



Unit E2 – Subsidiarity Network/Europe2020 Monitoring
Platform/Covenant of Mayors/EGTC



**REPORT ON THE CONSULTATION OF
THE SUBSIDIARITY MONITORING NETWORK:**

ASSESSMENT OF TERRITORIAL IMPACT

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<http://subsidiarity.cor.europa.eu>

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1. Introduction and basic information

The Territorial Impact Assessment is defined as "a tool for assessing the impact of spatial development against spatial policy objectives or prospects for an area". In recent years, the issue of regional diversity and the need for an in-depth assessment of the territorial and regional effects of EU sectoral policies have been at the forefront of the European policy debate.

The European Commission has recently issued a Staff Working Document¹ aimed at providing operational and methodological guidance on how to address the territorial implications of proposals that are deemed to have a territorial impact. In particular, the document explains the importance of assessing territorial impact and identifies why territorial impact should be assessed and when and how such assessments should be carried out. It also describes the methodologies to be used and defines which policies are deemed to have a significant territorial impact.

Given the importance of this subject, the Committee of the Regions is issuing an own-initiative opinion, for which Michael Schneider (DE/EPP) was appointed rapporteur. The present consultation was launched on 1 February 2013 and closed on 27 March 2013 (the initial deadline was 20 March) and is intended to provide the input needed to help rapporteur Mr Schneider (DE/EPP) with the preparation of his draft opinion. In addition, a questionnaire was submitted to the CoR's Subsidiarity Monitoring Network, the Europe 2020 Monitoring Platform and the EGTC Platform. Regional offices based in Brussels and Permanent Representations were also informed and invited to participate.

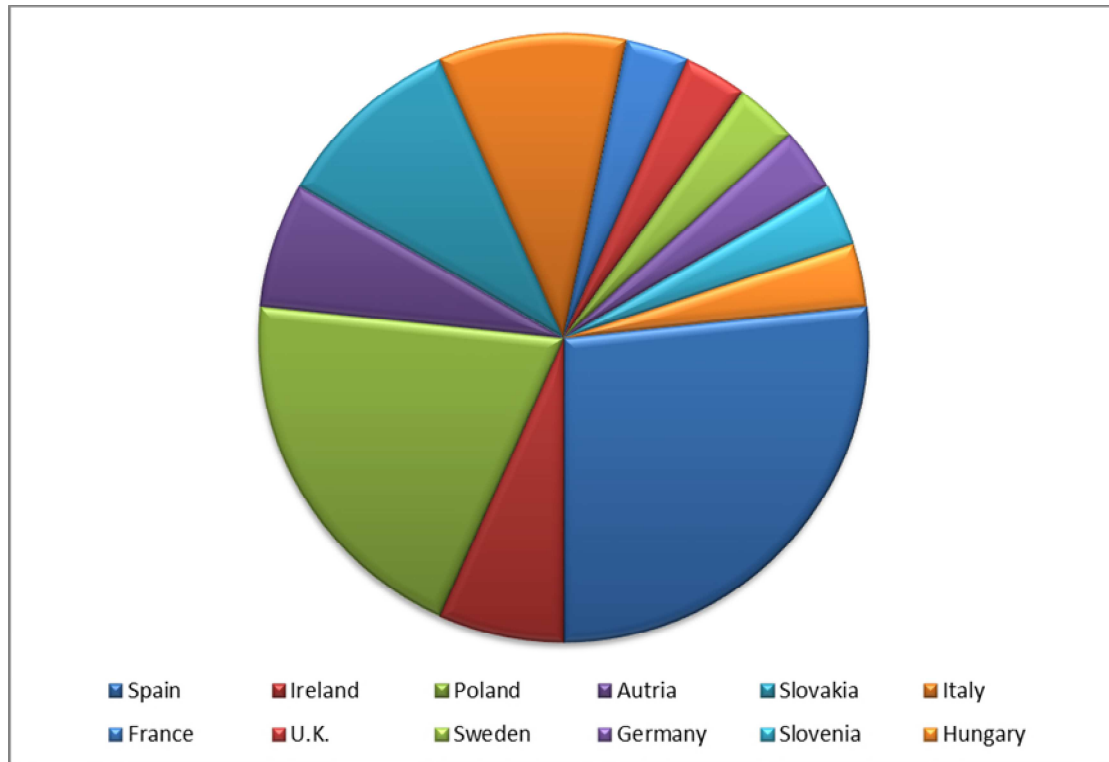
Respondents were asked to share their views on the following topics:

- the extent to which the new operational guidance responds to the rise in expectations following the adoption of the Green Paper on Territorial Cohesion in 2008;
- the effectiveness of the new instrument in terms of improving coordination between EU sectoral policies;
- the need to make territorial impact assessments compulsory for certain EU policies;
- the methodology proposed by the European Commission for assessing territorial impact;

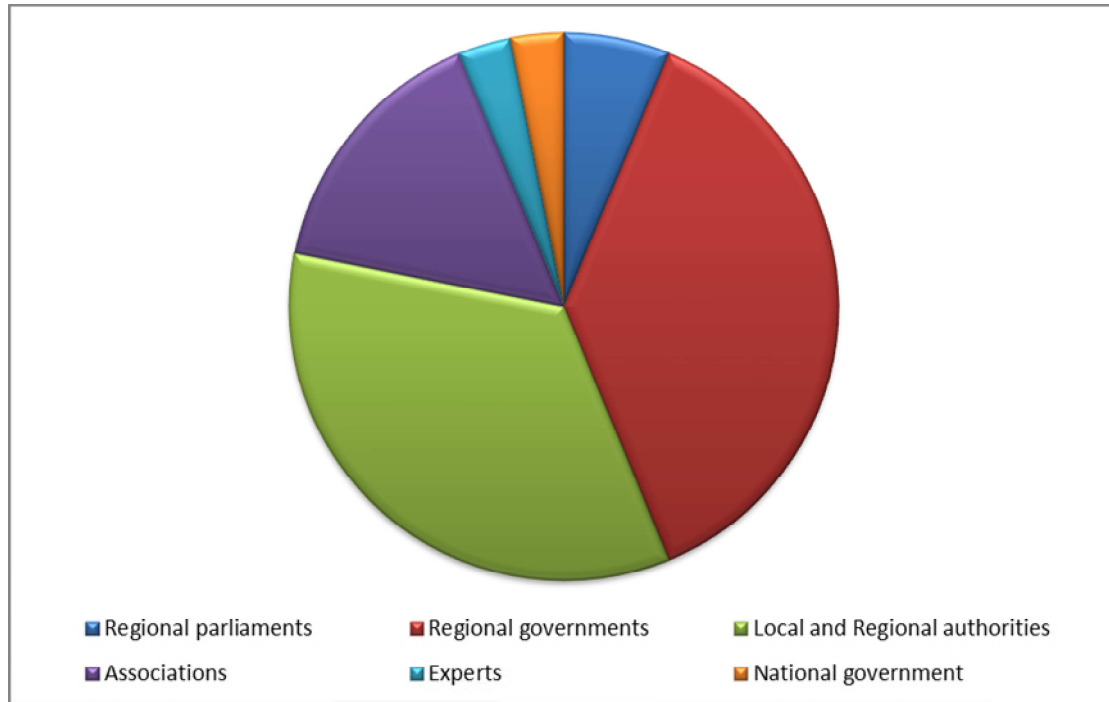
¹ http://ec.europa.eu/governance/impact/key_docs/docs/cswd_ati_en.pdf

- the potential involvement of local and regional authorities in this process and the role that the Committee of the Regions should play therein; and
- the need for a "territorial dimension" of the EU2020 policy cycle.

In total, **32 contributions** were received from **12 Member States**.



The respondents included five associations of local and regional authorities; 12 Regional Governments; two Regional Parliaments; 11 Local/Regional Authorities; one National Government and one expert.



This report summarises the results of the consultation and presents a number of conclusions based on an analysis of these contributions.

2. Key findings of the consultation

Based on the responses received, the findings may be summarised as follows:

Extent to which the new Guidelines respond to the rise in expectations following the adoption of the Green Paper on Territorial Cohesion in 2008

- Asked about the Staff Working Document and its link to the **Green Paper on Territorial Cohesion** published in 2008, a majority of respondents consider that the Staff Working Document represents at least a positive step in the right direction towards taking greater account of the "territorial dimension" of EU policies. Moreover, the SWD is seen as a valid instrument that reflects the debate that began after the publication of the Green Paper on Territorial Cohesion in 2008; summarises the key elements to be taken into account when assessing territorial impact; or proposes a valid methodology for so doing.

Nevertheless, most respondents also believe there is a need for **more follow up** to the debate on territorial cohesion that began after the adoption on the Green Paper in 2008.

