



Analysis, recommendations
and legislative proposals
for a Building Act reform
in the area of spatial planning
First roundtable meeting report

European Commission – DG REFORM &
Ministry of Regional Development
of the Czech Republic



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First roundtable meeting report

Disclaimer

The „Analysis, recommendations and legislative proposals for a Building Act reform in the area of spatial planning“ project („**Spatial Planning Analysis**“ in short) was carried out with funding by the European Union via the Structural Reform Support Programme and in cooperation with the European Commission's DG REFORM, contract number: SRSS/SC2019/150.

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1. Meeting summary

The roundtable meeting, which is a part of the project “Analysis, recommendations and legislative proposals for a Building Act reform in the area of spatial planning” was held on 23.6.2020 in Deloitte’s premises. Aim of this meeting/workshop was to gather opinions of key stakeholders active within the area of spatial planning in the Czech Republic on identified problems and proposed areas of the reform.

The workshop has been divided to presentation of findings from analytical part of the project and 2 group discussion on problems and reform areas. Moreover, stakeholders were distributed stickers which they later used during voting for the most problematic areas and proposed interventions of the reform.

In total, there were 75 stakeholders invited during June out of which 42 actually attended the workshop. Stakeholders were represented by participants from wide range of professional background – NGOs, state powers, investors and developers, municipalities and regions, academia, planners and spatial planning interest groups.

Please find below results of the vote:

