

University of Groningen

Making Sense of Decentralization

Zuidema, Christian; de Roo, Gert

Published in:
Risk governance

DOI:
[10.1007/978-94-017-9328-5_4](https://doi.org/10.1007/978-94-017-9328-5_4)

IMPORTANT NOTE: You are advised to consult the publisher's version (publisher's PDF) if you wish to cite from it. Please check the document version below.

Document Version
Publisher's PDF, also known as Version of record

Publication date:
2015

[Link to publication in University of Groningen/UMCG research database](#)

Citation for published version (APA):

Zuidema, C., & de Roo, G. (2015). Making Sense of Decentralization: Coping with the Complexities of the Urban Environment. In U. Fra (Ed.), *Risk governance: The articulation of hazard, politics and ecology* (pp. 59-74). Springer. https://doi.org/10.1007/978-94-017-9328-5_4

Copyright

Other than for strictly personal use, it is not permitted to download or to forward/distribute the text or part of it without the consent of the author(s) and/or copyright holder(s), unless the work is under an open content license (like Creative Commons).

The publication may also be distributed here under the terms of Article 25fa of the Dutch Copyright Act, indicated by the "Taverne" license. More information can be found on the University of Groningen website: <https://www.rug.nl/library/open-access/self-archiving-pure/taverne-amendment>.

Take-down policy

If you believe that this document breaches copyright please contact us providing details, and we will remove access to the work immediately and investigate your claim.

Downloaded from the University of Groningen/UMCG research database (Pure): <http://www.rug.nl/research/portal>. For technical reasons the number of authors shown on this cover page is limited to 10 maximum.

Chapter 4

Making Sense of Decentralization: Coping with the Complexities of the Urban Environment

Christian Zuidema and Gert de Roo

4.1 Introduction

During most of the twentieth century, the exercise of governance was left largely to the discretion of formal governments, most notably the central state. Reliance on government control was supported by the long-held assumptions that (central) governments are able to exercise a high degree of control over social processes and, while doing so, are also best equipped to represent the ‘public good’. Although long left relatively undisputed, the past few decades are characterized by much greater skepticism towards these assumptions. This skepticism is fuelled by the works of scholars such as Castells (2000), Beck (1992) and Harvey (1989), which have led to the rather mainstream acceptance that our societies are far more complex and fragmented than many assumed in the 1950s and 1960s. In response, we have also increasingly come to accept that relying on central government control is often incompatible with the societal conditions we face (e.g. Kooiman 1993; Hooghe and Marks 2001; Pierre and Peters 2000). It has resulted in several prime ‘shifts in governance’ that mean to improve our societies’ governance capacity to respond to the complexities of our twenty-first century societies.

Since the 1980s in particular, extensive governance renewal operations can be witnessed in many countries. As Jessop (1994) explains, these changes result in the ‘hollowing out’ of the nation state. This implies that power and responsibility are reallocated from the central state ‘upward’ to supranational bodies, ‘sideways’ to non-government, market and civil organizations and ‘downwards’ to lower tiers of government. In doing so, central governments hope and expect to increase the societal capacity to govern by involving a wide diversity of societal and market parties

C. Zuidema (✉) • G. de Roo

Department of Spatial Planning and Environment, Faculty of Spatial Sciences,
University of Groningen, PO Box 800, 9700 AV Groningen, The Netherlands
e-mail: c.zuidema@rug.nl; g.de.roo@rug.nl

and by making policies more tailored to different circumstances. Among the dominant means of pursuing governance renewal is the decentralization of power and authority from the central government to the local level (also De Vries 2000). The idea is that local authorities are in a better position to engage in bargaining or collaborative processes with local stakeholders and civil organizations. In addition, familiarity with local circumstances and interests helps local parties developing more integrated policies that are tailored to the local situation. Hence, local authorities are assumed important players in helping governance respond to the complexities of our twenty-first century societies.

Decentralization has in recent decades also begun to affect environmental policies in countries such as Sweden (Bergström and Dobers 2000), Norway (Hovik and Reitan 2004), the United Kingdom (Gibbs and Jonas 1999) and the Netherlands (Zuidema 2011). In the meantime, various authors point out that decentralization is often pursued without a keen understanding of its possible or likely consequences (e.g. De Vries 2000; Flynn 2000; Prud'homme 1994; Walberg et al. 2000). Lower levels of local performance as compared to the situation before decentralization are therefore among the possible outcomes of decentralization. This is clearly a risk, especially when it comes to environmental policy and its focus on protecting public health and safety. In this chapter we will therefore reflect on the increasing role of the local level in environmental policy.

In this chapter we take inspiration from a recent study into the experiences in the Netherlands. This study was issued by the Dutch Ministry of Housing, Spatial Planning and the Environment. Both authors participated in the research, which largely took place in 2008 and was followed by various discussion meetings with Ministry experts on interpreting and explaining the outcomes during 2009 and 2010 (see Spreeuwers et al. 2008; Zuidema 2011). The study's objective was to explain the consequences of decentralization in Dutch environmental policies. In this chapter, we go beyond such an explanation. Instead, we use the findings of our study to explain that central policies and regulations are important conditioning factors for the outcomes of decentralization, as they can provide a robust set of central policies and regulations that stimulate, enable and guarantee levels of local performance. That is, we argue that even if we pursue decentralization to develop more dynamic policy approaches that are tailored to complex local circumstances, central policies and regulations remain to play a key role.

The study was based on four related sub-studies. The first is a desk-study of policy reports and legal documents to better understand the decentralization measures in five environmental policy fields (soil remediation, energy, noise nuisance, air pollution, and odor). The second study was a desk-study of recent research reports on the performance of Dutch municipalities in environmental management. They were based on research conducted by provincial and national institutions that are responsible for supervising municipal performance. The third study was based on a series of interviews with over 40 experts from various governmental and non-governmental organizations, each involved in supervision of municipal performance or advising municipalities. The fourth study consisted of surveys in 28 Dutch municipalities. The surveys focused both on levels of municipal performance and

on explaining the causes for success or failure. More details on these studies are presented in the empirical sections of this chapter.

