

GUIDELINES

Poprad, November, 2018

Foreword

The basis for the definition of this guidelines creates the **shared Strategy for an integrated governance system of the Historical Build Areas** (hereinafter HBAs). within the CE region elaborated as the project deliverable. It collects suggestions and advices developed by the partners in order to **improve and to achieve more efficient and sustainable governance of the HBAs**, capitalising also a transnational common approach along CE Region. It is a **unique document** that starts from a **shared analysis** of the various local governance systems and is based on a **common governance approach of the HBA**.

The **goal of the guidelines is to support the implementation of the sheared Strategy** by the definition of practice-oriented principles and approaches for the model area of historical build area in the City of Poprad. The guidelines represent one of the tools focused on achieving the balance between cultural preservation and daily needs to assure liveliness to the HBAs, to harmonize maintenance of the HBAs in good condition as well as to give their users a satisfying and enjoyable experience which also supports tourism and the local economy. With this, the Guidelines should contribute to sustainable development of HBAs based on the holistic, multidisciplinary and participated approach in the governance and management process of the HBAs.

The guidelines have the **ambition to address the whole spectrum of stakeholders** starting from the local administration, via professional institutions up to the owners, citizens and visitors offering them the frames for their cooperation led by joint values and understanding of the need to harmonize different interests in the HBA. This is the role of the development management and planning including the strategic socio-economic development planning as well as land-use planning that because the guidelines are focused on the principles implemented in their frameworks.

The guidelines are prepared with the awareness that the basic principles are formulated by the Law as follows:

- Protecting the monuments and cultural heritage is a duty of each citizen (Slovak Constitution),
- Monuments should be actively used in accordance with their monument values (Law act no. 49/2002 Coll., Slovak constitution)

Poprad is one of the partners in **the international project BhENEFIT** led by the city of Mantova accumulating the know-how and practical experience from different Central European cities working jointly on a new model of shared, interdisciplinary and multi-level management that focuses on participation among institutional stakeholders and civil society. The participatory approach aims to establish a sharing of knowledge and skills and an ongoing collaboration in the development of a shared management of the HBA, also through the involvement of citizens.

This guideline wants to become a useful **tool for the executive management as well as for planning and design** based on a holistic, integrated and participatory approach.

The Guidelines have an ambition to be the backbone for an operative manual regarding the design, sustainable enhancement and conservation of the Historical Built Areas.

Chapter 1: VISION and MISSION of the HBA

1.1 Vision

In the medium and long-term, the HiBA of Poprad aims to become more and more livable part of the city satisfying the needs of all stakeholders and in the same time safeguarding the sustainability of historical values accumulated through centuries in this area. The development of this area should be based on efficient use of the cultural, social and economic resources and potentials resulting from the position of the city of Poprad as the regional centre and international centre of tourism interconnecting historical values with the natural values of one of the oldest national parks in Europe. The HBA following these principles will be one of the main phenomena of the attractiveness of the city of Poprad and region and of its competitiveness in national as well as international dimension.

HBA of the city of Poprad represents a big part of the city consisting of discontinued historical structures of former municipalities of Velka, Spiska Sobota, Strazky, Poprad and Matejovce. As they represent specific values and specific development challenges they need specific approaches how to achieve the balance between the contemporary needs and uses and the Heritage preservation with their historical characteristics. This process needs to be based on authentic knowledge framing specific, but the integrated approach for the implementation of the integrated participatory based strategy, with a focus on the community, the residents and their needs.

1.2 Mission

To fulfil the given goals defined in the Strategy the mission of the guidelines is to provide the framework for executive management and decision making processes under the precondition of multilevel polycentric governance and multi-actors decision making.