Figure 1: Problems severity

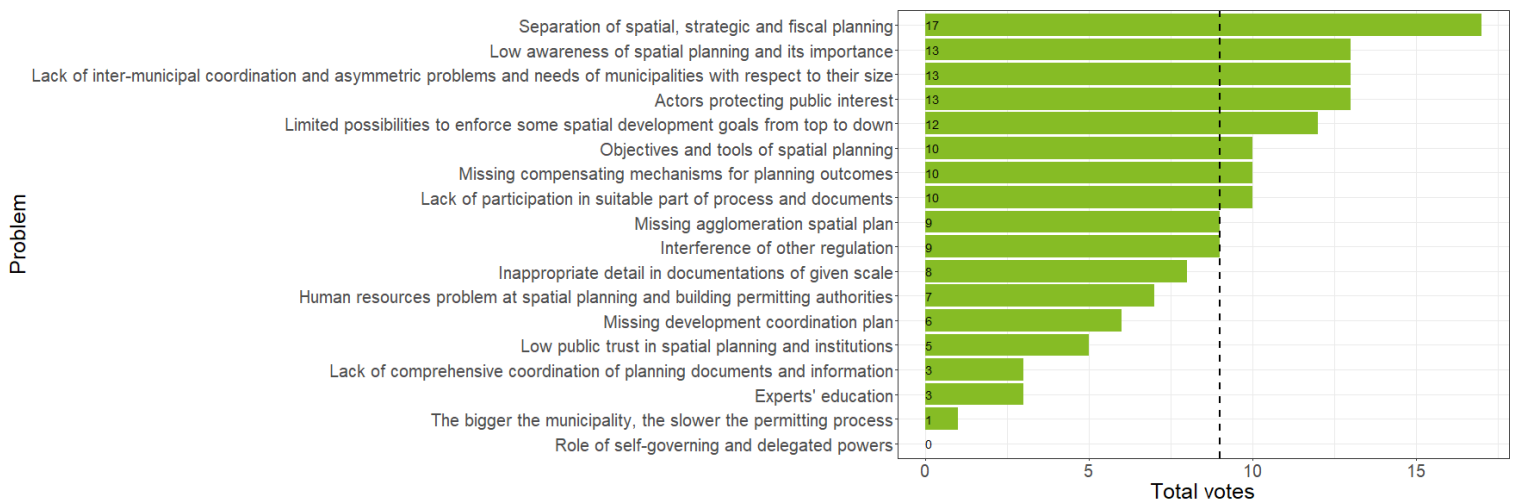


Figure 2: Problems severity, details by stakeholders types