Section 4.2 contains a short introduction of the initial development of Dutch environmental policies and its dependence on central government control. We subsequently discuss the arguments in favor of decentralization in Sect. 4.3 and the main doubts and risks associated with decentralization in Sect. 4.4. The decentralization operations as pursued in the Netherlands are discussed in Sect. 4.5, while the prime consequences we uncovered in our research are discussed in Sect. 4.6. In Sect. 4.7 we will use our discussion on the benefits, doubts and risks surrounding decentralization to explain the consequences and reflect on the Dutch approach. Based on that we will come to our main conclusions in Sect. 4.8, where we suggest how the Dutch experiences indicate the importance of central policies and regulations to support decentralization.

4.2 The Netherlands, an International Frontrunner?

Modern day Dutch environmental policies find their origins in the ‘environmental revolution’ of the late 1960s and early 1970s that hit much of the western world. Just as many other countries, the Dutch were at this time confronted with the environmental consequences of rapid economic growth following World War II. The response was fast and very well structured. It made the Netherlands an internationally renowned ‘pioneer’ in environmental policies (e.g. Liefferink and Van der Zouwen 2004; Weale 1992).

The Dutch approach might have been fast and well structured; it was not that dissimilar to that in other western countries (e.g. Andersen and Liefferink 1997). Just as many other nations during the early 1970s, the Dutch were inspired by a confidence in the coordinative capacity of the central state to command and control the delivery of societal objectives. It resulted in a strong reliance on centrally issued policy objectives (environmental standards), hierarchical control (sanctions) and the specialization of policies and bureaucracies in distinct topics such as noise abatement, air quality, soil remediation, water quality, etc. Developing and implementing these policies relied rather solely on the regulatory capacity of government bureaucracies and the technical solutions available for those implementing them. It is also clearly visible in the early developments of Dutch environmental policies (also De Roo 2003).

During the 1970s environmental policies in the Netherlands focused on reducing the effect of environmental stress and on cleaning up the most urgent environmental pollution. It called for a fast response with reliable outcomes. This is easier to accommodate by relying on a hierarchical organization than on more collaborative or horizontal organizations, as it is possible to rely on a direct top-down exercise of control. In the *Emergency memorandum on Environmental Hygiene* (Urgentienota Milieuhygiëne) of 1972, the Dutch laid down the foundations for the development of environmental legislation and policies in the 1970s. The Dutch indeed chose to

install a series of environmental quality standards that dictated maximum levels of environmental stress tolerated. Such environmental quality standards would for example dictate the maximum amounts of pollutants tolerated in air, water and soil, the height of safety risks tolerated in areas where people would live or work or the maximum amount of noise tolerated in residential areas. These standards were not just meant to be 'strict but realistic' (De Roo 2003), but given their reliance on health and safety, they were also generic. Within this 'command-and-control' tradition, the state set ambitious environmental targets which local authorities had to meet. Local authorities only had a role to play in implementing national policies and ensuring that local environmental quality levels were within the legal limits.

At the end of the 1980s, there was a well-developed body of environmental legislation and policies. Most environmental priority themes were well covered by national policies and regulations. During the 1980s the Dutch national government had furthermore worked hard to ensure these thematic policies and regulations would be well coordinated. In doing so, the Dutch had successfully evaded one of the most serious drawbacks of relying on central government control and the associated thematic specialization: incoherent policies and coordination deficits between separate policy themes (also see Andersen and Liefferink 1997). In 1989 the first *Dutch National Environmental Policy Plan* was therefore published in the face of a more or less mature and well-coordinated body of environmental policies (TK 1989). The plan provided a strategic vision upon the future of Dutch environmental planning. Based on strong societal support and political commitment, it first of all suggested even more ambitious and strict environmental standards. Secondly though, the Dutch aimed to move away from a focus on 'damage control' and cleaning up. Instead of only providing 'checks' on developments, environmental standards were to be achieved within integrated policy strategies; i.e. where environmental targets were pursued alongside other policy objectives, most notably spatial planning.

For improving the relation between environmental policies and other policies the Dutch national government promoted what it called an 'area specific approach'. Based on the desired or existing qualities of a specific area, environmental priorities were expected to be successfully combined with other priorities in integrated policy strategies. In practice, the integration of environmental policies and ambitions in an area specific strategy proved more difficult than expected (e.g. De Roo 2003). After all, while trying to integrate environmental targets with other policy objectives, compliance with strict environmental standards had to be maintained. Local authorities were therefore faced with environmental goals that had to be met a priori to any balancing or integrative effort. Both environmental standards and the framework for meeting them locally remained imposed by the national government. This is not necessarily a problem, if these environmental standards can be realistically combined with other local policy priorities. This, however, proved problematic.

In practice, it was not always realistic to meet noise levels in inner-city areas, while there were many localities where meeting environmental standards for air, water or soil would be impossible, at least in the short term. In more extreme cases, meeting environmental standards was simply impossible within reasonable technological, financial or time frames; i.e. it would imply consequences such as shutting down large industrial estates, closing main transport routes or even demolishing

large parts of cities (e.g. Borst et al. 1995). To illustrate, much of the inner-city of Dordrecht would have to be demolished or, as alternative, the larger part of its industry should be closed. Similarly, soil remediation would, according to the standards of the time, require a full remediation of most Dutch city centers. But even in other cases, fully prioritizing environmental standards was considered undesirable, or at least controversial, due to its social, economic, financial, etc. consequences. It could for example result in the need for sound screens in the middle of historic city centers or seriously downsizing Schiphol airport in Amsterdam (e.g. Borst et al. 1995).

Given the problems encountered, a rethinking of the status of strong regulatory instruments and state intervention occurred in Dutch environmental policies during the early and mid-1990s (e.g. De Roo 2003; Liefferink and Van der Zouwen 2004). Setting strict *a priori* targets was increasingly considered to ‘suffocate’ local authorities in their attempts to produce area specific policies and to pursue the desired external integration. In response, the Dutch national government chose to increase the room to maneuver by reducing the impact of a priority targets, especially with regards to noise policies, soil remediation, odour nuisance and later also safety risks (e.g. De Roo 2004; Zuidema 2011). This fitted in neatly with the established Dutch confidence in decentralization and deregulation for improving the efficiency of most governmental policies (e.g. De Roo 2004). This confidence in decentralization as a means for governance renewal had, in the meantime, also manifested itself in both international theoretical debates and practice on planning and administration during the 1980s and 1990s.

