

BOGUSŁAW GULSKI

boguslaw.gulski@mail.umcs.pl

Maria Curie-Skłodowska University. Institute of Management and Quality Sciences

5 Marii Skłodowskiej-Curie Sq., 20-031 Lublin, Poland

ORCID ID: <http://orcid.org/0000-0002-2681-7815>

WALDEMAR GORZYM-WILKOWSKI

waldemar.gorzym-wilkowski@mail.umcs.pl

Maria Curie-Skłodowska University. Institute of Socio-Economic Geography
and Spatial Management

2D Kraśnicka Av., 20-718 Lublin, Poland

ORCID ID: <http://orcid.org/0000-0001-6559-4717>

Spatial Planning as a Public Management Tool in Poland: Premises and Reality

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Abstract

The aim of this paper is to assess the functioning of spatial planning in Poland in the context of public management objectives. Drawing on the concepts of New Public Management, we use the category of stakeholders and public value generated for stakeholders. Two groups of stakeholders in spatial planning are distinguished, namely public (national and local government) entities, and private entities (including individuals and businesses). We describe the mechanisms of stakeholders' influence on spatial planning and the effects of this influence on the development of space. We found that the actual spatial planning

mechanisms in Poland are aberrational from the perspective of public management. The ubiquity of these aberrations (in diverse municipalities) allows us to rule out the most obvious types of causes, particularly the incompetence or corruption of local authorities or administrative apparatus. Therefore, it is postulated that the causes of the aberrations are structural and inherent to the legal system that impacts spatial planning both directly and indirectly. We propose solutions to improve the situation through the appropriate management of relations with stakeholders in processes implemented by a public entity. The article presents a model of such management. A change in the legal context – above all an amendment of the law regulating spatial planning procedures – provides an opportunity to balance the impact of various stakeholders on spatial planning arrangements.

Introduction

Spatial planning is an element of public management and should be treated as a link between various public policies. The purpose and subject-matter scope of spatial planning arrangements indicate, and there is a consensus about it in the world literature, that only public entities can be the actors of spatial planning.

Polish legislation also entrusts spatial planning to public entities, and among the objectives of spatial planning, those having a public character are particularly emphasised in the regulations. As regards the values that should be considered in spatial planning and development, these should be public values, i.e. spatial order, architectural and landscape values, environmental and cultural heritage protection requirements, national defence and security, and generally defined needs of the public interest. Of course, emphasis is also put on the economic value of space and the right of ownership. Therefore, all analyses seeking to determine the state of spatial planning implementation and showing the possibilities for its improvement should be considered important and desirable. This paper should be regarded as such an attempt. It uses an approach based on the premises of New Public Management, which is manifested in using the category of stakeholders and public value generated for stakeholders.

The aim of this paper is to assess the functioning of spatial planning in Poland in the context of the objectives of public management system. The article uses the concept of organisational stakeholders to determine the entities that influence spatial planning processes implemented by public management entities. Such stakeholders were identified, and the way they influence spatial planning processes was determined. The impact of various stakeholders was also assessed from the perspective of the implementation of spatial planning objectives. The conclusions reached, referring to the selected premises of stakeholder concepts, show that it is possible to eliminate the identified dysfunctions of spatial planning processes.

We assumed the possible occurrence of dysfunctions causing an incomplete fulfilment of expectations of stakeholders in public entities, and thus the limitation of the value delivered to stakeholders, which may have resulted from the negative characteristics of the representatives of public entities.

This article makes use of studies of literature on public management, management sciences as well as results of empirical studies on spatial planning processes

conducted by one of the authors of the paper. The originality of this article lies in its approach referring to the generation of value by a public entity for stakeholders. Its scope is broader than the public value as it had been understood thus far, i.e. the catalogue of values has been expanded by adapting the approach characteristic of commercial organisations to the conditions in which public entities operate.

Public management

Public management is a subfield of management (Kozuch, 2005; Cyfert et al., 2014). The literature on the subject is not unanimous about the content of the referent of the terms “management” and “public management”. According to Marks-Krzyszowska (2016), the essence of the problem lies in the difficulty in specifying both the objects and actors of management. It can be generally stated that the public sector, i.e. public matters and public goods, is the object of public management. This means that the purpose of public management is to ensure the efficient execution of public affairs and the provision of public goods, including the provision of public services. The actors of public management, on the other hand, comprise a set of organisations and administrative institutions that are independent of each other. Kozuch (2004) distinguishes between public management *sensu stricto*, encompassing, in her opinion, the management of public organisations (e.g. public administration), and public management *sensu largo* which she understands as the management of public affairs regardless of how the process of satisfying public needs is organised and regardless of whether public organisations satisfy public needs directly or indirectly. A similar view of public management is held by, for example, Sześciło (2014), according to whom it stands for the entirety of actions aimed at satisfying collective needs. Public administration – government or local government – is the agent of these actions.

What makes public management stand out against the backdrop of the whole management system are primarily its objectives, namely the good of the entire society or community, i.e. a large group of various entities. The benefits offered by public management can be seen in terms of society as a whole.

