

Chapter 4

New Formulae for Managing Public Services. Collaborative and Multilevel Governance in Metropolitan Areas and Small Municipalities



Adela Romero-Tarín

Abstract One of the main drawbacks of local management in Spain is its high population density in metropolitan areas; hence, the country's interior has become progressively depopulated, which presents serious problems for rural local governance. On the contrary, in large metropolitan areas, the presence of strong business values, including pressure to favor particular interests, requires innovative instruments, models, and tools for complex decision-making in the face of depopulation and the lack of economic development by designing new models for public-private and multilevel collaboration. In 2018, the Spanish National Institute of Statistics (INE) published the report "Urban Indicators" determining the main Spanish functional urban areas (AUF) with the largest populations being: Madrid (6.71 million inhabitants), Barcelona (4.96 million), and Valencia (1.72 million). This chapter analyzes the new issues that urban actors, instruments, and factors are facing and conditioning this new scenario. Technology is one of its instruments, but not the only one. Through a descriptive approach, and with the ultimate perspective of focusing on the object of analysis, the problem of governance, this chapter is structured in six sections, for which reputed authors and experts in the field have been consulted.

Keywords Multilevel local government · Collaborative governance · Urban governance · Public-private collaboration · Public urban policy

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4.1 Introduction

With the arrival of SARS-CoV-2, local management's ability to transform and innovate has become more necessary than ever in all areas without exception; conditioning the economy, culture, and obviously management of the territories. In view of this circumstance, there is a need to jointly provide tasks and services together with other municipalities in large metropolitan areas, which therefore reduces their autonomy and increases control over one another, requiring high levels of coordination. This leads to a debate on whether this joint action in large metropolitan areas has given rise to a loss of organizational identity and whether it has caused other disruptions in the provision of local programs and services.

Moreover, in these metropolitan areas, privatization of public services has been a means to respond to coordination problems. However, in many cases, privatization has implemented long-term contracting with private organizations, which may be connected to other private interests. Nevertheless, in metropolitan areas, local governments also enter into delivery agreements with local civic associations, not only to foster a sense of community ownership and collaboration but also for the provision of social services that are mainly financed by the local government which becomes less autonomous and less critical. All of them are developed under the Principle of Discretionality, which may be beneficial for the actors involved, but not necessarily for the good of the local community, which requires the design of accountability and transparency mechanisms.

However, in Spain, territorial and social inequalities derived from inframunicipalism and concentration-urbanization processes have generated demographic ultraperipheries, which have particularly affected the Local Public Sector and, within it, small municipalities in depopulated areas. The aim of this chapter is to describe the changes and strategies that the actors and instruments of the Spanish local and municipal sphere have applied in recent decades, in response to the economic crisis that occurred at the beginning of 2008 and, obviously, was extended due to the SARS-CoV-2 coronavirus pandemic, acquiring new models of governance, which offer new approaches in democratic governance, in their governments, and in their policies.

Thus, it should be remembered that, with the creation of the autonomous communities, the development of new regional urban systems was promoted, in which the proliferation of medium-sized cities and the dynamics of diffuse urbanization have been the protagonists ahead of the large central cities already developed in previous decades. Currently, the Spanish urban system has a polycentric structure with two large metropolitan areas: Barcelona and Madrid, and a good number of intermediate and small cities, the rest being considered nonurban areas (Fig. 4.1).

In crisis contexts, local governments have the ability to put a governance and development model in place that renews the dynamics among actors. Their responsibility is not only limited to the technological aspect, for which a vast and varied bibliography from recent years can be found, but also in activating and empowering the participation and concern of their citizens in municipal affairs. Each