4.3 Decentralization in Environmental Governance

Decentralization is pursued for a variety of reasons, few of which are actually undisputed (see also De Vries 2000; Prud’homme 1994). To begin with the main arguments supporting decentralization, De Vries points towards “the possibility of tailor-made policies, short lines between the allocating agency and the receivers thereof, service delivery based on greater knowledge of the actors at the local level, with regard for local circumstances, greater possibilities for civil participation and, in general, more effective and efficient allocation of public goods and services” (2000, p. 493). Each of these arguments means that decentralization is often considered among the dominant means to renew governance for dealing with more complex policy issues (e.g. De Vries 2000; Fleurke and Hulst 2006). Indeed, this is also the main motive used for decentralization in Dutch environmental policy (e.g. De Roo 2004).

In recent decades there has been an increased acceptance that traditional policies and regulations associated with central government control are often incompatible with the societal complexity we face (e.g. Kooiman 1993; Hooghe and Marks 2001; Pierre and Peters 2000). On the one hand, complexity can be related to an increased fragmentation and diversity in societies, its processes and activities (e.g. Healey 1997; Martens 2007; Sassen 2002; Stoker and Mossberger 2001). Social

fragmentation has fuelled an increase of different interpretations regarding the challenges that policies mean to address and the various ambitions that groups and individuals hold on to. In the meantime, various societal and market parties are claiming their place in the process of governance and also have the resources to exercise influence (e.g. Kooiman 1993; Pierre and Peters 2000; Van Tatenhove et al. 2000). Social fragmentation and power dispersal combined therefore challenge a monistic approach to governance whereby the central state controls policy development and delivery. In the face of the resulting socio-cultural plurality, support for the supremacy of central state control is undermined, while the central state is also increasingly confined in its capacity to dominate societal or market parties. On the other hand, we also face an increased acceptance of the interrelation between problems, their causes and effects (e.g. De Roo 2003; Martens 2007; Van Tatenhove et al. 2000). Not only does this imply that it becomes increasingly cumbersome to model or map the exact consequences of policy actions. There are also usually multiple, interrelated and potentially conflicting objectives to which policies should respond, begging for more integrated and cross-sectoral policy approaches that engage and respect different stakeholders and their interests in their unique local manifestations (also De Roo 2003; Rydin 1998). Doing so can be hard for central governments, as they often fail to have sufficient knowledge of the exact local circumstances and stakeholder interests.

In contrast, decentralization brings decision making closer to the local level and can thus facilitate local parties and people to influence policy development and delivery. It allows political constituents to exert influence over the issues they face in their own areas based on representative democracy and increases the possibility for direct democratic involvement. In addition, decentralization can increase the capacity of governance to respond to local circumstances. Decentralized units are closer to these local circumstances and are considered well located for translating the interrelatedness of issues and interests *in situ* into integrated strategies (see De Roo 2004; Liefferink et al. 2002). Indeed, a key purpose of decentralization is to help “local government to act pragmatically and develop locally contingent solutions to problems rather than feeling compelled to fit with guidance” (Coaffee and Headlam 2008), p. 1595). Summarizing then, bringing policy making closer to local circumstances and related stakeholder interests can allow for a more dynamic development of policy approaches in relation to the local circumstances. But while this means that decentralization can be seen as a response to deal with more complex policy issues, there are also some important doubts and risks associated with decentralization.

4.4 Doubts About Decentralization

To begin with, decentralization implies that top-down policies and guidance are increasingly replaced by specifically designed policy approaches and local responsibilities. This might be relevant and beneficial when dealing with more complex

local issues. However, not all issues are strongly embedded in their local contexts and are similarly *complex*. There are also circumstances when we face much agreement on a set of objectives, are confident which causes and effects need to be addressed to meet these objectives, and therefore have a unified perspective on dealing with these circumstances. For coping with such relatively simple and straightforward issues, there is little reason to invest time and resources in developing specific policy approaches that are tailored to the local circumstances. Rather, there are now important economies of scale involved in organizing policy development and delivery at higher levels of authority. Central guidance can benefit the repetitiveness of implementing, at a central level, common policy formats that can be applied at all lower levels of authority. These formats include environmental standards, licensing and permit systems and common solution strategies, such as the size of sound screens, spatial buffer zones or air filters. Local authorities no longer need to ‘reinvent the wheel’, but can routinely implement these common formats. It is only when they face more complex circumstances that specifically designed policy approaches that are tailored to the local circumstances are needed.

Secondly, decentralization means that the outcomes of governance become increasingly dependent on local performance and therefore, of the available local willingness and ability to perform decentralized tasks and responsibilities. Willingness and ability are, however, not self-evident in a local realm. Especially, we argue, when it comes to environmental interests (e.g. Burström and Korhonen 2001; Zuidema 2011). When it comes to *local ability*, time, funding, competent staff and legal instruments are among the immediate resources needed to do so. Research findings suggest that the availability of these resources is certainly not evident at the local level, also when it comes to environmental policies (e.g. Burström and Korhonen 2001; Flynn 2000; Walberg et al. 2000). As Prud’homme (1994) explains, central governments can more easily invest in research and development, innovative projects and in attracting people with many different competences and forms of expertise. This is more problematic for smaller units such as municipalities. When decentralizing tasks there is thus a need to assess whether local units can realistically be assumed to acquire the required resources to perform them. In our case, it is therefore important to assess whether municipalities host or can attract the kind of creative, innovative and visionary persons needed for developing and implementing specific and integrated policy approaches.

Local willingness to pursue environmental objectives is also not self-evident. Local characteristics such as the local political color, the balance of power between stakeholders and local urgencies will influence local willingness pursue environmental objectives. In the meantime, there are also two general constraints on local willingness to pursue environmental objectives that provide arguments for some degree of central government influence. On the one hand, environmental priorities have a relatively ‘weak profile’ as compared to more development-oriented priorities. Environmental benefits can, for example, be hard to express in financial terms (such as noise nuisance), are often invisible (as with safety risks), diffuse (as with air pollution), are highly subjective (odor) or focus on a long time

horizon (e.g. sustainability). Economic growth, social development or, for example, financial costs are easier to envision and often relate to the short term. Decentralization allows local authorities to balance environmental objectives with other local objectives; i.e. they become more 'tradable'. Their 'weak profile', however, means that environmental objectives might be easily 'overruled' by other more powerful economic and social objectives (e.g. Eckersley 1992; Jordan 1999; Walberg et al. 2000).

