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Annex 6

Case Study 6: The territorial governance process within the
South Loire Schéma de Cohérence Territoriale (SCOT)

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1. Background and context of the case

South Loire is an area collected within the Rhône-Alpes region, located in the south-eastern border of France. Rhône-Alpes' capital is Lyon, the second largest metropolitan area in France after Paris. The region has the sixth-largest economy of any European region. Rhône-Alpes is made up of 8 *départements* (that, in the administrative division of France, is one of the three subnational levels of government, between Regions and Municipalities).

The capital of the Loire *department* is Saint-Étienne, a city of nearly 178.000 inhabitants, integrated in an urban region of 317.000 inhabitants and located 60 km from Lyon. Saint-Étienne can be understood as the driving force of the whole surrounding region, deeply connected to its growth, its following decline and its attempts to rise above it. Saint-Étienne grew because of heavy industry¹: large firms in mines, arms and iron have been the source of local and regional economic and urban success since the 19th century. Between 1850 and 1970 the city had a rapid growth but a huge economic crisis challenged local industry from 1970 until 1990. These 20 years of economic decline had social and urban consequences on the whole region. Against this crisis, Saint-Étienne seemed unable to develop a territorial strategy shared by the political and economic actors and the stakeholders. The efforts to mitigate this wide decline through the 1990s and the early 2000s were not successful. This failure seems to be due to the fact that from its industrial history, Saint-Étienne inherited a structure of social, economic and political relations that did not prove to be favourable to build a capacity for collective actions and shared strategies to face the crisis. The strong role played by the State and its decentralized structures inhibited local resources and their autonomy (Béal, Dormois, Pinson, 2010).

Attempts conducted to foster the regional and the inter-municipal development were numerous: in the 1970s some planning initiatives took place, such as the Regional Planning and Development Programme (*Schéma directeur d'aménagement et d'urbanisme*) in 1971. Later on, during the 1990s, several inter-municipal institutions were constituted such as: the *Syndicat d'études pour l'agglomération stéphanoise* in the early 1990s; the *Syndicat intercommunal de la couronne stéphanoise* in 1991²; the *Communauté de communes* in 1995 and finally the *Saint-Étienne Métropole* hereinafter *Communauté d'agglomération* in 2001.

The regional institutional landscape was thus characterised by a great number of inter-municipal structures, often exerting their own authority on different perimeters (Vant

¹ For the framework concerning Saint-Étienne, see: Béal V., Dormois R., Pinson G. (2010); Vant A., Gay G. (1997).

² In France, the *Syndicats* are associations defending common interests. The aforementioned *syndicats* represented the most public actors and interests of the region of Saint-Étienne.

and Gay, 1997). Any of these efforts was able to realize a real inter-municipal cooperation: from the financial point of view, there was not an inter-municipal budget and from the institutional point of view the weak inter-municipality was not able to overcome each municipality's specific interests (Béal, Dormois, Pinson, 2010).

Meanwhile, in mid-1990s some national rules were set up, among which the most important are the Territorial Planning Directives (*Directives Territoriales d'Aménagement*) drafted in the framework of State national planning responsibilities. A Territorial Planning Directive sets “*the State's fundamental planning guidelines in view of maintaining a balance between territorial development, protection and valorisation*”, and the “*objectives of localisation of the main infrastructures of transport, conservation of natural spaces, sites and landscapes*”. In practice, the Territorial Planning Directive reveals the State stakes on a specific area for planning and land management and is binding on the other documents (which have to follow the Territorial Planning Directive's disposals). The Territorial Planning Directive for the Lyon Metropolitan Area (that concerns the South Loire region) passed in 2007, after a very long process that started in 1998.

Nevertheless the real turning point occurred only in the early 2000 with the introduction of the Solidarity and Urban Renovation Law (*Loi Solidarité et Renouvellement Urbains*)³. It stressed social integration and solidarity in urban planning and provided for the definition of some shared projects such as the ‘agglomeration project’ and the Local Agenda 21. Since this time, the development strategies of Saint-Étienne and surrounding area have been collected within a new planning instrument: the Territorial Coherence Plan (*Schéma de Coherence Territoriale*, or SCOT) that strengthens, or should do, some innovations in terms of inter-institutional cooperation, stakeholders' involvement and territorialisation of policies. The SCOT is a national demand and by the 2017 all the French territory will have to be covered by a SCOT (currently there are nearly 30 SCOTs).

Its role is to ensure a better balance between the development and the protection of urban, rural and natural areas, as well as promote sustainable use of land. It ties together the various public urban planning policies, notably concerning private and low-income housing, transportation and infrastructure, commercial premises and environmental protection. It is prepared by an Inter-Municipal Cooperation Structure (*Établissement public de coopération intercommunale*)⁴ or by a group of them and

³ In 2010 the so-called “Grenelle II” law will renew the Solidarity and Urban Renovation Law in environmental matters, setting that the Territorial Coherence Plans (SCOTs, see afterwards) have to take into account the Regional Ecological-Connectivity Plans (*Schéma régional de cohérence écologique*).

⁴ The Inter-municipal Cooperation Structures have not the same statute of the territorial institutions (Regions, Departments, Municipalities, Institutions with special status, Overseas Regions). They include those municipalities

implemented by a structure called *Syndicat Mixte*⁵. SCOT must be assessed every ten years and then validated or revised by the Inter-Municipal Cooperation Structure, otherwise they are no longer valid.

The SCOT territory must encompass a single tract of land, without any gaps, taking into account: already existing perimeters of inter-municipal co-operation structures; other plans or programmes; the economic and urban local characteristics. Municipalities and/or the Inter-Municipal Cooperation Structures are in charge of submitting the SCOT perimeter to the Prefect who, after having received the acceptance from a qualified majority of the municipalities involved, approved it⁶. Usually the perimeter is “suggested” by the Planning Territorial Directive⁷.

A SCOT is elaborated through a wide negotiation that engages institutional and non-institutional actors. Its approval is submitted for public consultation that aims at consulting the local community, collecting its opinions and obtaining the independent advisors’ authorization.

A SCOT consists of three documents:

- i) The Introductory Report (Rapport de présentation), itself made up of three parts: a general territorial diagnosis; the initial environmental status report and an environmental assessment;
- ii) the Planning and Sustainable Development Project (*Project d’Aménagement et de Développement Durable*), presenting the main guidelines for territorial development and fixing the objectives;
- iii) the General Guidelines Document (*Document d’Orientations Générales*) containing all the necessary regulations and recommendations to achieve Planning and Sustainable Development Project’s goals⁸.

Often a Commercial Plan (*Document d’Aménagement Commercial*) goes with the SCOT.

The South Loire SCOT represents a good test to understand the role of governance processes to define collective actions and shared territorial strategies, since it is a tool to

that decide to plan jointly the activities in some fields such as mobility, environment etc. An Inter-municipal Cooperation Structure can have or not its own taxation. The District planning authorities (*Communautés de communes*), Association of metropolitan areas (*Communautés d’agglomération*), Urban district authorities (*Communautés urbaines*) and *métropoles* fall into the first category. The Association of municipalities (*Syndicats intercommunal*), among which the *syndicats mixte*, fall into the second category.

⁵ The Syndicat Mixte is a joint venture between various public authorities of different types. Typically these might include a *département* together with a *communauté d’agglomération* or several municipalities. These organisations are governed by representatives elected by their member bodies.

⁶ The Inter-municipal Cooperation Structure votes in place of the municipalities that it represents. Municipalities can be included in the perimeter even if against their own will in order to guarantee the territorial continuity.

⁷ By law, the SCOT has to be compatible with this Directive.

⁸ The General Guidelines and Objectives Document (*Document d’Orientation et d’Objectifs*), a more prescriptive document, will replace the General Guidelines Document.