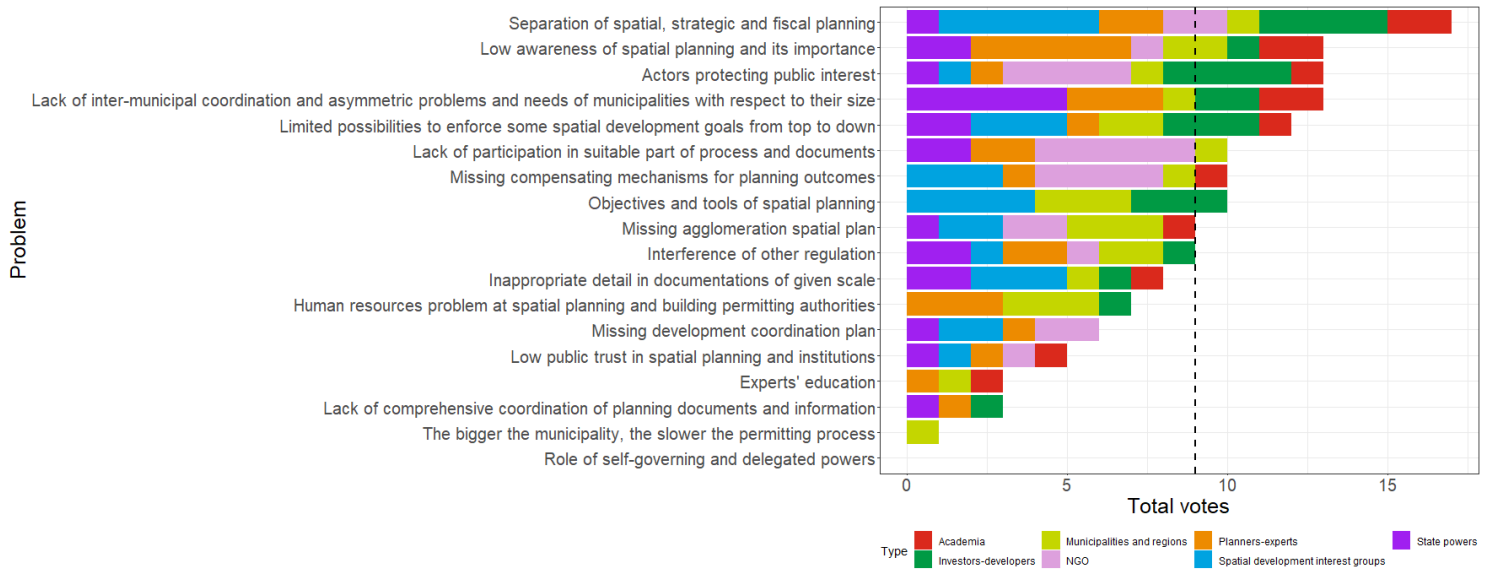


Figure 3: Proposed interventions

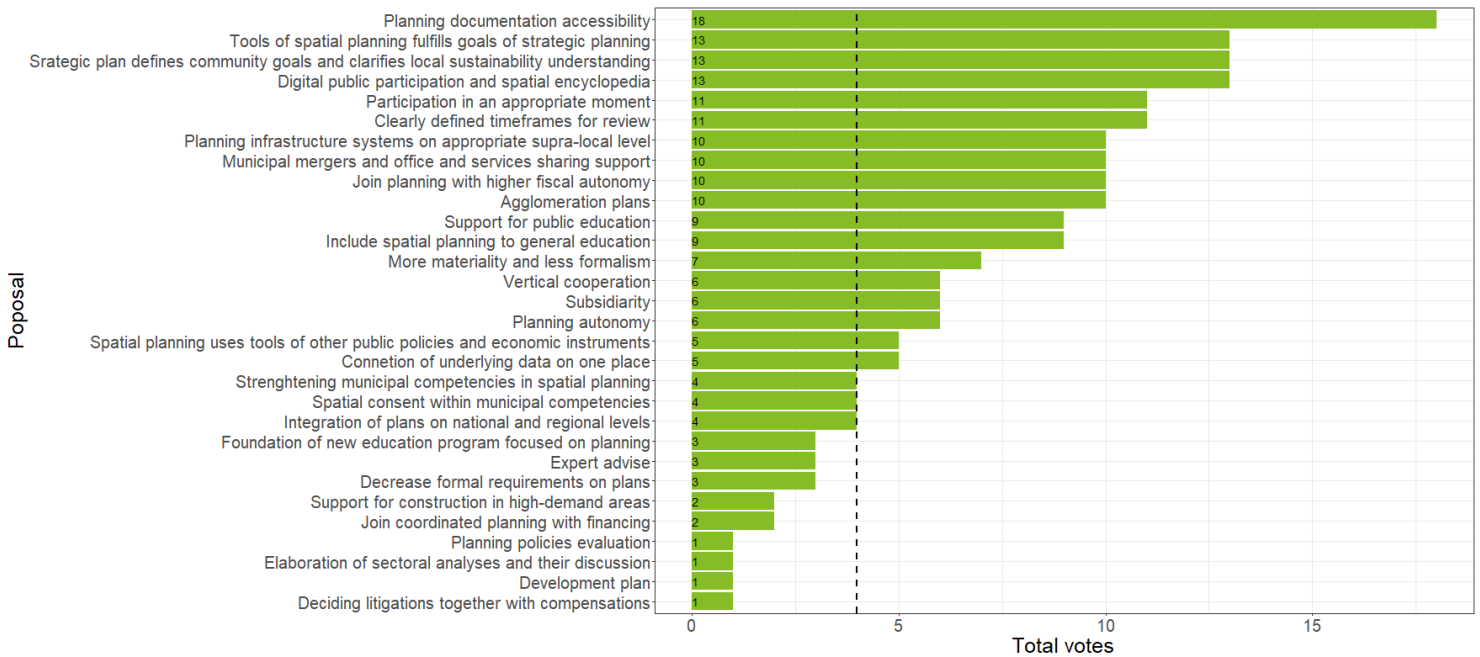
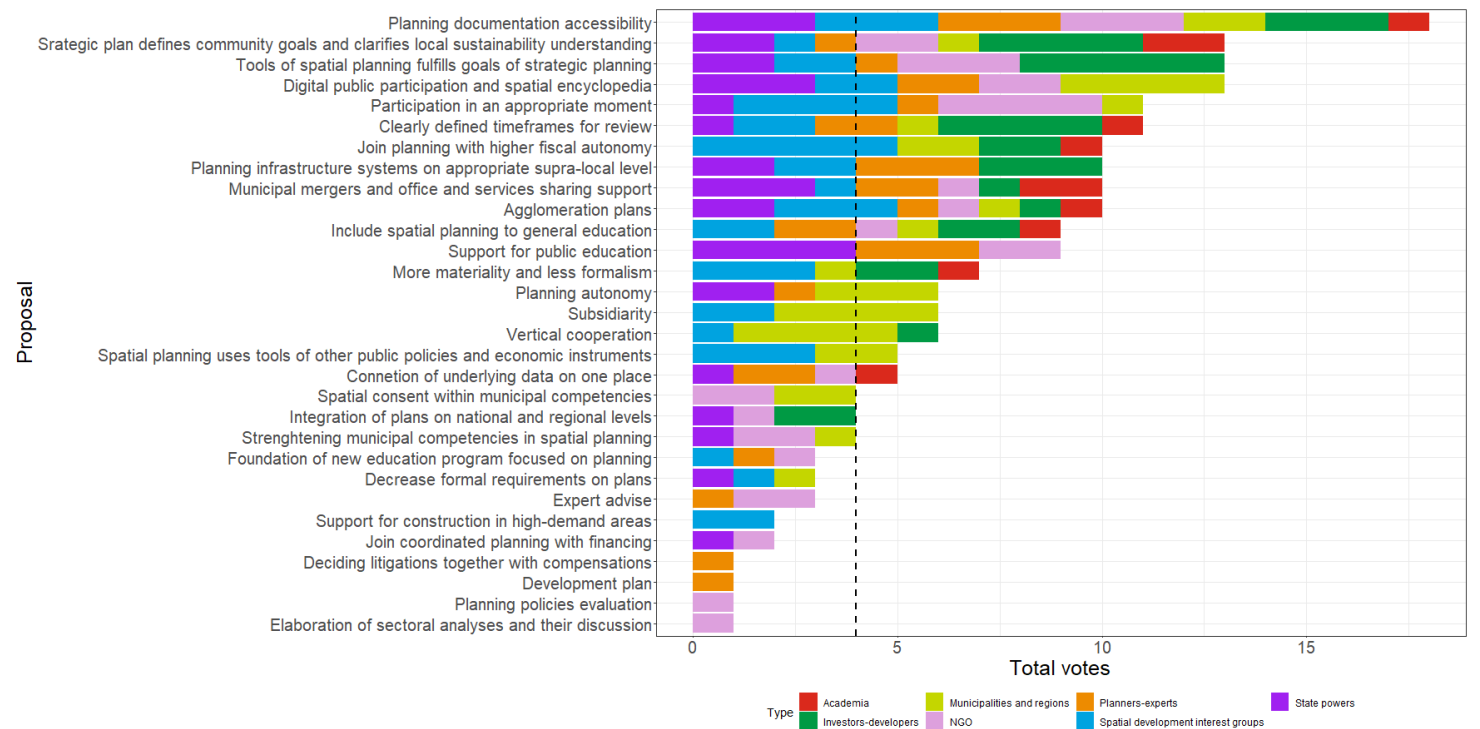