A particular feature of public management is the fact that, more and more often, a large number (network) of interconnected institutions or even individuals operate alongside public management agents. In particular, the involvement of the local community is regarded as a self-evident, even indispensable element of the public management process (Greffé, 1999). Numerous members of the local community formulate specific expectations in relation to the management entities. This can take place in the course of formalised procedures, e.g. public consultation, but also as part-informal relations between network participants and representatives of these entities, e.g. during local government election campaigns (Marks-Krzyszowska, 2016).

Owing to the characteristics of the individual links, such an interconnected network can become a public management system. Such a system can form in a given

community particularly when there is interdependence between the public institution and private actors independent from it, and the individual members of the network interact with each other (Rhodes, 1996, as cited in Zybała, 2014).

Public management is characterised by varying levels of actual efficiency. According to Kieżun (1978), even a cursory observation reveals that a greater or lesser discrepancy between the assumptions and their practical implementation is a typical situation. In consequence, numerous dysfunctions emerge that do not allow the achievement of realistic objectives set for a given organisation and consistent with the public good, or the fulfilment of expectations formulated by the environment, within the assumed time and using specific means. These dysfunctions are referred to as organisational aberrations (see, e.g. Stocki, 2005). According to Czaputowicz (2009), aberrations in public administration consist of breaking the law, which can mean operating in a grey area (on the edge of the law) or deliberately taking advantage of loopholes and legal imperfections. On the other hand, Dembczyńska (2009) sees the most significant cause of aberrations in administration in a factor that is outside administration itself, i.e. bad legislation laying the legal foundations for the operation of a particular administrative body. What is particularly important from this perspective are the pieces of legislation whose interpretation is dubious, the “inflation” of the law, and lack of stable legislative solutions. Deficiencies in the knowledge and training of officials and their failure to observe professional ethics can also be dangerous.

Organisational aberrations in a particularly advanced stage can take the form of autonomisation, which involves the conversion of a primary objective into a secondary objective, or the transformation of activities that are a means of achieving a primary objective into an objective in its own right (Bieniok & Rokita, 1984). This can be particularly acute in public administration, when concern for “procedural cleanliness” predominates over concern for the clients.

Aberrations stem from conflicts arising from divergent interests (Morgan, 1997). Conflicts have always been present in organisations; they arise between competing entities or groups, particularly when the resources are thin.

Public management can be assessed based on the degree to which it meets fundamental objectives as well as fulfils the specific tasks of public institutions (Marks-Krzyszowska, 2016). According to Kieżun (1978), a key measure of the performance of an organisation is the degree of practical verification of the assumptions made when designing the organisation. It is not an easy approach because, as e.g. Sudół (2012) indicates, a systematic and quantitative formulation of such an assessment is quite difficult.

Referring to the category of the legitimacy of public management entities, it can be assumed that the degree to which the expectations of the stakeholders in public management entities or stakeholders in the processes implemented within the public management framework are met, can serve as the criterion for evaluating public management. In this context, any groups or persons interested in the functioning of

a public management body are stakeholders. Therefore, when it comes to the relationship of a public entity with its stakeholders, it is important to determine the hierarchy of their importance that would be taken into account in the process of managing the relationship with them. The needs of the stakeholders and ways of satisfying these needs should be mainly taken into account. The importance of stakeholders can be determined according to the criteria that describe each stakeholder group. Such criteria include (Zbierowski, 2012, p. 32):

- power (degree of pressure exerted by one party in the relationship),
- fitting in with rules, customs and the law (socially acceptable behaviour),
- urgency (the needs of stakeholders and the time required to meet them).

Using the above criteria, a public management entity can establish a hierarchy of stakeholder importance and take this into account in its operations.

In the above context, an important constitutive feature of public governance is the close relationship between the degree to which public governance objectives are achieved and the legitimacy of its actors. The legitimacy seems necessary to obtain the support of the public for specific public management entities.

Public value

In the most general terms, value can be defined as a trait determining the importance or significance of someone or something (Zgólkowa, 2004, p. 31). This term has been examined from two perspectives. On the one hand, value is treated as a social category, sometimes associated with a benefit. On the other hand, it is regarded as an economic category, an object's functional characteristic that can be manifested in its price (Mazur, 2011, p. 13). Economists' views on the subject of value can be divided into two groups. In the first one, value is perceived as an objective category, while in the other – as a subjective category (Ahmed & Yanou, 2003, pp. 153–179). However, given that economists apply the term “value” to an act of exchange (sales), such an approach does seem to be useful in the study of public administration that offers its services free of charge.

Public value is a special form of value. Public value is related to the concept of the value of public service that Witesman and Walters (2014) defined as a subset of social, professional, ethical and other values that are directly linked to the role of a public official and that would be recognised by this public official as reasonable, justified and relevant to the function of a particular post in the public sector. It can be assumed that said public values are a factor influencing the value of public services. According to Witesman and Walters, this assumption is confirmed by evidence indicating that the value structure of public services depends on diverse values and sets of values (e.g. personal, organisational, social values). The authors cited above conclude that knowing the value of public services can enable the observation and comparison of nuances in the value structure of public services. The terms “public

value” and “value of public service” refer to different phenomena and, although they can influence each other, the former term will be examined further below.

