

**COMMITTEE OF THE REGIONS**  
**– DIRECTORATE E –**  
**Horizontal Policies and Networks**



**QUESTIONNAIRE**

**ASSESSMENT ON TERRITORIAL IMPACTS**

**Submitted by Michael Schneider (DE/EPP)**

**Michael Schneider** is the rapporteur for the CoR own initiative opinion on *Assessment on territorial impacts*. This opinion will discuss the European Commission's Staff Working Document on **Assessing territorial impacts: operational guidance on how to assess regional and local impacts within the Commission Impact Assessment system, SWD(2013) 3 final**. This questionnaire identifies important issues for the Committee of the Regions and is designed to assist in the drafting of the own initiative opinion on the assessment of territorial impacts.

Please complete and submit by **20 March 2013**. If you are member of the Subsidiarity Monitoring Network you can upload the completed questionnaire directly onto the Subsidiarity Monitoring Network website (<http://subsidiarity.cor.europa.eu> – remember to log in). Alternatively and in case you are not member of the Network, you can send it by email to [subsidiarity@cor.europa.eu](mailto:subsidiarity@cor.europa.eu).

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## QUESTIONS

1. The Staff Working Document states that: *"the guidance provided here also responds to a request from the Member States, expressed in the debate following the 2008 Green Paper on Territorial Cohesion and under the Polish EU Presidency in 2011 as part of the Territorial Agenda process"*.

**a) Do you consider that the document published by the European Commission meets the expectations and the ideas expressed in the political debate raised after the publication of the Green Paper on Territorial Cohesion in 2008? Do you believe there is a need for greater follow-up to this debate on territorial cohesion and if yes, could you give some concrete examples?**

The staff working document presented by the European Commission on the assessment of territorial impacts follows the call by the Conference of Ministers for Spatial Planning (MKRO) for more consideration of the territorial dimension in EU strategy papers and programmes. With the Assessment on territorial impacts (called for in point 50 of the EU's Territorial Agenda 2020), the European Commission has taken a first step in raising awareness of the territorial dimension in the drawing up of legal acts and so ensuring that more account is taken of territorial issues. This is emphatically welcomed. Assessing the territorial impact of EU legislation could provide an important contribution to the debate on territorial cohesion.

However, more needs to be done, for example through the annual conferences on the Territorial Agenda, meetings of the Council of Ministers on territorial cohesion or in the Cohesion Report.

2. In order to better coordinate the territorial impact of sectoral EU policies, there needs to be a better understanding and measurement of those impacts. The Green Paper on Territorial Cohesion already focused on this point, stating that "improving territorial cohesion implies better coordination between sectoral and territorial policies and improved coherence between territorial interventions".

**b) Do you believe that the European Commission's proposal can be an effective instrument able to improve coordination between EU sectoral policies having territorial impacts? In your view what else should/could be done?**

The European Commission's proposal is a sensible first step towards improving the coordination of sectoral measures with territorial relevance in the EU. The working document could in particular increase awareness of territorial impacts.

According to the European Commission's proposal, the impact assessment is only intended to consider whether there is substantial territorial asymmetry. The European Commission has not so far provided for a "territorial benchmark" for evaluating the territorial dimension. A further step should be therefore taken, to assess the extent to which the territorial objectives of the EU Territorial Agenda 2020, the European Spatial Development Perspective (ESDP) and the Leipzig Charter, adopted by consensus between the Member States together with the European Commission, could serve as a benchmark for an impact assessment. This could apply for instance to the objectives of multi-centre development, development of urban and rural areas or equal access to infrastructure and knowledge.

Coordination is more than a territorial impact assessment of individual sectoral policies: it is intended to achieve consistency and synergies between those policies. Chapter 4 of the updated Territorial State and Perspectives of the EU (TSP2011) could provide the basis for establishing the territorial dimension of sectoral policies (see point 43 of TA2020).

It is also important to try and evaluate and avoid possible incompatibilities with the objectives set in the national and regional territorial plans (vertical territorial coordination).

3. The Staff Working Document provides operational and methodological guidance on how to answer a range of questions regarding the potential territorial impact of a given proposal. Nevertheless, it underlines that assessing territorial impacts is not mandatory, and states that it is just a tool that can be helpful to enhance the policy coherence of some policy proposals.

**c) Do you consider that territorial impact assessments should be made compulsory for those sectoral policies having a territorial impact? If yes, in your opinion for which sectoral policies should the assessment of territorial impacts be made mandatory?**

In accordance with the EU Treaty objective of social, economic and territorial cohesion, impact assessments should put territorial factors on a par with economic, environmental and social factors. The focus should be on policies with a greater territorial dimension (e.g. transport, agriculture, energy, the environment, regional policy), although this does not mean that other policy areas should be excluded.

It is very important to avoid any excessive red tape arising with this additional assessment. It would therefore seem reasonable for inclusion of the territorial dimension in the impact assessments to be optional at first, as is intended. After a pilot phase (we suggest of 12 months), the territorial impact assessment method should be evaluated and incorporated into the impact assessment guidelines as a compulsory measure.

4. The Staff Working Document states that a territorial impact assessment should be carried out when the proposal explicitly focuses on specific territories or when the proposal risks of having a large asymmetric territorial impact (outlier impact). It also highlights different methods that can be used to assess territorial impacts. In particular, it mentions qualitative and quantitative analysis. These tools and methodologies should be used by the different Directorates-General at the European Commission when preparing territorial impact assessments for proposals they are responsible for.

