

MP4 WP2.1
Peer Review of
Model Agreements for
Place-keeping

**Analysis of existing
model agreements**

Emmen Revisited

DRAFT

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SUMMARY

This report presents an analysis of the model agreement used by the Emmen Revisited (ER), a joint-venture organisation between Emmen Municipality and the Housing Corporations operating within the municipality. Model agreements for place-keeping are understood here in a broad way, not necessarily only as legal written documents signed by a number of parties (formal), but can be tacit arrangements between parties (informal).

Information for this analysis was collected via interviews carried out with representatives of Emmen Revisited (chair and project manager) as well as with important stakeholders who work with ER.

Emmen Revisited aims to improve the social & living environment in urban districts and villages within the Municipality of Emmen. It seeks to achieve this through brokering collaboration among the municipality, housing corporations, and local residential groups; receiving input from the social affairs unit as well as other organisations involved in the urban regeneration programmes and projects, such as the police, water board, (health) care organisations, etc.

Emmen Revisited (ER) acts as a facilitator in the production of regeneration programmes, helping establish and run two levels of resident groups in each locality where the process is implemented (village or district): (a) a District Team (5 to 7 people representing residents and relevant public bodies), which meets every 4 weeks and has a continuous role in overseeing the process and implementation of regeneration programmes within its district; and (b) a District Platform (20-25 people), which is formed as a local consultation body when preparing programmes, and consists of professionals and volunteers including residents with an interest in the development of the area and representatives from the police, schools, etc. Responsibility for delivery of each of the components of the regeneration programmes defined through the ER process rests with the relevant participating agency, and implementation of the programme is monitored by the District Team.

The key agencies involved in ER (Municipality, Housing Corporations and other bodies) take on roles place-keeping according to their legally established responsibilities and their funding streams and capacities. The relationships between them and the respective responsibilities are summarised in the table on page 6. This sets out:

- a. project description
- b. purpose of place-keeping agreement
- c. actors involved in the agreement
- d. documents relating to place-keeping responsibilities and activities (including monitoring and redress)
 - i. how place-keeping is specifically addressed;
 - ii. what is the role and responsibilities of the different actors.

This model is an example of a strongly participatory process in decision-making for place-making, in which the local community is given an effective platform for discussing and defining its priorities. The structure and role of ER – facilitatory, democratic and non-hierarchical – appears to be an important factor in the success of the process. The experience with shared responsibilities in long-term place-keeping of open spaces beyond those established legally for public bodies is still limited however, due to both funding arrangements and the prevailing expectations. There is an intention to explore the scope for the ER process to include wider sharing of place-keeping responsibilities during the course of the MP4 project.

1. INTRODUCTION

This report presents an analysis of model agreements used by the Emmen Revisited (ER) in the place-keeping activities it undertakes in partnership with other stakeholders. Emmen Revisited operates within the Municipality of Emmen, which is a growing centre for housing, industry and services as well as a large student centre located in Drenthe province, The Netherlands.

This report is intended as a practical tool to allow practitioners easily to understand the key elements of the model agreements used by Emmen Revisited. It will thus allow comparison with other types of model agreement and contribute to the peer review of these, as part of WP2 in the MP4 project.

To collect information for this analysis, semi-structured face-to-face interviews were carried out with representatives of Emmen Revisited (the Chair of ER and two members of staff) as well as with important stakeholders involved in partnerships with Emmen Revisited. Other interviewees were members of the following organisations: Municipality of Emmen (landscape designer), a Village Council (*Dorps Raad*), and STENDEN Institute (researcher). ER presentations and visits to project sites in Emmen complemented the methods employed in data collection.

The report covers the following aspects:

- **Organisational context** for the model agreements.
- **Types of projects/activities** which model agreements are used in.
- **Model agreements** – a systematic presentation of these to allow cross-comparison.
- **Evaluation**, including a brief overview of key ideas & mental models influencing the model agreements, and a SWOT analysis based on stakeholder perceptions.
- Appendices describing some aspects of the **socio-cultural context** and providing further **detail on relevant organisations**.

