local and mezzo level. (3) In 1992, the federal government was formed by the coalition of SPD and CDU and the issue of direct elections to the metropolitan assembly was seriously discussed. Finally, the Prime Minister (CDU), managed to push through the concept of direct elections together with SPD and in opposition to his own party. He was sure it would strengthen metropolitan identity; whereas almost all local politicians were against, fearing loss of their power. (4) Public opinion was well informed by local media on the issue, which made potential non-decisions more inconvenient for politicians.

In the finally adopted version of the reform the two-tier structure (municipal and metropolitan level) was established covering the city of Stuttgart and five adjacent counties<sup>14</sup> (which, in contrary to the Hanover reform discussed in the next section, were not abolished). Regional Assembly, composed of 91 members<sup>15</sup>, is directly elected by the citizens (through the proportional system), what strengthens the political legitimacy of metropolitan

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<sup>13</sup> It included regional conferences of wide political and business participation as well as establishing thematic working groups.

<sup>14</sup> It means that in fact there is even a three-tier structure (municipalities, counties and metro institution) but the Stuttgart example is commonly referred to as an example of the two-tier arrangement.

<sup>15</sup> According to the legislation there are between 80 and 96 members, of the Assembly.

level against the municipalities. There are 6 electoral wards corresponding to the 5 counties and the city of Stuttgart<sup>16</sup>. The municipal chamber suggested in some of earlier proposals was rejected. The Regional Assembly is led by the chair (*Vorsitzende*) elected from the Assembly. Every 8 years the Assembly chooses a head of administration (*Regionaldirektor*) as the main executive officer for the Association. The Association is fully responsible for regional planning, landscape planning, management of landscape parks and for regional transport planning. Among the tasks which are shared with the counties and their agencies are: regional business development, regional marketing and tourism, public transport (railway system) and waste management. In 2004, the Association was entrusted with management of the Regional Park, whereas trials to transfer social tasks onto the Association did not succeed due to the resistance of the counties fearing of the loss of power and competences. Association's revenues come from contributions from counties and municipalities (decided upon every year by the Assembly) and transfers from the federal government.

### **3.2. Hanover**

The history of Hanover Region established in 2001 dates back to the 1963, when the first Association of Hanover Agglomeration was launched. From then on, the structure underwent numerous modifications (for details see Krüger 2011), the final version of which is undoubtedly the hardest and most "classic" metropolitan government in present Europe.

Hanover Region gathers the city of Hanover and 20 municipalities of the surrounding county. In the course of the reform of 2001, the city surrendered its county status and the suburban county was abolished. This allowed for simplification of the structure, which consists now of two levels only: municipal and metropolitan. Yet, the city of Hanover maintains a special status which is reflected i.a. by the fact that it is not supervised by the Region, but directly by the Ministry of the Interior of Lower Saxony.

The main organ of the Hanover Region is the Regional Assembly, which is directly elected by the citizens for 5 years term. It consists of 84 members, elected through a proportional system, and gathers every 6 weeks. It also elects a board, which is led by the President of the Region. Yet, the President is directly elected by the citizen for 8 years term in office (the first term was 5 years long only, but it was subsequently extended to ensure more political stability). He or she is also one of 85 councillors. The Hannover Region is divided into 12 electoral wards, 5 of which cover the central city and the other 7 the suburban area (each ward covers 2 to 4 municipalities).

From the former Association, the Region took over responsibilities for public transport, regional planning, territorial marketing and economic development, as well as support and development of regional recreation facilities. Other tasks transferred to the Region from the abolished county and the city of Hanover include: social assistance and youth welfare, waste disposal, vocational schools, hospitals, public health and control of the legally binding land

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<sup>16</sup> The city of Stuttgart elects 18 representatives, while adjacent counties between 7 and 16 each.

use plans of the municipalities. The reform has strengthened the local level by equipping it with the tasks of the former Association: primary schools; regulation and control of traffic; and financing (through state grants) social housing (Krüger 2011: 154). Moreover, municipalities can take over further tasks from the Region on the basis of mutual agreement.

The Region is financed by two sources: apportionments (covering ca 46% of the regional budget) of member municipalities and transfers from the *land*. The scheme for apportionments remains in discretion of the Regional Assembly and it follows the ability-to-pay rule (related to the tax capacity of municipalities), meaning that the main payer in practice is the City of Hanover (ca 55% of the total amount collected). Krüger (2011) mentions that the scheme for apportionments causes frequent quarrels between municipalities and the Region. Nevertheless, the whole financing scheme offers some advantages to all members when compared to the former situation (prior to 2001), and as such it is accepted by the members. The apportionments paid to the Hanover Region are lower than the ones paid earlier to the abolished county of Hanover. Financial relief for the municipalities was also connected to the transfer of expensive tasks such as social assistance and youth welfare to the Region. This was especially beneficial for the city of Hanover, which carried very high costs connected to these services, due to the factors discussed above. The present intra-regional equalisation scheme (elaborated for Hanover Region in addition to the already existing one for the whole Lower Saxony) allowed the city of Hanover to reduce these costs<sup>17</sup>.