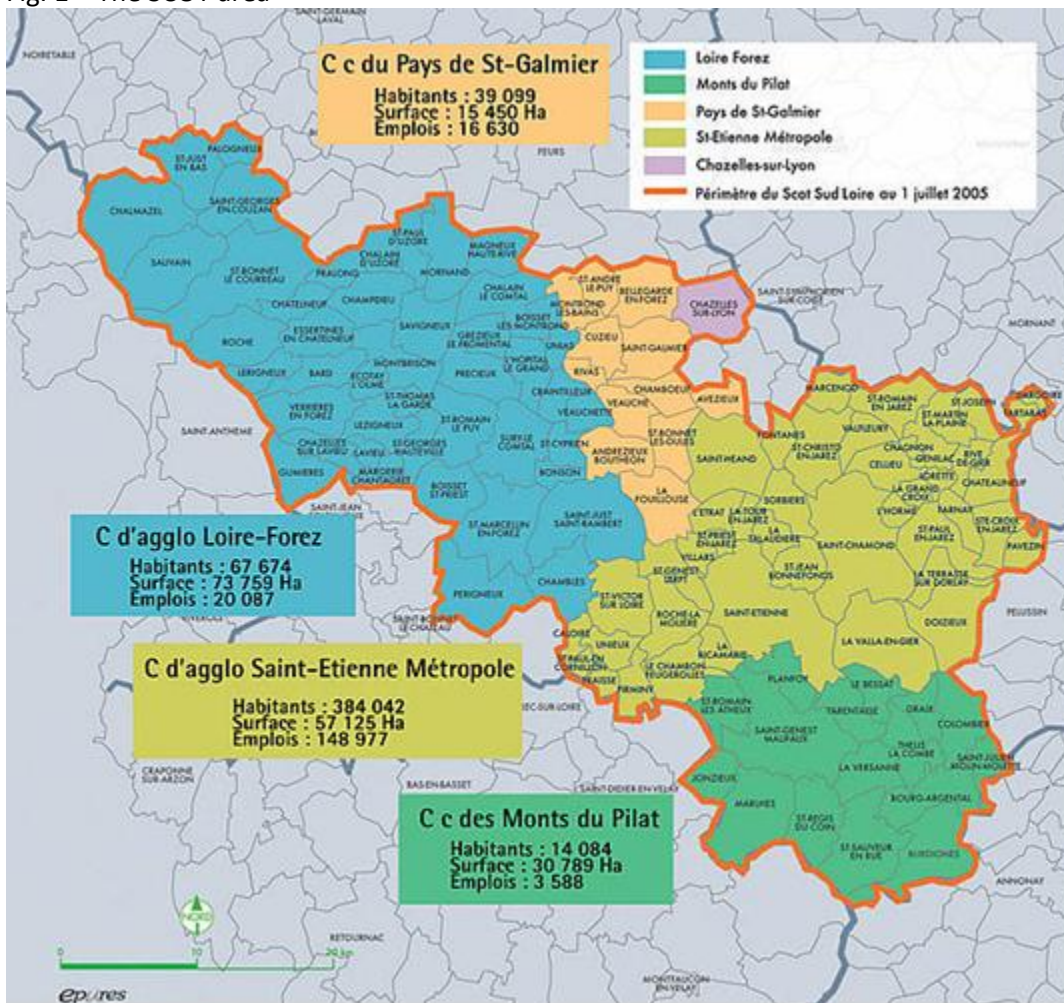
establish and strengthen the cooperation capacity among actors, sectors and levels and orienting the local development.

The main steps of the South Loire SCOT can be summarized as follows:

- In 1999 an inter-municipal conference took place among some of the current members in order to begin consultations about the opportunity to start a common pathway;
- In 2001 a 1st partnership was signed in order to elaborate the SCOT;
- In 2002 a prefectural decree decided the perimeter;
- In 2004 the Syndicat Mixte was established and the SCOT process started off;
- In 2008 the process stopped for the public consultation that began in 2009;
- In 2009 a draft of the Commercial Plan was adopted (in accordance with the Law for the Modernization of the Economy of 2008)
- In February 2010 after having collected all the remarks, the SCOT was approved and the Syndicat Mixte was in charge for the implementation of the strategy;
- In April 2012 the SCOT was revoked by an administrative court decision;
- In July of the same year a new SCOT was deliberated and in October 2012 the first meeting for the new SCOT occurred;
- At present, the new Introductory Report and the Planning and Sustainable Development Project are being developed.

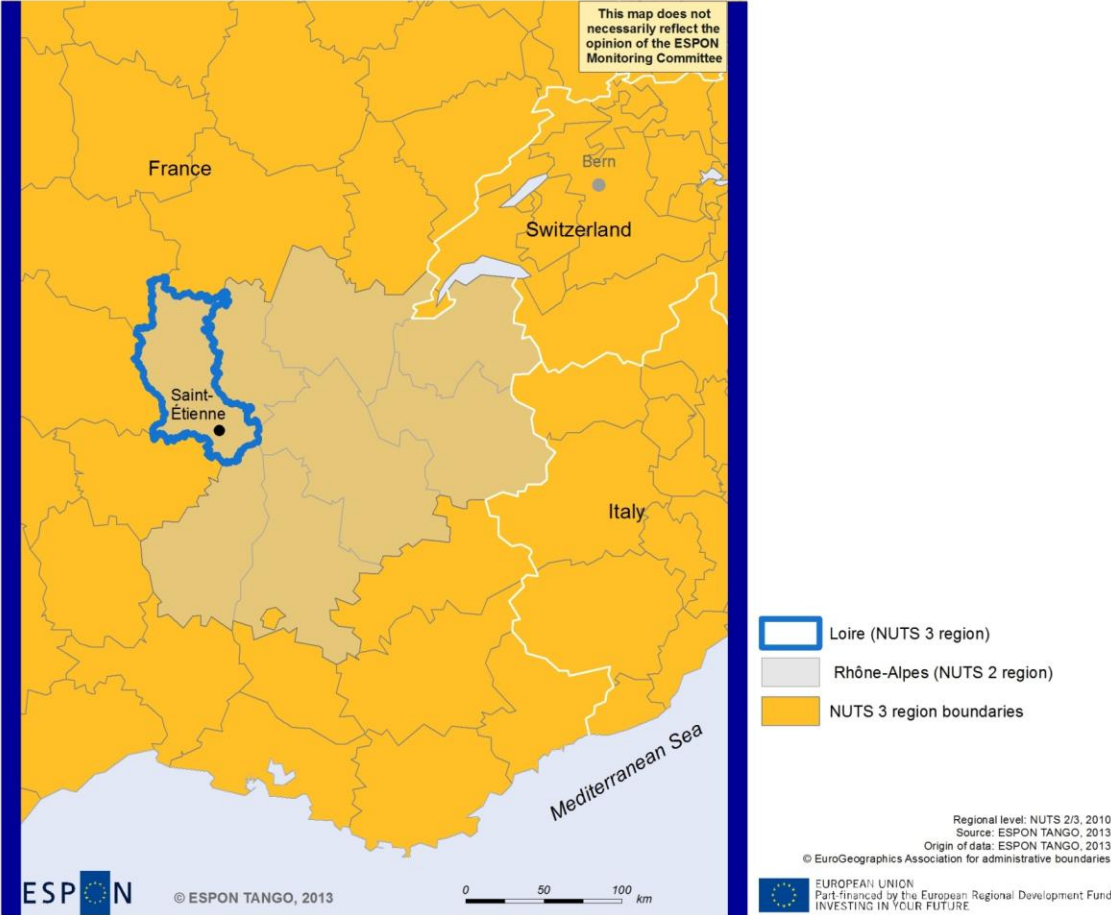
The SCOT cancellation was due to a legal appeal presented by a big commercial stakeholder which contested some environmental disposals. The Administrative Court found that some green corridors were not enough and adequately preserved (as the Planning Territorial Directive of the Lyon Metropolitan Area required) and withdrew the SCOT. As it will be shown afterwards, the lacking involvement of economic actors that led to the legal appeal represents one of the weakness points of the territorial governance process. Anyway, the SCOT process drives us to analyse what worked and what did not with regard to territorial governance.

Fig. 1 – The SCOT area



Source: Syndicat Mixte SCOT Sud Loire (2010c), p. 9

CASE STUDY AREA 6: SOUTH LOIRE AREA



2. Dimensions of territorial governance

2.1 Integrating relevant policy sectors

The integration of policy sectors can be analysed, as prompted in the case study guidelines, with respect to two main aspects: the public policy packaging and the cross-sector synergy.

