

Summary

The land use dimension in urban growth agreements

Case Trondheim area

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This report summarizes interviews about how land use was handled in Urban Growth Agreements in the Trondheim area. Municipalities' control of land use development became an important issue. This was solved by using the existing inter-municipal land use plan as basis and leaving political decisions to the municipalities' ordinary processes. This also solved local governance issues and allowed a closed negotiation process. The municipalities seem to understand the Agreement as a tool for implementing their inter-municipal planning strategy, with densification around the railway stations and better train-services. The municipal politicians state they will fulfil their obligations, but do not believe it will require changes in their land use policy. The strongest threats to the Agreement's legitimacy are listed as the complex management structure, that the state does not follow up on its obligations, and implements measures counteracting the zero-growth objective. They recommend other municipalities to enter into Urban Growth Agreements.

Introduction

Urban Growth Agreements are a key tool for achieving the goal of zero-growth in passenger car-traffic in the larger Norwegian urban areas. Through these Agreements, the state, counties, and municipalities enter equal and binding collaborations to financing more sustainable transport systems and ensuring a land use development stimulating more cycling and walking and public transport usage, so that the zero-growth objective can be achieved. Urban growth agreements were introduced in the National Transport Plan (2018-2029), as a further development of previous Urban Environment Agreements. This development meant, among other things, that land use development was included in the agreements, that the neighbouring municipalities to the cities were included and that the County Governor was given a central role in the negotiations.

The Ministry of Local Government and Modernization has a special responsibility for ensuring that the land use side of the Urban Growth Agreements is taken care of. Among other things, they were concerned about how important the topic of land use development became in the negotiations, what challenges arose and how these were resolved. The first part of the report is about this. The second part is about local democratic anchoring, legitimacy, and connection to inter-municipal and regional land use plans. There is a potential conflict between the municipalities' self-determination in land use planning, and Urban Growth Agreements' binding their land use development through a 10-year period. Furthermore, the Planning and Building Act (PBA) requires democratic participation in spatial planning, which can be difficult to take care of in negotiations on Urban Growth Agreements. Both regional plans and Urban Growth Agreements deal with inter-municipal land use and transport planning, and it is interesting to look at the connections between these. Important issues are also related to the legitimacy of Urban Growth Agreements.

These topics were investigated in parallel in the Bergen area, in Nord-Jæren and in the Trondheim area. The results from the Trondheim area are reported here, while the results from the other areas are documented in other reports. The research was conducted using document studies and interviews. The reports will be the basis for a synthesis report that will answer relevant questions related to how the current Urban Growth Agreements work

with regard to land use development, and how the agreement regime can be developed and improved.

How land use was handled in the Urban Growth Agreement negotiations

The land use dimension was an important part of the negotiation of the Urban Growth Agreement in the Trondheim area (the UGA). It was a difficult topic, as it touched on issues related to local self-determination concerning land use development. The negotiations started with dealing with the state's financial contribution, but the land use issue also came up relatively early. Several interviewees described that restrictions on municipalities' land use policy were expected to be their return for state funding. The County Governor presented the first proposal for text on land use in the agreement and had the lead in this part of the negotiation.

For the municipalities, the County Governor's first proposal including quantified goals and defined boundaries, represented a threat to local self-government in land use issues. It was therefore immediately countered. Instead, they wanted goals that, in accordance with the inter-municipal land use plan (IKAP), provided an overall direction for land use development. Such a 'rounder' formulation was also the result. However, a plan was drawn up to define a long-term delimitation of the urban areas in Melhus, Malvik and Stjørdal, as well as to define land use indicators. The informants emphasize that the County Governor had acted constructively and responsively further in the negotiation.

The national planning guidelines (SPR-BATP) are included in the description of the municipalities' and counties' land use obligations in the agreement. In comparison, the obligations of the management levels were to a lesser extent specified in the previous Urban Environment Agreement, and SPR-BATP were not mentioned. The city analyses (byutredningene) only served as a backdrop, but they had contributed to the understanding of the connections between land use and transport, and to the understanding that zero growth can be achieved with different policy packages.

The UGA emphasize the parties' mutual obligation to work in accordance with the zero-growth objective. For land use, this is reflected in descriptions of measures, responsibilities, and time frames for execution for each of the three management levels. For both the county and the state, this means, among other things, appropriate location of and restrictive parking policies at their businesses. The state's obligations related to facilitating densification and development in proximity to railway stations and centres were emphasized by the municipalities. Two factors stood out in the informants' description of conflicting elements in the state's commitment to zero growth. One is related to the size of the financial resources the state allocates through UGA, that were perceived to be limited. The others are the state's simultaneous goals of zero growth in the Trondheim area and capacity expansion on the motorway E6.

Local democratic anchoring and legitimacy of the urban growth agreement

The municipalities' statements can be understood as meaning that they see the UGA as a tool for realizing the land use strategy they had jointly carved out through IKAP, and subsequently adopted in their municipal plans. For the municipalities outside Trondheim, this concerns mainly densification and development of their city centre areas close to the railway stations, and better train services between Trondheim and the neighbouring municipalities.

The UGA negotiations in the Trondheim area took place as a closed process. The municipalities worked closely together, and they had meetings and dialogue where they

discussed and coordinated their moves. The main reasons for keeping this part of the process closed were that *i)* they did not know what kind of mandate those who negotiated on behalf of the state had, and it was hence unfavourable for the local parties to 'show their cards', and *ii)* the closed process provided an opportunity for freer and more open discussions between the politicians and the professionals who participated in the negotiations on mandates, assessments and what they could and would agree to. It was important to be able to discuss freely so that the room of manoeuvre was clarified, and this was particularly beneficial for the smaller municipalities that were not experienced with such negotiations.