2. ORGANISATIONAL CONTEXT

Model agreements for place-keeping are understood here in a broad way, not necessarily only as legal written documents signed by a number of parties. Model agreements may range from formal documents to tacit arrangements between parties. It is therefore crucial to understand the context in which each model agreement operates. Relevant aspects of the socio-cultural (and political) context are described in an Appendix 1 at the end of the report. This section focuses on key organisations involved, as explained below.

“**Emmen Revisited**” (**ER**) is a joint-venture organisation established in 1998 between Emmen Municipality and the Housing Corporation, with some ER staff being on the Municipality payroll, and others on the Housing Corporation payroll. The main objective of ER is the improvement of the social & living environment in urban districts and villages. It seeks to achieve this through brokering collaboration among the municipality, housing corporations, and local residential groups; receiving input from the social affairs unit as well as other organisations involved in the urban regeneration projects, such as the police, water board, (health) care organisations, etc.

ER as an organisation is structured as follows:

- **Steering Group** – This oversees overall coordination of the organisation. It consists of 2 directors from the municipality and 3 from the housing corporations’ board of

directors, with the 'alderman' for Spatial Planning (elected among the councillors) being the president of the Steering Group. The Steering Group is responsible for translating the written 'vision' of the municipality and of the housing corporation – which encompasses the idea of 'shared responsibility' – into real physical outcomes.

- Programme Office – This office develops, manages and monitors the programme. It consists of 4 programme managers who support the District Team and the District Platform (see below) to organise and run programmes, and a secretariat. Programme managers manage goals, which are economic, social, environmental, etc. They work with local people, within teams. Some common events are also organised to promote knowledge exchange amongst all teams. At the time of writing the office had a total staff of 15.

This structure is jointly funded by the municipality and the housing corporation.

The **Municipality of Emmen** (*Gemeente Emmen*) is one of the 458 across the country, within the Province of Drenthe. Municipalities are the lowest tier of local government in the Netherlands, and are a subdivision of the next tier up – the Provinces, of which there are 12. The highest authority within the Municipality is the municipal council (*Gemeenteraad*), whose members are elected every four years. Emmen has an area of 346 km² and a population of 108,863 (2007). Only around 56,000 live in the town of Emmen, with the rest living in the villages and rural areas spread across the rest of the municipal area.

There are three **Housing Corporations** involved in ER. These are private housing companies which act as social landlords. Housing Corporations were established in the Netherlands following World War II with a strong financial and regulatory oversight from government, though since the mid 1990s they have become independent.

ER organises regeneration and development programmes for particular villages and/or districts within the municipality, involving groups of residents within these. At the level of each programme the following **resident organisations** are involved:

- **District Team** – A group of 5 to 7 people representing a district (1-3 volunteers from the area, and 1 representative each from the housing corporation, police, social work and the municipality) who meet every 4 weeks. The District Team convenes the District Platform and remains in place permanently, overseeing new projects that are constantly added to the programme they are responsible for.
- **District Platform** – Formed by the District Team as a local consultation body when preparing programmes. Consists of professionals and volunteers including residents with an interest in the development of the area and representatives from the police, schools, etc. Members are invited to participate through the press at the start of a programme, and a group is formed, though new members can join later. Typically composed of 20-25 people.

Whilst the above are the key organisations involved in the decision-making around 'place-making' within the regeneration programmes that ER initiates, 'place-keeping' activities are spread across the following range of organisations and individuals:

- Province: roads & some canals
- Water board: other waterways, rivers, brooks, etc.
- Municipality: public open spaces.
- Housing corporations: houses and adjoining footpaths, gardens
- Various government bodies and NGOs: landscape, nature areas.
- Private owners: gardens, houses, farmland
- Entrepreneurs: shops, businesses, etc.