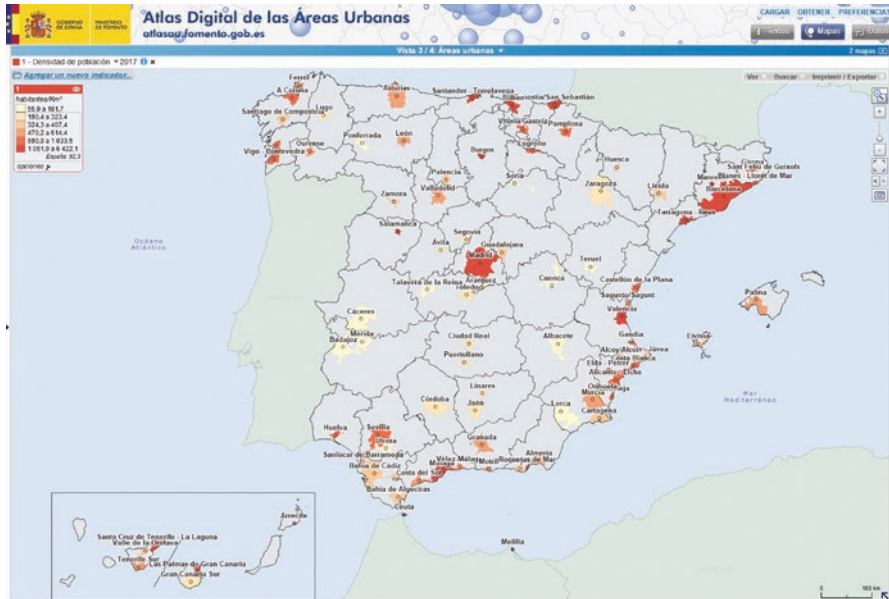


Fig. 4.1 Digital Atlas of Urban Areas in Spain. (Source: Ministry of Public Works (2018) Report on Urban Areas in Spain 2018. Available at: <http://atlasau.fomento.gob.es/>)

municipality or each city has its own characteristics, and these must be incorporated into networks to enhance their virtues.

To account for and address the negative implications in terms of inequality and social exclusion that such processes entail, now increased by the COVID-19 pandemic, both public and private actors and civil society itself need to urgently and effectively develop initiatives with a strong institutional capacity to promote territorially-based partnerships and design strategies that democratically mobilize local governments to develop, implement and adopt policies of social, territorial and development cohesion in small municipalities. These municipalities represent more than 80% of the total number of municipalities in Spain.

But what is governance? How is it described and conceived? When we talk about governance, we are still within the sphere of politics, but from a new approach that moves away from the traditional perspective, managing political decisions, resources, actors, and instruments from the creation of collaborative networks, transforming the government into another actor in the process of governing. In this sense, governance can be defined according to Schmitter (2001) as: “a method or procedure capable of dealing with problems and conflicts in society by bringing about, through negotiation and deliberation, satisfactory agreement, at the same time, among the various actors involved, who at the same time commit themselves to cooperate by putting these agreements into practice.”

In recent times, public-private partnerships (PPPs) have been a revolution that has transformed not only the rules but also the traditional chess players, whose main

and only actor in the maintenance and provision of services was the public sector. However, the trend has been enhanced by new approaches resulting from its own context and the need to permeate more intensely at the administrative level closest to the citizen, the municipal level.

According to Pastor (2017: 14), “in Spanish academia, the term public-private partnership is often used from different disciplines or scientific areas, such as Economics (Fernández Llera 2009; Esteve et al. 2012; among others), Law (González García 2006, 2010; Fuertes Fernández 2007; Dorrego de Carlos and Martínez 2009; Ridaó 2014; among others) and Political Science and Administration (Ramíó 2009; Mairal 2012; García Solana 2016; among others), to refer to any type of interrelationship and interaction that public administrations have with external entities (private companies, nongovernmental organizations and associations, among others) with the aim of innovating and transforming the financing, production, management processes and provision of public goods and services and, thus, achieving greater public value.”

From here onward, the chapter unfolds into four sections in which we will discuss the challenges, approaches, and findings that are being developed at the Spanish level, specifically at the local level, not at the state or regional level, on collaborative governance in a multilevel context.