Figure 4: Proposed interventions, details by type of stakeholder



2. Discussion notes

2.1. First discussion regarding identified problems

The first discussion tables of the workshop has been split in a way of similarity so that stakeholders with similar interests within spatial planning could discuss identified problems together. First round of discussions therefore consisted of the following tables:

- **Academia**, facilitated by Lukas Makovsky
- **Municipalities and regions**, facilitated by Zdenek Horacek
- **Planners-experts**, facilitated by Ondrej Zabloudil
- **State powers**, facilitated by Jan Fiser
- **Investors-developers**, facilitated by Martin Bohuslav and Miroslav Linhart
- **NGOs**, facilitated by Krystof Dosoudil
- **Spatial development interest groups**, facilitated by Jakub Lesko

Key findings:

- Majority of the stakeholders across the groups agreed that spatial planning system in the current state is fragmented in various ways and meanings. This alone brings several sub-problems such as poor distribution of competences and rights, limited knowledge of the processes or system-based aversion for innovation.
- Tables of planners and interest groups also mentioned strict focus on formal requisites during preparation of key documents and more than half of the tables mentioned the abandonment of the counties hierarchy as a negative example which prohibits cooperation of municipalities.
- Most of the stakeholders agreed that there are 2 main directions in which municipalities evolve. First of them being growing and developing cities and sub-urban areas and second being mostly small villages seeing an outflow of citizens and enterprises. According to the groups, current system is not built in a way which would promote effective spatial development management for both directions as the issues of such municipalities are diverse.
- Overall, throughout the workshop, there wasn't a clear message on whether municipalities should be given more responsibilities in the area of spatial planning and whether they should regulate their development themselves.
- An interesting discussion arose on the topic of character of planning documents such as zoning plan or spatial planning principles. Regarding the zoning plan which is today mainly used in connection with permitting of new construction, many stakeholders miss a strategic nature of it which could present key goals of a given municipality but would have to be in form of a non-binding supporting documentation. Another point which could be heard across the groups was the binding character of zoning plans as some stakeholders noted a system used in several European countries in which the zoning plan is binding only for state administration.
- One of the problems, which received most of the attention was standardization and digitalization of spatial planning documents. We observed high degree of positive feedback on this. Specifically there is a general consensus that planning documentation whether binding, non-binding, supportive or analytical should be available through national geoportal. Also, despite scepticism from urban planners, participants noted that some degree of standardization of all produced spatial planning documents should start with the aim of better accessibility and awareness among the general and professional public.
- Widely discussed across all groups was level of detail and geographic scope in respective documents. Most of the stakeholders agreed that it is inappropriate to require same level of detail for different settlements or regions as the challenges they face vary greatly. Level of detail has also been mentioned in connection to important public infrastructure where inappropriate detail is causing difficulties during permitting process.