3. TYPES OF PROJECT/ACTIVITY

Emmen Revisited (ER) activities are structured around ‘programmes’ which are developed and implemented at the district or village level, following an established process:

1. Initial development of programmes in 4 themes: living (houses), living environment (public space), social climate & facilities. This takes place via District Platform meetings (see previous section for description of District Platform) and personal interviews with residents. The District Platform meetings address the following points in sequence:
 - a. Listing of existing policies, data on urban issues, and experiences (residents’ perception of their district/village within the 4 themes).
 - b. Diagnosis of the situation.
 - c. Formulation of objectives for each theme.
 - d. Definition of measures & activities to be carried out and identification of relevant organisations to take these forward
2. Liaising with identified organisations to secure their agreement to undertake activities, and then timetabling of these.
3. Monitoring of implementation of activities (undertaken by ER).

An example of one of these programmes is the Emmen pilot project in MP4, which involves the redevelopment of the village centre and the improvement of the access roads to the village of Barger Compascuum.

When ready, the programme for an area is signed by the municipality and the housing corporations, including the members of the ER Steering Committee. The District Team then monitors implementation and management through meetings every 4 weeks. The District Team is seen as the ‘soul’ of ER because of its local representation and its monitoring activity.

Apart from private areas/properties the majority of maintenance is carried out by traditional government-related organisations, with some exceptions (e.g. some NGOs are responsible for the maintenance of some nature/green areas and some voluntary work is done by local groups and residents, but without a formal agreement). Agreements with other bodies outside the ER Steering Committee (police, etc) are not formal but verbal (see below).

It is expected that, within the scope of the MP4 project, new ways and new forms of contracts for cooperation in place-keeping among stakeholders will be explored. It is envisaged these will include the province, the municipality, the water board and residents working together in place-keeping. An example of new contracts that are being explored is with farmers to have them do grass-cutting when not using their machinery on the farm.

For the above types of project/activity, model agreements between stakeholders in relation to place-keeping are structured as is presented in the table in the following section.

4. MODEL AGREEMENTS

The following table presents, in a summarised format, the key elements in model agreements used by Emmen Revisited, as well as the process of which these form part.

“Emmen Revisited“ (ER) Model – Municipality of Emmen, Netherlands
Urban renewal projects, including open space improvement – e.g. paving and landscaping – through community involvement & partnership

Purpose of Place-Keeping: focus to date mainly on place-making, currently exploring scope for extending process to place-keeping – e.g. maintenance of open spaces

Actors		Place-Making	Place-Keeping	Monitoring	Redress
Emmen Municipality			Legally responsible for public space. Formally signs up to area programme		
Emmen Revisited	Initiates 	Permanent District Team (1 from each organisation + 1-3 area volunteers) meets regularly.	Formally signs up to programme for area.	Monitors implementation & management of area programme.	District Team asks ER to intervene if place-keeping responsibilities not met
Housing Corporations			Responsible for houses & adjoining footpaths, gardens. Formally signs up to programme for area.		
Social Work					
Police					
Residents		Convenes time-limited District Platform as local consultation body for preparation of area programme (20-25 people inc. orgs. + residents).			
Other stakeholders: Province; Water Board; NGOs; private owners; businesses.				Various responsibilities for maintenance of: roads; waterways; landscape & nature; gardens & farmland; business premises.	

5. EVALUATION

A series of issues which influence (or may influence in the future) the effectiveness of this partnership model were identified. These range from financial to attitude-related issues. The ways in which different stakeholders and organisations perceive their roles within these partnerships are also fundamental.

4.1 Ideas and mental models

Model agreements are forms of organisational co-operation which are based both on the nature and capacity of the organisations involved, and on the expectations that given societies have of such organisations. From this point of view it is important to understand mental models (in the form of traditions, habits, ideas and ideologies) in order to understand organisational arrangements. This subsection describes key ideas and mental models put across by interviewees (representing ER and municipality staff, as well as residents' representatives).

The Netherlands is well known for its consensus-seeking polity, with a tradition of wide stakeholder involvement in decision-making in areas such as urban and regional planning. Explanations for this have included the actual physical nature of a large part of the country – reclaimed from the sea – requiring coordinated efforts.