4.2 Local Collaborative Government and Urban Governance. A Local Management Perspective in Spain

The local government level is the level closest to social problems and, therefore, can remedy the inefficiency or lack of national and/or regional policy, at the macro and intermediate levels respectively. For all these reasons, now more than ever is it necessary to reach a broad consensus on the definition and description of the needs to be resolved by local government. The new collaborative and urban governance must redirect its economic, technological, and social policies towards specific problems through the creation of intervention strategies that include citizens. For Esteve and Guiteras (2011: 2) “there are not and will not be sufficient public resources to respond to the growing challenges and complex needs posed by citizens.” Faced with this situation, local governments must increase their capacities. They are required to be the driving force, the guide for orienting actors, resources, and instruments towards common objectives, even if they come from different backgrounds. On this last point, Pina and Torres (2003) analyze private initiatives in the public sector, specifically the models of outsourcing services and infrastructure financing as a new paradigm in local management. This proposal emphasizes decentralization of the public sector by creating independent management units to improve service efficiency, separating production and service provision through concessions, contracts, or internal and external delegations to the public service. Such models facilitate incorporating flexibility, which the traditional administrative system lacks, and

greater control over decision-making and its subsequent implementation. The good news is that, undoubtedly, given all the circumstances experienced in recent times, COVID-19 has notably emphasized a new record of administrative processes with intensive use of Big Data, facilitating the monitoring, control, and demand for efficiency in local management.

On the other hand, in this range of measures to be developed within the framework of urban and collaborative governance, the diverse, complex, and dynamic nature of today's societies can be observed (Kooiman 2005), which raises the level of interdisciplinary qualification and requires a multilevel relationship between different administrative areas and powers (Canales Aliende 2002), challenging the actors to propose new collaboration models. This is not new and current but already started in the 1980s in the UK (Osborne 2010); public-private collaboration or public-private partnership, although with minimal differences between the two concepts (Ysa 2016), is a new way of creating and maintaining public service and value through co-participation and diversifying objectives and responsibilities.

However, due to the various combinations of collaboration among actors, it is necessary to define this term more precisely. Ansell and Gash (2008) define collaborative governance as "a governing arrangement where one or more public agencies directly engage nonstate stakeholders in a collective decision-making process that is formal, consensus-oriented, and deliberative and that aims to make or implement public policy or manage public programmes or assets" (2008: 544). As for the significance of the definition, based on different groups achieving objectives together by facilitating dialogue and cooperation among themselves, McGuire (2006) continues to research and concludes that "the latter concepts are specifically used to stress the importance of bringing public agencies together to increase the efficiency and effectiveness of public management." What we can conclude, however, is that the concept of collaborative governance is a generic concept, and is intertwined with that of networked, relational or multilevel governance. Rhodes (1996) relates both typologies, collaborative and networked, as, in origin, they share a similar idea of politics and public management based on plurality, fragmentation, and diversity, and in turn considers that collaborative governance legitimizes and regenerates trust in democracy.

Urban, metropolitan or metropolitical governance, a term used by Matkin and Frederickson (2009), faces the challenges of the subject or issue at hand, or the status and interests of the actors, along with the permanence or instability of the problems and even the relative level of formality of the process and procedure. Therefore, the key to collaboration between municipalities should not come as a surprise, but rather be understood as a model that operates through collaborative networks at the urban level, thus forming the basis for collaborative urban governance.

For Treviño (2011: 129), metropolitan governance should be understood as an administrative combination, due to the characteristics related to how metropolitan networks operate, which could be considered closer to the new public service approach than to the new public management approach (Table 4.1).

Table 4.1 Governance in public administration theories

<i>Theory</i>	Traditional public administration	New public management (NPM)	New public service (NPS) Administrative conjunction (AC)
<i>Description</i>	The State is the main actor in Public Policy	The State adopts the values and business practices	Networks of Social actors dominate Public Policy
Old period		New period	
<i>Negative governance</i>		<i>Positive governance (Good or democratic)</i>	
Networks with enough social control to resist regulations and impositions of State		Characterized by variables representative of voice and accountability, political stability, and absence of violence; government effectiveness; regulatory quality; rule of law; control of corruption	

Source: Treviño (2011: 130) with concepts and ideas from Denhardt and Denhardt (2007), Pierre and Peters (2005), and Arnouts and Arts (2009)

Collaborative governance is the heir to the postulates of authors such as Dente (1985), the work of Stone (1989), and Dowding (2001), which were orientated toward the main idea of “how to govern,” through infinite combinations between public and private actors that set the course of political decisions and therefore of local governance.