Assuring a win-win situation regarding the finances of municipalities was undoubtedly the main precondition for the successful introduction of the reform. Initially, municipalities were afraid that the new structure might mean higher expenses and lower autonomy. Therefore, the allocation of new tasks to the municipalities was important, contributing to the perception of strengthening the local level. As for the finances, analysis, including academic advice, showed local actors that such fears were unjustified. Proponents of the reform hoped also for a synergy effect<sup>18</sup> and cuts on administrative expenses. A study carried out in 2008-2010 has proved that many regional actors feel these hopes for savings were exaggerated, yet one cannot entirely challenge their existence.

There were also other specific regional preconditions which enabled an extensive reform. The federal government of Lower Saxony made it clear that the metropolitan reform was possible under the condition of a consensus of all actors involved. Such consensus was partly made possible by the change of three main political leaders in the region: the Mayor of the city, the leaders of the surrounding county and of the intermunicipal association. As a result of the elections of 1996, all three posts were occupied by Social Democrats (SPD members), which facilitated an agreement<sup>19</sup>. Moreover, a change of personnel took place on all three posts. Previous leaders were aware that their political career in the region was

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<sup>17</sup> It is evaluated that between 2002 and 2005 the city saved 60 million Euros (Krüger, 2011: 163).

<sup>18</sup> The model budget identified synergy effects of about 20.8 million Euro (Krüger, *ibidem*).

<sup>19</sup> Previously, the party dimension was complicating the agreement, since city of Hannover was governed by SPD, while CDU was dominant in the surrounding county council.

about to end as they had no chance of re-election. This perspective stimulated them to elaborate a proposal for a profound reorganisation of the regional structure (the so called *Blue Paper*). Shortly after the elections, the *Blue Paper* with the general outline of the reform was presented to the public. It justified the need for a reform by stressing the new challenges facing the region under the realm of increasing international competitiveness and a difficult financial situation of the core city. The document received a positive response and opened the way for further discussions. SPD organized a party conference on metropolitan reform which resulted in the popular acceptance for the reform within the party. A detailed plan was subsequently presented in the *Yellow Paper*. SPD managed to convince Christian Democrats (CDU; preliminarily sceptical or even opposing) to support the idea and in 1998 CDU of Hanover County agreed to establishing the Hanover Region. Both documents were elaborated in a participatory and professional way, using of many sources of knowledge (Krüger 2011). Additionally, the media informed the public on the proposal.

Apart from the political constellation which favoured the reform and from the strong advocates of the reform active on local and regional level (mainly SPD politicians), also the mere proposal facilitated the success. It addressed all main issues trying to minimize the potential fears and resistance of all the actors important for the reform. First of all, it suggested the establishment of an additional regional financial redistributing scheme, which would lead to financial equalisation (lightening the burden on the core city). It also proposed a financial arrangement for Hanover Region which in general is the same as for other counties in Lower Saxony (apportionments from municipalities and revenue from federal state). It was crucial that the contribution due to the Hanover Region is lower than the ones for the abolished county and Association. Giving the region ordinary county status was considered but – partly for the prestigious reasons which were important mainly for the city of Hanover – specific status was agreed upon. All these elements contributed to the creation of the win-win situation which meant that all actors could agree on profound metropolitan reform.

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The present structures, in both cases being the effect of a long reform process, are often considered to be the most advanced model of metropolitan governance in Germany (Fürst 2005: 152). It should be stressed that in both cases the preconditions for reform were similar: support and engagement of federal government, specific political constellation, assuring win-win situation for as many local actors as possible, wide public debate and citizens' informed on the proposal.

Both examples present highly formalised metropolitan units with strong democratic legitimacy (direct elections) and wide responsibilities. Yet, the formal structure is accompanied by numerous sector initiatives of private and public actors. The network of such institutions is denser in Stuttgart region<sup>20</sup>, but also exists in Hanover, complementing

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<sup>20</sup> In Stuttgart region, where the role of business sector in stimulating the reform was particularly important, entrepreneurs remained active also after 1994 launching an organisation representing regional business – Forum

the public structure and responding above all to the challenges of economic growth, international competitiveness and constant improvement of the quality of life. In this way, both arrangements combine traditional metropolitan reform with the governance approach (understood as an often informal cooperation of public and non-public actors in governing public affairs). The new regionalism paradigm has found recognition both as a stimulus for the reform and in the tasks of metropolitan units comprising fostering economic development and territorial marketing.