Public policy packaging

In this case, public policy packaging is quite formal, i.e. fundamentally decided by legislative regulations.

The main public policies that the SCOT complied with concern laws and documents of higher level:

- the Solidarity and Urban Renovation Law that fixed the inter-municipal planning's principles and operating rules;
- the French Urban Code that prepared the ground for a cross-sector planning;
- the Territorial Planning Directive for the Lyon Metropolitan Area of that illustrates the State stakes on the urban region.

Principles, operating rules and ideas are the main stable components that the decision makers drew from directives and plans generated at higher planning levels.

On the opposite side, local planning has to be compatible with the SCOT. In particular:

- the Urban Planning;
- the Mobility Planning
- the Housing Planning
- the Commercial Development Planning;
- the decisions of the departmental and national commercial facilities commissions.

After the SCOT approval, State guarantees its implementation checking the adaptation of the local urban plan).

Cross-sector synergy

The SCOT *per se* is a cross-sector instrument, as stated in the art. L-122 of the above mentioned French Urban Code: *'The SCOTs expose the diagnosis in terms of economic and population projections and needs identified in terms of economic development, agriculture, spatial and environmental planning, social balance in housing, transportation, arrangements and services. They present the adopted sustainable development planning, which establishes the public policy objectives of planning in terms of housing, economic development, recreation, mobility of people and goods'*.

Therefore, by law the SCOT is a territorial project aiming at giving coherence to the sectorial policies concerning residential, commercial and tourist development as well as conservation and green belt recreational areas for the future ten years.

Within the SCOT, the cross-sector integration can be observed on two levels: on the general framework of the objectives and on the cross-fertilization practices of the territorial governance process.

Starting on the first point, a horizontal integration was built around cross-sector axes, priorities and trends collected in the different SCOT documents (the Introductory Report, the Planning and Sustainable Development Project and the General Guidelines Document) and merging into the three strategic aims of the development process (table 1).

Table 1: The framework of cross-sector objectives

Introductory Report main axes	Planning and Sustainable Development Project priorities	General Guidelines Document trends
<ul style="list-style-type: none"> – A development based on a preserved natural environment and on a high quality of life. – The attractiveness and sustainable urban development as the region’s challenges. – Consolidation of the South Loire identity in the Lyon metropolitan area. 	<ul style="list-style-type: none"> – Developing the South Loire as one of the most important hub in the metropolitan area of Lyon-Saint Étienne, in connection with the wider area of the Massif Central; – Improving the quality of life, enhancing and protecting natural resources of the South Loire; – Meeting the territorial development needs (a “new development model”); – Improving the accessibility and the mobility; – Preserving the resources and preventing the risks; – Tooling up the area for urban development. 	<ul style="list-style-type: none"> – Spatial balance; – Public policies; – Safeguard of resources and risk prevention.
<p>STRATEGIC AIMS OF THE DEVELOPMENT PROCESS</p> <ul style="list-style-type: none"> – Safeguarding the environment in order to guarantee high standard of life; – Guaranteeing a sustainable territorial development by improving the organization of territories; – Improving the attractiveness of the South Loire region to ensure its dynamism 		

The framework affects all the sectors suggested by the legislative dispositions (in particular by the French Urban Code): spatial and environment planning, economic development, quality of life etc.

Another way to analyse the cross-sector character of this case, beyond the formal statements, is focusing on the process that built up this framework of objectives. The main platforms of this horizontal integration were:

- The thematic boards within the Syndicat Mixte.
- The working groups coordinated by the local agency of urban planning (see also paragraph 2.3).

Sector and cross-sector proceedings can be noticed in both of them.

The thematic boards examined documents and plans coming from the municipalities and the community in the fields of Economy, Housing, Natural and Agricultural Environment, Mobility. A fifth thematic board dealt with the analysis of the Urban Planning Documents of each municipality (since they have to comply with the SCOT). They worked quite separately in the diagnostic phase in order to pick up territorial needs in different sectors. Nevertheless, exchanges were organized in order to fine-tune sectorial policies and bring them together into a common strategy. Recently, in the occasion of the re-start of the SCOT, a seminar on housing, economic and environmental issues has taken place sharing analysis and initial strategy indications among decision-makers, policy-makers and practitioners.

During the elaboration of the General Guidelines Document, the interactions between the thematic boards deepened in order to elaborate together the development trends.

The working groups coordinated by EPURES, the urban planning agency of Saint-Étienne region, constitute the second platform for the horizontal integrations. These groups worked for the different commission that operated at political level and gathered institutional actors (Inter-Municipal Cooperation Structures and the associated public actors) and socio-economic actors (see paragraph 2.3).

In the opinion of some respondents (A, C, D) the dominant sector (in terms of dedicated time for dealing conflicts and coming to an agreement) was the housing one. The problem concerning the number of new dwellings, in fact, was strongly disputed among SCOT members (as will be explained in the paragraph 2.5).

2.2 Multi-level interplay

The South Loire SCOT main objectives concerned several domains: spatial planning, environment, mobility and economic development, as just illustrated (paragraph 2.2). Such a variety of matters involved different actors and institutions.

Governing capacity

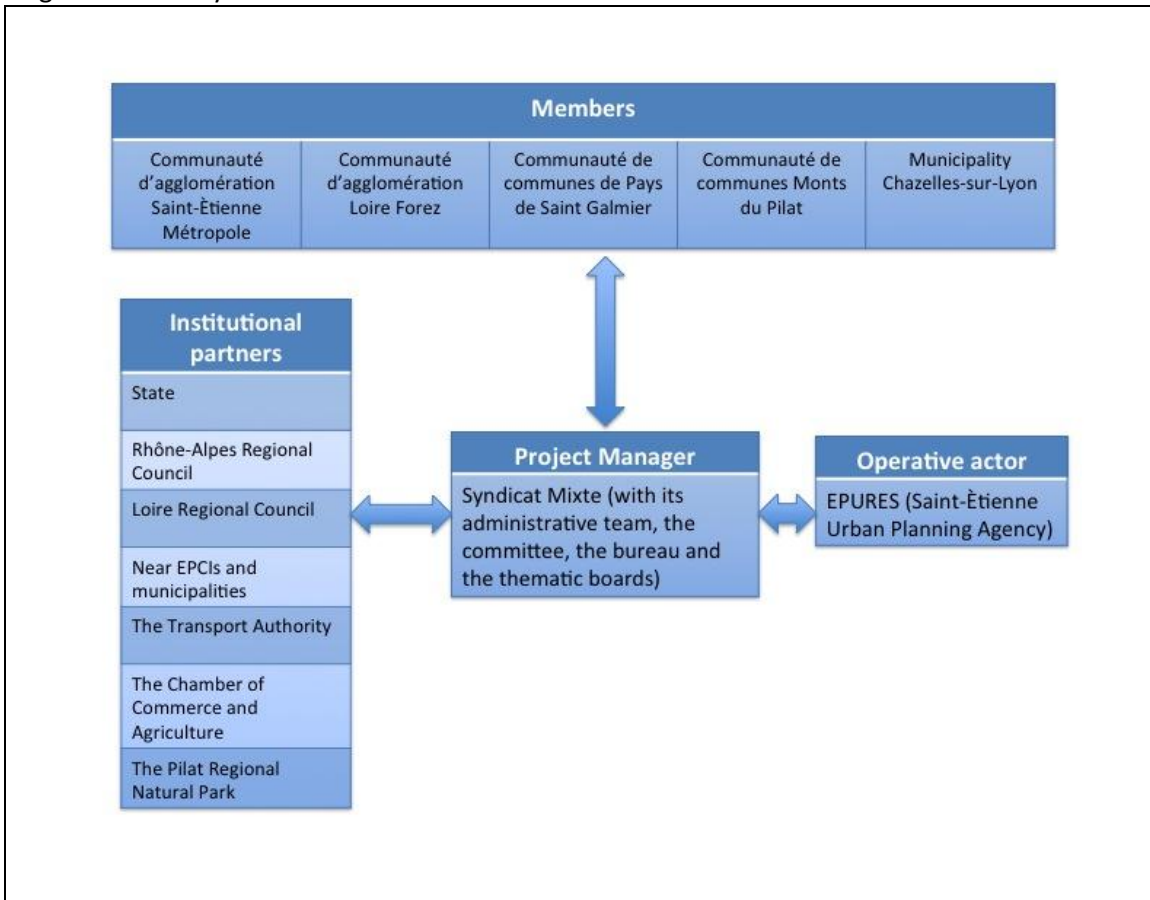
In the SCOT case the governing capacity can be analysed mainly taking into consideration the Syndicat Mixte's ability to organise and manage the complex system of actors lying at the bottom of the SCOT. The Syndicat Mixte, the mainstay of the governance system, can be understood as the contact point among the members, the institutional partners, and operative actor, the local urban planning agency (EPURES). They all, on the whole, are the actors of the territorial governance process (see fig. 2).

