

## **Increasing integration in cities by tweaking institutional arrangements**

### **Introduction**

Are current institutional models effective at enhancing urban integration forces? The paper explores this question by looking at recent experiences in urban waterfront regeneration initiatives in Portugal.

Urban regeneration of waterfront areas place particular issues to planners, city managers, developers and even residents when they want act in order to improve the quality of their urban environment. In addition to urban design and financial issues related to the conversion of harbor or industrial uses (such as those addressed by Eckstute, 1986, and Gordon, 1996, 1997), urban waterfront areas are typically shared spaces where the different city actors (port authorities, planners, residents, environmental groups, developers) hold an equal number of views (Hoyle, 2002) which are often difficult to reconcile. Furthermore, and this is certainly the case in Portugal, the urban waterfront is a space where a multitude of agencies with different jurisdictions coexist, and where conflicting regulatory powers and ill-defined responsibilities often block urban regeneration efforts.

However, in spite of the difficult issues that have to be addressed, the urban waterfront remains a powerful magnet that draws the attention of investors, politicians, city managers, developers and residents alike. The significant environmental and landscape values often associated with waterfront areas, their role in creating a sense of identity and providing for restorative environments for city residents, and the potential for economic returns associated with the conversion of obsolete uses or the development of abandoned riverfront property, have generated a number of highly visible projects that have help create new images for these cities, and that are creating new avenues for urban planning practice.

The premise for this paper is that an analysis of the recent urban waterfront regeneration practice in Portugal, exploring their strengths and weaknesses, can help us gain knowledge on how to shape new institutional arrangements that can better promote inclusion and the principles of urban sustainability.

First, the paper makes reference to the current waterfront regeneration debate, highlighting some of the findings that have a bearing on the analysis of Portuguese planning practice. Then some context is given on spatial planning in Portugal, discussing legal and institutional issues that often constitute a barrier to waterfront development. Recent experiences in waterfront regeneration in the country are briefly reviewed, focusing in particular on the POLIS program, a European Union funded program for urban regeneration that, in Portugal, has been allocating a significant portion of its budget on waterfront interventions. The POLIS-Coimbra project, with its 800.000 sm intervention on the waterfront of this 100.000 people old city, is presented to illustrate waterfront regeneration practice in Portugal and to set forth the analysis of the Polis institutional model. Drawing on this case study, the paper offers a brief assessment of the performance of the POLIS model against the principles of urban sustainable development, and a reflection on possible changes that can be introduced on institutional arrangements in waterfront planning practice in order to enhance their effectiveness in creating positive urban change.

### **The waterfront redevelopment debate - any answers to the institutional quagmire?**

In the eighties and nineties, a growing body of literature has emerged seeking to reflect on the urban planning practice associated with waterfront regeneration efforts. Since the 1970s, the number of prominent waterfront redevelopment/regeneration projects has been increasing, often being recognized for breaking new ground in urban planning practice. First centered on European and North American cities (many of which involved port redevelopment projects), documented case studies now span over the entire globe, addressing a wide variety of geographical, political and institutional settings, as well as very

different socio-economic conditions, including cases in developing countries (e.g. Hoyle, 2002).

The scope of the waterfront regeneration debate is equally wide - a variety of academic research interests have been explored, trying to build theory from documented case study research. As Gordon (1997) points out, public agencies implementing these waterfront redevelopment projects did not have a strong theoretical support for their practice, but increasingly case study research is helping to reflect on the theoretical implications of some of the findings from planning practice (Hoyle et al, 1988; Jauhainen, 1995; Gordon, 1997; Jonas, 1998; Basset et al, 2002). Analysis of political and financial issues (Gordon, 1997), as well as planning and design issues related with waterfront regeneration (Eckstut, 1986; Gordon, 1996) have been part of the research agenda, and the recent debate on urban sustainable waterfront development and new modes of governance has also been a focus of urban waterfront regeneration discussions.

Basset et al (2002) point out that waterfront regeneration projects have often acted as a focus for the development of public-private partnerships and are singled out as examples of successful transition into new kinds of urban governance.

Desfor and Jorgensen (2004), in their review of academic studies on waterfront redevelopment/regeneration, found that, in spite of the different interpretations or focus of the work (e.g. some emphasizing the role of economic considerations in land use reallocation decisions, others focusing on jurisdictional aspects or adopting an historical perspective), they all showed that new institutional arrangements always accompanied these changes.

In fact, some of the academic work has been dedicated to mapping different types of partnerships and the networks of agencies and interest groups that are formed in the context of waterfront planning projects and other urban regeneration efforts (Basset, 2002; Jacobs, 2004, Cowell and Thomas, 2002).

Gordon's analysis of case studies in New York, London, Boston and Toronto (Gordon, 1997) show that waterfront regeneration efforts often lead to the establishment of independent implementation agencies (or quasi-independent public authorities) as a means to ensure project implementation in the long-term (beyond the cycle of national and local government mandates) and as a way to better mediate the different interests at stake. In this study, Gordon identifies some of the critical elements to be secured at the start of any waterfront regeneration project – land ownership, a powerful and independent board of directors, as well as a streamlined development approval process and access to start-up capital.