The term “public value” refers to the concept of value management in the private sector. It was introduced by Moore in his book *Creating Public Value* (1995), dealing with public sector enterprises, which has undoubtedly influenced how public value is defined. When public entities are considered as entities providing value to stakeholders, a different interpretation of the value delivered by an entity is reasonable.

From the perspective of microeconomics, public value can be defined as a utility value delivered to stakeholders as a result of spending public funds. In this approach, a public sector entity creates public value if it effectively performs its functions along while efficiently using public funds. In this case, a stakeholder is associated with a consumer of public goods and a taxpayer.

Bozeman (2007) defined public value very broadly as:

- rights, privileges, and benefits to which citizens are entitled,
- citizens’ duties in relation to other citizens, the state, and society,
- principles on which the rule of law should be based.

A broad definition of public value was also proposed by Crosby et al. (2017) who asserted that it is value that is appreciated by the public opinion or is good for the general public (including the public sphere), and evaluated in relation to various public values. From this perspective, the provision of a specific public value serves the implementation of general social values.

Owing to the subject matter of this paper, the above approaches to public value have to be regarded as too broad. What is desired is an approach to public value that will refer to the execution of spatial planning processes, particularly to the public entity–stakeholder relationship whereby public value is delivered. Thus, it can be described as public value *sensu stricto* (semantically close to the first interpretation of this term by Bozen). Therefore, for the needs of this paper, it seems reasonable to refer to Bowman and Ambrosini who asserted that the term “value”, when used in strategic management, usually involves the fulfilment of clients’ needs (Bowman & Ambrosini, 2000), which results from the fact that the satisfaction of the needs of clients (stakeholders) is perceived by them as a benefit. Taking into account the context in which spatial planning is implemented, benefits related to the fulfilment of the specific expectations of a stakeholder will be regarded as a value delivered by a public entity to stakeholders (i.e. public value). It can be assumed that a public entity, fulfilling the expectations of stakeholders in the spatial planning process, delivers the following kinds of values to them:

1. Functional value related to the fact that a public entity:

- makes decisions determining the performance of activities that stakeholders intend to undertake,
- ensures the provision of services to stakeholders, particularly the inhabitants of a municipality (activities generating functional value result from provisions of the law).

2. Emotional value, which can be delivered along with functional value, means that a public entity meets stakeholders' expectations "in excess" with regard to the manner of performing its tasks, e.g. by considerably reducing the time of their completion, indicating alternative ways to proceed. Emotional value stems from what and how a public entity delivers beyond its formal duties, which is welcome by stakeholders.

3. Experiential value means that a public body enables a stakeholder to participate in the decision-making process in a situation where there is no formal entitlement to such involvement. Thus, a stakeholder is given a possibility to fully articulate their expectations and better understand the determinants of the decision-making process related to their case.

4. Time-related value means that functional value is delivered within a time frame and in a way that minimises the time spent by a stakeholder on satisfying their need.

This means that values delivered during the execution of spatial planning can be regarded as public value.

An interesting aspect of creating public value was pointed out by Duijn and Van Popering-Verkerk (2018), who focused their attention on co-creating, and even taking the lead in creating public value by citizens. This can be associated with the generation of experiential value in the meaning referred to above. One of the factors that has led to this phenomenon is the increased pressure for responsibility, productivity and efficiency, which are consistent with the philosophy of new public management. Other authors, e.g. Benington (2009) and Van Buuren (2017), regard civic initiatives as complementing public and private values. From the perspective of the approach to public value adopted in this paper, creating conditions enabling stakeholders to participate in the spatial planning process contributes to increasing the value generated by a public entity.

Referring to public value management according to Moore, Crosby et al. (2017) observed that the creation of new public values occurs through creative problem-solving, and this task should be performed by public managers, middle or higher level members of public agencies (Moore, 1995). The presented interpretation of public value is close to the interpretation adopted in this paper, which results from the fact that problem-solving brings benefits to those who experienced these problems.

The approach to generating public value taken in this paper is close to the new paradigm of public management, whose essence in relation to values can be expressed as follows: focus on innovation and creation of public value rather than procedural and political rationality; focus on co-dependence and cooperation rather than market control and competition (Osborne, 2006; Torfing & Triantafyllou, 2013).

Among the stakeholders of processes implemented by public entities, a key position is held by those whose: (1) situation is directly impacted by the manner a public entity executes a specific process (this impact can be positive or negative); (2) activity is subject to a risk whose degree depends on the execution of a public task (e.g. decisions made by a municipality in relation to this task). Another significant

group of stakeholders are entities expressing their interest in the impact of a specific function on a particular entity or entities.

The concept of stakeholders in the study of non-commercial entities

The term “stakeholders” was first used by the Stanford Research Institute in 1963. The concept of stakeholders was elaborated for the needs of commercial organisations, but it is quite universal and brings interesting results also beyond commercial organisations. Several cases of using this concept to examine phenomena where public administration is involved are presented below.