On the other hand, many environmental issues manifest themselves as 'social dilemmas' (e.g. Lemos and Agrawal 2006; Wätli 2004). Typically, these are issues that manifest themselves on scales incompatible with the local such as air pollution, the depletion of the ozone layer, global warming, river pollution, etc. They are issues where the benefits of local investments in improved environmental conditions 'spill over' to adjacent jurisdictions, while the costs are confined to the local realm. This is hardly an incentive for local action. Decentralization is now risky. Without sufficient incentives local authorities might not be inclined to take action. They might even be inclined to accept the 'costs' of additional environmental pollution of which they only experience a modest share, in the face of the 'benefits' of additional growth which they can experience to the fullest. Instead, coordination between local authorities is desirable, where central governments can play a key role in organizing coordination, installing incentives and avoiding 'free riders'.

We here argue that, despite its potential benefits, decentralization should be approached with some degree of skepticism. This is especially true when it comes to environmental policy. We have just seen that decentralization results in a decreased certainty regarding the kind of ambitions that are pursued locally. In the face of possible limits to local willingness and ability to pursue environmental objectives, this can have serious consequences. Some localities might choose for ambition levels that are quite lower than previously installed by central governments. Also, different localities might choose for different ambition levels, inspired by different circumstances and social or political preference. Decentralization can therefore easily conflict with a desire to maintain a generically enforced minimal degree of performance, such as inspired by the protection of humans and ecosystems to environmental stress or by the desire to avoid strong inequalities between localities. That is not to say that decentralization is no longer possible. Rather, it is to say that there are good motives to at least hold on to some central control over local performance.

4.5 Decentralization and Deregulation in the Netherlands

Decentralization in Dutch environmental policies started somewhere in the mid-1990s. In the face of the 'suffocating' effect of strict generic standards, the national government argued that local government "must be afforded greater freedom and as much integrated responsibility for the local living environment as possible" (VROM

2001, p. 68). In response, traditional generic targets in for example noise, odor and soil policies were replaced by less ambitious and more flexible standards, while changes in financial structures also gave local authorities more flexibility. The Dutch national government now only considers itself responsible for guaranteeing what it calls a minimal 'base quality'. This 'base quality' is no longer dominated by the ambitious 'strict but realistic' targets of the early 1990s. Rather it is based on more 'modest' targets that only mean to protect a less ambitious 'minimum quality level'.

Decentralization in Dutch environmental policies is clearly inspired by the assumption that local authorities are in the best place to cope with local circumstances and stakeholders. This is not just meant to enable local authorities to cope with more complex local circumstances. The Dutch national government also assumed decentralization would "result in improvements to the quality of the living environment" (VROM 2001, p. 68). The idea was that in addition to protecting a minimal base quality, local authorities would actively pursue an environmental quality that goes 'beyond the minimum' (VROM 2001). Inspired by knowledge of local circumstances and their proximity to local stakeholders, the national government assumed local authorities were best equipped to pursue these higher quality ambitions. Therefore, the national government also explicitly called upon local authorities to do so in its policy documents.

Initially, the Dutch national government aimed for national policies to provide local authorities with fairly strong incentives to go 'beyond the minimum'. Described as the 'Quality of the Living Environment' approach (MILO), the plan was to install indicative environmental standards that were more ambitious than the base quality. Based on a contract between local authorities and the national government, the exact legal status of these indicative standards would be decided. MILO has, however, turned out as a fully voluntary instrument without binding contracts or indicative standards. It merely provides municipalities with guidance upon how to link environmental interests and ambitions with spatial planning processes. As no genuine alternative for MILO has been developed, local authorities face no obligatory national guidelines or incentives to 'go beyond the minimum' or to develop and deliver strategic and integrated policies. Instead, they merely face persuasive policies. Consequently, it is up to local authorities whether or not they want to follow up on the national call to go 'beyond the minimum'. In the meantime, it is important to recognize that minimal requirements have in recent years become less ambitious and more flexible. Failure to go 'beyond the minimum' will thus imply that environmental objectives are pursued that are lower than before decentralization and deregulation operations began.

Clearly then, the Dutch case is an example where the strong dependence on central government control has been replaced by a fairly strong dependence on local performance. It offers a good case to reflect on the possible benefits and risks of decentralization as discussed in the previous sections. We will also do so here, based on our research into identifying and explaining the consequences of decentralization in Dutch environmental policies (see Spreuwers et al. 2008; Zuidema 2011).

4.6 Reporting on the Dutch Experience

We began our research with a quick scan of five environmental policy themes that have seen some important changes in the past 15 years. The fields studied were soil remediation, energy, noise nuisance, air pollution, and odor and was based on policy reports and legal documents. The objective was to identify how the role of the national and local government had changed during the last decades. Therefore, we aimed to assess how minimal and higher ambitions were formulated, whether and how deviations were possible and to assess the allocation of responsibilities between various levels of authority.

While conducting our quick scan, we soon discovered all policy fields studied are organized in their own specific ways, often accompanied by a multitude of regulations, directives and case law. It means that large differences exist regarding the legal status of environmental standards, the possibilities to deviate from them and the available stimuli to ‘go beyond the minimum’. Some policy fields even have no definitions of a minimal base quality (e.g. odor, energy), are ambiguous regarding this definition (e.g. noise, air pollution), while neither has clear stimuli to ‘go beyond the minimum’. In addition, each policy field relies on a different allocation of responsibilities between levels of authority and between governmental and semi-governmental agencies. Clarity on the current role of national and local government was hardly to be found in the midst of this complex and fragmented body of policies.