In spite of the 'consensual' or 'collaborative' *inclusive language* now commonly used in most planning circles and public agencies, documented case studies indicate that most projects (at least during their startup phase) are largely justified by economic development considerations, and that in some cases public-sector agencies are using elaborate market and rhetorical strategies to offset community opposition to business-led property redevelopment (although not all redevelopment and regeneration projects generate opposition or controversy amongst the different stakeholders). The study by Keith Jacobs on the Chatham Maritime development project shows that some of the waterfront regeneration processes, although publicized by the government as exemplar partnership and empowerment cases, are "tightly organized processes in which institutions of the central state, because of their hegemony, take a dominant role" (Jacobs, 2004, p. 829). Nonetheless, it is clear that local governments and public agencies stakeholders need to be willing to play an active mediation role between community and business sector interests in order to have successful partnerships.

The complexity of the jurisdictional context, characteristic of waterfront regeneration projects, has also been addressed by some authors. Jurisdictional complexity, together with the high number of players involved, have been pointed out as contributing to lengthen the process of urban regeneration, being the cause of numerous delays (Gordon, 1997). This is also indicated by works in policy implementation theory and in public participation (e.g. Pressman and Wildavsky, 1994). Current attempts to propose new institutional arrangements

and planning processes are in part driven by the need to find effective ways to deal with this complexity.

Accumulated experience in implementing waterfront regeneration projects, together with a growing number of documented case studies, seem to indicate that the more successful waterfront regeneration projects are implemented through semi-independent redevelopment agencies that are able to maintain good relationships with local governments, public agencies, investors, and local stakeholders.

This knowledge gained from practice is in line with the current and more inclusive discourse on urban sustainability.

Many waterfront development efforts today, rather than taking an urban renewal approach (creating new vital parts of the city by substituting the old for the new, tackling typically physical aspects), are framed by broader urban regeneration concepts that incorporate the principles of sustainable development. The definition advanced by Roberts (2000) in which urban regeneration is a "*comprehensive and integrated vision and action which leads to the resolution of urban problems and which seeks to bring about a lasting improvement in the economic, physical, social and environmental condition of an area that has been subject to change.*" (Roberts, 2000, p.17) is a reflection of the new contemporaneous concerns.

The current debate of sustainability issues at waterfront development conferences has already generated some consensus on some of the principles that should guide its practice. The ten principles for sustainable urban waterfront development adopted by the WaterfrontExpo Conference are a case in point - they can help guide practice towards more inclusive waterfront regeneration processes as they stress the need to engage communities in an ongoing process to ensure long-term economic, social and ecological success<sup>1</sup>.

It is clear that one of the biggest challenges for practice based on the new sustainable development guidelines is to find how to tackle social exclusion and increase prosperity, while protecting and improving the environment (DETR, 2000), as is the need to ensure that all areas of public and private policy operate in accord with the principles of sustainable development (Roberts, 2000).

## **Urban waterfront regeneration practice in Portugal**

### ***Spatial planning issues and the legal planning framework***

The Land-Use Planning System currently in place in Portugal stems from the 1998 Law for the Policy on Town and Country Planning (LBPOTU, Law n. 48/98, of 11th of August), which states the "*principles and regulations of legal framework on town and country planning...*" and includes "*...the guidelines for a series of complementary legislation*".

The 1999 Law Decree n. ° 380/99, of 22nd of September, and its subsequent changes (Law Decree n. 310/2003) define the legal framework for the elaboration, approval, execution, and evaluation process of the different tools for territorial management, and it also regulates the instruments needed for programming and executing plans at different territorial levels. In accordance with this legal framework, the policy for town and country planning is based on a territorial system coordinated and interacting on a national, regional and municipal level.

#### ***The national level***

The National Program of Policy on Town and Country Planning (PNPOT) can be defined as a strategic tool for territorial development. Its rules and basic guidelines guarantee a model for spatial planning that considers the urban system, main infrastructure networks, public facilities, as well as areas of national interest regarding agriculture, environment and heritage values.

It outlines the national planning guidelines for developing other territorial management tools and ensures coordination between national level sector plans with an impact on land-use patterns, as well as between Special Land-Use Plans (PEOT), namely Plans for

Protected Areas (POAP), Plans for Public Reservoirs (POAAP) and Plans for the Coastlines (POOC).

Plans for Protected Areas (POAP) aim to achieve objectives which are of national interest, for example to manage natural resources, to protect natural landscapes and historic buildings, to establish specific conservation measures for nature and open space and to set out a sustainable and compatible management plan. Because these areas are environmentally sensitive, the contents of these plans should be considered as guidelines for the development of other land-use plans. Also, they should incorporate the basic development and planning principles laid down in the national plan (PNPOT).

Plans for Public Reservoirs (POAAP) set out the rules and regulations for the use of public waters and the occupation, use and transformation of land within defined protected areas.

#### The regional level

The regional level of the territorial system is guaranteed by the Regional Plans for Territorial Management (PROT). This type of instruments follow the national policies for territorial management, the plans from each sector at the regional level and also include the main objectives for sustainable economic and social development as laid out in the Regional Development Plan.

Regional plans are strategic planning tools which adhere to national guidelines, consider demographic evolution and the aims for economic, social and cultural development, set out the guidelines for regional planning and define the regional networks of infrastructures and transportation.