One of the most recent cases of the stakeholder concept being used was its implementation to define the way responsibility, in terms of the causes and consequences of forest fires in Sweden, was perceived by the public administration and other stakeholders (e.g. forest enterprises, public agencies, local community, and land owners) (Johansson & Lidskog, 2020). In the analysis, the stakeholders’ perception of the need for changing organisational practices to mitigate future fire risk was examined. Furthermore, attention was drawn to the need for adapting the existing forestry practices to climate change as well as the undertakings required.

Case et al. (2014) used the stakeholder concept to a participatory survey of consumers of mental health services. Their approach was recognised as offering unique hope for using the involvement of consumers in the survey and changes concerning mental health services. By examining the relations of four stakeholder groups, the survey identified, among other things, various benefits arising from participatory surveys of consumers. This was aimed at improving the services of a local mental health centre.

A review of requirements for the degree of master of public health, described by Linnan et al. (2010), was at the interface of healthcare and higher education. Key stakeholders (current students, graduates, professors, employees, employers and training mentors) of the Department of Health Behaviours and Department of Health Education at the University of North Carolina Gillings School of Global Public Health were involved in its implementation. The results of the survey included changes in the curriculum, student advice and mentoring programme, substitution of the requirement to write a master’s thesis with a more practical study. The review of the curriculum led to important changes in the requirements of the master of public health programme.

Higher education was the subject of a study by Cho and Palmer (2013). The study analysed how the policy of internationalisation of the higher education sector in South Korea was perceived. The survey found that stakeholders perceive the earlier internationalisation policy as contributing to the international competitiveness of the university although only in quantitative terms. The views of the stakeholders surveyed made it possible to identify the directions of further changes in education and studies on the internationalisation of higher education in South Korea.

The stakeholder concept was used by Tomažević et al. (2017) to design an integrated performance management model as a tool for improving public administration. The proposed model allows improving the existing organisation models, enables repeated use, and takes into account all stakeholders in an organisation.

The above review of the implementations of the stakeholder concept confirms that the concept is useful in the study of organisations in the non-commercial sector, including public entities. Not only does it enable the identification and improvement of the current state, but it also allows designing new solutions. The study of spatial planning conducted by public entities can indicate a new area for applying the stakeholder concept.

Spatial planning and its stakeholders

Spatial planning is, by its nature, an element of public management, which results primarily from the fact that there is a spatial aspect to numerous public tasks (e.g. Noworól, 1998). They are linked to a specific type of use of the particular fragments of space as well as, quite often, to spatial development (including building development). That is why spatial planning should be treated as a factor linking numerous public policies (see, e.g. Lukkonen, 2016; Caldarice & Cozzolino, 2019; Medina & Huete Garcia, 2020).

Also the purpose and subject-matter scope of spatial planning arrangements indicate public entities as natural actors of spatial planning. There is a consensus in the world literature that only public entities can be the actors of spatial planning. One of the reasons is the structural (ownership and functional) complexity of sites (e.g. cities) that are the object of planning (see, e.g. Cotteleer & Peerlings, 2011; Næss, 2015; Williams, 2018). Thus, all possible changes in the structure of spatial planning can only mean the shifting of the particular competencies between various public entities (see, e.g. Faludi, 2014; Zakrzewska-Póttorak, 2016; Shepherd, 2020). In Polish literature on the subject, the goals and character of spatial planning have been viewed in a similar way for several decades. Numerous authors (e.g. Malisz, 1984; Parysek, 2001; Budner, 2019) define this type of planning as the shaping of spatial structures by public authorities according to environmental, social and economic needs.

Polish legislation also entrusts spatial planning to public entities, and among the objectives of spatial planning, those having a public character are particularly emphasised in the regulations. Although the 27 March 2003 Act on Spatial Planning and Development (Journal of Laws of 2003 No. 80, item 717, as amended), mentions the economic value of space and ownership right among the special values that should be considered in spatial planning and management, it places emphasis on numerous intangible values having a public character, namely spatial order, architectural and landscape values, environmental and cultural heritage protection requirements, national defence and security, and generally defined needs of the public interest.

Given its significant subject-matter scope, spatial planning is regulated by several acts of primary legislation. This results, of course, from the principle inscribed in the Constitution of the Republic of Poland (Journal of Laws of 1997 No. 78, item 483, as amended). According to this principle, public authorities operate pursuant to and within the limits of the law. This legislation stipulates, among other things, the scope of the powers of various entities (public and private) in this domain, particularly the possibilities of influencing the draft documents that will shape spatial development.

When considering the benefits to be gained from spatial planning by the residents of a municipalities or other entities operating in a local community, it is worth using the stakeholder concept presented above. In the context of spatial planning, an entity (group or individual) can be regarded as a stakeholder if they meet at least one of the following criteria (cf. Zbierowski, 2012):

- the planning process has a positive or negative impact on the situation of a given entity or an entity is interested in the impact of the process on themselves or other entities,

- a given entity has the indispensable resources for the implementation of the process.

Owing to the multitude of spatial planning arrangements, which results from the complex structure of socio-economic space, there are numerous stakeholders in spatial planning, and they have varied legal status. These are:

- public (government and local government) institutions,
- private entities, including individuals and business entities.