That because the focus should be oriented on:

- HBA protection and regeneration of physical structures including the buildings as well as infrastructure and urban public spaces following the principles safeguarding the sustainability of cultural and natural heritage values.
- HBA functional restructuring and competition in order to fulfil the needs of stakeholders and bring new life into the HBA and city including positive social impacts.
- HBA accessibility and syntax supporting spatial and social inclusion of the area in the city and region as the precondition for the liveliness an attractiveness for citizens and visitors
- Sustainable capitalization of the HBA territorial capital
- All these areas are interlinked and the principles addressing them are based on integrated, multidisciplinary and participatory approach.

Chapter 2: PARTICIPATORY APPROACH

2.1 The participatory approach in general terms

In the five above-mentioned focus areas, one of the guiding principles is the application of the participatory approach. This approach should contribute to the growth of awareness about the values of HBA, the need to protect their sustainable development and (shared) responsibilities of the stakeholders in it as well as about the need to share actions, benefits and loads in order to safeguard sustainable community growth using the potential of HBA. In all HBA creating the part of the city centre, the main challenge is to find the right balance between the different interests of the residents, owners, city-users, and tourists, as well as the proper mode of communication and collaboration between actors of local development.

Based on known specifics of different stakeholders, their capacities, technical competences, resources and engagement a strategy for their involvement should be elaborated as a part of the HBA management. The right timing, tools and forms of participation should be defined. Through the engagement of stakeholders, recognizing the value of each person's contribution to the process is not only practical but also collaborative and empowering in finding solutions together.

2.2 Stakeholders' involvement

The following texts show the main stakeholders to be involved in projects concerning the HBA of Poprad. As specified in the shared strategy produced at Central Europe level, they are divided into two categories: **institutional stakeholders and additional stakeholders**.

Both categories should be involved in both strategic phase as well as executive management. Institutional stakeholders in principle must be involved by law and they are to a big extent obligated to take part, while the involvement of additional ones needs broad target-oriented strategy for their activation

Speaking about **institutional stakeholders**, the **competences** given by the law address official bodies across different levels as follows:

- a) **Regarding protection of the heritage fund:**
 - Ministry of Culture of the Slovak Republic (+ monument inspection)
 - Conservation Authority of the Slovak Republic (and its branch in Poprad)
 - Self-government region Presov
 - City of Poprad
- b) **Regarding the historic building fund incl. historic areas and cultural landscape**
 - Self-government region Presov
 - City of Poprad

(with methodological support of Conservation Authority of the Slovak Republic)

In addition to the basic responsibilities, there are related responsibilities:

Responsibility for sustaining and restoration of the heritage fund (also for historical building fund non-protected) is always in competence of object owner (Law act no. 49/2002 Coll. on heritage fund protection + Law act no. 50/1976 Coll Building Code).

Responsibility for creating conditions for monument protection (legal, management, financial) is in competence of the Ministry of Culture of the Slovak Republic.

Responsibility for monitoring abiding to the legal regulations of heritage protection is in competence of Monument Authority of the Slovak Republic with its regional branches.

In regard to the involvement of non-institutional stakeholders e.g. broad public, the basis for successful public participation is information of the citizens and other stakeholders, consultations and communication with the public, which leads to motivating and involving of the public. We cannot expect an involved and responsible opinion or standpoint from the citizens in case they are not informed about the alternatives and anticipated impacts of the solutions. The most important instrument to get public involved is to start as early as possible, inform truly and introduce a full and unbiased picture of the planned brownfield redevelopment. This is done in Slovakia via the Act No. 24/2006 Coll. on Environmental Impact Assessment and its obligation to distribute within three days information on notification of the strategic environment assessment of the local plan creation and collect the comments of the public in the period of three weeks. Also, there is the Act No. 211/2000 Coll. on the Free Access to Information which guarantees the right of the public for the free information on the information about activities being decided in the frame of the public realm. In the Slovak Building and Planning Law No. 50/1976 Coll. there is a duty to inform the public and the public is given the right to participate in the planning process in the specific parts of the whole process but in practice this is going on just formally because direct form of public participation and its significance in planning is still not fully understood neither by decision-making bodies nor by planners. Public participation is frequently considered as synonymous with achieving consensus, however, this is a misrepresentation. While consensus is always desirable, it is not always achievable. Good public participation processes nevertheless give stakeholders the opportunity to articulate their views, with these being seriously considered in the decision-making process, even if decisions ultimately run counter to these views. Public participation should not be regarded as a static or one-off activity. What constitutes effective public participation will change as a project progresses through the stages of inception, planning, implementation and long-term use and management. For example, having engaged citizen interest during the project planning process (where issues will focus largely on questions of 'what'), different mechanisms will be needed to maintain this interest and ongoing involvement during the implementation phase (where issues will largely revolve around questions of 'how'). In addition, public participation should not be regarded as a necessarily highly formalised or mechanistic process. Quality public participation process, or at least a large part of it, can frequently be conducted in a relatively informal manner.