These regional plans (PROTs) do not yet cover the whole country. Although PROTs already exist in areas of greater urban pressure (with the exception of the metropolitan area of Porto), they can be in different stages of development (some are being developed, others are being carried out, and yet other are being revised). While only three out of eleven PROT were recently approved (all in 2002), the remaining eight plans are in the development stage or were approved in the early nineties (INE, 2005). This is clear evidence of the lack of efficiency in the formulation process of regional territorial plans and, it is argued, compromises planning and development, particularly in those areas under greater urban pressure such as the coastal areas of the Alentejo and the Algarve.

#### The municipal level

In line with the regional plans (PROT), and integrating the options from a national planning framework that have most impact on the territory (e.g. national infrastructure or logistics networks), the inter-municipal (PIOT) and municipal plans (PMOT) ensure territorial management at the municipal level. Inter-municipal (PIOT) plans are optional strategic tools for territorial development that enhance cooperation between interdependent areas in need of integration (e.g. management of natural resources such as rivers, conservation areas, etc.).

Municipal Plans (PMOT) have a legal status and include the Municipal Master Plans, Plans for Urbanization and Site Plans. They establish the main framework for municipal development control and define the land-use patterns, indicating the organisation of infrastructures and facilities networks at the municipal level needed for the predicted evolution of urban settlements. They also define, at the appropriate scale, parameters for land-use and environment quality, as well as identify future development areas.

The Municipal Master Plans (PDM) are based on the strategy for municipal development defined at plans of a higher hierarchy, and set out the spatial structure, i.e. the basic classification of land-use defining rural and urban areas, and establishing guidelines for the respective development densities, bearing in mind a rational distribution of environment resources, economic activities, facilities and infrastructures.

According to the current legislation these plans are mandatory. They cover the entire municipality and are essentially strategic documents. The scale at which these plans are represented - 1: 25 000 - cannot be the sole base for decision making regarding development control at the local level. Municipal Master Plans have to be *Structure Plans*

that set forth the framework and guidance, and which have then to be followed in its design and operation at plans developed at lower scales.

The policies relating to the form, function, content and procedure of the Municipal Master Plan have been evolving since they were first introduced in 1982, in order to emphasise their use as a strategic land-use planning instrument. The proposal map should reinforce only the location of strategic elements in the territory, rather than the use proposals for specific sites. They should reflect the direction in which main urban settlements will expand, and the need for greater integration of land-use and transportation networks, and identify the environmental implications of both. They also should include proposals for major roads schemes, and major network facilities.

The nature of the PDM varies between more urban and rural municipalities but in either case, in formal terms, they consist of a written statement with legal status that sets out the policies and major rules for the development control at municipal level. In addition, they have to include two major graphic schemes: a proposal map in which the major contents of the written statement is transposed, and another one that points out the various types of restrictions to land-use proposals set out in specific national laws, such as the National Agriculture Reserve (RAN) and the National Ecological Reserve (REN). Therefore the proposal map of a PDM also identifies the areas to be maintained under agricultural use, and the ecological conservation areas in the municipality.

Urbanization Plans (PU) and Site Plans (PP) provide more detailed guidance on land-use. Unlike the PDM, these plans are not mandatory for all municipal areas. They are mostly needed where there is a large pressure for development or the will to stimulate growth. In conformity with PDM, Urbanization Plans, defined as *Zoning Plans* and executed at the scale of 1: 10 000, specify the development of urban areas, and Site Plans delineate, in detail, the type and level of use for any specific area within the municipality. In particular for the urban areas its contents specifies the urban design scheme at a very detailed scale between 1: 2000 and 1: 1000.

As waterfront regeneration projects generally imply significant changes in the property structure, allocation of different economic activities, new accessibilities for public and private transport, and new infrastructures and facilities networks, the PDM and PU (which set out the strategy in economic, social and physical terms) are key instruments in determining its success, but Site Plans provide a firmer foundation for the resolution of the conflicts and investment decisions. Because of their nature, contents and scale, Site Plans are seen as providing a more efficient means of solving the concrete problems and challenges faced by this kind of urban operations.