Local government units, at province, county and municipality level, are a key group of public stakeholders in spatial planning. Each of these entities operates pursuant to a separate piece of legislation: on local government (Journal of Laws of 1990 No. 16, item 95, as amended), on county government (Journal of Laws of 1998 No. 91, item 578, as amended), on provincial government (Journal of Laws of 1998 No. 91, item 576, as amended). Each of these pieces of legislation grants a specific tier of local government several spatial planning-related powers having an impact on space (concerning, for example, roads, technical infrastructure, educational establishments, healthcare centres, etc.).

The municipal government is the most important among all the tiers of local government. The municipal government prepares spatial planning documents that have a direct influence (in the case of a local spatial development plan) or indirect influence (a spatial development conditions and directions study) on the possibility of developing specific parts of local space. What is more, the municipality is expressly interested in the provisions of the local plan. If, as a result of preparing or amending the local plan, the value of a property rises (for example, when an agricultural plot becomes a building plot and the owner sells it), the municipality has the right to charge the so-called planning fee. Pursuant to the Act on Spatial Planning and Development, the fee may amount to as much as 30% of the difference between the value of the property before the plan was drawn up and the value after it was pre-

pared. On the other hand, if the value of the property decreases in a similar situation, the municipality is obliged to compensate for the whole difference. Furthermore, pursuant to the Act on Local Taxes and Charges (Journal of Laws of 1991 no. 9 item 31, as amended), a change of the function, stipulated in the plan, from an agricultural to a residential one, for example, paves the way to its future development and, consequently, receipt of property tax by the municipality instead of the much lower agricultural tax.

Another group of public stakeholders in spatial planning are special government administration bodies responsible for protecting specific tangible components of space. Pursuant to the relevant regulations, these bodies are authorised to influence spatial planning through the introduction of special prohibitions, orders, and standards that must be taken into account in planning documents. These powers are regulated particularly in the following pieces of legislation: Environmental Protection Law (Journal of Laws of 2001 No. 62, item 627, as amended), Nature Conservation Act (Journal of Laws of 2004 No. 92, item 880, as amended), Act on the Protection of Agricultural and Forest Land (Journal of Laws of 1995 No. 16, item 78, as amended), Act on the Protection and Care of Historic Monuments (Journal of Laws of 2003 No. 162, item 1568, as amended), Act on Governor and Government Administration in the Province (Journal of Laws of 2009 No. 31, item 206, as amended).

The provincial government, as a stakeholder, is interested in the shape of spatial planning at the lower levels of local government. The provincial government draws up a spatial development plan for the province, and it is implemented by incorporating its provisions into the municipality-level spatial planning documents.

Public stakeholders also include public administration bodies managing the individual components of space, particularly (but not only) those owned by them. These regulations allow administration bodies to influence spatial planning to the extent necessary for the proper implementation of their tasks. These bodies operate based on legislation having the nature of substantive law, regulating the rules of handling specific components of space. The following pieces of legislation are undoubtedly of key importance in this respect: the Real Estate Management Act (Journal of Laws of 1997 No. 115, item 741, as amended), the Forest Act (Journal of Laws of 1991 No. 101, item 444, as amended), the Public Roads Act (Journal of Laws of 1985 No. 14, item 60), Geological and Mining Law (Journal of Laws of 2011 No. 163, item 981, as amended).

While public entities impact (or try to impact) spatial planning in accordance with their statutory obligations, the involvement of private entities is associated with the impact of planning on the value of their properties. The provisions of a local plan (and, indirectly, also a municipal spatial development study) have a significant impact on the market value of individual properties. The differences in the market value between properties assigned an agricultural function in the plan and the nearby properties with a building function can reach several dozen or even several hundred percent (see, e.g. Laskowska, 2008).

Private entities, primarily property owners and developers, are also empowered by the law as stakeholders in spatial planning. In this case, it is mainly the Civil Code (Journal of Laws of 1964 No. 16, item 93, as amended) which defines the scope of owner's rights in relation to the object of ownership. The Act on Spatial Planning and Development itself also recognises ownership right as one of the values taken into account in planning.

The presented typology, referring to the criterion of the legal status of stakeholders, is not obviously the only possible one. Taking, for example, the approach of Haksever et al. (2004), and taking into account the criterion of expectations in relation to the value generated during the implementation of the spatial planning process, it can be assumed that the following are the key stakeholders in spatial planning: (1) elected members of the authorities of a public entity, employed full time; (2) elected members of the authorities of a public entity, not employed in that entity; (3) administrative employees whose employment is independent of the results of elections; (4) clients (natural persons); (5) economic entities conducting or intending to start business activity in a municipality; (6) residents of a municipality; (7) the society as a whole. The adopted assumption does not mean, of course, that other stakeholders in processes implemented in public bodies, e.g. local governments above the municipality level, should not be taken into account. Narrowing down the circle of stakeholders results from the adopted approach, i.e. considering those stakeholders for whom value is generated in the course of spatial planning.