For the Poprad model area following **forms of stakeholders involvement** are advised:

To use established advisory committees

Advisory committees consist of the representatives of the community who are professionals in the given sectors of decision-making and advise to local self-government in the issues of environmental, planning and building decision-making. They decide on the chairman or speaker and define the tasks, goal, procedures, rules as well as the relations to the local self-government.

To organize planning workshops for planning in reality

These workshops are the open meetings where the discussion is about the issues in planning public amenities in the community area. It can be prepared and called voluntary by a group of local people but it should be supported by the local council as deals with the issues that are in the municipality area. The area is drawn on a simple drawing or elaborated in a model to be easily understood by local people who can then directly show or draw the new facility location (communications, parking, shops, playgrounds, cultural and information spots) on the sites in the area of the municipality. It is also a workshop where the proposals are discussed, considered and the results are displayed on a flipchart. There can be several runs of the workshops and anybody can take place. The final results of the workshop are put in the summary report that is sent to the local council

In crucial decisions to use the instrument of a local referendum

This is a direct form of public participation on the decision in the field of planning, environment and construction. In general, it can be called on important issues of the community life and development. It can be initiated by the local council or by residents with a petition. To the adoption of a resolution consent of a majority of members of assemblies. The condition to approve the result of the referendum as valid is that fifty per cent of the community voters participate in the referendum and the majority of the voters must approve the decision expressed in the question of the referendum

To organize an Urban walk

An urban walk is a tool for making the issues as well as imagination about possible solutions more real. If the public completes at first some preliminary activities e.g. discussions, workshops etc. it is possible to move the discussion to the terrain or into particular interest area. However, it is important for an urban walk to be implemented by experts in the given field who can point out at some specifics which are not obvious for the individual at first sight, even though the citizens are present in the area frequently. It is also possible to confront the ideas and imaginations of the public in real conditions of the territory, it enables gradual profiling of opinion consensus by eliminating ideas which do not respect given natural preconditions or are in various points of view contra productive.

To support the activities of local focus groups

Focus groups present a tool often mistaken with public discussions. The basic difference between public discussion and focus group is their focus and target group. Public discussion traditionally represents a tool aimed at a wide audience with the objective to communicate the basic ideas and imaginations of process initiator. Also, clarification of the problem and activity goals, public activation and unification of meanings of individual terminology belong to public discussions. Focus groups are primarily being used to survey the opinions within a particular specific group of citizens. A significant element of focus groups is an effort to come closer to target individual communities and therefore these meetings were held in their 'domestic' environment, such as centres for mothers, centres for leisure time, centres for seniors etc.

To moderate public discussion using local and regional media

Discussion uses to be led by the expert facilitator in form of questioning and focused on acquiring opinions and standpoints towards the future shape of the embankment and expected functions inside. This way a significant advancement and specification of requirements of individual target groups can be achieved, what enables whole participation process to move further to its determined objectives.