In the Spanish case, public-private partnerships (PPP) are regulated by the 2011 Revised Text of the Public Sector Contracts Law (LCSP), through Royal Legislative Decree 3/2011, of 14 November, which is already anticipated for the first time in the 2007 Law on Public Sector Contracts, Law 30/2007, of 30 October, which incorporates different guidelines proposed by the European Union through the Green Paper on public-private partnerships and Community law on public procurement and concessions, resizing other formulas traditionally used in our country, such as the concession of public works or the management of public services Colón de Carvajal (2009) in Pastor and Medina (2016). In addition to the most current Law 9/2017, of 8 November, on Public Sector Contracts, which transposes the Directives of the European Parliament and of the Council 2014/23/EU and 2014/24/EU, of 26 February 2014, integrated within the framework of the so-called Europe 2020 Strategy into Spanish law. The aims of these directives are twofold, firstly transparency in public procurement and secondly the constant improvement of value for money in public service maintenance and supply.

In this regulatory scenario, based on the signing of a contract, a formal relationship is established between the public administration and the private entities that indirectly provide their services, gradually incorporating business operations, demanding the values of efficiency and quality in the provision of public services. However, the definition of foundations or guidelines related to the procedural and ethical nature of private-public relationships should also be reviewed.

In substantive terms, it could be said that local public services must comply with these two fundamental premises: (a) fulfilling the objectives to be pursued and (b) the efficiency of the model. However, each municipality must ensure that the

services it provides are managed and administered in the most efficient way possible, either through a direct model, by the public sector, or through collaboration with the private sector, and therefore through a private company or the creation of a mixed or indirect economy company.

The Observatory for Urban Services (OSUR 2019) predicted a few months ago in its position report that management based on public-private partnerships is a key model for the progress of society, and especially for the public services provided in municipalities in areas such as health, education, the water cycle, public lighting, mobility and parking, the environment, etc. Moreover, they added that in the context of urban growth, experience shows how the PPP management model facilitates making better use of the economic and technical resources of the companies, providing citizens with a better quality of life and well-being, hence the activity of these concessionary companies, always duly monitored and controlled, is carried out under the supervision of the Administration, which remains the owner of the service under perfectly regulated conditions.

Proponents argue that it is more efficient and democratic for the communities within metropolitan areas to compete among themselves for the production or sale of public services than to leave those services to one monolithic government body (Seller Hoffmann-Martinot 2008).

In Spain, collaborative governance is considered to require an approach or process that redesigns institutional bodies so that they can be structured in a way that enhances and increases the synergies that can occur between both sectors, public and private, and in turn strengthen the economic, financial, political and social dimensions as a result of democratic governance and good governance.

It is vital to clarify, in the midst of this transformation of roles and models, which imposes a new local governance whereby the Spanish public sector takes on new responsibilities as if it were an “orchestra conductor,” knowing how to anticipate the problems derived from the sum of the individual interests of the different actors, sharing risks, and working towards innovation together, defined in a “win-win” Alsina and González de Molina (2019) and sharing the risks of the operation equitably or fairly Cheung et al. (2012). In order to achieve this, there must be legal and regulatory trust, a competitive dialogue that creates reliable collaboration between public and private actors under appropriate conditions that satisfy both.

The nature of these challenges and changes is the result of the influence that supranational and/or macro levels, including the European Union with manuals or statistics, or international organizations such as the OECD itself, make available to public administrations in general, and local administrations in particular, documents that warn, communicate and resolve how to face the context. Ramió and Salvador (2018) already foresaw those public administrations had to be competitive and innovative in the face of the challenges of digitalization, robotics, artificial intelligence, and continuous social demand, which requires new solutions and methodologies, with public-private collaboration being the link between resources, actors and instruments.