Formally the Syndicat Mixte is composed by⁹:

⁹ This structure is described in the SCOT website. During the visit to the Syndicat Mixte office the director confirmed this organization.

- i) a very restricted administrative team (only 3 persons) that works together with the technicians of the Inter-Municipal Cooperation Structures, EPURES and the State decentralized services within a technical committee;
- ii) a *bureau* of nine members that exercises the political pilotage and is deeply linked to the institutional members;
- iii) a *comité syndical*¹⁰, the managing board and decision-making body that involves the institutional members' 26 representatives;
- iv) five thematic boards that analyse the documents and plans proposed by municipalities and the community.

Fig. 2 – Actors' system



Source: elaboration from <http://www.scot-sudloire.fr/>

Some problems related to the interest representation system and subsidiarity affected the decision-making body (the *Comité syndical*), as it will be illustrated afterwards.

¹⁰ It is the decision-making and management body of the SCOT. It is responsible for its development, approval and revision and can form, in the exercise of its powers, advisory committees, working commissions etc.

The South Loire SCOT members are four Inter-Municipal Cooperation Structures and a Municipality: the *Communauté d'Agglomération* of Saint Étienne Métropole¹¹; the *Communauté d'Agglomération* of Loire Forez¹²; the *Communauté de Communes* de Pays de Saint-Galmier¹³; the *Communauté de Communes* Monts du Pilat¹⁴ and the Municipality of Chazelles-sur-Lyon, in total 117 municipalities (whose main territorial characteristics will be shown in paragraph 2.5).

This inter-municipality is recent since it was born on the occasion of the SCOT launching. Even the individual Inter-Municipal Cooperation Structures are often young (*Saint-Etienne Métropole* was founded in 1995 and transformed in *Communauté d'agglomération* in 2001 and the *Communauté de communes* of Pays de Saint-Galmier and Loire Forez were created respectively in 1996 and 2003). Notwithstanding some previous shared projects, the collaborative inexperience revealed as one of the weakness points of the territorial governance process, as confirmed by many respondents (A, C, D, E). In other words, there was neither institutional memory, nor collaborative customs, nor reciprocal knowledge upon which basing the inter-municipal territorial governance process and it had been necessary to build up first of all a reciprocal knowledge process concerning the geographical, institutional and social characteristics.

Going back to the actors system, some institutional partners are “associated” to the SCOT as stated by law: the State; the Rhône-Alpes Regional Council; the Loire Regional Council; near Inter-Municipal Cooperation Structures and Municipalities; the Transport Authority, involved in the mobility sector; the Chambers of Commerce and Agriculture, involved in the economy sector; the Pilat Regional Nature Park for the environment sector. Their role is only marginal during the process (they can be consulted on specific issues) while, at the end of the process they have to give their advice for the final validation of the project (the Syndicat Mixte can take or not into account their advices but if not it has to justify it). After the project approval, the State guarantees its implementation checking the adaptation, if necessary, of the Local Urban Development Plans that have to be renewed in the three years after the SCOT approval.

¹¹ Municipalities of: Caloire, Cellieu, Chagnon, Le Chambon-Feugerolles, Châteauneuf, Dargoire, Doizieux, L'Etrat, Farnay, Firminy, Fontanès, Fraisses, Genilac, La Grand-Croix, L'Horme, Lorette, Marcenod, Pavezin, La Ricamarie, Rive-de-Gier, Roche la Molière, Saint-Chamond, Saint-Christo-en-Jarez, Sainte-Croix-en-Jarez, Saint-Etienne, Saint-Genest-Lerpt, Saint-Héand, Saint-Jean-Bonnefonds, Saint-Joseph, Saint-Martin-la-Plaine, Saint-Paul-en-Cornillon, Saint-Paul-en-Jarez, Saint-Priest-en-Jarez, Saint-Romain-en-Jarez, Sorbiers, La Talaudière, Tartaras, La Terrasse-sur-Dorlay, La Tour-en-Jarez, Unieux, La Valla en Gier Valfleury, Villars.

¹² Municipalities of: Bard, Boisset-lès-Montrond, Boisset-Saint-Priest, Bonson, Chalain-d'Uzore, Chalain-le-Comtal, Chalmazel, Chambles, Champdieu, Châtelneuf, Chazelles-sur-Lavieu, CRAINTILLEUX, Écotay-l'Olme, Essertines-en-Châtelneuf, Grézieux-le-Fromental, Gumières, L'Hôpital-le-Grand Lavieu, Lérigneux, Lézigneux, Magneux-Haute-Rive, Margerie-Chantagret, Montbrison, Mornand, Palogneau, Périgneux, Pralong, Précieux, Roche, Saint-Bonnet-le-Courreau, Saint-Cyprien, Saint-Georges-en-Couzan, Saint-Georges-Haute-Ville, Saint-Just-en-Bas, Saint-Just-Saint-Rambert, Saint-Marcellin-en-Forez, Saint-Paul-d'Uzore, Saint-Romain-le-Puy, Saint-Thomas-la-Garde, Sauvain, Savigneux, Sury-le-Comtal, Unias, Veauchette, Verrières-en-Forez.

¹³ Municipalities of: Andrézieux-Bouthéon, Avezieux, Bellegarde-en-Forez, Chamboeuf, Cuzieu, La Fouillouse, Montrond-les-Bains, Rivas, Saint-André-le-Puy, Saint-Bonnet-les-Oules, Saint-Galmier, Veauche.

¹⁴ Municipalities of: Le Bessat, Bourg-Argental, Burdigues, Colombier, Graix, Jonzieux, Marlhès, Planfoy, Saint-Genest-Malifaux, Saint-Julien-Molin-Molette, Saint-Régis-du-Coin, Saint-Romain-les-Atheux, Saint-Sauveur-en-Rue, Tarentaise, Thélis-la-Combe, La Versanne.

It is interesting to remark that the only economic actors involved were institutional members: Chamber of Commerce, the Inter-Municipal Cooperation Structures' economic services and sometimes the Regional Development Council and the Agency for the Economic Development of Loiret. Local economic actors, including the commercial ones, were excluded from the territorial governance process (and it happened for the stakeholders too, as it will be underlined in paragraph 2.3).

Leadership

The second aspect concerning the coordination of actions of actors and institutions regards the leadership. The subject in charge of the operative/managing leadership was the Syndicat Mixte, which exercised leadership in close connection with EPURES. These "leading figures" were recognized and accepted by all actors.

The political leadership, on the contrary, was exercised by the *comité syndical* and causes the problems shown below. Difficulties, obstacles and oppositions thickened in its system of interests' mechanism, as it will be explained in the next paragraph.

Subsidiarity

The last aspect concerns the subsidiarity that in the SCOT case study can be analysed taking into account the representation system of (municipal) interests. The more evident problem, here, is related to the representativeness of the *comité syndical*, the decision-making body composed by only 26 members against the 117 municipalities involved.

Such a system of representativeness would require that the representatives inform and bring the mayors up-to-date in order to share the whole elaboration process instead of only imposing on them the final choices. The fieldwork analysis showed that only in few cases it occurred¹⁵.

Facing the SCOT cancellation, the most policy makers involved have some doubts on the political leadership and the system of representation of interests (Interviewees A, B, C, D). It is actually a disputed argument. The different positions collected through the interviews go from the idea of widening the process as much as possible, to the idea of removing the codified procedure. As one of the respondents stated:

'In light of the fact that the SCOT was removed, I don't know if it should have been more useful to involve all the mayors from beginning to the end of the process. Maybe some conflicts should have been avoided' (respondent A).