- Lack of coordination and communication among subjects active within spatial planning has been a very common discussion topic on all tables. Also severe problems are connected to lack of harmonization of public interests. Currently, coordination of projects requiring regional-municipal or regional-national participation lies heavily on good will and isn't incentivized. This also includes involvement of public which is by many considered to take place at the wrong time in the wrong form with respect to the process. The result of this might be distorted public opinion on problematic topics or tendency to not take customer behaviour into the account.
- Most of the stakeholders also acknowledged lack of economic and strategic tools within the area of the spatial planning. According to the most of the tables, the system critically needs some form of regulation from the economic and fiscal perspectives so that it can lead to better predictability of public and private investments or to compensation of negative outcomes of the planning.
- In terms of human resources, most of the participants agree that spatial planning and connected state administration offices have been negatively affected by amount of work and skills expected from officers and planners. This is in part due to the legal side of the processes which require extensive justifications for each step and therefore leave less space for other parts of the jobs.
- In general, participants were interested why the analysis has taken place during Building Code recodification which is in advanced stadium and expressed concerns about Building Code itself as it is being proposed.

2.2. Second discussion focused on proposed solutions

In the second round of discussions, participants were split to mixed groups with different anticipated views on proposed reforms to the system.

Key points:

- There is a wide agreement that projects of national importance should be prepared and envisaged in planning documents in a way which would enable for faster permitting and less discrepancies among various spatial planning stakeholders during preparation of planning documents.
- In connection to the reform of current spatial planning system a revision should take place with aim to mitigate the risk of inference of other regulations from different acts and there should be a movement towards integration of all regulation concerning spatial planning to one place.
- Necessity to connect spatial planning with strategic planning has been mentioned again in more than a half of the tables. In second round, participants mostly concluded that due to existing problems with adoption of zoning plans, the strategic plans should not be obligatory and only recommended as it is expected it would have to be regularly updated.
- Again, most tables discussed internally level of detail of zoning plans which brings various problems for various geographical units which further supported discussions from 1st round of discussions.
- Some of the stakeholders mentioned existing conflicts between self-governing powers and transferred powers which currently does not have solution and stall preparation of planning documents.
- Some of the stakeholders expressed opinion that even though the current system is inadequate and obsolete in many ways, history of recodifications in the areas of building code and spatial planning has showed that such a process has to be actively managed, requires wide participation and will take time. Recent novels have mostly distorted somehow known processes and steps and some stakeholders consider them to be rather damaging.



- More stakeholders expressed concerns about predictability of spatial planning outcomes related mainly to permitting new construction and connected development fees which stand in the grey zone or are dependent on the outcomes of the regulative plans which are complicated to adopt but later easier to use.
- In joint discussion, the topic of municipal finances arose. This was mainly in connection to incentives, tax system and how the tax revenue is distributed towards municipalities. There is an agreement that municipalities should have a higher degree of fiscal autonomy and there should be a support system when dealing with investors and developers to ensure fair distribution of gains through regulatory decisions.
- Wider participation of various stakeholders was welcomed but again stated, that timing and form are crucial and that there is increasing need to work with communities during preparations of zoning plans. According to stakeholder this could be done via development studies and implementation of regulation plans.
- Broadly speaking, all of the stakeholders stated that judicial review should be more materially focused but at the same time it would require to preserve rights of various parties within the system.