The interviews for the analysis of the ER model agreement showed that this consensus-seeking and participatory approach is very much a basis for the decision-making process leading up to the implementation of renewal projects in the villages and districts of Emmen. Professionals at the Municipality welcome the input of local knowledge, though also highlight the need to balance this with professional knowledge from a very early stage in the process. However, when it comes to responsibilities regarding place-keeping of public space and infrastructure, there is an expectation – or mental model – that these will be met by public bodies, as they have funding for this. This is particularly the case for the municipality, which is legally responsible for the quality of public space.

Interviewees recognised the scope for wider involvement and more coordination of maintenance tasks among the various owners and stakeholders – e.g. “grass-cutting” along canals and roads could be shared and coordinated among different owners. This wider involvement has taken place in various ways:

- as special events, such as an annual cleaning day (e.g. in a park), where ER organizes and provides bags and the local community gets involved;
- through the involvement of certain organizations such as ‘nature groups’ which coordinate voluntary maintenance work, though NGOs involved in open space maintenance are paid for this by the municipality; and
- in experiments as part of ER processes where residents and/or local businesses take on the task of maintaining their nearby public areas on a voluntary basis. Example of this are the voluntary management of grass areas by shopkeepers in Zwartemeer based on trust, following guidelines on how the grass should look (using photographs); and the repair of footpaths and provision of parking spaces by residents under municipal supervision. These experimental approaches have not been standardized or formalized as yet.

However, the interviews revealed that there is no general consensus that voluntary community action can be a reliable resource for ongoing place-keeping of open spaces that replaces municipal responsibility. Views included the perception that continuity in community delivery is not guaranteed as it depends on enthusiastic individuals who may move on; businesses being seen as more capable of taking on shared responsibilities in particular contexts such as business parks; residents' happiness with responsibility for the

maintenance of their area being the responsibility of the municipality; and fear of job loss by municipal workers involved in open space management.

It is foreseen that resident organisations' responsibilities will increase from 2010, since when they have started to be allocated funds from the municipality to spend directly. They will be able to commission companies for contracts of a value of up to 25,000 Euros. This may affect the perception of their capacity and responsibilities among the stakeholders involved.

4.2 SWOT Analysis

SWOT analysis	
strengths	weaknesses
<p>Successful cooperation based on respect and dialogue between all participants, including municipality and local residents</p> <p>Users' participation and knowledge of their places, helping develop a sense of ownership</p> <p>Attitude of committed participants (the 'right people') including both personal drive and democratic focus</p> <p>Personal communication (not using technology) with emphasis on listening to "what" was said and not "who" said, supported as well by publications (newsletters, website, special events' material)</p> <p style="padding-left: 40px;">Emphasis on seeking shared goals</p> <p>Shared vision at the highest level (Steering Group)</p> <p>ER's facilitator role, working as a trusted bridge between the community and the municipality</p> <p style="padding-left: 40px;">ER's encouragement of experts from the municipality to work closer with communities</p> <p>Lack of hierarchy in ER, with programme managers being free to develop innovative methods</p> <p>Qualities of project leader: diplomat, transparent, good listener, binder</p> <p style="padding-left: 40px;">Quality of public space achieved</p>	<p>Shared vision, committed people, efficient process & communication have to exist together</p> <p style="padding-left: 40px;">It is a slow process</p> <p>Dependency on having the "right people" and "policies"</p> <p style="padding-left: 40px;">Tendency to privilege the community. Some people (in the community) can be very dominating.</p> <p style="padding-left: 40px;">Involving residents can raise expectations (and budget may be insufficient to meet these), particularly when municipality professionals are not involved from the beginning</p> <p>Communication needs to be careful: experts need to explain their views to non-experts.</p> <p style="padding-left: 40px;">Adjustment of goals may be necessary</p> <p>Project leader should not be only a "messenger"</p>
opportunities	threats
<p>There is an opportunity to expand from the current operation in 12 districts to covering all 35 districts in the municipality</p> <p style="padding-left: 40px;">Larger role for local residents and larger involvement in management</p> <p>ER is a "communication channel" between community & municipality – providing a structure with representatives in each village, who are good contact points to provide information when needed</p> <p>To increase responsibilities in place-keeping, getting more local people and professionals involved in maintenance (it needs investment in education/explanation – making people aware of what they do)</p>	<p>Growth can also be a threat to the functioning of the organisation, which could become too large</p> <p>View of experts from the municipality as the ones who bring bad messages (the "bad guys")</p> <p>A view that experts are not necessary anymore – "the community can design themselves"</p> <p style="padding-left: 40px;">Change in politics</p> <p style="padding-left: 40px;">Change of actors/types of stakeholders</p>