When it comes to understanding which models are applied in Spain for public-private collaboration, Álvarez Rubio (2020) based on the novelties which came into

effect within the framework of Royal Decree Law 36/2020, of 30 December, which approved urgent measures for the modernization of the Public Administration and for the implementation of the Recovery, Transformation and Resilience Plan, points out the following: (a) public tenders; (b) consortiums; (c) agreements; (d) subsidies; (e) public sector Entities with private funding, broken down into: state trading companies with private funding and public sector foundations; and finally, (f) equity interest in private companies, classified into participating loans and funds lacking legal personality (Table 4.2).

In addition, it should be noted that the literature shared in recent years on the approach to collaborative governance encourages demand for greater leadership from public administrations, greater control, accountability, and evaluation, as well as transparency and reviewing activities. And although it is not easy, it also calls for cooperation with the community.

Fulfilling these necessary requirements facilitates integrating multiple actors and agencies that can intervene in a coordinated manner. It is thus an architecture of combined elements that must be orchestrated by the public administration selecting those that best suit its strategy, mission, and vision.

Obviously, this complex scenario raises governance issues at urban and metropolitan levels. The public sector is now a strong partner which must respond to a smaller, much more flexible, stronger, and smarter level of bureaucracy, and this is a problem for local public administration which lacks sufficient resources for self-reform in the face of the present needs. Successive economic downturns, pandemics, and regulatory changes have weakened the Spanish local level, which more than ever before calls for greater attention.

Another major change in collaborative governance in the Spanish local context is the lack of professionals specialized in the fields of artificial intelligence, robotics, and digitalization, thus hindering a more agile and adaptive transformation. Thinking that public-private collaboration was already the end and not the means to solve and advance in service quality, efficiency, and maintenance has disoriented the course of public administrations over the past decades.

As Ysa (2016: 43) reflects, the new public governance does not come to replace the previous paradigms of traditional public administration or new public management, but rather it comes to join them, to seek alternatives that maximize social solutions based on nonlinear configurations and models of analysis that take into account this complexity, which is inherent in the radical nature of current problems. PPPs are intended to provide services, to maintain them, but they should not stray from the values and essence of the philosophy of public management, especially at the level closest to citizens, such as the local level. Public administration can, and must, collaborate with other actors if it wants to offer solutions orientated towards the common good; however, it must not forget the reason for its existence, which is obviously society.

In short, Spanish local collaborative governance requires significant improvements. It has a long way to go, leaving behind the managerialist postulates of its first stage, linked to matters of efficiency and effectiveness, in order to initiate an approach ascribed within the new public service theory, as already advanced by

Table 4.2 Legal forms of collaborative governance in the Spanish Public Sector

Legal figure	Object	Applicable legislation
Competitive dialogue (Concession contract for public works or service)	In the competitive dialogue, the special competitive dialogue table conducts a dialogue with the selected candidates, at their request, in order to develop one or more solutions that are likely to meet their needs, serving as a basis for the candidates to submit a tender.	Law 9/2017 on Public Sector Contracts
Association for innovation (Concession contract for public works or service)	Association for innovation is a procedure which that aims at developing innovative products, services, or works and the subsequent purchase of the resulting supplies, services or works, as long as they correspond to the performance levels and maximum costs agreed upon by the contracting bodies and the participants.	Law 9/2017 on Public Sector Contracts
Negotiated (Concession contract for public works or service)	The successful tenderer is chosen after consultation with several candidates and the terms of the contract are negotiated with one or several of them. It is compulsory to request tenders from at least three qualified companies.	Law 9/2017 on Public Sector Contracts
Agreement	These agreements are those with legal effects adopted by the Public Administration, public bodies and related or dependent public law entities or public Universities reached among themselves or with private law entities for a common purpose.	Law 40/2015 on the Public Sector Legal System
Mixed-capital trading company	A company that brings together both public and private capital, constituting one of the typical instrumental entities which meet the needs of the Administration by transferring the exercise of duties and responsibilities to other parties which adequately satisfy collective needs of general interest. From the outset, the Administration participates in the share capital in a certain proportion and partakes in management; hence, it must necessarily be classified as indirect management since there is no proof that in such an instance control is exercised by the administration.	Law 40/2015 on the Public Sector Legal System and Law 7/1985 on Local Government Regulatory Law
Mixed-capital consortium	Consortia are public law entities, with their own distinct legal personality, created by several public Administrations or bodies belonging to the institutional public sector, among themselves or with the participation of private entities, for developing activities of common interest to all of them within the scope of their powers. Consortia may carry out activities for the promotion, provision or common management of public services and any other activities provided for by the law.	Law 40/2015 on the Public Sector Legal System