To collect professional opinion using professional discussion fora

These fora represent a platform through which the expert public and professionals in their respective field entered the process. Urbanism of a new zone is an issue filled with various professions and problems and therefore the discussions use to be oriented towards different the fields and areas which appeared as crucial for proposal of new development The topics can be as follows: • Transportation; • Water and ecology; • Conservationist potential, history and city skyline; • Urbanistic economy; • Cross-sectional topic - Complex solution of city embankment;

Experts on various fields within the professional discussions use to focus at potentials and risks of possible solutions, Crucial element of professional forum is an opportunity of participation for wider public in the discussion, where public could become familiar with standpoints of professionals on the issue and at the same time they were enabled to directly confront the imaginations and opinions of experts in the light of professional discussion.

To collect ideas via organizing open calls and urbanistic competitions

This tool uses to represent a milestone of the first stage of the problem solution process. Its objective was to obtain ideas and possible approaches to the complex design. The goal of the competition is not to acquire in-detail design proposals of object layout, but rather ideas and approaches on the development in the context of competition assignment.

Chapter 3: POOLING AND OPTIMIZING RESOURCES, TRADE-OFF MECHANISM

This chapter of the Guidelines address all the identified thematic fields as follows:

- HBA protection and regeneration of physical structures including the buildings as well as infrastructure and urban public spaces following the principles safeguarding the sustainability of cultural and natural heritage values.
- HBA functional restructuralization and competition in order to fulfil the needs of stakeholders and bring new life into the HBA and city including positive social impacts.
- HBA accessibility and syntax supporting spatial and social inclusion of the area in the city and region as the precondition for the liveliness an attractiveness for citizens and visitors
- Sustainable capitalization of the HBA territorial capital
- All these areas are interlinked and the principles addressing them are based on integrated, multidisciplinary and participatory approach.

Across the above-listed fields it is necessary to **build on efficient use** of following **capacities and resources** in the city of Poprad:

Institutional aspects

- Good/powerful legal coverage.
- High level of professionalism / expertise.
- Proper available legal space for the protection of the values going beyond specialized law.
- Engagement of academia in the city and involvement of the city into international projects in collaboration with academia.

Processual aspects

- Existing well-developed processes of public participation.
- Strong personal involvement of the people in smaller communities (territorial, professional communities).

Planning dimension

- Legal obligation to interlink directly cultural heritage protection and care programs into the strategic territorial development documentation (socio-economic programs and land-use plans).
- Spatial planning law includes a specific tool (master plan) for specific zones in the city e.g. cultural heritage reservation and cultural heritage zones (two categories of territorial protection).
- In addition to the isolated building in Slovakia, there are tools for territorial heritage.
- Well developed ties between strategic decision making responsibilities and accessibility to financial resources (de-formalization of planning) in the city.

Across the above-listed fields, it is necessary to **focus the measures towards improvements** targeted on following issues in the city of Poprad

Institutional aspects

- To improve the flexibility of institutions in their reaction to the current situation and development improving the monitoring.
- To strengthen the law enforcement using the responsibilities given to the city by the building code.
- To broader the use of informal instruments, especially in public participation.
- To implement the shift form bureaucratic to execution oriented planning.

- To include cultural heritage values as a part of territorial capital in the processes of the strategic planning and assessment of all planned development projects.
- To develop closer cooperation of the city with academia in order to catalyze the innovations adoption into the law and official methodologies.
- To increase the level of professionalism of officials via permanent training and information spread.

Processual dimension

- To collaborate with the professional institutions and academia in order to strengthen the argumentation in comparing different aspects of the value of buildings in the decision making (lack of financial expression of the cultural values).
- To strengthen professional capacities for integrative planning and decision making taking into account historical values at the municipal level.
- To include the instruments for the objectivization of the decision of the administrators at the city level including political decisions of the city council.
- To introduce a new control mechanism focusing on developers behaviour including the penalties mis-decisions.
- To use a proper financial mechanism to support archaeological excavations by law covered by the investors.
- To develop clear marketing strategy of the city including the cultural heritage (inside and outside).
- To developed infrastructure of the service safeguarding the access and visibility of the cultural heritage.
- To build communal comprehensive and integrated data and database on HBA.