On the contrary, another respondent asserted:

'In France the concertation is required for any public action. However, it is too codified: it leaves restricted space for manoeuvre and ample space for legal appeals. It must be simplified and/or limited' (respondent B).

¹⁵ The Syndicat Mixte seems to have learnt from these difficulties and, in the occasion of the new SCOT, is trying to improve the communication with the mayors, as it will be explained in paragraph 2.4.

Beyond the *comité syndical's* representativeness, another question affected actors' interactions in territorial governance process: the problem related to the presence of different interests within the inter-municipalities. For example, some municipalities of the *Communauté* of Saint-Étienne (in particular, those located in the Plaine area and generally with a political colour different from the Saint-Étienne one) ostracized the process. Motivated purely by self-interests (urbanization, enterprise localisations etc.), they hindered the shared territorial development (aiming at preserving environment, improving the quality of life, ensuring the balanced regional development). Collecting many municipalities¹⁶, Inter-Municipal Cooperation Structures often have to face very different visions on territorial development, which arise among themselves.

Other frictions among the municipalities occurred since some of them felt their interests not adequately represented because of the centrality of Saint-Étienne in the SCOT. Concerning the way of realising territorial specificities they will be dealt in paragraph 2.5.

2.3 Mobilising stakeholder participation

Stakeholder participation falls within the SCOT wide mandatory concertation stated by the article L.300-2 of the French Urban Code that allows elected persons, public and private legal persons, technicians and experts of institutional partners and inhabitants to be connected in the SCOT elaboration process. The concertation aims at driving a common strategy about the future of territory among all local actors and informing residents of the process in order to share with them the final project.

Democracy legitimacy and public accountability

The SCOT case is characterised by a close connection among political bodies and institutional actors (as illustrated in the previous paragraph). Stakeholders, and especially the economic ones, actually, were scarcely engaged in the process. As highlighted about the actors' involvement (only institutional actors), the stakeholder participation too was characterized by a minimal presence of economic and social operators.

The roots of this lacking participation (that historically characterised *in primis* Saint-Étienne and later on the whole area) date back to the past. It can be partly explained with the economic activities typologies and the related economic and social relationships consolidating in the course of time¹⁷.

The concentration of large companies, since the 19th century, created a hierarchical local economy linked to the State and its needs that gradually replaced the earlier evolution of more

¹⁶ *Communauté* of Loire Forez collected 45 municipalities, *Communauté* Saint-Étienne 43, *Communauté* Monts du Pilat 16 and *Communauté* des Pays de Saint Galmier 12.

¹⁷ This hypothesis (confirmed by respondents E and F who deeply studied the Saint-Étienne case) is led through the neo-institutional approach to political economy. According to it, the capacity for collective actions derives from the institutional conditions. The latter, in their turn, are (at least in part) defined by the economic activities typologies and the consequent economic and social relationships.

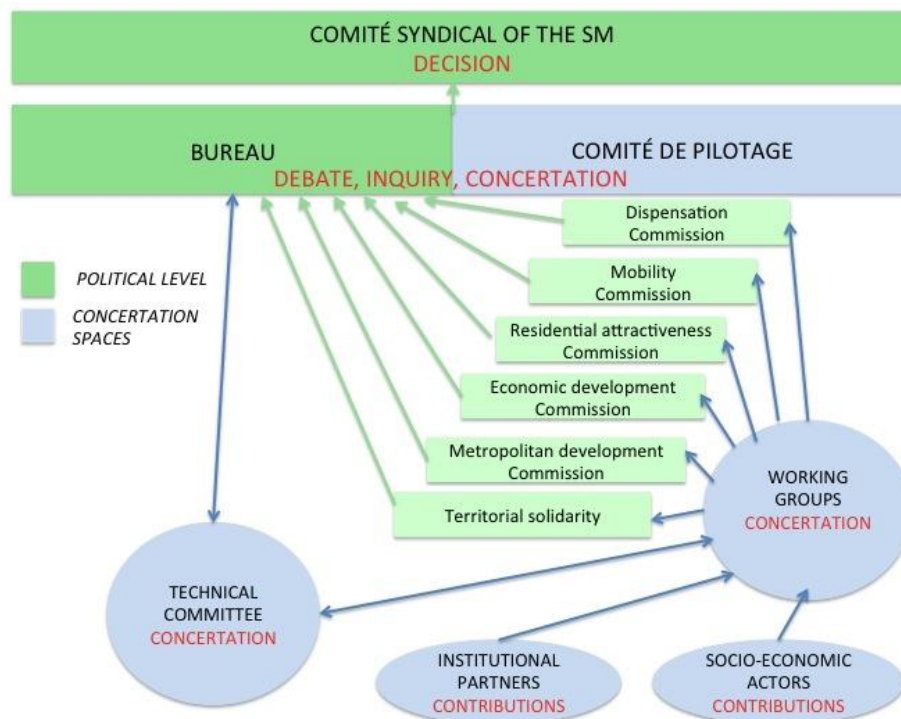
horizontal relationships that had characterised the small workshop-based industrial regional landscape. Thus, the industrial élite was marginalised by the growing State control of local industrial production. This brought increasing distance between political and economic actors, and a gradual deterioration in local collective decision-making capacity (Béal, Dormois, Pinson, 2010; Wilker, 2007).

In the SCOT case, the absence of local economic actors is particularly evident within the working groups (as illustrated afterwards), one of the tools of democracy legitimacy and public accountability put in place.

The global design of participation is illustrated in fig. 3. Political bodies (the *comité syndical*, the *bureau* and six commissions) worked together in a Technical Committee composed by State's and Inter-Municipal Cooperation Structures' technicians too. This committee was in charge of the diagnostic analysis (within the Introductory Report) and guides the political meetings. In the current phase of the new SCOT's elaboration it meets frequently.

The working groups represent the main place for stakeholders' participation where institutional and local socio-economic actors, coordinated by EPURES, should give their contribution to the political actors (in particular to commission).

Fig. 3 – The participation



Source: Syndicat Mixte SCOT Sud Loire (2005)

Despite the structures and the procedures put in place, it is important to highlight the lacking participation of the economic actors/stakeholders, both local and national. Questioned about their absence, a respondent said:

'Entrepreneurs usually do not participate. The economic milieu is concerned with safeguarding of its own interests and don't care about a territorial strategic development plan' (respondent A).

Nevertheless, another respondent explained that it was due to a clear political will:

'Politicians say to us that the economic actors and in particular the commercial ones should not participate!' (respondent D).

This is probably one of the most important weak point of this territorial governance process, especially considering the persons who presented legal appeals against the SCOT. The most of the 18 exhibited appeals (only 3 had been accepted by the Administrative Court) came from economic actors with huge interests on the territory. As the counsellor of the Syndicat Mixte stated in the public meeting that took place in October 2012, after the SCOT cancellation: *'The most of the appeals were presented by national economic actors who understood the SCOT as a danger for commercial installations in the area'*¹⁸.

A big commercial stakeholder, IMMOCHAN, the branch of Auchan Group responsible for managing the real estate group, in particular, presented the appeal that caused the SCOT cancellation. In addition, it is interesting to notice that IMMOCHAN contestation regarded some of the SCOT environmental arrangements and not the commercial disposals. That is to say, that it found a pretext to contest the SCOT, even if not directly affecting its own domain. The Administrative Court accepted the appeal since it evaluated that the SCOT did not safeguard adequately some green corridors, as stated by the Territorial Planning Directive.

The reasons of the exclusion of economic and commercial stakeholders concern political choices. They are hard to be defined and are also outside the interests of this analysis. However, some elements that matter for the territorial governance process can be underlined, starting from the opinion expressed by one of the respondent (E), deeply engaged in the analysis of the regional territorial development in question. He noticed that, even though accepted, it should be difficult to gather all the economic interests/stakeholders working in such a big area.

Thus, the challenges at stake for such a wide territorial governance process seems to be: firstly, finding the political agreement about the convenience of taking care of the economic and commercial interests and involving stakeholders; secondly, trying criteria and modalities in order to select interests and stakeholders.