There is no doubt that meeting the most important expectations of stakeholders is achieved by providing them with utility value, understood as indicated in the second part of the article. However, one has to be aware that including some stakeholders in the decision-making processes, i.e. providing them with the value of experience, can improve the quality of the decisions, strengthen the involvement in the life of local communities, as well as improve the legitimacy of local authorities. This means that the benefits of providing value to stakeholders can be achieved not only by those directly concerned, but also by the community at large.

When examining the process of generating value for stakeholders, one must be aware of the ambivalences or even antagonisms occurring between the expectations of different groups of stakeholders. In consequence, a specific activity carried out by a public entity can generate benefits for one stakeholder group (e.g. consent to the location of a manufacturing plant) while reducing the benefits of another group or increasing its costs or risks (e.g. nuisance to residents or damage to municipal roads caused by heavy goods vehicles transporting raw materials to a manufacturing plant). Therefore, the dual character of processes taking place in a public body should be noted and taken into account, namely the generation of value and deterioration of value (if a specific behaviour of a public body exerts a different influence on the situation of different stakeholders). This means that, from the perspective of values, the relationship between a public body and its stakeholders is two-way rather than one-way, and benefits and costs "flow" in both directions.

The mechanisms of the impact of stakeholders on spatial planning

The procedure of preparing a local plan (as well as a similar procedure for a municipal spatial development conditions and directions study) significantly influences the content of these documents and the way of enforcing the interests of the particular entities. The entity formally responsible for drafting the plan and study is the head of the municipality (town mayor), while the municipal council votes to adopt these documents. Both of these documents are prepared in a multi-stage procedure, during which individual institutions and residents of a municipality can formulate and then enforce their expectations.

Various entities can formulate their expectations with regard to space in the course of complex procedures accompanying the preparation of spatial planning documents. As a rule, the more direct is the influence of a specific planning document on spatial development, the more complex is the procedure of its preparation. The greatest possibilities in this respect are afforded by the procedure for preparing the local spatial development plan that is the direct basis for issuing building permits.

As soon as the municipal council adopts a resolution on the preparation of such a plan, the head of the municipality makes this fact known to the public and invites to submit applications. At the same time, the head of the municipality notifies public bodies (particularly special government administration units) that have the right to discuss or at least issue opinions on the draft plan. When the draft plan is prepared, these bodies may verify to what extent the draft meets their expectations. What is more, they also have the right to formulate the conditions (concerning changes in the draft), under which the draft will receive a favourable opinion from them. During this stage of spatial planning, public bodies – as stakeholders – can verbalise their expectations.

A draft plan (amended according to the conditions set by the participating bodies) is then presented to the inhabitants (most of whom are property owners) during the public viewing or public consultation. At this stage, the parties concerned should be allowed to have a direct discussion with the representatives of the draft's authors and municipal authorities. They may also submit comments that must be examined by the head of the municipality and – if rejected by the latter – by the municipal council. Thus, residents express their expectations as stakeholders. The already adopted plan may also be appealed against before an administrative court, which can be regarded as a special form of expressing expectations.

Thus, the procedure for the drawing up of a local plan offers numerous possibilities for property owners to influence the content of the document. In consequence, property owners, similarly to other private entities (e.g. developers), are in a noticeably better position than public entities because:

1. They approach the draft plan in the last instance, thus, influencing the nearly complete draft plan. In consequence, if the municipal authorities enter into a dispute, e.g. with property owners (by not taking their demands into account), the process

of preparing the local plan is considerably extended, which is often regarded by the municipal authorities as an unfavourable factor from the perspective of development and organisation. Therefore, the expectations of property owners are often accepted regardless of them being reasonable or not.

2. Property owners are usually constituents as well, influencing the re-election of the head of a municipality and members of the municipal council. This pressure is particularly strong in rural municipalities where – with the single-seat constituencies – the election of a councillor often depends on a few dozen votes (Wybory 2014, n.d.; Obwieszczenie Komisarza..., 2014).

The fear of having to face the frequently contradictory expectations of various stakeholders in spatial planning often leads the municipal authorities to abandon the drawing up of local plans altogether. In consequence, in numerous cases, municipalities use decisions on development conditions rather than local plans. These decisions, issued at the request of investors, concern individual projects and must only meet relatively few and generally formulated spatial requirements. Furthermore, these decisions are subject to verification by only a few public bodies. In such circumstances, municipalities are prone to give in to the expectations of investors more easily.

Effects of the influence of spatial planning stakeholders on spatial development

The shape of spatial development in Poland is largely a result of the spatial planning system. This correlation applies particularly to the youngest elements of spatial development, those formed after 1990, in the period of intensive political system and socio-economic transformations. The dynamic changes in the functioning of public authorities, social life, and economy required a particularly careful shaping of space in Poland. In reality, however, Polish spatial development is characterised by chaos resulting from, according to Nowak (2017), the public authorities' avoidance of responsibility.