In fact, some respondents consider that the adoption of a Staff Working Document alone actually weakens its potential effectiveness and that **more needs to be done for the objective of territorial cohesion** to become a reality: *"unless it (the Staff Working Document) is underpinned in a formally codified methodology that is compulsorily used*

by the Commission in preparing legislation, all work so far would be fruitless," argues COSLA.

Other respondents consider that the **Staff Working Document does not respond to the expectations** created after the publication of the Green Paper on Territorial Cohesion in 2008 and that much more needs to be done if this objective is to be achieved. In this sense, some respondents present very clear observations: "*We believe more follow up and further development of the debate on territorial cohesion are needed, in particular regarding governance issues and the need to associate the different administrative tiers in the decision making process,*" (Basque Country) or "*a much more in-depth approach would be needed if the territorial dimension of EU legislation is to properly feed in to the EU legislative process*" (Vorarlberg).

One respondent (Border Midland) draws attention to two missing aspects that should have been addressed: "*the adoption of a **coherent single definition of territorial cohesion***" and "*to confront Member States in respect of their **obligations under Article 175 of the TFEU***".

- According to a majority of respondents, the **Staff Working Document can act as a good eye-opener** and provide information about the potential territorial impact of EU initiatives: the document presents a menu of approaches and the general state of play. The assessment of territorial impact can help to improve the coordination of EU sectoral policies, although there is still much to be done if this objective is to be achieved.

Nevertheless, a majority of respondents also consider that its **effectiveness will only be verified through its actual implementation**, especially in view of the need to develop common indicators and standardised criteria for the assessment of asymmetric impacts. There are also concerns as to how this will be implemented. In particular, Border Midland finds section 5 of the document "poor" and considers that, "*the provision of sample TIAs or Case Studies would provide a much more effective guidance tool to Commission staff*".

For AEBR, the document, "*only attempts to explain what the assessment of territorial impact means, why it can be a useful tool as well as when and how it can be carried out,*" and therefore, "*cannot be an efficient instrument for better coordination*".

Some respondents, especially from Poland, are concerned about the **absence of any indicators** and stress the need for greater involvement by regional authorities when measuring the impact of EU policies.

Mission Opérationnelle Transfrontalière (MOT) considers the models proposed in the Commission document to be insufficient, "*still being **relatively sector-based and as yet not able to measure certain interactions between policies***". It also asks for models that can operate on a smaller scale and considers that the observation of and provision of data on cross-border phenomena (regarding flows, for example), and particularly fine-scale

data that is compatible across a number of States are crucial. In the same vein, the Central European Service for Cross-Border Initiatives (CESCI) understands that *"it is really hard to perform proper territorial analyses when data are missing or incompatible in border regions"*.

The Polish Mazowieckie Region proposes that the suggested **methods for assessing the impact on territorial cohesion be tested out on concrete examples**. It also considers that *"it would be worth analysing in more detail what measures could be taken to mitigate the negative impact of given policies on specific areas"*. Murcia Region suggests the creation of a Network of regional observatories in charge of identifying regions sharing the same characteristics and problems.

Need for compulsory territorial impact assessments

- The majority of the respondents consider that the **assessment of territorial impact should be made compulsory for those policies which may be more susceptible to having a territorial impact**, in particular: Transport, Industrial Policy; the Common Agricultural Policy; Maritime Policy; Energy Policy; Regional Policy; Employment and Social Policy; Innovation and Research. At the very least, a quick check could be carried out to identify any potential impact and establish if a more in-depth assessment may be necessary at a later stage.

Other policy fields where **a territorial impact assessment should be taken into account include: Economic policy, Internal Market, Education, Services of General Interest, policies with an impact on border regions** as well as all policies involving funding initiatives and measures regulating State Aid.

The Basque Country believes that assessing **territorial impact should be a compulsory step** at the very least for those policy proposals pertaining to policy fields where the consultation of the CoR is mandatory.

It is also suggested that the assessment of **territorial impact should go hand in hand with the subsidiarity assessment (COSLA²)** i.e. that a territorial impact assessment should also be carried out in all cases where impact assessments include a subsidiarity analysis, since subsidiarity assessments and territorial impact assessments are, in fact, *"two sides of the same coin"*.

Some respondents point out that the **EU2020 objectives should be taken as a guide for establishing which policies should involve a Territorial Impact Assessment**, while the integration of all instruments designed to assess impacts in the territory has also been suggested.

² Convention of Scottish Local Authorities (COSLA)

Methodology and tools for TIA: Decentralised or centralised system for the assessment of territorial impact?