#### 4. French experience

Perhaps the most characteristic feature of the French local government system is an extreme territorial fragmentation, with over 36,000 *communes*, over three quarters of them inhabited by less than 1,000 residents. In such a situation, individual metropolitan areas are divided into several hundred tiny local governments (in case of Paris their number even exceed thousand – Breuillard 2011). For a long time, the issue of co-ordination as well as economy of scale have been achieved through various forms of voluntary (or semi-voluntary) inter-municipal cooperation (IMC). Gradually, some of these IMC institutions have started to resemble a new tier of local government, making it relevant in discussions two-tier metropolitan structures.

Within the large variety of French IMC institutions, it is possible to distinguish two basic forms (Hertzog 2010):

- *Syndicat* – first time stipulated by the Law adopted at the end of 19<sup>th</sup> century. They provide functions delegated to them by local governments and are financed by apportionments from the communes. Since 1959 they can be multi-purpose (not only single-purpose) organizations and in some cases their establishment do not require consent of all local governments (it is enough if the decision is supported by majority of *communes* inhabited by at least majority of population of a given territory, so called double majority);
- *Communautés* (communities) – first allowed in 1960s for the largest agglomerations, and in 1990s extended also to the rest of the country by the reform introduced by Minister Chevènement. The core of their functions is defined by the Law, although member local governments also have the discretion to decide upon the remaining competencies of the community. They can be financed by own taxes (as stipulated by the Law) and by direct transfers from the central budget. Their establishment requires double majority of *communes*, as it is in case of *syndicats*.

In large agglomerations there are two types of IMC institutions:

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Region Stuttgart. Apart from that municipalities established associations for sport and culture and there are also some other metropolitan institutions like Regional Agency for Marketing and Tourism or initiative Media Stuttgart.

- *Communautés urbaines* – created in the 16 largest metropolitan areas, each of them is inhabited by more than half a million of residents (although there are some exceptions, communities established in the smaller agglomerations). The first one was created in 1966. The first few were created by a separate law (Bordeaux, Lyon, Strasbourg, Lille), while the following were established based on a bottom-up principle, following the majority rule described above.
- *Communautés d'agglomération* – over 120 agglomerations with the core city having more than 15,000 residents.

After their establishment, decisions in *communautés* are taken by a simple majority rule, by a council consisting of delegates of the *communes*. The distribution of seats is agreed among the member communes. However, each commune has at least one representative, and none of them may have more than half of the seats in the council. As a rule, the Mayor of the core city becomes also a President of the community.

Paris is to a large extent a separate case. Not only is it the largest French metropolitan area, covering the Île de France region and *disorder of intercommunal level: 1090 IMC bodies, including 28 communautés d'agglomération and 72 communautés des communes, as well as over 900 of syndicats* (Breuillard 2012). It is also the city in which an elected mayor took office for the first time only in 1976 (the appointment had earlier been more directly supervised by central government administration).

*Communautés urbaines* differ from *communautés d'agglomération* in the number of compulsory functions allocated to the two types of communities. In the smaller agglomerations the list includes: public transport, economic development, strategic spatial planning and the selection (made by the community) from among additional list of functions (including for example housing, school transport, environment protection, some social services). For *communautés urbaines* these additional functions are obligatory. One of the main differences is in planning: *communautés urbaines* is responsible for planning on both strategic and local level , while *communautés d'agglomération* are only in charge of the strategic level. Additional functions may be transferred to communities on the basis of voluntary agreement.

One of the strong incentives to create *communautés* was the allocation of the *taxe professionnelle* to them. Before the reform, this was the local tax levied on assets of local enterprises which brought the largest amount of revenues of all local revenue sources. Moving the tax to the level of *communautés* on the one hand stimulated the decision on their establishment and at the same time was aimed at reduction of tax competition within the agglomeration. Another important source of revenue for *communautés* is the tax on salaries (which is supposed to help in maintenance of urban transport system) and the tax on waste collection (Marcou 2010, 2011).

In 2010, the *taxe professionnelle* was liquidated as part of a reform which seriously reduced the tax autonomy of local governments. Presently, *communautés* can still levy tax on households, based on the value of properties, while the revenues from *taxe professionnelle*

has been compensated by a property tax on businesses and tax on value added of the company (separate from value added tax). However, both of these new taxes have rates fixed by the state (so there is no local discretion) and the revenues from them are relatively low.