**d) Do you consider the data, methodology and tools proposed for supporting territorial impact assessments (such as ESPON ARTS<sup>1</sup> or QUICKScan) are sufficient to measure the potential territorial impacts a given proposal could have in your region? Would you propose any other type of tools/methodology?**

The choice of data, methodology and tools in points 5.1 to 5.5 of the staff working document makes sense. After a year or so it will be necessary to check whether the methodology and tools have proved

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<sup>1</sup> [http://www.espon.eu/main/Menu\\_Projects/Menu\\_AppliedResearch/arts.html](http://www.espon.eu/main/Menu_Projects/Menu_AppliedResearch/arts.html).

effective or whether they need to be adapted or expanded (only for individual sectoral policies, as necessary). To determine the contribution of sectoral policies to achieving the territorial objectives (see 2(b) above), the tools must be further enhanced. The European Spatial Planning Observatory Network (ESPON) should be included in this process.

To avoid red tape, assessment of territorial impact should be incorporated into the existing impact assessment.

**e) Do you believe the complexity of territorial impact assessments require them to be carried out by a single specialised entity (one-stop shop) or do you prefer the idea of a decentralised system as proposed in the Staff Working Document?**

The answer to this question assumes that "decentralised system" means the impact assessments being carried out by the body with the relevant technical knowledge (Directorate-General, Directorate, unit) of the Commission (cf. impact assessment guidelines). To minimise red tape while make the relevant bodies more aware of territorial impacts, it makes sense to also use a decentralised system for the territorial dimension. Given the complex nature of the issue, external experts can be used to complement the initial assessment based on the available staff working documents. According to the guidelines, this is also possible for the other areas of the impact assessments (economic, environmental, social). Another possibility would be to provide support through geographical information systems, as already mooted in the staff working document. The possibility should be considered of including the Directorate-General for Regional and Urban Policy, which drew up the staff working document, in the existing impact assessment systems in future, given its particular concern with territorial matters.

5. Multilevel Governance and partnerships are key factors in the implementation of territorial cohesion, focussing on strengthening a place-based approach. The Committee of the Regions has already asked for the assessment of specific territorial impacts and recalls the potential role<sup>2</sup> of the CoR in assisting the European Commission in the process of Impact Assessment as well as to be associated to some of the EC's initiatives towards improvements in the capacity building of regional and local authorities<sup>3</sup>.

**f) What should the specific measures providing for the involvement of local and regional authorities be in these exercises?**

A stakeholder consultation is already provided for in the impact assessment guidelines. Local and regional impacts (opportunities and risks) should be consistently taken into account in this consultation. The impact assessments are made accessible to the general public in this process, which also gives local and regional authorities the opportunity to get involved during a given period. We believe that this creates an obligation. As a stakeholder, the CoR should also be regularly informed or consulted by the Commission on impact assessments with territorial relevance.

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<sup>2</sup> See section 5.5 of the EC's Staff Working Document: "Under the Protocol on Cooperation between the Commission and the Committee of the Regions (2012) the Commission services may ask for support from the Committee in preparing its assessment.

<sup>3</sup> CdR 353/2010, CoR Opinion on Smart Regulation.

**g) What role do you see for the Committee of the Regions in this context?**

The Committee of the Regions should act as the representative of local and regional authorities in Brussels with respect to impact assessments (cf. answer to (f)).

6. The Committee of the Regions has already asked for territorial cohesion to be strengthened in relation to the EU2020 Strategy. One possibility for this could be not to confine the assessment of territorial impacts to legislative proposals and to extend them to other documents, such as key planning documents, such as the Annual Growth Survey.

**h) Do you think there should be a territorial dimension of the EU2020 policy cycle?**

Yes. TA2020 (point 44) calls for the territorial dimension to be reflected in implementing and monitoring the EU 2020 strategy. This covers the entire policy-making cycle, including the Annual Growth Survey. However, it also raises the question, as in the general discussion (cf. answer to (a)), of how to put this into practice with a minimum of bureaucracy. Including the territorial dimension in impact assessments will provide an initial indication of how far it is feasible and reasonable to consider this dimension at EU level.

**i) Do you consider the Annual Growth Survey (as a key planning document for the launch of the annual EU2020 policy cycle) should contain a territorial impact assessment?**

The Annual Growth Survey already has a territorial dimension, since on some issues it is addressed to only a selection of Member States (e.g. on changing the retirement age). This could be complemented by cartographic representations, e.g. through ESPON. The European Commission in principle does not carry out an impact assessment for the Annual Growth Survey, and a territorial impact assessment for the local and regional authorities would therefore appear inappropriate and excessively bureaucratic.

**j) In your opinion, should Territorial Impact Assessments also be carried out at Member State level?**

The question is not clear, so we will provide answers reflecting two alternative interpretations.

Interpretation 1: the question concerns legislation of the European Commission and related impact assessments. In this case a specific impact assessment is supposed to be carried out for local authorities as part of the public consultation of the Member States. This seems sensible in certain cases, but the Member States should not be placed under any obligation in view of the red tape involved.

Interpretation 2: the question is about whether Member States should carry out a territorial impact assessment for their own (national) legislation. In this case, as at EU level the additional red tape should be proportionate to the benefit. As at EU level, it would make sense to run a pilot project here (possibly in selected Member States only to begin with).

Pilot projects should include a number of Member States so that the results can be evaluated for the whole of the EU.