- The majority of respondents consider the methodology proposed by the **Commission** sufficient for a quick check and for identifying any potential impact and that it is therefore **sufficient for the first phase of a Territorial Impact Assessment**. Nevertheless, they also argue that the methodology needs to be fine-tuned and further developed.

In this respect, AEBR³ points out that *"cross-border data and information are almost completely missing up to now"*. In fact, the lack of indicators and data at regional level are among the biggest concerns for the respondents, as pointed out by the Umbria Region among others.

As regards the debate about the need for quantitative and/or qualitative data when assessing territorial impacts, MOT considers that *"it is necessary to maintain a balance between qualitative and quantitative data in territorial impact assessments and especially important not to neglect the latter (consultations, written contributions, focus groups, etc.)"*.

- The respondents did **not show any consensus as to whether territorial impact assessments should be carried out by a single specialised entity or in a decentralised manner**. In fact, some respondents believe in the effectiveness of a decentralised system while some others think a unique specialised entity in charge of assessing territorial impacts would be the best solution, given the complexity of the subject matter and the costs which a decentralised system could entail.

We should mention here that this question may have been **interpreted in two different ways** by respondents. While some respondents understood that they were asked to show their preference between a centralised or a decentralised system for assessing territorial impact (in both cases within the Commission services), a number of respondents understood that they were actually being asked to express their preferences between a centralised system (in this case, the European Commission alone) and a decentralised system for assessing territorial impact i.e. with the involvement of local and regional authorities, as expressed by Kaerntner Region: *"[...] this would need to be done at a decentralised level, as even a central entity should not judge the complexity of individual issues by a single set of criteria, firstly because of the different starting points of the regions and cities affected and secondly because of the differences in impact on regions. Specific situations need to be looked at individually and then fed into the opinion-forming process"*.

In the same line, the Westpomeranian Region understands that *"a decentralised system is by far the best approach as only this type of approach will make it possible to: i)*

³ Association of European Border Regions (AEBR)

stimulate regional activity and initiatives which can often lead to the development of new solutions in this area; ii) identify and take account of problems specific to a given locality; iii) ensure that the territorial impact assessment process is time-efficient".

It is worth stressing that those in favour of a **decentralised system have also called for a common approach and for clear criteria**. Accordingly, Lombardy Region agrees *"with the proposal of a decentralised system based on common specifications/directives"*, while COSLA points out that *"Territorial Impacts should be at the very least coordinated from the Commission Secretariat General. This is the only way that a common methodology can be used consistently across the DGs and commission agencies (EEA, EACI, etc). Experience shows that whenever a decentralised system is used at the Commission (be that to address cross-policy issues such as environmental protection, procurement, and public services) this leads to different approaches and different degrees of compliance inside the Commission"*.

Spatial Foresight, a technical expert in the field, states that *"focusing on eye-openers and the proposed methodologies, things should be kept rather straightforward and suitable for a decentralised system. In the case of more in-depth assessments (which might be useful in particular cases) perhaps a single body with a particular insight and experience in the field of territorial impact assessments might be suitable"*.

The arguments in favour of a centralised system are that the subject matter is complex, that there is a need to ensure coherence in the process as well as the issue of the effectiveness and final costs of the exercise.

In this respect, we can conclude that one area where there was a clear consensus among the respondents is the belief that any territorial assessment initiative should take into account the viewpoint of local and regional authorities.

Involvement of local and regional authorities and role of the Committee of the Regions

- In relation to the **involvement of local and regional authorities**, a majority of respondents consider that it **is essential to ensure that targeted consultations** of local and regional authorities are part of the process in order to assess the potential territorial impact of EU initiatives more effectively. Local and regional authorities want to be involved in the assessment of territorial impacts and consulted in order to verify the correctness of the assumptions and findings included therein.

Especially clear on this point, Wielkopolska Region considers that *"local and regional authorities should be one of the partners in assessing the territorial dimension of the Commission's proposals"*.

The involvement of local and regional authorities is seen as a way of ensuring: first, that their views, data and expertise are incorporated into the process; and second, that the results and assumptions are contrasted and verified against the different regional realities.

On the issue of how **local and regional authorities may be effectively involved in territorial impact assessment exercises**, a majority of respondents propose a range of measures in this area: from the launch of targeted consultations of local and regional authorities in a systematic manner as part of the preparation of territorial impact assessments to the organisation of conferences and forums to promote the exchange of data and ideas.