During the early 1990s, Dutch environmental policies were considered fairly coherent, clear and easy to implement in all but really complex cases. Following the recent decentralization and associated deregulation operations, we now found a policy field that has become hard to oversee. The survey of 29 municipalities also revealed that many professionals no longer recognize a single environmental policy field. Rather, they consider environmental policies as a combination of sectoral and thematic policies, such as air, water, soil, noise, etc., each requiring highly specialist knowledge. Furthermore, respondents complained about incoherent and often swiftly and unexpectedly changing regulations. This has not been without consequences for implementing these policies. This was most clearly revealed during our second study; focusing on a series of nationwide and government issued studies on the performance of local authorities in environmental governance (also see Spreeuwerts et al. 2008).

The first series of reports was produced by the Interprovincial Consultative Body (IPO), which is an agency developed by all twelve Dutch regional authorities (provinces) to communicate, collaborate and issue studies such as those discussed here. These reports (IPO et al. 2003) reveal that “... none of the competent authorities complies with all requirements, whilst about half the authorities has problems to meet even half these requirements” (Huberts and Verberk 2005, p. 54). Many municipalities did subsequently improve their performance, but the follow up study (IPO et al. 2005) shows that 2/3 of all municipalities still did not meet all legal obligations. Another series of reports produced by the Dutch Ministry of Housing,

Spatial Planning and the Environment (VROM Inspection 2006, 2007) confirms the picture, although taking a somewhat different approach. While again considering legal responsibilities, these reports also make a judgment on local performance. Taking into account locally specific circumstances and potential complex environmental problems, they are less harsh than the IPO reports. Still, the conclusion is that "... one on every four or five municipalities scores inadequate on surveillance and control in environmental management" (VROM Inspection 2006, p. 29). Hence, both the reports made by the IPO and the VROM Inspection indicate that quite a large number of Dutch municipalities fails to meet even legal requirements.

The third step in our study was assessing the degree in which municipalities 'go beyond the minimum'. To do so, we conducted interviews with almost 60 experts from professional environmental organizations that have a clear overview of the performance of Dutch municipalities in environmental management. We also collected surveys in 29 Dutch municipalities, which were chosen to present a cross section of Dutch municipalities. They varied in geographic location and population size and on the levels of performance in meeting minimal legal requirements based on the research reports studied. The sample is not a representative sample, but was meant to reflect on the other data sources and, mostly, to gain more understanding of the causes for success or failure to 'go beyond the minimum'. Finally, we also conducted eight case studies to gain a more 'in-depth' understanding of these causes. More details on the data collection, results and analysis, see Spreeuwiers et al. (2008).

As the nationwide studies revealed that many municipalities struggle with meeting minimal requirements, we expected that 'going beyond the minimum' would not necessarily be a priority for many municipalities. This was clearly confirmed by the interviews conducted with Dutch environmental experts. From the 11 experts of the Environmental Inspection of the Ministry of Housing, Spatial Planning and the Environment, only four were moderately positive regarding municipalities' success in 'going beyond the minimum'. Instead, most recognize that environmental requirements are being considered as limiting conditions for development. Some argue how they are even considered as a 'hindrance' to municipalities, rather than as indicators of health and quality. This was confirmed by experts interviewed working for regional health departments. Out of the 13 respondents, 10 indicate that improving public health is hardly or not at all taken into account by municipalities in planning and policy making in their regions. They do have to comply with legal environmental standards for many environmental stressors that are installed for the protection of human health. These are however mere *minimal* requirements and do not consider the cumulative environmental load of several stressors. Meeting minimal requirements is therefore not supposed to guarantee 'good' quality, but rather to prevent excessive pollution on one specific stressor. Still, as the health experts note, "... most municipalities only focus on what is legally required" (Spreeuwiers et al. 2008, p. 62). The thirteen experts of the non-governmental Provincial Environmental Federations and the Society for Nature and Environment finally confirmed the message. They were unanimous in concluding that "... by far most municipalities limit themselves to what is strictly necessary" (Spreeuwiers et al. 2008, p. 64).

The surveys conducted subsequently allowed for municipal staff members to react themselves. It revealed that pursuing higher environmental ambitions is indeed far from evident in the survey municipalities. In 11 of the 29 municipalities, there was no intent at all to do more than meet environmental standards; whilst in 8 others explained they would ‘possibly do more than meeting minimal requirements’. Clearly, only a small minority of municipalities actually aimed for more ambitious policies on a more or less structural basis. In the meantime, decentralization has resulted in less ambitious and more flexible environmental standards. Especially in noise, odor and soil remediation policies there are now possibilities to deviate from the environmental standards that were in the 1990s still considered minimal requirements for protecting human health. As was illustrated by our case studies (Spreeuwers et al. 2008), municipalities are indeed using these possibilities. They are however not necessarily doing so in the face of highly complex local circumstances where meeting environmental standards would result in excessive financial, economic or social costs. They are also doing so to allow for additional development such as building houses in environmentally strained areas or constructing additional road infrastructure. It is an indication that decentralization in Dutch environmental policy has not just failed to push municipalities to pursue environmental ambitions that ‘go beyond the minimum’. It has even pushed levels of performance below levels previously considered necessary to protect human health. So instead of the intended transition in environmental management towards a higher local environmental quality, we are seeing a transition in the opposite direction (Fig. 4.1).

The fourth and final stage of our research was a study to explain the main consequences encountered. The interviews with experts, surveys collected and case studies were also instrumental to this study. It also allows us to use the Dutch experience to reflect on the possible benefits and risks of decentralization as discussed earlier.

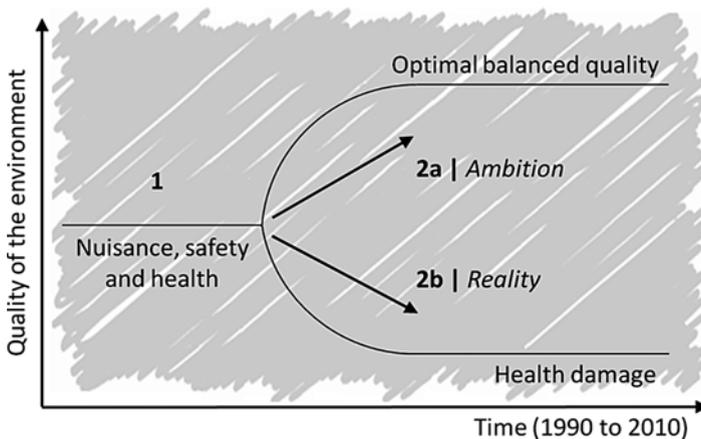


Fig. 4.1 Transitions in Dutch environmental management

4.7 Explaining Causes: A Reflection

We begin with reflecting on the argument that decentralization mostly makes sense when dealing with more complex issues. It is clear that dealing with such more complex issues was a clear motivation for decentralization in Dutch environmental policy. Decentralization, also accompanied by deregulation, has resulted in less ambitious and more flexible environmental standards and indeed allows local authorities to pursue their own strategies to deal with their local environmental challenges. In doing so, they have however had an important side-effect.