Across the above-listed fields, it is necessary to focus the measures towards using of following potentials targeted on following issues in the city of Poprad

Institutional aspects

- Broader involvement of informal citizens activities and civil society structures.
- The practice of the use of informal instruments for public engagement.
- The shift from the rigid execution of the law by officials towards the support of the protection of identified values via active use.
- The stabilisation of the development policies via proper institutionalization of strategic planning lowering the tension between short-term election period and long-term process of cultural heritage restoration.

Processual dimension

- Availability of the knowledge, of the knowledge and best practice transfer.
- Replacement of sectoral views on policies related to the cultural heritage protection by integrated policies for sustainable development including synergy effects of trans-sectoral approaches and measures.
- Multiple uses of the investments to the cultural heritage for overall benefits of the community.
- Capacities of professionals in the city, via improvement to the access of the public to the knowledge and information.
- The potential of the cooperative management of the cultural heritage across different stakeholders, municipalities, owners and actors.
- Development of the coordination/cooperation structures across the administrative and sectoral borders, including their institutionalization.

To use more intensively available instruments of strategic socio-economic planning and land-use planning including the tasks and activities as follows:

- a) determining the directions of spatial arrangement and functional land-use,
- b) determining the necessary interventions to land for sanitation, reconstruction or recultivation purposes and determining the manner of its further use,
- c) defining protected areas, protected buildings, quiet areas and protective zones (hereinafter only protected areas of land”), unless they originate under other regulations, and ensures the protection of all protected areas of the land,
- d) formulating the principles and conditions for the material and chronological co-ordination of locally concentrated construction by one or several developers,
- e) assessing and evaluating the land-technical effects of buildings that are prepared and other measures in the land and proposing their scope condition their environmental suitable and safe use,
- f) regulating the location of buildings, determines the land-technical, urban and architectonic and environmental requirements for their projection and realisation,
- g) determining the principles of the use of natural resources, land conditions and whole environment in order that the activities within it do not exceed the acceptable load of HBA
- h) creating the necessary materials for the creation of overall construction plans and the technical provision of an area,
- i) proposing the order of construction and the use of land,
- j) proposing the land-technical and organisational measures necessary for the improvement of the environment, achievement of ecological stability and ensuring the permanently sustainable development.

Chapter 4: MONITORING AND RESULTS

The monitoring is one of the main instruments of efficient management of the HBA. Monitoring is the systematic process of collecting, analyzing and using the information to track a project's progress toward reaching its objectives and to guide management decisions. It should consist of regularly repeated measurements of selected variables characterising the development of the HBA with the stress of its sustainability and protection of its values. An activity can only be called monitoring if the following requirements are met:

- Measurements are standardised.
- The variables selected indicating the development of processes of interest or properties that need to be detected.
- The scale (both in time and space) of measurement is appropriate for the detection of change.

There is not possible to develop the monitoring system without clear objectives for monitoring. The definition of the objectives and the selection of methods, standards, scale and criteria for the collection and evaluation of the data especially in regard to the effectiveness of implemented management measures requires interdisciplinary knowledge of the systems affected. Therefore, the involvement of the representatives of different disciplines in the development of monitoring schemes is fundamental. Proposal of the monitoring system is one of fundamental steps in the HBA development planning and planning and projecting/designing phase for each particular investment in the HBA. They have to be integrated into all phases of a project development, from the planning to the implementation phase and beyond.

Evaluation based on the data collected in the monitoring process focuses on expected and achieved results - positive and negative, direct and indirect effects, examining the results chain, processes, contextual factors and causality, in order to understand achievements or the lack of achievements. The evaluation aims at determining the relevance, impact, effectiveness, efficiency and sustainability of interventions and the contributions of the intervention to the results achieved.

Involvement of the broad public can contribute to the higher efficiency of monitoring processes. The participation of the professionals seems to be crucial.