### ***The “real” planning system in Portugal and Waterfront regeneration projects***

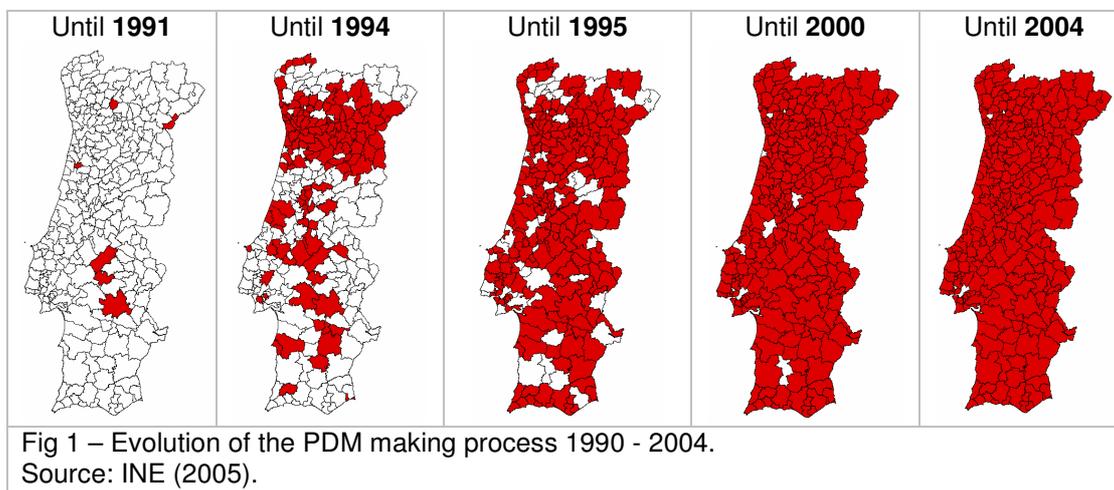
It was only after the first ever legislation on Municipal Master Plans (PDMs) was introduced in Portugal in 1982, that the entire country come under a comprehensive legal planning framework. In addition to defining land management, the PDM, as laid out in 1982, was largely involved with economic and social development issues. The reduced scope of local administration's mandate in these areas, coupled with a lack of systematic procedures for collecting basic information for fiscal, economic and social planning, combined to make it impossible to implement or carry out this new legislation.

In 1990, the Law Decree n. 69/90, of the 2nd March was approved. This decree institutionalised municipal planning and revoked previous legislation. By this stage, very few municipalities had a PDM formally approved. In order to speed up the development of these plans and increase its national coverage, government restricted access to the European funding (for infrastructures and major facilities) to those municipalities that had not yet concluded a PDM.

As a response to this pressure, considerable efforts were made by local authorities to produce and approve their PDM expeditiously, and there were early signs showing that progress was being made. Between 1991 and 1995, 220 PDM were drawn up and legally approved (Fig. 1). At the time the Policy on Town and Country Planning (LBPOTU) legislation (setting out the national framework for spatial planning) was approved, in 1998,

there were only 21 municipalities without an approved PDM. In 2004, ten years after the first PDM boom generation, all the PDM in mainland Portugal had been ratified and a significant number (168, out of the total 308), mainly from the North and Central regions, were in the process of being revised (INE, 2005)

In fact, many of the plans were out of date by the time their processing was complete. This is not surprising when the average time taken to prepare and approve a PDM was about ten years as it can be seen in the figure bellow.



Throughout this period the PDM has demonstrated to be the main tool for municipal planning level. In fact, in the absence of a sufficient number of Urbanization Plans and Site Plans the PDM has taken on a predominantly legislative role and became the basis for licensing urban development schemes (mainly led by the private sector). However, the content of a PDM (strategic in nature) is not supposed to provide a detailed basis for development control nor to address all the issues raised by the planning permitting process which mainly relate to the form and layout of future urban developments.

Under these circumstances a large number of PDM were assumed as *Zoning Plans* and even though they were executed at a 1: 25 000 scale, they defined detailed land-use patterns, and regulated density parameters for residential, industrial, agriculture and forestry uses. This practice, not supported by the legal framework, was indeed generalised and the PDM has been operating as the main instrument supporting local authorities in urban development control decisions.

Bearing this in mind, in 1998 the Law for the Policy on Town and Country Planning (LBPOTU) highlighted the need to strengthen the strategic contents of the PDM by making municipal spatial planning a combination of strategic development and local planning, and identifying the structural elements of municipal planning in the medium and long term.

As it was previous mentioned in this paper, at the municipal level, planning and development processes are also subject to other restrictions to urban use in the name of public interest. These restrictions are set out in various legal documents as specific regulations on occupancy, use and transformation of territory along the coastline, and in other legislation (e.g. specific laws on forests areas, the National Agriculture Reserve (RAN) and National Ecological Reserve (REN)).

Considering the specific case of Waterfront Areas, these are frequently classified as REN (ecological reserve) as this diploma also refers to river and watercourses flood areas, or classified as Public Domain. Under these regimes the State is required to protect the public interest in such areas. As urban pressure grew, the concept of public interest or public welfare have also expanded not only to protect the traditional uses of navigation, commerce, and fishing in these areas, but also to guarantee ecological preservation, open space maintenance, and scenic and wildlife habitat preservation.

On the other hand growing numbers of people are attracted to waterfront areas for residential, recreational, and general economic uses. Particularly in urban areas, regulations such as REN or Public Domain areas impose significant restrictions on use and often interpreted as legal constraints to waterfront regeneration projects. This conflict cannot be satisfactorily resolved simply by restrictive measures; it requires a positive and integrated approach of urban planning, as it will later discussed in this paper.

The areas set out by law as Public Domain concerning water resources include sea and non sea waters, surface and ground waters and watercourses, lakes, lagoons and their margins to a certain extension (Law Decree n. 5787 – 4I; Law Decree n. 468/71). In these areas, the State has statutory powers that limit the type of uses allowed. Numerous public entities have different powers to regulate the permitting process on public domain areas depending on the issues and values involved: conservation areas of natural or archaeological values, economic activities related to navigation, fishing, recreational uses, tourism, agriculture, and so on.