Before decentralization operations were instigated, most local environmental issues could be well dealt with by municipalities based on a routine implementation of the common policy formats (see also Borst et al. 1995; De Roo 2003). This has significantly changed. In the midst of the current complex and voluminous set of environmental policies and regulations, municipalities constantly have to choose their own strategy with regards to how deal with national policies and regulations. They not only have to interpret these policies; they also have to try and comply with the many rules regarding whether they are allowed to deviate from indicative environmental standards. Our research now shows that most municipalities are engaged in a constant struggle to understand and implement national policies and regulations. Many fail to do so, increasing the risk of exposure of humans and ecosystems to levels of environmental stress beyond what legal requirements would allow.

Clearly, the organization of national environmental policies puts serious pressure on local time and resources. The research reports studied also suggest that a lack of local resources contribute to problems to implement national policies and regulations. The IPO for example found that many municipalities do not meet criteria such as ‘sufficient expertise’, ‘financial means to hire specialists’ and ‘systems for controlling on responsibilities’ (IPO 2005; also see VROM Inspection 2007). This is also hardly a surprise, as many municipalities have to work with only two to five employees who have to cover all environmental policies, varying from soil to air quality and energy. It is not realistic to suppose each of these employees can be an expert on all themes. In the meantime, decentralization now even puts extra strains on local resources.

Decentralization means that municipalities are now responsible for developing their own environmental policies and to strategically position environmental interests in integrated local policies. Such strategic and cross-sectoral working requires competences such as visionary thinking, communicative skills and strategic planning. As the interviews and cases revealed, Dutch environmental personnel is however traditionally more technically oriented and, as one respondent convincingly explained, ‘simply not educated’ for their new responsibilities in environmental policy. In response, some municipalities divided municipal environmental departments into a division of specialists working on permits and control and a division of more strategic generalists. The idea is that strategic staff members can function as a bridge between the environmental specialists and spatial planners and urban designers. However, doing so is especially problematic for smaller departments and not common in most Dutch municipalities.

In addition, the difficulties to meet minimal requirements mean that pursuing voluntary integrated strategic environmental policies has little priority. One municipality in the case study was very clear about this: “ambitions and targets which go beyond the minimal legal requirements will only be pursued when, next to the resources and capacities invested in implementing legal regulations, any capacity remains” (Geldermalsen 2006, p. 5). In the meantime, there are also other important constraints on local ability. Background levels of pollution can prevent more ambitious policies in quite some urban municipalities, while lack of resources and time were also mentioned as important bottlenecks during the expert interviews and cases. As one case respondent noted, “...the thought that municipalities should produce so called ‘tailor-made’ outcomes is very nice and all, but it remains the question whether municipalities are actually up to it” (Spreeuwers et al. 2008, p. 93). In asking this respondent about his municipality the reaction was simple: ‘we are not ready yet’.

Clearly, willingness to ‘go beyond the minimum’ becomes especially relevant when faced with limited time and resources and high levels of background pollution. During the interviews with experts and surveys, the importance of political support and administrative enthusiasm were addressed as essential conditions to ‘go beyond the minimum’. Most respondents, however, noted that these conditions are exceptions in Dutch municipalities. A large majority of experts stated that “... the environment is not an important issue in most municipalities” (Zuidema 2011, p. 214), illustrating the ‘weak profile’ of environmental interests. The survey provided further confirmation of the relative ‘weak profile’ of environmental interests. To most respondents, the financial or spatial design principles are respected as leading criteria for plans and policies. The environment is instead often surrounded by a limited sense of urgency and awareness, undermining support for environmental ambitions other than within the legal framework. During the case studies this was also illustrated. Even when there are more ambitious environmental objectives, these are usually amongst the first to be dropped in the face of budgetary challenges or high demands for housing.

Finally then, we argued that national policies can be crucial conditions for creating sufficient levels of local willingness and ability. To help and persuade local authorities to pursue proactive and integrated policies, or to ‘go beyond the minimum’, the Dutch national government uses only policy recommendations and minor financial support as stimuli. There are no ‘checks and balances’ such as the need to account for local results, legal or contractual obligations or financial sanctions, which urge municipalities to do so. Those ‘checks and balances’ that are in place have to do with fulfilling minimum legal requirements (e.g. air quality, safety risks) or with deciding environmental standards locally (e.g. noise, odor). The result is that minimum legal requirements continue to dominate municipal environmental management. After all, as a respondent in Rheden stated, “...it is these criteria that the Ministry of VROM uses to judge you”.

In the meantime, supportive and persuasive policies make only a limited impact in a local realm. Respondents indicate that many policy recommendations end up on a shelf or a desk, as there is simply no time and urgency to read them. The survey also confirmed their limited impact. During the survey questions were asked

regarding the familiarity of respondents with some key concepts and instruments the national government uses. Extensively used in national policies and advices are the concepts 'optimal living quality' and 'quality of the living environment'. However, more than one third (16) of the 42 respondents indicated they did not know or recognize these concepts. In addition, these concepts proved hard to make operational by those who did know them. In asking respondents to explain what these concepts meant, a wide variety of answers was generated. For some respondents, environmental aspects were at the heart of these concepts, while others considered them not part of the concepts, apart from legal requirements. It shows that these concepts are not convincing in showing what 'going beyond the minimum' implies. The same story goes for the main instrument the national government designed to persuade and help municipalities to achieve the desired 'optimal living quality': MILO. Only half of the respondents were familiar with the MILO approach, while only 9 of the 28 municipalities surveyed actually used any of the national instruments that meant to help them achieve the desired 'optimal living quality', including MILO. Clearly, national policies to 'go beyond the minimum' are hardly reaching their target population, let alone that they have a strong impact in encouraging municipalities to do so.