The **inclusion of specific questions on territorial impacts in standard consultations** is also proposed by Mazowieckie Region: *"one valuable measure that should be implemented is to include questions on territorial impact during consultations on legislative proposals"*.

- A vast majority of respondents suggested that the Committee of the Regions should play an active role in this process. Expectations from respondents about the potential role of the CoR vary from those that placed an emphasis on the Committee's political role to those who believe that the CoR could play a more practical and technical role.

In fact, those respondents calling for the **Committee of the Regions** to be given a **practical and technical role** consider that the CoR could provide and facilitate the involvement of local and regional authorities in the Territorial Impact Assessment process, while playing the role of *"integrator, coordinator and facilitator"*. On the other hand, some respondents feel that it is more important for the CoR to offer the necessary political backing to all initiatives aimed at improving the assessment of the territorial impacts of EC proposals and enhancing territorial cohesion within the EU.

Other options are listed below to provide an example of the roles suggested by respondents:

- *"The Committee of the Regions should perform an oversight /supervisory / quality assurance role in respect of the performance of TIAs by the Commission Services"*, Border Midland and West Regional.
- *"The Committee of the Regions should act as an integrator and moderator in the assessment process"*, Gdynia City Council.
- *"The Committee of the Regions could play a coordinating role here. It would be for the sub-national levels to carry out the plausibility checks themselves since they would be in the best position to assess the local situation"*, Vorarlberg Regional Government.
- *"The Committee of the Region could facilitate the collection of impact assessments and review them to identify the types of regions which (a) are particularly affected by a number of policies, (b) might have better chances of benefitting from synergies between different policies, or (c) might face challenges due to the contradicting impact of policies"*, Spatial Foresight.

The territorial dimension of the Europe 2020 policy cycle

- As regards the need for the **Europe 2020 policy cycle to include a territorial dimension**, most of the respondents stressed that it was necessary to include a Territorial Impact Assessment when evaluating the territorial impact of the Europe 2020 strategy especially as it had already been proposed as part of the Territorial Agenda. A majority of the respondents consider it indispensable, *"Achieving territorial cohesion without taking into account the territorial dimension is surely unimaginable"* (NITRA Self Governing Region).

Many respondents regret that **a territorial dimension has yet to be included in the Europe 2020 Strategy**. For MISP, for instance, *"The territorial dimension cannot be seen in the EU2020S. That is a pity, since the implementation of EU2020 can have a very strong territorial influence"*.

- Regarding the possibility of the **Annual Growth Survey containing a territorial impact assessment**, a majority of respondents consider that the Survey should not be territorially blind and include some kind of "territorial reflection". Some respondents consider that National Reform Programmes should also include a territorial dimension.
- On the possibility of carrying out **Territorial Impact Assessments at Member State level**, the majority of respondents feel it would be beneficial if territorial impact assessments were carried out at Member State level. Some respondents consider it would be even more effective still if the territorial impact assessments were performed at regional level.

3. Conclusions

- The **Staff Working Document** adopted by the European Commission is **at least a positive step in the right direction** to taking greater account of the "territorial dimension" of EU policies. It is considered to be a valid instrument that reflects the debate that began following the publication of the Green Paper on Territorial Cohesion in 2008; it summarises the key elements to be taken into account when assessing territorial impact; or proposes a valid methodology for so doing.
- It can act as a **good eye-opener** for providing information about the potential territorial impact of EU initiatives. The assessment of territorial impacts can help to improve the coordination of EU sectoral policies, although much needs to be done if this objective is to be achieved.
- **Territorial impact assessments should be made compulsory for those policies which may be more susceptible to having a territorial impact**, in particular: Transport, Industrial Policy; the Common Agricultural Policy; Maritime Policy; Energy Policy; Regional Policy; Employment and Social Policy; Innovation and Research. At the very least, a quick check could be carried out to identify any potential impact and establish if a more in-depth assessment may be necessary at a later stage.
- The **methodology** proposed by the Commission is sufficient for a **Quick Check** and for identifying potential impacts and therefore **sufficient for the first phase** of a Territorial Impact Assessment. Nevertheless, the methodology still needs to be fine-tuned and developed further.
- The European Commission should ensure that the specificities of different regions are duly taken into account, as part of either a **centralised or a decentralised system** for territorial impact assessments, and that a **common approach** is adopted for assessments of territorial impact.
- The **appropriate involvement of local and regional authorities** in the Territorial Impact Assessment process could be highly beneficial for promoting regional activities and initiatives, leading to new solutions, and for identifying and taking account of problems specific to a given locality. It could also serve to enrich and improve territorial impact assessments by incorporating the local and regional viewpoint and by verifying the assumptions and preliminary results of given Territorial Impact Assessments.
- Such involvement can be ensured both through **targeted consultations and ad hoc conferences and workshops** where information and data can be exchanged.