3. Voting posters

Identified problems poster

Deloitte. DRAFT Systém územního plánování - Identifikované problémy

Spatial Planning System - Identified problems DRAFT

1. Limited possibilities to enforce some spatial development goals (Omezené možnosti prosazování některých úkolů územního rozvoje) (Identifikované problémy)
2. Lack of inter-municipal coordination and asymmetric problems (Nedostatek vzájemné koordinace a nerovnosti) (Identifikované problémy)
3. Influence of other regulation (Vliv jiných regulací na územní plánování) (Identifikované problémy)
4. Lack of comprehensive coordination of planning documents and instruments (Nedostatek komplexní koordinace plánovacích dokumentů a nástrojů) (Identifikované problémy)
5. Role of self-governing and delegated powers (Role samospráv a státního orgánu v přenesené věci) (Identifikované problémy)
6. Actors protecting public interest (Aktéři chránící veřejný zájem) (Identifikované problémy)
7. Human resources problem at spatial planning and building permiting (Problém lidských zdrojů na územním plánování a úřadích stavebního úřadu) (Identifikované problémy)
8. Objectives and tools of spatial planning (Cíle a nástroje v územním plánování) (Identifikované problémy)
9. Separation of spatial, strategic and fiscal planning (Oddělenost územního, strategického a fiskálního plánování) (Identifikované problémy)
10. Inappropriate small documentation of given scale (Nepřiměřeně malá dokumentace v dané škále) (Identifikované problémy)
11. Missing aggregation spatial plan (Chybějící územní plány aglomeračních celků) (Identifikované problémy)
12. Missing development coordination plan (Chybějící rozvojové koordinátory plány) (Identifikované problémy)
13. Missing compensating mechanisms for planning outcomes (Chybějící mechanismy pro kompenzaci výsledků územního plánování) (Identifikované problémy)
14. Insufficient education (Nedostatek osvěty) (Identifikované problémy)
15. Low awareness of spatial planning and its importance (Nízká povědomí o územním plánování a jeho významu) (Identifikované problémy)
16. Lack of participation in suitable part of process and documents (Nedostatek participace ve vhodné části procesu a dokumentů) (Identifikované problémy)
17. Low public trust in spatial planning and institutions (Nízká důvěra veřejnosti v územní plánování a instituce) (Identifikované problémy)