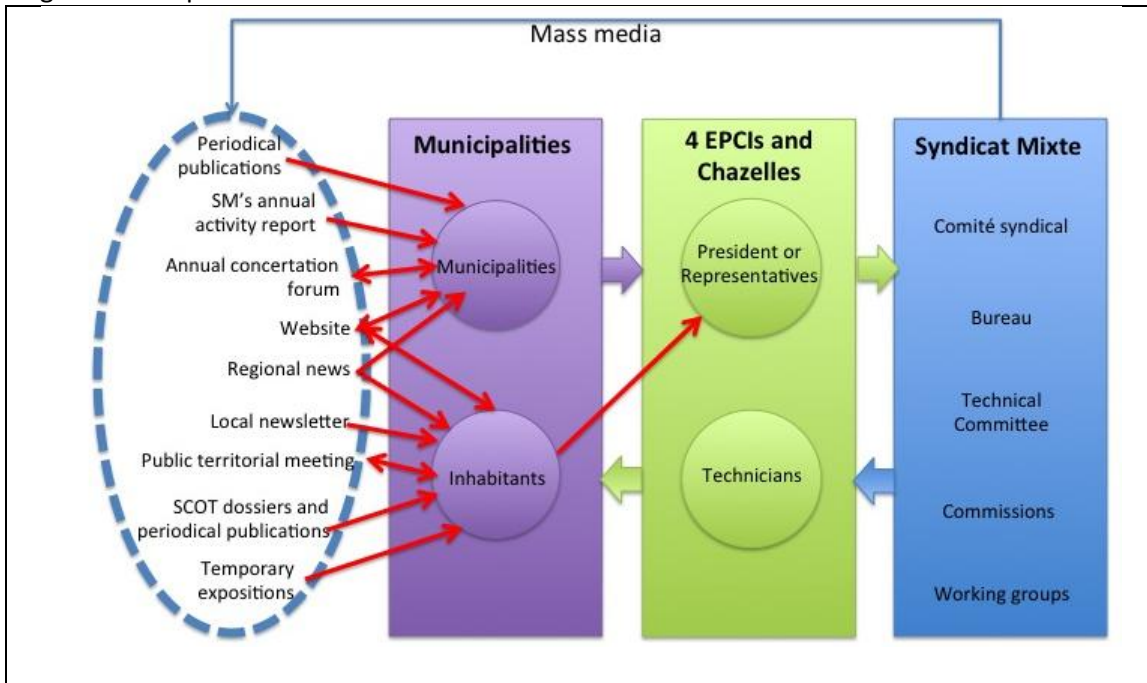
¹⁸<http://www.scot-sudloire.fr/sites/default/files/documents/CR%20r%20réunion%20publique.pdf>.

Transparency

Beside these organisms (technical committee and, above all, working groups), some tools were made available to the public in order to foster information and exchange among actors and among the latter and the stakeholders involved. Dossier, website, public communications, publications, reporting, forum, temporary expositions etc. were planned in order to join together inhabitants, municipalities, the Inter-Municipal Cooperation Structures and the Syndicat Mixte (as represented in fig. 4)¹⁹.

The first level of the communication system is represented by instruments and services provided by the Inter-Municipal Cooperation Structures and Syndicat Mixte to inform inhabitants: the SCOT website, regional and local newsletters, local public meetings, SCOT dossiers, periodical publications and temporary expositions. Inhabitants, in their turn, could express their own opinion in the local public meeting, the website and the registers provided in the Inter-Municipal Cooperation Structures' offices.

Fig. 4 – Participation and communication instruments



Source: <http://www.scot-sudloire.fr/>

The second level concerns the institutional communication (i.e. between the Inter-Municipal Cooperation Structure and the Syndicat Mixte on a side and the municipalities on the other). It was based on periodical publications, the Syndicat Mixte's annual activity report, the annual concertation forum, the website and regional news. Mayors should be informed through all these instruments and, in their turn could express themselves within the annual concertation

¹⁹ Beside this participatory framework, the SCOT is subject, by law, to a public inquiry. In that occasion inhabitants could present their points of view. The public inquiry of the cancelled SCOT had taken place from May to June 2009.

forum and the website. This level of information and communication (among municipalities, Inter-Municipal Cooperation Structures and the Syndicat Mixte) was the weaker channel, as asserted by some respondents (A, C, D) (see paragraph 2.2). Indeed in the new SCOT, it is representing one of the most important tasks for the Syndicat that is committing itself to improve the communication strategy with municipalities (see paragraph 2.4).

After the SCOT approval, the effort aiming at strengthening the exchange between actors carried on through some thematic workshop organized by the Syndicat Mixte and EPURES. Organized especially for the political actors, they aimed at promoting the public debate, the exchange of experiences and the enlightenment on specific matters the SCOT dealt with²⁰.

2.4 Adapting to changing contexts

Analysing the adaptability of this territorial governance process is a hard exercise. The SCOT withdrawal can be understood as a clear indication of the weak adaptability of the territorial governance process. It was due to three causes at least: instruments and mechanisms put in place were not able to face adequately internal and external inputs; point of views coming from some of the members and stakeholders were not accepted; no alternative scenario facing changing contexts was produced.

Nevertheless, through a more detailed analysis, it is possible to identify: i) at least a “reactive capacity” of the process that can be understood as a sort of “adaptability”; ii) furthermore, the reflexivity of the territorial governance process by seeing how persons in charge intend going ahead after the SCOT withdrawal.

Adaptability

Over the years the organizational and decision-making process needed to be reviewed due to several inputs, both internal and external. This reactive capacity showed itself on the occasion of many circumstances such as: the definition of the SCOT perimeter; the dwelling construction distribution; the commercial areas’ definition after the new Law for the Modernisation of Economy.

As for the first circumstance, the territory is by law decided by a prefectural decision, as already stated. It occurred in 2002 and partially modified the area fixed one year before by the first partnership. The SCOT process officially started two years later with the Syndicat Mixte constitution. This circumstance could be understood, although a bit forcedly, as a flexibility element of the process against an external decision.

The second circumstance occurred in the occasion of the formulation of the housing offer. Each municipality tried to obtain the greater number of dwellings and the negotiation was hard. After having decided to fix a stability threshold that quantified, for each municipality, the minimal residential stock to be built in order to avoid the decline of residents, the Syndicat Mixte

²⁰ The first workshop concerned the urban planning around railways stations and the second one the urban densities.

committed itself to monitor the housing requirement and to review the quota after 5 years (when a new analysis should have been conducted). In this way, the Syndicat Mixte proved not only that it had problem solving skills (in one of the more complex domains of SCOT intervention) but the willingness to introduce reflection and integration of feedback routines too.

The last circumstance concerned the commercial issue. In this case, the territorial governance process had to face the introduction of new norms. Four years after the process beginning, the Law for the Modernization on the Economy in 2008 stated that the SCOT was in charge of defining the commercial areas and, in the absence of a SCOT, the authorities in charge, could adopt a draft commercial plan. Through a great effort, the Syndicat Mixte was able to put out the Commercial Plan in June 2009. This circumstance proves that the SCOT had good adaptability in light of the normative changes along the way²¹.

Beyond these specific examples, one of the respondents intervening on adaptability denounced the ineffectiveness of the “SCOT-tool”. In his opinion, changes in society are too fast to be engaged in the public action connected to the SCOT elaboration. It has in fact a too long gestation to be compatible with the rapidity of changes and a limited normative capacity to be effective:

‘This region needs not a complicated territorial plan but big projects that can work as economic boosters. And to manage them it is necessary to constitute a territorial organism, at the right level, with normative power and an effective engineering at its service’ (respondent B).

It is worth underlying that this opinion comes from the Local Planning and Development Authority (the *Etablissement Public d’Aménagement*), one of the most important institutional public partners of the SCOT. The presence of such different point of view poses some serious problems to the territorial governance process.

Reflexivity

The adaptability of the territorial governance process can also be analysed from the institutional learning point of view. The institutional social learning and memory proved to be rather feeble. This was due above all to the inter-municipal structure that, as already stated (paragraph 2.2), was recent, since it was born in 2004 on the occasion of the SCOT. Except for a few projects shared by some of the members, there was not any previous collaborative planning experience. In one of the first official SCOT documents, the Syndicat Mixte stated: *‘The territorial inter-municipal organization into Communauté d’agglomération and Communauté de communes is recent (...). The inter-municipal cooperation learning process moves gradually, step by step’*²².