- The **Committee of the Regions is urged to play an active role in the Territorial Impact Assessment process**, by facilitating and coordinating the involvement of local and regional authorities in the process and by providing political support to all initiatives undertaken to improve the assessment of the territorial impact of EU initiatives and territorial cohesion.
- To ensure the successful implementation of the **Europe 2020 Strategy**, it is necessary to consider the territorial dimension. **The Annual Growth Survey should pay attention to territorial impact.**
- Territorial Impact Assessments should be promoted at EU, national and sub-national level.

Appendix: List of respondents⁴

ASSESSMENT OF TERRITORIAL IMPACT

#	Name	Category	Member of	Country
1.	Aragón Regional Government	Regional Government	Other	SPAIN
2.	Border Midland and Western Regional Assembly	Regional Parliament	Europe 2020 Monitoring Platform	IRELAND
3.	Gdynia City Council	Local / Regional Authority	Committee of the Regions	POLAND
4.	Association of European Border Regions (AEBR)	Association	SMN EGTC <i>Europe 2020 MP observer</i>	N/A
5.	Office of the government of Vorarlberg	Regional Government	SMN	AUSTRIA
6.	Košice Self-governing Region	Local / Regional Authority	SMN Europe 2020 Monitoring Platform	SLOVAKIA
7.	Umbria Region	Regional Government	Europe 2020 Monitoring Platform	ITALY
8.	Mission Opérationnelle Transfrontalière (MOT)	Association	Other	FRANCE
9.	Łódź Voivodship Marshal's Office	Local / Regional Authority	SMN Europe 2020 Monitoring Platform	POLAND
10.	Wielkopolska Region Marshal's Office	Local / Regional Authority	SMN Europe 2020 Monitoring Platform	POLAND
11.	Lombardia Region	Regional Government	SMN Europe 2020 Monitoring Platform	ITALY

⁴ You can access all contributions by clicking [here](#)

#	Name	Category	Member of	Country
12.	Spatial Foresight GmbH	Expert	Other	N/A
13.	Convention of Scottish Local Authorities (COSLA)	Association	SMN	UNITED KINGDOM
14.	Office of the Government of Carinthia	Regional Government		AUSTRIA
15.	Nitra Self-governing Region	Local / Regional Authority	SMN	SLOVAKIA
16.	Westpomeranian Region Marshal's Office	Local / Regional Authority	Europe 2020 Monitoring Platform	POLAND
17.	Extremadura Regional Assembly	Regional Parliament	SMN	SPAIN
18.	Swedish Association of Local Authorities and Regions (SALAR)	Association	SMN Europe 2020 Monitoring Platform	SWEDEN
19.	Mazowieckie Regional Planning Office	Local / Regional Authority	SMN Europe 2020 Monitoring Platform Other	POLAND
20.	Lubuskie Voivodship Marshal's Office	Local / Regional Authority		POLAND
21.	Mid-West Regional Authority (MWRA)	Local / Regional Authority		IRELAND
22.	European Affairs Committee of the Conference of Ministers for Spatial Planning (MKRO) - Bayern	Regional Government	Other	GERMANY
23.	Trenčín Self-governing Region	Local / Regional Authority	Europe 2020 Monitoring Platform	SLOVAKIA
24.	Catalunya Regional Government. Department of Territory and Sustainability	Regional Government	Europe 2020 Monitoring Platform	SPAIN
25.	Ministry of infrastructure and Spatial planning, Spatial Planning Directorate	National Government	Other	SLOVENIA
26.	Canary Islands Government	Regional Government	SMN	SPAIN
27.	Basque Government	Regional Government	SMN	SPAIN

#	Name	Category	Member of	Country
28.	Murcia Regional Government	Regional Government	Europe 2020 Monitoring Platform	SPAIN
29.	Diputació de Barcelona	Local / Regional Authority	SMN Europe 2020 Monitoring Platform	SPAIN
30.	Friuli Venezia Giulia Regional Government	Regional Government	SMN	ITALY
31.	Valencia Regional Government	Regional Government	SMN Europe 2020 Monitoring Platform	SPAIN
32.	Central European Service for Cross-Border Initiatives (CESCI)	Association	EGTC	HUNGARY