(continued)

Table 4.2 (continued)

Legal figure	Object	Applicable legislation
Mixed-capital foundation	A nonprofit entity for fulfilling purposes of general interest, regardless of whether the service is offered free of charge or through compensation. In order to finance the foundation’s activities and maintenance, provision should be made for the possibility of the public sector foundations’ assets being contributed to by the private sector on a nonmajority basis.	Law 40/2015 on the Public Sector Legal System

Source: Alsina, Victoria y González de Molina, Eduardo (2019) Public-private collaboration as a vector for innovation: success stories in Spain. *Revista Vasca de Gestión de personas y organizaciones Públicas*. Núm. Especial 3/2019, 122–139, based on the division established by Donahue and Zechauser (2006) related to the concept of discretion

Treviño (2011), which generates trust and social cohesion and improves decision-making processes to strengthen institutional legitimacy and local democracy.

4.3 Multilevel Local Governance: Centralization, Decentralization, or Interdependence

Redesigning Spanish cities over the last centuries has conditioned current economic, social, and political development and dynamics. At the end of the twentieth century, an expansive process of land occupation and housing construction began in response to the great demand from the foreign population, commodification, and the access of young people to housing. During those same years, local governance abandoned the professional and technical approach in favor of a more managerial and economic vision.

Cities had, and still have, the objective of attracting investors, even turning the city into a commodity, a product of city branding which gradually mortgages the local coffers with the construction of buildings or potential spaces, with the aim of stimulating the economy, in an attempt to position itself in the economic and cultural circuit. Let us remember the case of Valencia with the City of Sciences and Arts. This phenomenon led to suburbanization processes, especially among the less well-off, as opposed to the middle classes residing in the city center (López-Gay and Recaño 2008; Torrado 2018 in Torrado et al. 2021), which ended with the start of the great recession in 2008. This situation was experienced in most Spanish cities and municipalities and came to be known as the brick crisis.

At the end of the 1990s and the beginning of the new millennium, a trend emerged toward creating networks among professionals from the public and private sectors, towards local governance that includes civil society in its decision-making and, in turn, in urban policies. This last reflection, citizen participation in local affairs, will be emphasized and progressively increased as a result of the EU support and the

Millennium Goals that the UN proposed to countries to join forces and guide national, regional, and local policies towards common goals.

Citizen participation meant, and still means, the renewal of traditional local democracy, a breath of fresh air that legitimized and put trust in urban political decisions. During this period, mechanisms such as the implementation of participatory budgeting exercises, deliberation forums, project co-designs, and neighborhood forums, among others, were initiated. The city of Barcelona is a good example of this. All these proposals transformed the political scenario, but also the social one, including new actors who demanded a more horizontal distribution of power, enabling efforts to be combined and weaving a multilevel government.

When analyzing the concept of multilevel governance, we must start from an approach that requires diverse, complex, and multiple perspectives that are organized so they collaborate with one another. Brugué and Canal (2012) understand multilevel government to be the design of an adequate allocation of resources, powers, and responsibility, where each level of government must know what its obligations are and have the means to fulfill them.