²¹ The two last circumstances will be taken again in paragraph 2.5, as meaningful examples of how territorial specificities have been realised.

²² Syndicat Mixte (2010d), p. 7.

Even the individual inter-municipal members are recent: the *Communauté de communes* of Saint-Étienne was born in 1995 and became *Communauté d'agglomération* in 2001 widening its perimeter; the *Communauté* of Loire Forez was born in 2003 and in 2005 was enlarged; the *Communauté* of Monts du Pilat was born in 2004 from the union of the *Communauté* of Déôme with the *Communauté* of Sivom; finally the *Communauté* of Pays de Saint-Galmier, the oldest, was established in 1996.

A so young inter-municipality proved to be sometimes poorly equipped for the necessary experience for a shared territorial development process. Moreover, this is a problem that affects in general the inter-municipality in France and not only the South Loire structure. This is probably due to the fact that for a long time, French municipalities were in a fierce competition to grab the enterprises, whose 'professional tax' represented the main local financial resource.

Taking into account this characteristic, it is possible however to analyse the reflexivity of this process wondering: "What did actors involved learn from the SCOT withdrawal?" and "How does the Syndicat Mixte intend going ahead?"

Most of the policy makers who participated to the SCOT elaboration underline that the main trends have not been brought into question. In particular, the strategies of dwellings allocation, those for the housing *mixité*, the territorial balance survive as fix points of the territorial organization and development strategy, as M. Vincent, the Syndicat Mixte president, stated in the editorial explaining the Administrative Court decision. In the first public meeting after the revocation, he stressed this point of view, stating: '*I will just insist on the fact that the big trends were not contested. As a consequence, I think we should restart in a very pragmatic way: we have to review something but without calling into question the development trends that we fix. There is no reason to change our point of view on the demographic trends or the urban assets*'²³.

Even if the big issues remain valid, an updating is necessary concerning, in particular: new territorial needs (the diagnostic analysis was conducted before the global economic crunch); the introduction of the so-called "II Grenelle Law" that modified some environmental disposals; and finally the sentence about the green corridors.

The Syndicat Mixte furthermore identified some critical points and intends to find a solution to them. To meet the general criticism that the SCOT was Saint-Étienne-centred (as it will be explained in the next paragraph), an analysis will be conducted on the rural regional areas (and the new Planning and Sustainable Development Project will have a chapter concerning its specific requests). Moreover, the Syndicat Mixte is engaging itself in involving municipalities through meetings *in loco* in order to improve the participation at the level which is closer to citizens (in the light of the difficulties mentioned in paragraph 2.2).

Ultimately, notwithstanding the final end, the process proved to be reactive and, somehow, willing to learn from mistakes. Nevertheless, some of the most important reasons of the failure

²³ <http://www.scot-sudloire.fr/sites/default/files/documents/CR%20r%réunion%20publique.pdf>

(the lacking participation of non-institutional actors and stakeholders) seem to be not considered as object of institutional learning.

2.5 Territorial specificities and characteristics and territorial governance

In order to analyse if and how the SCOT territorial governance process realises place-based specificities, we can reflect on: i) how the perimeter was set; ii) how main territorial characters were taken into account; iii) whether and how territorial knowledge affected the process.

The perimeter derives from a mix of inputs: beyond the suggestion furnished by the Territorial Planning Directive for Lyon Metropolitan Area there was the decision makers' endorsement. The outcome was an assembly of very different areas (as stated by respondents A and D). Territorial differences can be easily caught comparing these main data:

Tab. 2 - Inter-Municipal Cooperation Structures' main data

EPCIs and Chazelles	Inhabitants	Area (ha)	Employment
C. Saint-Étienne	384,042	57,125	148,977
C. Monts du Pilat	24,084	30,789	3,588
C. Loire Forez	67,674	73,759	20,087
C. Pays S. G	39,099	15,450	16,630
M. Chazelles	5,101	1,087	818
Total area	510,000	179,110	190,100

Even within the single Inter-Municipal Cooperative Structures, differences among municipalities are wide (as, above all, for the number of inhabitants and employment).

In every official document, the SCOT territory is defined as "multiple". It presents, in fact, various characteristics: it shows a metropolitan character due to the proximity to the metropolitan area of Lyon that gathers 2.600.000 inhabitants and is polarized into the two agglomerations of Lyon and Saint-Etienne²⁴. Besides this metropolitan character, 23 of the 117 SCOT municipalities belong to the Natural Regional Parc of Pilat with its normative and regulative principles. Furthermore, rural areas and river basins too are included in the area. All these *milieux* have been deeply affected, in different way, by the economic, environmental and social crises.

Aiming at organising regional planning into a systematic shared framework²⁵, the territorial governance process took into account the sub-regional existing planning documents presuming

²⁴ The State has recognized an important role of this area both at national and at European level. It is for this reason that it issued the Planning Territorial Directive for Lyon Metropolitan Area aiming at promoting a sustainable metropolitan area development that includes even the South Loire region (48 municipalities of the SCOT are concerned by this directive).

²⁵ In this sense SCOT main function was organisational and rationalizing more than perspective.

that in this way, different territorial characteristics and need could have been adequately considered.

The first sub-regional area is that of Saint-Etienne. Its development strategies are collected in the Agglomeration Project, the Territorial Development Rhône-Alpes Contract and the local Agenda 21. Three main trends characterize the global strategy:

- i) Economic repositioning and competition reinforcement²⁶;
- ii) Urban regeneration;
- iii) Social and Environmental Sustainable Development.

The second sub-regional area is that of Pays du Forez and gathers together the *communautés* of Loire Forez and Pays de Saint Galmier. Its strategy is collected in the Development Charter and the Territorial Development Rhône-Alpes Contract. The development territorial strategy is organized here into three main axes to improve:

- i) The residential function;
- ii) The enterprise attraction;
- iii) The touristic and leisure supply.

The last sub-regional area, concerning the Mont of Pilat, also stipulated a Territorial Development Contract aiming, above all, at constructing a territorial identity. The development of this area is obviously connected to the Natural Regional Park of Pilat and concerns:

- i) The environmental preservation (both for the water resource and for natural spaces);
- ii) The economic, agricultural and touristic development.

The territorial governance process collected most of these axes. The diagnostic analysis (conducted at the beginning of the process) highlighted three big objectives that the SCOT should deal with:

- i) Preserving the quality of life;
- ii) Enhancing the South Loire region vitality within the metropolitan area of Lyon;
- iii) Promoting sustainable urban development.

From the strictly formal point of view, the territorial governance process seems to have place-based consistency. But moving from this declarative statements' level towards the real territorial governance process, it can easily be noticed that something went badly.

Two examples clarify the question: the territorial governance process was put to the test by two circumstances where the horizontal coordination (among the municipalities) was revealed as particularly hard. It is important to note that these frictions occurred within two of the more problematic sectors (housing and commerce), where the SCOT prescriptive function was stronger than in other sectors.

²⁶ This wide trend is composed by many actions concerning: the industrial reconversion and restructuring, the metropolitan employment, the housing supply, the balanced commercial supply and the territorial accessibility improvement.

The first event concerned the SCOT's provisions on housing construction. In order to face the progressive population decline, the SCOT supported the construction of new dwellings. At the beginning, the intervention focused on Saint-Étienne but this choice was deeply contrasted by the other municipalities. The negotiation was hard and long. An agreement was taken only after having fixed a stability threshold that quantified, for each municipality, the minimal residential stock to be built in order to avoid the decline of residents.

The second event had a negative result since it led to two of the legal appeals that produced the annulation of the Commercial Plan. In 2008 the SCOT defined the new commercial zones (the so-called *Zone d'Aménagement Commercial*, or ZACO) and a draft version of the Commercial Plan was published in 2009. Against this definition, the Municipality of Andrézieux Bouthéon and the *Communauté* de Saint-Galmier (CCPSG) made appeal. The Administrative Court evaluated that the SCOT had been too prescriptive in the definition of the commercial areas. As a consequence of the Administrative Court's decision, the Commercial Plan was removed²⁷.