In *communautés urbaines*, there is also an obligatory equalisation scheme (“solidarity grant”), the general criteria of which are stipulated by the law. However, it is up to of each community how to interpret the law and how to weight individual criteria (Marcou 2011).

The complex French system, although seen as the most successful European example of the wide-spread inter-municipal cooperation, has also been heavily criticized. One element of critics concerns the indirect appointment of the *communautés* council members, which lack the legitimacy stemming from direct elections (Boraz, Le Galès 2005). Also, the legitimacy of the core city mayor (who is usually the president of the community) is restricted to his/ her voters from the core city. The second stream of criticism concerns “institutional overcrowding, functional overlaps and institutional labyrinth” (Wollmann 2011: 694).

The most recent attempt to address these criticisms has been taken by the Balladur Committee<sup>21</sup>, which work resulted in the law proposal of 2010. The Committee’s report concluded that “communities ought to transform themselves into fully responsible municipalities which would allow France to dispose of strong municipalities in a reasonable number.” The report suggested direct election of councils in *communautés*, as well as extension of the functions allocated to them. For the largest agglomerations it suggested a new form – 12 *métropole* – which would take over several functions from *départments*. It was suggested that taxation power would be transferred from individual *communes* to the *métropole*.

The proposal was to large extent diluted by the 16 December 2010 Law<sup>22</sup>. Creation of *métropole* is voluntary, instead of obligatory, as the Balladur report suggested. The transfer of functions from *département* is possible, but only on the basis of mutual agreement between both parties. In practice, this means that no new significant competencies would be transferred. The transfer of tax powers was refused on the ground of constitutional protection of *communes*. In practice, *métropole* in the form approved by the Parliament will be very similar to the already existing *communautés urbaines*. As Proteire (2012: 143) states: “creation of *métropoles* confirms how difficult it is to implement a new territorial institution without modifying the existing structures.” However, it was agreed to introduce direct

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<sup>21</sup> Appointed by President Sarkozy. Balladur is a former Prime Minister and one of the very influential French politicians.

<sup>22</sup> mainly due to opposition in the *Sénat*, which has been traditionally dominated by interests of local politicians occupying their positions both on a local and central level thanks to the *cumul des mandats* system, in which most of the Members of Parliament (especially in the *Sénat*) also hold important positions in local governments. In practice pushing local interests on the central level policy-making is an important part of their role in the Parliament. For example in 2007 as many as 380 members of the Lower Chamber and 120 members of the *Sénat* were at the same time mayors of cities or presidents of *département*. Over 200 members of the Lower Chamber and 130 members of the *Sénat* were at the same time councilors in local governments.

election of councils of communities. The 2010 reform also made possible to create *syndicates of communautés*<sup>23</sup>, which is an attractive form supporting coordination of joint planning or economic development in a wider area. However, it adds to the complication of the French institutional architecture.

## 5. Conclusions

There are some lessons to be drawn from the European experience described above. The agreement of all of the actors involved in the reform is crucial for the final success, and it is not easily achieved. There are examples of reforms which failed due to lack of such consent. In metropolitan government reform, as in any territorial reform, “it is almost a rule [...] that there will be powerful forces intent on maintaining the status quo” (Paddison 2004). However, there are few factors which may support reaching the consensus: finding common issues and interests, demonstrating potential to solve the problems by working together, persuading various groups, negotiating, and informing public opinion. If the public opinion is well informed about and convinced by the plans and their underlying rationale, then the non-decision would be more uncomfortable for the politicians. A positive attitude at central or federal level can help reaching agreement among local actors.

Relying on bottom-up voluntary cooperation among local governments is rarely sufficient. Even in the systems in which IMC is a base for metropolitan arrangements (France), a complex set of strong incentives is provided by the central government and even some degree of compulsory cooperation has been applied.

Looking at various metropolitan arrangements in Europe, the first impression might be that there are clear dichotomies: compulsory – voluntary change, two-tier hard institution – soft inter-municipal coordination etc. However, looking into details of particular arrangements we notice that the differences are often not that sharp. French *communautés*, in spite of their relatively soft and voluntary character, include elements of coercion, and are becoming more and more similar to the upper tier of hard, government structure with own taxing power and direct elections. German metropolitan regions, quoted as a classic example of hard two-tier structures introduced by the legislation, includes also elements of negotiation and search for the consensus among all actors involved. Therefore what we see in practice, are often hybrids of various “model solutions”

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<sup>23</sup> So *communautés* become members of *syndicat*, in the same way as single local government units.

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