The National Ecological Reserve (REN) was first created in 1983 (Law Decree n. 321/83). Later, in 1990, the REN concept was established as the basic biophysical structure that would guarantee the protection of key ecosystems and biological processes needed to the sustainable development of human activities (Law Decree n. 93/90). This diploma and subsequent changes (Law Decree n. 213/92) set out a very restrictive legal framework regarding any type of urban use for areas classified as REN. According to the law, REN areas include water resource protection areas (e.g. watercourse beds, flood planes, main infiltration areas, headwaters), coastlines (e.g. beaches, cliffs, estuary zones, lagoons, peninsulas) and high slope areas (erosion risk areas and scarps).

However it has been argued that the process and the methodology adopted for the delimitation of REN areas has been compromising an integrated approach to land-use and environmental policies. During the formulation of the so called *first generation PDM*, it was up to each municipality to identify REN areas within its territory. This resulted in significant variations in the interpretation of the delimitation criteria and in the classification of large portions of REN areas not always consistently defined. It would have been desirable that this process had resulted instead in the classification of areas with effective ecological value considering an integrated environmental policy at national scale.

In fact, despite of the national coverage of PDM, and subsequently delimitation of REN areas and water Resources Public Domain areas, the management of these waterfront areas is frequently limited by restrictive measures to urban uses. This approach is clearly insufficient concerning the challenges that urban and regional planning policies have to face nowadays. Complex problems like the regeneration of urban waterfront areas require integrated approaches and an effective framework for an integrated management of these areas.

In the Report on the National Water Resources Plan (PNA), formally approved by the Law Decree n. 112/2002, which establishes guidance at national level in order to promote an integrated management and sustainable development of water resources, highlights that *“if it is true that the restrictions to urban uses imposed by these regimes result in a greater preservation of water resources, it is also true that frequently they act as inhibitor of the an integrated development approach”* (INAG, 2000).

### ***Recent experiences in waterfront regeneration***

Recognizing the degree of complexity and the urgent need for urban regeneration, as well as the existence of significant institutional barriers placed by the formal planning process (in the context of existing PDMs, as described above), the government has been testing new ways of operationalizing urban regeneration, in particular through the allocation funding and the set up of new institutional arrangements that are thought to expedite urban regeneration projects.

Two recent initiatives established by the government to promote urban regeneration have led to the set up of Urban Rehabilitation Agencies (SRU) for the renewal and rehabilitation of historic city centers<sup>2</sup>, and the POLIS Program for urban renewal and environmental

valorization of cities. While the first one concentrates mainly on private property buildings, the second focuses on the public space. The latter has been responsible for an great deal of activity in the area of waterfront regeneration.

In fact, a significant part of recent urban waterfront regeneration projects in Portugal has been made possible due to funding from the European Union through the POLIS program. The program has so far played an important part in providing local city governments an opportunity to implement some of the ideas for improving the quality of their urban environments.

The current policy framework of urban sustainability that is conveyed in several documents, at the European Union level, as well as at the national level (e.g. European Thematic Strategy for the Urban Environment, Sustainable Development Strategy for the European Union and for Portugal, and Local Agendas 21), has had some influence in shaping the POLIS program.

*Polis - Program for the urban renewal and environmental valorisation of cities*

The main objective of the Polis Program consists on improving the quality of life in cities, through environmental and urban interventions, improving the competitiveness and attraction of urban centres that have a relevant role in the national urban system structure. The idea behind POLIS comes from the recognition of city's strategic role in national development, and of their importance as crucial areas for economical and social development that have a leveraging effect on global development.

POLIS is in line with the National Plan for Economical and Social Development (PNDES), where there is a reference of the state's role in demonstrating how to support and mobilize stakeholders regarding environmental protection and the valorisation of the territory. Its purpose is based on showing urban and environmental regeneration interventions that were able to convert spaces with obsolete uses or just abandoned.

Polis Program has four main strategic areas: The Green Cities; The Digital Cities; The Knowledge and Entertainment Cities; and the Intergenerational Cities. For waterfront areas, the main purpose is centred on the Green Cities, recognising the importance of the presence of water, and on the Intergenerational Cities, avoiding the break down of social fabric and re-centring people's focus on cities.

This Program was created based on the recognition the Portuguese particular reality, namely: the profound transformations in the country caused by a heavy migration to cities; the acknowledgment of past urban mistakes; the growing knowledge from citizens on the what contributes to their quality of life (including the importance of environment and public spaces); the local authorities motivation to sponsor urban regeneration projects; and on the highly positive experience given by EXPO 98.

<b>POLIS 1<sup>st</sup> Round</b>	<b>Millions of €</b>	
<b>Total Investment</b>	<b>1.127</b>	
National Financing	393	35%
<i>State</i>	252	22%
<i>Local Authorities</i>	141	13%
European Financing	459	41%
Self-Financing	219	19%
Others	55	5%

Fig. 2: Level of investment in POLIS Program 1<sup>st</sup> Round  
Source: POLIS Coordination Office – MAOTDR, 2006

POLIS is financed mainly by European Union funds, and by central and local authorities. One of the biggest challenges of the European Commission's Third Framework Program (FP-III) is to contribute to the consolidation of the Portuguese Urban System, based on the

principles of sustainability, complementarity, solidarity and competitiveness, aiming to the improve Portugal 'identity' in European Community.