The *Communauté* de Saint-Galmier position seems to be connected to a wider opposition toward the *Communauté* of Saint-Etienne's development strategy that aims at including adjacent municipalities under its jurisdiction²⁸.

These two circumstances are based on the same ground: some municipalities and Inter-Municipal Cooperation Structures considered the SCOT too Saint-Étienne-centered and scarcely sensitive about the rest of territory.

Beyond these circumstances, rural areas also demanded major attention in the new current SCOT (as stated by respondent A and D). They feel they are inadequately represented and their needs (from the natural preservation to the improvement of the quality of life and economic wellbeing of people living in relatively isolated and sparsely populated areas) considered only marginally into the SCOT development strategy. It is for this reason that, as already stated (paragraph 2.4) the new SCOT is dealing with these areas more carefully.

It remains to understand the link between the territorial governance process and the territorial knowledge: did the latter affect the former? Actually, in this case study, the territorial knowledge seemed to be an output of the territorial governance process more than its guiding principle.

²⁷ Some months later, the new Law for Environment stated that the SCOT should define the ZACO, just like the South Loire SCOT had done. In other words, some months later the appeal would not be effective.

²⁸ There indeed is a project concerning the CCPG fusion into the Saint-Etienne Métropole Communauté d'agglomération. Recently, the CCPG opposition on this matter exacerbated and in a public meeting its president stated: "*We do not intend accepting this forced marriage. We don't want to lose leadership on our future. I'm not hostile towards a collaboration with them on big issues but we want to be left working on our territory*" (<http://www.zoomdici.fr/actualite/Monique-Girardon-nous-n%E2%80%99avons-pas-l%E2%80%99intention-d%E2%80%99accepter-ce-mariage-force--id110506.html>). For this debate, see also the website of the Municipality of Saint-Galmier: <http://www.saint-galmier.fr/NON-A-LA-FUSION.html?retour=back>.

It derives from having associated different territories, with such weak previous collaborative inter-municipal planning experience. In this scenario it was necessary to proceed with the building of a common and shared territorial knowledge.

As one respondent stated:

'One of the most important outputs of this territorial governance process was the increased territorial knowledge. Now, everyone knows what it's happening elsewhere'
(respondent A).

Even if another respondent said:

'A shared territorial knowledge was an important output but it is still inadequate'
(respondent C).

The lack of a common and shared territorial knowledge since the beginning is maybe one of the most important weakness point of the process, although this was later rectified.

3. Features of “good” territorial governance

3.1. Identifying tentative features of “good” territorial governance and components of exchange

The territorial governance process within the SCOT shows some of the aspects that characterized historically Saint-Étienne's development. In particular, once again the structure of social, political and above all economic relations did not prove to be favourable to build up a capacity for collective actions and shared projects. In particular, the only marginal involvement of the economic actors played a crucial role in the process' failure.

In the light of the documents' analysis and the fieldwork, it is now possible to make some remarks about the territorial governance process' dimensions and main features.

Starting from the integration of policy sectors, the case study proved to be careful about public policy packaging as the SCOT is *formally* compatible with laws and documents of higher level (in particular, the *Loi Solidarité et Renouvellement Urbains*, the French Urban Code and the Territorial Planning Directive for Lyon Metropolitan Area). Actually, this fine-tuning is a mandatory feature, since it is a prerequisite prescribed by law, and thus it can be understood as a formal characteristic more than a positive feature of the process.

As for the cross-sector synergy, it can be easily found in the objectives' framework. Axes, priorities and the trends collected in the SCOT official documents show a high degree of inter-sector coordination. From the point of view of the process too, the efforts made by the decision makers, policy makers and practitioners in order to gain synergy has gotten results. Some structures facilitated this exchange: the thematic boards within the Syndicat Mixte and the working groups coordinated by the Agency of Urban Planning. Seminars and workshops were important moments to improve the inter-sector approach (and the coordination among the actors as it will be recalled afterwards).

Coordinating actions of actors and institutions was a task in charge of the Syndicat Mixte whose formal project manager leadership was recognized and accepted by all actors. The collaboration with another operative actor, the Urban Planning Agency, worked well. On the other hand, the political leadership was exercised through a representation system of interests that proved to be not adequate (many mayors were not be informed and up-to-date, so they did not share at all the process). The *comité syndical*, the decision making body, was composed by only 26 members against 117 municipalities. Some municipalities do not feel adequately represented within both the *comité syndical* and the single Inter-Municipal Cooperation Structure. Conflicting interests threatened the process and, in some cases, compromised it.

The challenges connected to a very recent inter-municipality were hard. The inadequacy of previous experiences of shared planning (except for a few projects shared only by some members) worked against the territorial governance process.

On of the most important weakness points was the lack of non-institutional actors (above all the economic and commercial ones). This absence can be found among stakeholders too.

Even if their mobilisation was well planned (in particular, the working groups coordinated by the Agency of Urban Planning seemed to be an useful tool), something went badly. The economic, and especially commercial, actors' absence was one of the most important weakness point of the process. This absence was due not only to an historical lack of participation but to a clear policy will too. Thus, finding the political agreement about the convenience of involving (socio-economic) stakeholders and setting up criteria and modalities able to select such different interests are the challenges at stake.

Territorial governance procedures and tools (regional news, local newsletter, dossiers, publications, temporary expositions, web site etc.) were quite informative, accessible and comprehensive but something has to be reviewed in order to improve the institutional communication among municipalities, the Inter-Municipal Cooperation Structures and the Syndicat Mixte. From this point of view too, workshops were important and still are in the current phase of re-starting.

As for the adaptation to changing contexts, such a well-established procedure facilitated possible adaptabilities but also implied some rigidity. The process proved to be "reactive" against some procedural changes (the perimeter modification, the Syndicat Mixte commitment to introduce reflection and integrations feedback to monitor and, eventually review, the housing requirement, the introduction of new normative disposal concerning commerce). Beside that, the territorial governance process seems having learnt from its failure and now is looking for a more careful analysis of territorial needs (especially those of the rural areas that thought to be under-represented) and for a wider municipalities involvement (meetings *in loco* have been organised). Nevertheless, economic actors' participation is not in the agenda.

Finally, it seems that territorial characteristics have been taken into account quite sufficiently since the shared territorial knowledge increased and improved (even if still inadequately according to someone). However, it can be considered as a result of the territorial governance process and not as a prerequisite in order to lead effective place-based strategy.

3.2 Hypotheses about the features of “good” territorial governance

In the light of the whole process, the most interesting and features are:

- The **cross-sector synergy** that can be easily found in the objectives’ framework. Axes, priorities and trends collected in the SCOT documents show an adequate inter-sector degree. Notwithstanding it, this cross-sectoriality is quite formal, thus the level of importance is low;
- The **project management operative leadership** exercised by the Syndicat Mixte that was recognized and accepted by all actors;
- The **established procedure of progressive plan making** that facilitated possible adaptability even if it applied also some procedural rigidity.

Two other features have to be highlighted, as they are more transferable than the previous ones since they are less connected to the specific local context:

- The **set up of structures facilitating cross sector synergies**: beyond the cross-synergy of the objectives, the efforts made in order to gain synergy during the process get results. Some structures facilitated this cross-sector synergy, in particular: the thematic boards and the working groups;
- The **communication tools and** procedures, i.e. regional news, local newsletters, dossiers, publications, temporary expositions, web site that were quite informative to the public.

4. Identification of Stakeholders

- A. District Direction of Territories (Direction Départemental des Territoires) - Director of Housing Division - November 29, 2012.
- B. Saint-Etienne Planning and Development Authority (Etablissement Public d’Aménagement) – Director - November 29, 2012.
- C. Saint-Etienne Region Agency of Urban Planning – Director- November 29, 2012.
- D. Syndicat Mixte SCOT Sud Loire – Director - January 15, 2013.
- E. University Jean Monnet of Saint-Etienne – Researcher - January 23, 2013.
- F. University of Lyon - Professor - September 13, 2012.
- G. University Jean Monnet of Saint-Etienne – Professor - November 29, 2012.

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