VELKÉ NÁLEPKY

Reform proposal poster

Deloitte. MALE NÁLEPKY Schéma reformy systému územního plánování **DRAFT**

Tvorba národního geografického a metodického rámce

Podpora spolupráce samospráv

Integrace plánů do jednotného provozního systému

Úprava kompetencí v plánování

Podpora obsahové zaměřené soudní praxi

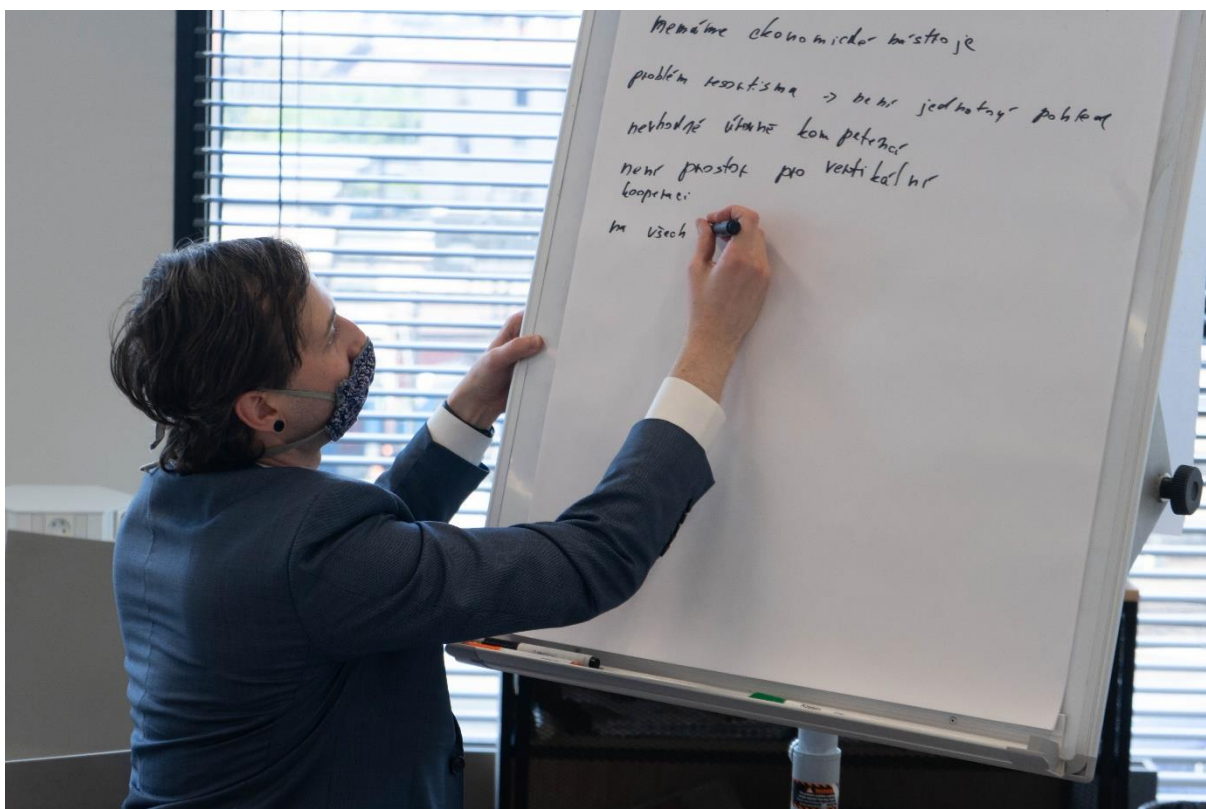
Podpora zapojení veřejnosti a vzdělávání

Zvýšit další postup v reformování územního plánování



4. The Venue - Photos

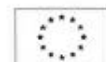




5. Presence sheet

Analýza územního plánování v ČR			
Příjmení	Jméno	Prohlášení	Podpis
Andrejco	Jan	✓	
Benovič	Martin	✓	
Beranová	Jana	✓	
Boháč	Ondřej	✓	
Bursa	Otakar	✓	
Ctibor	Tomáš		
Čermáková	Martina	✓	
Červinka	Martin	✓	
Dienstbier	Filip	✓	
Diviš	Vlastimil	✓	
Durdík	Petr	✓	
Dvořák	Libor	✓	
Fialová	Irena		
Forejt	Eduard		
Hanák	Jakub	✓	
Hejma	Matěj	✓	
Holendová	Lenka	✓	
Janáková	Lenka	✓	
Jehlík	Jan		
Kadečka	Stanislav	✓	
Kloda	Martin	✓	
Kolínská	Petra	✓	
Koreček	Pavel	✓	
Koupalová	Karolína	✓	
Krusová	Alena	✓	
Kulhánková	Simona	✓	
Kůrka	Petr		
Kužvartová	Lenka		
Lubasová	Helena		
Morkus	Josef	✓	
Müller	Frantisek		
Novotná	Kristýna	✓	
Oliša	David	✓	
Orcigr	Václav	✓	
Pintová Králová	Renáta		
Plicka	Ivan	✓	
Plos	Jiří	✓	
Řezáč	Vít	✓	
Smišek	Jaroslav	✓	
Soukupová	Marie	✓	
Sovička	Pavel	✓	
Šimová	Veronika	✓	
Toth	Petr	✓	
Turazová	Filipa	✓	
Tužilová	Jindra		
Unger	Martin	✓	
Vávra	Petr	✓	
Vondrouš	Daniel	✓	
Žezůlková	Marie	✓	
Žerava	Stašek	✓	
GERHARDA	TEREZA	✓	
SPEJCHAL	PETR	✓	

Spatial Planning Analysis was carried out with funding by the European Union via the Structural Reform Support Programme and in cooperation with the European Commission's DG REFORM, contract number: SRSS/SC2019/150



6. Attachments

- Meeting presentation v 1.1
- Identified problems poster v 0.5 CZ
- Spatial planning system reform diagram poster v 0.3 CZ





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