In consequence, spatial planning in Poland largely reflects the expectations of the strongest stakeholders, i.e. private entities. It should be emphasised that these are stakeholders that are not always residents of a given municipality (e.g. developer companies) but have an enormous capacity to exert influence on municipal authorities (e.g. bring cases to court as mentioned above). At the same time, these powerful stakeholders jeopardise the interests of numerous residents who may be unaware of the extent to which, for example, spatial order is being compromised by the claims of these stakeholders. The unwillingness to “restrict” the expectations of property owners and developers has led to a situation where only 30.5% of Poland's territory is covered by local plans. This means that these plans shape spatial development in less than half of Poland's non-forested areas. At the same time, the existing local plans generously designate areas with a high potential land tax. In 2017, local plans encompassed nearly 600 thousand hectares of new (non-built-up) residential areas with an estimated capacity

of at least 12 million residents (Śleszyński et al., 2018). There are municipalities where, according to local plans, it is possible to build homes for a population 10 times greater than the current number of residents (Śleszyński et al., 2015). It should be stressed that local plans in Poland are predominantly small studies concerning areas of irregular shape, fragmented and scattered in various location within municipalities. Thus, their character and spatial impact makes them similar to decisions on development conditions (Izdebski et al., 2018). The above figures confirm that the existing regulations are beneficial to the few influential stakeholders in spatial planning.

The size of the land reserves intended in the local plans for the residential function, the irregular shape of these reserves and their dispersed spatial distribution, combined with the lack of arrangements concerning the development sequence in the vast majority of plans, result in a strong and increasing dispersion of development. Besides having a negative impact on landscape, this phenomenon also has negative economic effects for municipal governments, e.g. the necessity to bear high costs of purchasing land designated for public roads in local plans (see, e.g. *Raport...*, 2013). These direct costs are accompanied by long-term consequences not only affecting the living conditions of future residents (e.g. extended commute time) but also having a direct impact on public bodies: the cost of building and maintaining technical infrastructure will rise, means that the share of these expenditures in municipal budgets will be continually increasing at the expense of investment spending (Gorzym-Wilkowski, 2016). The total costs borne by public entities as a result of spatial chaos are estimated at more than PLN 40 billion, while the total costs borne by the public and private sphere are estimated at over PLN 80 billion (Kowalewski et al., 2018). This means that spatial planning generates value for a small number of property owners at the expense of a majority of residents, and the municipality itself, as they are deprived of value (e.g. in the form of the phenomena indicated above) due to the spatial planning procedures described. This phenomenon illustrates the previously mentioned conflict with respect to the value generated: value is gained by few at the expense of the majority.

Conclusions

Spatial planning or, more specifically, management of spatial development and purpose of its individual fragments, must by its very nature function exclusively as an element of public management. Spatial planning entities – public administration bodies – face numerous and frequently contradictory objectives stipulated in the legislation. This means an unavoidable occurrence of conflicts between the objectives of different stakeholders in spatial planning. Thus, the essential task of public management in this sphere is largely to decide which of these objectives should be met.

The observation of the realities of spatial planning in Poland leads to a conclusion that the implementation of only some objectives – which surely cannot be regarded as key objectives – predominates. This is because the objectives articulated in the

course of spatial planning procedures are associated with private interests of property owners and developers. They are related to the narrowly understood economic values of space or ownership right. Paradoxically, spatial planning predominantly assumes the role of a strictly administrative (procedural) tool for these objectives. Thus, there is a far-reaching autonomy of private objectives at the expense of public objectives. These expenses are related to numerous public values – both those closely associated with spatial planning objectives (spatial order, landscape values) and those related to other aspects of public management, e.g. the costs of building and maintaining technical infrastructure.

It is significant and self-evident that spatial planning stakeholders charged with protecting public values may influence planning documents only to the extent that follows directly from the regulations under which they operate. In numerous cases, however, the autonomous decisions of spatial planning entities, primarily municipal government bodies, do not serve the accomplishment of these objectives.

Thus, it can be concluded that the actual mechanisms of spatial planning in Poland are aberrational, from the perspective of public management principles. However, the prevalence of these aberrations (in municipalities of varying character according to spatial, economic and social terms) justifies ruling out the most obvious types of causes, particularly the incompetence or corruption of local authorities or the administrative apparatus (see, e.g. Śleszyński et al., 2020). It seems, therefore, that the causes of the aberrations are structural because they are inherent to the legal system that both governs spatial planning directly and has indirect impact on it.

The legal framework for spatial planning is intended to provide an opportunity for all – private and public – stakeholders to articulate and enforce their expectations regarding the future function and use of space. In reality, however, the legal position of private stakeholders has become much stronger than that of public stakeholders. In consequence, the municipal government – being a key entity in spatial planning – is often forced to sacrifice public interest (and its own interest) for the benefit of private interests. Abandoning public interests often turns out to be the condition for adopting planning documents, particularly the local spatial development plan.