There are three main sources for the financial support of the operation: European financing (41%), central and local authorities funds (35%) that vary according with the mainframe of the intervention, and self-financing (19%). This last one is significantly low because the Program is mainly directed towards public space intervention.

All projects are developed by a public agency created for the specific purpose of delivering regenerated urban space.

The legislation that followed the establishment of the POLIS program created the "environment" that could enable the implementations of POLIS interventions in a relative short time (generally four years). Some of the major steps taken in creating this new 'environment' were the following:

- Classification of the Program as "National Public Interest";
- Reduction of the time scheduled for producing and publishing local plans;
- Establishment of a Technical Commission for the development of plans, reducing the institutional problems that derived from overlapping mandates from public institutions;
- Exemptions for POLIS from local taxes and title transfer fees;
- Modification of permitting processes: Site Plans were considered enough to overcome administrative acts regarding the registration of new construction sites;
- Streamlining of permitting processes with reduced times for local authorities approvals;
- Establishment of special regulation for administrative takings and expropriation procedures;
- Setting out a collaborative framework by stating that all entities (public and private) have the duty to cooperate;

The new institutional framework of the POLIS program included the establishment of two special Commissions - the *Technical* and the *Local Commissions* - with the objective of expediting urban regeneration processes.

Five entities, the City Hall, the Environment and Planning Ministry, the Culture Ministry, the Finance Ministry, and the Public Construction Ministry, together with the POLIS Society Administration, usually make up the *Technical Commission*. However, other entities or institutions can be called on a need basis. The main purpose of this commission is to try to reduce the legal and institutional barriers to planning, by bringing together the different entities that have jurisdiction over the project area.

The *Local Commission* is led by the City Hall and aims at promoting a participatory planning process, providing a forum for a joint discussion of issues related with a particular POLIS intervention, bringing together local authorities and key city stakeholders.

The relationship between rivers (water) and cities is so strong, and the perception of the potential benefits of such interventions so high, that fifteen of the eighteen cities in the first round of the program included some type of action on the river and the riverfront. In the second round of the program, eight out of ten cities had the same relationship. This reinforces the notion of the critical importance of rivers in urban areas, and their part in making cities better by increasing environmental quality, quality of life and competitiveness - and in fact they are so perceived by local authorities and stakeholders.

### **The POLIS model at work in Coimbra's waterfront project**

The POLIS Program intervention in Coimbra has an area of approximately 800.000 square meters, encompassing both sides of the "Mondego" river, between "Santa Clara" bridge and "Europa" bridge. The main purpose of the intervention is to increase and strengthen the relationships between the river and the city.

The city of Coimbra has a strong physical and historical relationship with the Mondego river. Although the Mondego has been a regulated river for long, recent interventions have

created a more stable water surface that now offers a great potential for leisure and sport activities.

The strategic plan for the Polis intervention in this city comprises two projects, detailed in two Site Plans. The first one, designated “Plano de Pormenor Parque Verde do Mondego” (Site Plan for the Green Park of the Mondego), is based on the enhancement of recreation and landscape values. The other Plan, “Plano de Pormenor do Eixo da Portagem / Av. João das Regras”, is a much smaller operation, focusing mostly on urban residential development.

The total investment involved is approximately 95 million euros, mainly supported by the central government (60 million euros) and the European Commission FP-III (35 million euros). Some of the strategic lines for the intervention are:

- Environmental – Intervention on the Mondego banks;
- Leisure – the creation of large green areas for public use, supported by small commercial activity;
- Cultural Activity – there are two main interventions in the cultural area, the creation of open public spaces for shows, with stages and sited places, and the limited space for the Thematic Park for Science, Culture and Leisure;
- Sports – water and nature sports, enhancing the relationship with the university stadium;
- Connectivity – in addition to the connectivity created through the implementation of the environmental project, there is the construction of a pedestrian bridge;
- Tourism – emphasis on the connectivity between the “Choupalinho”, a stop for tourism buses, and the waterfront area.

Some of the expected results of the intervention are: an increase of 405.000 square meters of green areas (around 50% of the total project area); the creation of 3.800 meters of pedestrian paths; the creation of a new pedestrian bridge (865 meters); a new extension of the river waterfront accessible to the citizens (2.852 meters); auto parks summing up 3.000 places (indoor and outdoor); one Environmental Monitoring and Interpretation Centre; and two Urban Plans published.

The intervention was scheduled to start in August 2002 and be completed by July 2004, but it is still on construction (2007 now being the new estimated date for completion), mostly due to delays in the publication of the site plans. Once it was clear that there were going to be delays, the POLIS Society responsible for the intervention tried to acquire a public interest status that could boost its capacity to intervene in areas that were not public nor were categorized with other uses that are not compatible with the activities and uses proposed.

#### *Reflecting on preliminary results from POLIS-Coimbra process*

In spite of the existing political will and the significant efforts put into creating an ‘enabling environment’ for urban regeneration interventions with the POLIS Program, one of the biggest challenges continues to be the persistent inability to meet project deadlines and to significantly reduce the actual time spent from planning to implementation. Administrators of POLIS Societies have acknowledged this, although they have also pointed out that under ‘usual’ urban development planning processes the execution time of similar projects would be considerably longer.