4.8 Reflections and Conclusions

About 15 years ago Gershberg concluded that "despite the great attention paid to decentralization in the past two decades, we still know too little about the impact various decentralizing reforms have had on service outcomes in the social and urban sectors" (1998, p. 405). Looking back at the last decade in environmental management in the Netherlands, it is clear that these outcomes are not always as positive as expected at the beginning. The Dutch national government hoped to increase the development of dynamic policy approaches that were tailored to local circumstances through decentralization. Decentralization in Dutch environmental policies indeed did allow for more flexibility to develop local policy solutions, tailored to local circumstances. Many municipalities also used this flexibility to develop their own new plans and policies, seemingly suggesting that decentralization has been successful. The ambition was, however, that decentralization would result in improvements to the quality of the living environment (VROM 2001). That has, clearly, not occurred.

Decentralization was to help local authorities deal with a minority of highly complex circumstances, but also to encourage more ambitious environmental policies in the large majority of other cases. In practice, only a minority of municipalities aims for environmental quality ambitions that go 'beyond the minimum'. Many even aim for environmental quality ambitions that are below levels previously considered unacceptable, and not just when faced with highly complex local circumstances. Instead, they are also doing so to allow for additional development such as building houses in environmentally strained areas or constructing additional

road infrastructure. While possibly attractive to many local stakeholders and local governments, this does strongly contrast with the ambitions of decentralization in Dutch environmental policy.

The results of this study teach us that decentralization should not be pursued without assessing whether those local authorities that have to deal with new responsibilities are up for it. We however argue that it is just as important to look at how national policies have enabled, stimulated and supported local performance. To begin with, decentralization and deregulation have caused an 'implosion' of national policies into a complex, fragmented, voluminous and sometimes conflicting body of policies. This gives municipalities a hard time getting them implemented. Ideally, meeting legal regulations in environmental management should be part of the normal routine of municipalities, where common national policy formats can be implemented routinely in all but the more extreme cases. Currently, implementing minimum quality levels proves to be a serious challenge for much Dutch municipalities, even in the face of fairly straightforward policy issues. Instead of supporting a routine implementation, the current organization of Dutch national environmental policies makes it hard to be 'able' to deal even with issues of limited complexity.

Secondly then, while municipal employees try to maneuver through the complexities of the environmental regulations, they are only modestly supported and stimulated by the national government to 'go beyond the minimum'. The national call to do so is communicated with policy advises and manuals. In the midst of their struggle to meet minimal requirements, many municipalities don't hear this call. Those that do are merely 'asked' to take on new responsibilities. Most municipalities consider this request as a merely additional and hardly interesting pursuit for which they have little time and resources. Faced with no rewards, they are also not stimulated. Consequently, success in going 'beyond the minimum' depends on highly skilled, enthusiastic and hard working professionals in combination with political will. And as political will proved to be limited and 'super employees' are an exception, so is success.

The Dutch case exemplifies that we should not deny the conditioning role of national policies for the outcomes of decentralization. We do accept that decentralization *can* help to accommodate the development of more dynamic policy approaches that are tailored to the local circumstances. As such, decentralization can indeed be a means of renewing governance so as to cope more effectively with the challenges with which our complex twenty-first century societies are confronting us with. But when we do so, we also need a robust basis upon which to build the kind of dynamic approaches that can also respond to these challenges. That is, we argue that the support and stimuli provided by central policies and regulations are a crucial precondition for decentralization to result in its envisioned outcomes. They provide the necessary guarantees for meeting minimum outcomes and stimulus for local parties in developing and delivering the desired flexible dynamic and tailor-made approaches. It is in doing so that these policies can help environmental policies in its pursuit of the desired 'livable' future for our spatial environment. It is a lesson the Dutch national government hopefully learned, at least if they hope to regain their traditional position as an international frontrunner in environmental management...

References

- Andersen, M.S., and D. Liefferink. 1997. *The innovation of EU environmental policy*. Oslo: Scandinavian University Press.
- Beck, U. 1992. *Risk society: Towards a new modernity*. New Delhi: Sage.
- Bergström, O., and P. Dobers. 2000. Organising sustainable development: From diffusion to translation. *Sustainable Development* 8: 167–179.
- Borst, H., G. de Roo, H. Voogd, and H. van der Werf. 1995. *Milieuzones in beweging*. Alphen aan den Rijn: Samsom H.D. Tjeenk Willink.
- Burström, F., and I. Korhonen. 2001. Municipalities and industrial ecology: Reconsidering municipal environmental management. *Sustainable Development* 9: 36–46.
- Castells, M. 2000. *The rise of the network society*. Oxford: Blackwell.
- Coaffee, J., and N. Headlam. 2008. Pragmatic localism uncovered: Experiences from English urban policy reform. *Geoforum* 39: 1585–1599.
- De Roo, G. 2003. *Environmental planning in the Netherlands: Too good to be true: From command-and-control planning towards shared governance*. Aldershot: Ashgate.
- De Roo, G. 2004. *Toekomst van het Milieubeleid: Over de regels en het spel van decentralisatie – een bestuurskundige beschouwing*. Assen: Koninklijke Van Gorcum BV.
- De Vries, M.S. 2000. The rise and fall of decentralization: A comparative analysis of arguments and practices in European countries. *European Journal of Political Research* 38(2): 193–224.
- Eckersley, R. 1992. *Environmentalism and political theory*. London: UCL Press.
- Fleurke, F., and R. Hulst. 2006. A contingency approach to decentralization. *Public Organization Review: A Global Journal* 6(1): 39–58.
- Flynn, B. 2000. Is local truly better? Some reflections on sharing environmental policy between local governments and the EU. *European Environment* 10: 75–84.
- Gemeente Geldermalsen. 2006. *Milieuprogramma 2007–2010*. Geldermalsen: Gemeente Geldermalsen.
- Gershberg, A.I. 1998. Decentralisation, recentralisation and performance accountability: Building an operationally useful framework for analysis. *Development Policy Review* 16: 405–431.
- Gibbs, D., and A.E.G. Jonas. 1999. Governance and regulation in local environmental policy: The utility of a regime approach. *Geoforum* 31: 299–313.
- Harvey, D. 1989. *The condition of postmodernity: An enquiry into the origins of cultural change*. Cambridge: Blackwell.
- Healey, P. 1997. *Collaborative planning: Shaping places in fragmented societies*. London: MacMillan Press.
- Hooghe, L., and G. Marks. 2001. *Multilevel governance and European integration*. Lanham: Rowman and Littlefield.
- Hovik, S., and M. Reitan. 2004. National environmental goals in search of local institutions. *Environment and Planning C: Government and Policy* 22: 687–699.
- Huberts, L.W.J.C., and S. Verberk. 2005. *Overtredende overheden, Op zoek naar de omvang aan regelovertreding door overheden*. Den Haag: Boom Juridische Uitgevers.
- IPO, VROM, VNG, UvW, and V&W. 2003. *Nulmeting Milieuhandhaving*. Den Haag: Ministerie van VROM.
- IPO (Interprovinciaal Overlegorgaan). 2005. *Eindmeting Professionalisering Milieuhandhaving*. Gebaseerd op cijfers per 12 mei 2005 in samenwerking met Ministeries van VROM en V&W, de Unie van Waterschappen en de Vereniging Nederlandse Gemeenten. Den Haag: Ministerie van Vrom.
- Jessop, B. 1994. Post-fordism and the state. In *Post-Fordism: A reader*, ed. A. Amin. Oxford: Blackwell.
- Jordan, A.J. 1999. *Subsidiarity and environmental policy: Which level of government should do what in the European Union?* CSERGE working paper. Norwich: Centre for Social and Economic Research on the Global Environment.
- Kooiman, J. (ed.). 1993. *Modern governance: New government-society interactions*. London: Sage.
- Lemos, M.C., and A. Agrawal. 2006. Environmental governance. *Annual Review of Environment and Natural Resources* 31(3): 297–325.