The municipalities proceeded in slightly different ways when it came to defining and discussing the negotiating mandate before the negotiations started. In Trondheim, an open city council case was first presented on the principal basis for the negotiations, which was later discussed and detailed in a closed process in the municipal executive board (formannskapet), which also adopted a detailed mandate for the negotiations. It appears that this was not carried out as systematically in the smaller municipalities, and that the negotiators from there did not have as clear mandates. The negotiated agreement was considered and adopted by the city council in Trondheim and by the municipal councils in the other municipalities through ordinary processes. Now they are working on realization, and they proceed as usual with their land use plans in accordance with the PBA.

The conflict between the municipalities' right of self-determination in land use development and binding land use development through the UGA was resolved in the Trondheim area by the agreement text providing relatively weak guidelines for land use development, and by using IKAP as base. IKAP has been developed by the municipalities jointly, adopted by the municipal councils /city council, and sets out non-binding strategic directions for the land use development. The municipalities do not see the UGA as restricting them from continuing to stimulate and allow development in all parts of the municipalities, including hamlets and settlements outside the main centre. With this, UGA has not contributed to reduce the municipalities' right of self-determination over land use development. However, they state that the UGA negotiations contributed to the concretisation of what they had already agreed on, and that the UGA will probably lead to a greater degree of commitment to this.

By this, issues related to democratic processes and participation in spatial planning laid down in PBA were also avoided. The municipalities have not committed themselves in detail to a given land use development through UGA. Spatial planning is therefore still determined through the municipalities' ordinary spatial planning, which takes place in accordance with the requirements of the PBA. This was also stated as an explanation why they could close the negotiations on the UGA. The negotiators related to policies that had already been discussed and agreed upon in the municipalities through municipal plans and IKAP, and there was hence no need to discuss and anchor what they committed the municipalities to in the UGA.

When asked directly whether it could be a good solution to coordinate the land use discussions in UGA with land use discussions in regional plans led by the county, instead of using IKAP as a basis, the mayor of Trondheim replied that she would strongly warn against this. She emphasized that the municipalities together came to an agreed overall land use policy through IKAP, which they knew and felt ownership of, and that this was an important reason why the negotiations in the Trondheim area took place without major conflicts. A regional plan could not have done the same benefit, because *i)* the county does not have the necessary competence to make such a plan and *ii)* the municipalities would not feel ownership of a regional plan.

It can be discussed whether the municipalities consider UGA as a legitimate management instrument, understood as giving the state or others expanded power to control or affect the municipalities' land use development. The municipal politicians state that they intend to fulfil their obligations in the UGA, while they also are clear that they themselves control the land use development in their municipalities. The municipalities agree that the biggest threat to UGA's legitimacy is that the state (as the municipalities perceive it) does not fulfil important obligations in the agreement. This applies in particular to land use clarifications around the railway station and improvement of the train service. It also applies to the state implementing measures that counteract the zero-growth objective, such as expanding road capacity and increasing speed before they improve the railway services, and that the state locates businesses in places where they generate a much car traffic. Issues related to exemption of electric vehicles from toll road and parking taxes are another example.

The UGA management structure appears to be another important threat to its legitimacy. It is described as complex, impenetrable, and resource-intensive, with unclear decision lines. This is a democratic problem, because few can get an overview of where and when decisions are made, so that they can influence these. The management structure also contributes to delays in implementation. Several point out that the system of socio-economic analyses, portfolio management and a strong focus on 'calculated goal achievement' is designed for goals and projects other than those included in the current UGA, and that this system can lead to projects other than those that contribute most to goal achievement are realized. It is also questioned whether UGA is the most resource-efficient way to achieve the zero-growth objective. There is agreement that one must improve the management structure, and the county has requested a performance audit that may result in a change in the current organization.

The interviews show that there is an active and lively debate about development, instruments, and measures, and this also applies to land use development. This is understood as natural, healthy, right, and democratic.

Despite the objections described above, the municipalities recommend other municipalities to enter a UGA if they can. An UGA helps to coordinate measures that contribute to the zero-growth objective, and it provides funding enabling the involved parties to accelerate development in the right directions. They are clearly positive to the inclusion of surrounding municipalities in the UGA. The zero-growth objective must be solved in the urban area and not just in the city itself. The commuting flows in and out of Trondheim make up much of the traffic in the city and the urban region. By including the surrounding municipalities in UGA, Trondheim and the neighbouring municipalities can to a greater extent cooperate in the work of achieving the goal. It also helps to make the surrounding municipalities responsible for finding opportunities to solve the problem where it arises, and it gives them incentives and means to do just that.

Some of those interviewed were asked what could change, so that local democratic principles can be safeguarded in future negotiations and UGA - without reducing the chances of achieving the zero-growth objective. Several were clear that it is important to define and agree on overall goals and let the detailing take place through local democratic processes. It is important that the higher-level authorities understand and recognize that there are different conditions in the different municipalities in the UGA areas, and that land use and interventions must be adapted to this. Furthermore, they pointed out the importance of simplifying the management structure of the UGA, and that the state follows up on its obligations. If the state desires that municipalities have open processes related to mandates and negotiations, the state must also play with open cards.