Again, according to some Directors of POLIS Societies contacted (including POLIS-Coimbra), the Technical Commission (TC) is pointed out as being a major factor in reducing traditional delays in these processes.

Although the different representatives of public agencies that sit on this Commission (along with the Director of POLIS-Coimbra Society) still have to go through formal channels for ratification (with response times that have been only slightly reduced under the POLIS legal framework), certain issues and planning solutions can be tested and fine-tuned at the table (TC meetings) prior to requesting formal institutional decision or approval. This, it is argued, has helped reduce the length of these projects. Some of the recurring delays have been associated with the need to contracting out special studies in the course of planning

and implementation phases, as well as with the complexity of current institutional planning framework, which is still found to be too cumbersome.

Another shortcut taken by the POLIS framework in trying to reduce the length of urban regeneration processes was to decrease the time available for public comment. This option, somewhat controversial in some circles, is counter argued by POLIS supporters as overall providing for greater levels of participation based, on the one hand, on the set up of discussion *forae* - POLIS Local Commissions - who bring together stakeholders related to urban regeneration projects and, on the other hand, on the media attention the Program is able to secure due to a strong effort on information at the national, regional and specially at the local level (thus increasing opportunities for greater public discussion).

POLIS interventions have had their fair share of good and bad reviews in terms of the quality of their plans, internal management, and elected objectives, although there is a general recognition of the benefits regarding the improvement of the quality of life in the elected cities. POLIS-Coimbra has perhaps generated a somewhat lower level of controversy than most, possibly due the fact that the bulk of its intervention is directed at providing public open space and did not promote much private investment. However, this intervention, mostly funded with public money, has had little success so far in generating revenue for the municipality and in retaining monetary benefits (as an addition to the social and environmental benefits) created by the presence of high quality public spaces in the surrounding areas. It is already visible that private entrepreneurs are ripping some benefits from this intervention, as private development operations are gaining momentum and property values seem to be on the rise in adjacent areas. This brings into question the choice of POLIS intervention boundaries, which are proving to be inadequate (in the absence of redistributive mechanisms) for retaining the benefits generated by this heavy public investment.

It is still too soon to be able to fully evaluate this model, but future research will help understand the overall impacts of this new institutional model on social, economic, and environmental aspects of the urban environment. However preliminary, results so far seem to show that the POLIS Program in Coimbra is overall in line with most of the principles of urban waterfront sustainable regeneration such as those previously mentioned put forth by the WaterfrontExpo. It is helping improve environmental quality, creating new spaces in continuity with the urban fabric, and attempting to enhance landmarks and historical heritage. It is a public space intervention and although it does not provide for a significant mix of uses, it complements the existing ones by meeting the needs in terms of open space and recreation. While the POLIS-Coimbra case (unlike other POLIS interventions where a greater degree of involvement of the private sector was attained) does not offer good practice in terms of building public-private partnerships, it aspires to be a more inclusive process than current urban planning practice.

The authors plan on continuing the observation of POLIS interventions in waterfront regeneration operations, and monitoring the POLIS-Coimbra implementation process, as well as to continue discussion on whether these new institutional models need further tweaking in order to play a more effective role in moving towards sustainable urban environment.

### **Will tweaking institutional arrangements be enough?**

The answer given by the current legal planning framework in Portugal to waterfront areas regeneration projects has shown to be scarce, and not very flexible.

Waterfront areas place particularly complex issues to urban planning as they are governed by a multitude of agencies with different missions, objectives, rules and regulations, which are not always easy to reconcile.

Considered as spaces of high potential for ecological conservation, the provision of open space maintenance, and scenic and wildlife habitat preservation, waterfront areas are frequently subject to very restrictive regulations to urban uses (in particular those placed by REN and Public Domain). On the other hand, city actors perceive these areas as places with an enormous potential in promoting social and economical sustainability in urban

regeneration projects. This framework of conflicting interests and overlapping institutional responsibilities, often block urban regeneration efforts.

In fact, the Report on the National Water Plan (INAG, 2000) identifies the lack of tradition of Portuguese government planning institutions in defining coordinated strategies as one of the major threats to achieving an effective policy for an integrated management of land-use and water resources. It is sustained that frequently their actions are overly driven by their specific sphere of interests and concerns, thus compromising the opportunity to materialise the enormous potential of water resources in general, and of urban waterfront areas in particular, as catalysts of urban regeneration.

In the same report it is also evidenced the lack of integration between different land-use instruments, and it is recognised that the current spatial planning system based on a two-track, "top-down & bottom-up" strategy frequently does not work.

As emphasized earlier in this paper, current urban regeneration research agenda has been focusing on new modes of governance to reinforce the success and sustainability of the results achieved by these types of projects, and their ability to match public as well as private interests. Traditionally led mainly by the public-sector and, as it was also pointed out previously, by central government agencies that frequently end up taking a dominant role (Gordon, 1997), waterfront urban regeneration projects can also be very *tempting* to private initiative, and have been the source of many successful experiences in public-private partnerships.

Because of the specific nature of the issues raised in this kind of urban operations (e.g. complexity of jurisdictional context, controversy amongst the different actors involved, land ownership, public and private financing), urban waterfront regeneration processes can act as incubators of new institutional arrangements where a new culture of mediation, dialogue, integration and participation between the main actors of the urban system can be developed.