- Liefferink, D., and M. Van der Zouwen. 2004. The Netherlands, the advantages of being 'Mr Average'. In *Environmental policy in Europe: The Europeanization of national environmental policy*, ed. A. Jordan and D. Liefferink. London: Routledge.
- Liefferink, D., M.A. Hajer, and J.P.M. van Tatenhove. 2002. The dynamics of European nature policy: The interplay of front stage and back stage by 2030. In *Bestuurlijke trends en het natuurbeleid*, Planbureau studies, no. 3, ed. W. Kuindersma. Wageningen: Natuurplanbureau.
- Martens, K. 2007. Actors in a fuzzy governance environment. In *Fuzzy planning: The role of actors in a fuzzy governance environment*, ed. G. de Roo and G. Porter. Aldershot: Ashgate.
- Pierre, J., and B.G. Peters. 2000. *Governance, politics and the state*. London: McMillan.
- Prud'homme, R. 1994. *On the dangers of decentralization*, Policy research working paper series, TWUTD, no. 31005, February. Washington, DC: World Bank.
- Rydin, Y. 1998. The enabling local state and urban development: Resources, rhetoric and planning in East London. *Urban Studies* 35: 175–191.
- Sassen, S. (ed.). 2002. *Global networks, linked cities*. New York: Routledge.
- Spreeuwers, W.J., C. Zuidema, and G. de Roo. 2008. *De Basiskwaliteit voorbij...: een zoektocht naar milieukwaliteit op lokaal niveau*. Groningen: URSI.
- Stoker, G., and K. Mossberger. 2001. The evolution of urban regime theory: The challenge of conceptualization. *Urban Affairs Review* 36(6): 810–835.
- TK (Tweede Kamer). 1989. *Nationaal Milieubeleidsplan 1989–1993, Kiezen of verliezen*. Den Haag: SdU uitgevers.
- Van Tatenhove, J., B. Arts, and P. Leroy (eds.). 2000. *Political modernisation and the environment: The renewal of environmental policy arrangements*. Dordrecht: Kluwer Academic.
- VI (VROM-inspectie). 2006. *Landelijke Rapportage VROM-brede gemeenteonderzoeken 2005*. Den Haag: Ministerie van VROM.
- VI (VROM-inspectie). 2007. *Landelijke Rapportage VROM-brede gemeenteonderzoeken 2006*. Den Haag: Ministerie van VROM.
- VROM (Ministerie van Volkshuisvesting, Ruimtelijke Ordening en Milieubeheer). 2001. *Nationaal Milieubeleidsplan 4, Een wereld en een wil: werken aan Duurzaamheid*. Den Haag: Ministerie van VROM.
- Walberg, H.J., S.J. Paik, A. Komukai, and K. Freeman. 2000. Decentralization: An international perspective. *Educational Horizons* 78(3): 153–164.
- Wätli, S. 2004. How multilevel structures affect environmental policy in industrialized countries. *European Journal of Political Research* 43: 599–634.
- Weale, A. 1992. *The new politics of pollution*. Manchester: Manchester University Press.
- Zuidema, C. 2011. *Stimulating local environmental policy: Making sense of decentralization in environmental governance*. Zutphen: Wöhrmann.

Christian Zuidema is Assistant Professor in Spatial Planning at the Department of Spatial Planning and Environment, Faculty of Spatial Sciences, University of Groningen. Zuidema has done extensive research on topics such as sustainable urban management, sustainable area developments and governance renewal in environmental planning. Following his research, he has published various books, such as *Stimulating Local Environmental Policy* (2011), *Towards Liveable Cities in Europe* (forthcoming) and, as co-author, *Smart Methods for Environmental Externalities* (2012). Furthermore, he is board-member of the International Urban Planning and Environment Association.

Gert de Roo is Full Professor in Spatial Planning and heads the Department of Spatial Planning and Environment, Faculty of Spatial Sciences, University of Groningen. He is President of the Association of European Schools of Planning for the period 2011–2015 and is editor of the Ashgate Publishing Series on Urban Planning and Environment and on Planning Theory. De Roo edited and published various books on environmental planning, including *Urban environmental planning: Policies, instruments and methods in an international perspective* (2005), *Environmental planning in the Netherlands: Too good to be true* (2010), and *Smart methods for environmental externalities* (2012).