The local government system is also a factor that indirectly, but effectively, distorts spatial management as a tool serving public interest. Democratic mechanisms makes local government dependent on residents who are, *de facto*, property owners as well. Therefore, local government officials are not willing to achieve public objectives at the expense of private interests – for fear of losing their positions. Again, a conflict between the aspirations of different stakeholder groups can be observed, namely: (1) representatives of the municipal authorities (head of the municipality, municipal council) usually want to be re-elected; (2) the interests of a majority of the residents and the municipality itself are of a long-term nature and are generally associated with maintaining spatial order in the municipality; (3) the interests and expectations of other, strong stakeholders are usually of a short-term nature. Powerful, organised stakeholders, conscious of their interests (as mentioned previously,

they are mostly property owners, developers), can exert a stronger influence on the situation of municipal government representatives than other, individual residents of a municipality. That is why municipal authorities are prone to make decisions conforming to the interests of these powerful stakeholder groups. Such an attitude is often rationalised by the fact that surrendering to private interests offers prospects for intensive spatial development which, usually having a non-agricultural function, becomes the basis for property tax. Property tax is usually a key part of a municipality's revenue. Thus, an increased scale of development translates into increased revenue for the local government. This, in turn, can mean a greater investment capacity of the local government resulting in, for example, an improved condition of the local public infrastructure.

Furthermore, the influx of new residents (and particularly business entities), resulting from the uncontrolled stream of new development, can generate a locally significant demand, create jobs, etc. This mechanism can even give rise to opportunities for a "growth machine" stimulating local growth over the long term (see, e.g. Logan & Molotch, 1987). It is self-evident, however, that such arguments (even if they are reflected in reality) amount to a *de facto* marginalisation of spatial planning as an aspect of public management, and to an abandonment of its key objectives defined in the legislation.

Generalising the above remarks from perspective of the relations of the municipality – as a public management body – with stakeholders, in the context of spatial planning, it is necessary to highlight the unfavourable phenomenon of the municipalities surrendering to the pressure of certain powerful stakeholders who may expose them to the necessity of performing additional, sometimes unplanned undertakings. Unfortunately, often guided by opportunism and anticipating the possible objections of such powerful actors (i.e. those who can influence the municipality), municipality representatives make arrangements that are beneficial from the point of view of these stakeholders. The consequence of this is that the municipality will have to bear higher costs in the future for the development of technical infrastructure, e.g. transport network (longer road network), maintenance of these roads (higher costs of winter maintenance, repairs), ensuring water supply. In addition, there are higher costs for residents related to commuting to work, taking children to school or extra-curricular activities, or to doctors.

Such unfavourable phenomena can be avoided by taking greater account of the interests of a wider range of stakeholders, including the municipality as such, in the decision-making processes in municipalities. To this end, stakeholders should be identified and prioritised according to objective criteria. This would help avoid the domination of those stakeholders who can articulate their interests the loudest, and would reduce the danger of opportunistic behaviour by municipal representatives. However, as mentioned above, such actions would require a significantly greater awareness of the effects of spatial planning among its stakeholders. In a situation where, at the same time, this would be contrary to the short-term interests of many

of these actors, it cannot be realistically expected. The above goals can be achieved through the appropriate management of relations with stakeholders in processes implemented by a public entity. Its model is presented in Figure 1.

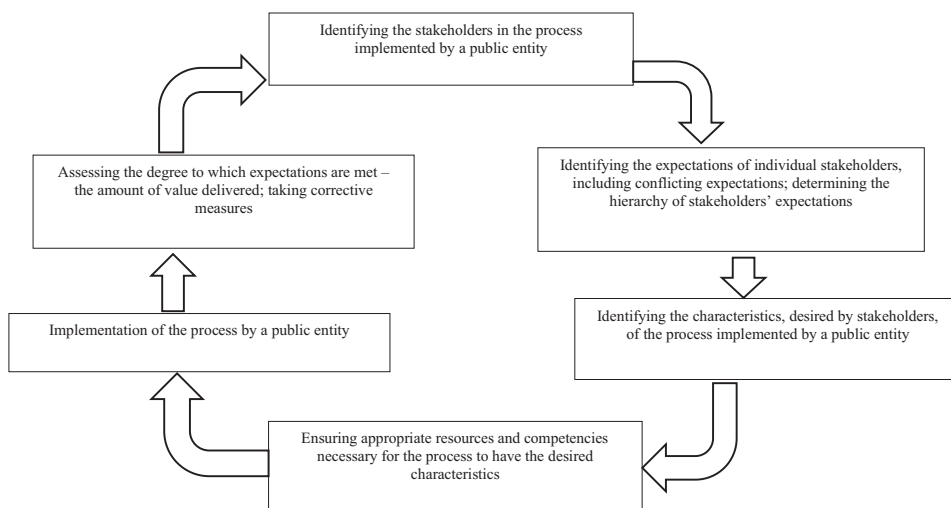


Figure 1. Model of managing the relations with stakeholders in a process carried out in the public entity

Source: Authors' own study based on (Znotka et al., 2019).

An important conclusion from the above observations is that a change in the legal context – above all an amendment of the law regulating spatial planning procedures – is an important opportunity for balancing the impact of various stakeholders on the shape of spatial planning documents. These changes would have to take into account the rules, proposed above, governing the interactions between different categories of stakeholders. These matters, though undoubtedly associated with the values of public services, are not within the scope of this article, but they can be explored in future studies.

To supplement the conclusions above, it should be emphasised that this study has confirmed the rationale for using the organisational stakeholder concept to analyse spatial planning processes. The concept of public value, made more specific according to the requirements of spatial planning, has also proved useful, which attests to the great versatility of instruments offered by the management sciences, and provides an incentive to cross the boundaries between scientific disciplines.

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