One of the main impetus to the establishment of these different institutional arrangements has been the need to overcome longstanding urban planning inefficiencies and in particular to reduce delays and the overall length of urban waterfront regeneration processes. This is generally perceived, as Gordon (1997) points out, as a major obstacle to the implementation of this kind of initiatives by the public or private sectors, and as a sign of poor performance of public planning agencies and of the eroding credibility of the planning system.

Preliminary results from the POLIS Program in Portugal seem to be in line with findings of other authors, namely regarding the pressure/drive to reduce planning timelines and the choice of a semi-independent public agencies model. In fact, government's attempt to create an 'enabling environment' for urban regeneration initiatives has led to the establishment of POLIS Societies (quasi-independent public agencies set up to implement urban regeneration interventions), to official reductions of public agencies' response times and of the public comment period, to securing significant levels of financing for these operations, and to the establishment of Technical and Local Commissions. However, Gordon's contention that these new institutional models would be a means to ensure greater insulation from the cycle of national and local mandates during the project implementation process (Gordon, 1997) is not entirely supported by findings of the POLIS-Coimbra case. In fact, the overall experience with POLIS Program seems to indicate that, at least at the national level, 'independence' has proven difficult to achieve (as replacement of POLIS Program Administration Directors following national elections indicates),

At any rate, the POLIS Program in Portugal, with its new institutional arrangements, can be considered a serious attempt at tackling some of the difficult problems inherent to urban waterfront regeneration processes. Results from POLIS Coimbra obtained so far indicate that, in spite of the unusual political will in creating a new 'enabling environment' and the set up of the POLIS Societies and their Technical and Local Commissions, there are still some nagging problems, mostly due to the complex jurisdictional context of these operations. Whether some further tweaking or fine-tuning of current POLIS institutional arrangements will succeed at bringing stakeholders and institutions together to expedite urban waterfront regeneration and to generate social, economic and environmental benefits for the city as a whole, or whether a major institutional overhaul is needed still remains to be seen.

It is still too soon to tell the effects that the POLIS-Coimbra, and indeed the POLIS program itself, will have in shaping future city agendas. Can the 'right balance' be achieved between economic development/benefits and social benefits be achieved in order to carry over a process of sustainable urban change, keeping public agencies, investors and city residents engaged? Will the need to achieve this balance be the trigger for greater institutional change towards more inclusive modes of city governance?

Jacobs (2004) and Jones (1998) noted that northern European governments have adopted more participative structures of governance, in lieu of the earlier interventionist economic policy, bringing together different city stakeholders when implementing waterfront regeneration projects. Although Portugal can still not be placed together with its northern European counterparts, the European funded POLIS program is following suit. The institutional model used by the POLIS program shows that government was prepared to give some steps in this new direction; or, at the minimum, that the tradeoff between additional European funding and a need for institutional change was tempting enough to allow for public agencies and a selected few non-government stakeholders to experience new ways of relating in the urban regeneration arena. POLIS may well prove to be a valuable experience to national and local stakeholders, and maybe the necessary intermediate step to a successful transition into new kinds of urban governance, as it provides for a different forum where urban change and a future vision for the city can be formed.

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<sup>1</sup> Waterfront expo adopted the following ten principles, approved during the world conference under the aegis of the United Nations Urban 21: Secure the quality of water and the environment (municipalities are responsible for the sustainable recovery of derelict banks and contaminated water); Waterfronts are part of the existing urban fabric (continuity with the existing city and water use – waterborne transport, entertainment and culture); The historic identity gives character (sustainable redevelopment should respect the heritage, landmarks and nature, to give the waterfront character and meaning); Mixed use is a priority (waterfronts should celebrate the water by offering a diversity of cultural, commercial and housing uses); Public access is a prerequisite (waterfronts should be both physically and visually accessible for locals and tourists of all ages and income); Planning in public private partnerships speeds the process (the coordinators of complex waterfront developments must guarantee their long-term economic, social and ecological success); Public participation is an element of sustainability (the community should be informed and involved in discussions continuously from the start); Waterfronts are long-term projects (public administration must give impulses on a political level to ensure that the objectives are realized independently of economic cycles or short-term interests); Re-vitalization is an ongoing process (plans should be flexible, adaptable to change and incorporate all relevant disciplines); Waterfronts profit from international networking (the exchange of knowledge in an international network between contacts involved in waterfronts on different levels offers both individual support and information about the most important projects completed or underway).

<sup>2</sup> The recognition of housing degradation, aesthetical and safety conditions in some areas of the country triggered the establishment of SRU-Urban Rehabilitation Societies (or urban rehabilitation agencies). This program (and accompanying legislation) targets primarily urban historical areas where building conservation and rehabilitation are urgent. The program is based on one main principle, which is that it is the property owner duty to promote house rehabilitation. Once created, a Urban Rehabilitation Society (SRU) has the power to: licence urban operations and projects within its established area (usually defined by local authorities); take possession of properties and rights to urban rehabilitation; grant funds and relocate people (there are special financing programs to allow for residents to move back into their homes after rehabilitation is completed); monitor interventions.