The SWOT analyses provided by interviewees reveal the strength of community involvement in decision-making in the Netherlands, including through ER, with examples of the Municipality getting involved after the Village has already created a plan (e.g. centre of Barger Compascuum). It appears that there is no problem finding volunteers to get involved in processes such as those facilitated by ER.

The ER process is seen as a good avenue for bringing together two types of knowledge – local and professional. Input from both is seen as necessary from early on in the process so as to avoid the generation of false expectations and help the process run smoothly.

The democratic and non-hierarchical nature of ER is also seen as a key ingredient in encouraging innovation and creativity in encouraging dialogue and in securing funding from different sources. There is, however, a shared vision at the highest level of ER (the Steering Group). The role of the Programme managers is to manage goals, which are economic, social, environmental, etc. They work with local people, within teams. Some common events are also organised to promote knowledge exchange amongst all teams. These strengths can also be seen as potential limitations.

Though ER is flexible and creative in its approach to seeking funding, it is recognized that resources within municipalities are limited, and that there is potential to get people more involved in 'place-keeping', though this aspect may be less of a priority for local residents than involvement in place-making, given the prevalent expectations that government bodies take responsibility for management and maintenance of public facilities including open space. The extent to which ER has experimented with drawing on community and business resources and inputs for place-keeping is still limited.

References:

De Roo, G. (2003) "Introduction – Conflicts, Decision-Making and Complexity in Environmental Planning" in *Environmental Planning in the Netherlands: too good to be true - From Command-and-Control Planning to Shared Governance*. Hampshire: Ashgate, pp 1-6

Ministry of Housing, Spatial Planning and the Environment (The Netherlands) (<http://international.vrom.nl/pagina.html?id=36864>)

APPENDIX 1: Socio-Cultural Context

According to Gert De Roo (2003), there has been a movement towards decentralisation in planning within the Netherlands, moving from a “national standards policy” approach towards a more “consensus-building, participation and an open planning process” during the 1990s, with criticism of the “integrated environmental zoning system”. ROM designated-areas policy were introduced as part of an innovative policy approach more or less at the same time as the “integrated environmental zoning”, but had a better reception, as it considers environmental quality not above all other facts, but integrated within the locally specific and complex circumstances, within an overall shift in planning towards governance.

The author presents the Nunspeet Conference of 1994 as a step in the transition from a hierarchical approach towards a more localised one. It was claimed that “policy must be understood and developed on the basis of a social dialogue” and that the special considerations of each environmental issue had to be considered, allowing sufficient scope at local and regional levels for developing area-specific policies. Therefore, a situation-specific and area-oriented overall policy has become an acceptable alternative to generic command-and-control planning. But he argues that this move also raises questions such as whether the “policy geared to the type of issue” is a feasible alternative, whether the possible influence of market mechanisms on public issues is the most adequate, or whether emphasis should be put on a “pluriform policy”.

This view is echoed by information found on the Dutch “Ministry of Housing, Spatial Planning and the Environment” website (<http://international.vrom.nl/pagina.html?id=36864>), which emphasises the coordinator role of the central government and the National Spatial Strategy, which shifted from “imposing restrictions” to “promoting development”, translating into “less detailed regulation by central government, fewer barriers and greater latitude for other levels of government, members of the public and market parties“. The Ministry acknowledges the need for involvement and cooperation among different stakeholders (“members of the public, government authorities and companies at local and regional level“) from the start of the process to develop an integral spatial vision. This context seems to form a good background for further moves towards a “place-keeping” process which involves a wider partnership agreement.

APPENDIX 2: Partner organisations' information

TO BE COMPLETED.