The great challenge facing local multilevel governance lies in how all actors combine to work and cooperate together, allocating resources and responsibilities. In previous decades, let us remember that the actors did not interact, nor did they collaborate by joining forces, they worked separately. This new reorientation of multilevel government proposes a new formulation, implementation, and evaluation of public policies and, therefore, of a new urban governance that seeks cooperation, deliberative participation, and network organization as the main lines of action Kooiman (1993).

Indeed, proposing solutions or alternatives to local and urban problems is what drives multilevel government and its governance to connect different levels of government, civil society actors, and the private sector. In this case, competition is generated based on interdependence, cooperation, and the complementarity of joint work. The most relevant and illustrative example of this issue is the law passed by the Autonomous Community of Catalonia, Law 2/2004, of 4 June, on the improvement of neighborhoods, urban areas, and towns that require special attention. The preamble of this law explains that “the purpose of this Law, which has been favorably approved by the Local Government Commission of Catalonia, is precisely to extend actions of this nature to all the neighborhoods and urban areas of Catalonia that require it. And for this reason, within the framework of the autonomous and local powers recognised by Article 9 of the Statute of Autonomy and by Article 66 of the Consolidated Text of the Municipal and Local Regime Law of Catalonia, and in accordance with the provisions of the eighth final provision of Law 2/2002, of 14 March, on town planning, it provides the Administration with the appropriate specific instruments for this purpose” (BOE 2004).

In this respect, multilevel local governance generates a constant exchange of resources, negotiations, and permanent dialogues based on a constellation of actors that interact and constitute a network society. This new model moves away from the traditional centralist tendency to initiate a new phase or pattern of action, made up of various levels of government. As a result of the above, a new *politeia* appears,

characterized by relationships between territorially defined political actors, characterized by its multipolar structure, and in which diverse actors participate and have a direct impact on supra-state, state, and regional or local arenas Llamazares and Marks (1999) in Rojo Salgado (2004).

Indeed, the diverse and complex reality described above calls for a change in local governance, and one solution to the phenomenon of glocalization, which brings about so many transformations, may be the multilevel approach. According to Faure and Douillet (2005: 277): “these new territorial frameworks can lead to a redefinition of the sectors of intervention, in the same way that the number of players in many political decision-making arenas has multiplied and are the source of new challenges for public action, notably linked to competitive positioning and distancing strategies or, on the contrary, to the implementation of institutional cooperation around shared problems.”

This situation raises the question of whether nation-states can be relegated from their centralist position by spheres closer to the citizen, which are aware of their needs and can act more quickly and flexibly, and even anticipate them. Obviously, the emergence of a new organizational architecture in the form of governance does not mean that nation-states will cease to play an important role or even disappear, but rather that nation-states are presumably currently undergoing a redefinition and resizing of their traditional functions, which highlights and harms those regional levels that interact with various levels of government, hindering horizontal cooperation among associations, local governments, and economic actors, and making their collaboration and cooperation more complex.

4.4 The Complexity of Urban Policies in Metropolitan Governance

Urban actor networks constitute structures of an unlimited nature. Their constant growth formulates their own logic in the territory, which all their actors assume. The conception of PPPs seeks transversality in the decision-making and implementation of administrative policy, with the private sphere and the third sector joining forces. Therefore, shaping of the PPP management model is proposed on two levels: (a) from the sphere of political decision; and (b) from the execution, implementation, or management of the initiative on which action is desired.

But before continuing to analyze this reality, what do we understand by public policy? It is true that this has been studied since the 1970s, due to the need for a new paradigm on social issues and the construction of a new European space. Currently, new approaches have been stratifying and reinforcing public policy analysis. For Roth (2014), public policies are not the spontaneous result of the state; on the contrary, they are rather a process of social construction resulting from the interaction between the state and society that is mediated by governance. In contrast, Canales Aliende (2002) understands them as a contextual decision resulting from a need or

social conflict of an innovative nature. These are classified into the following typologies: (a) according to the level of government that adopts them: state, regional or local; (b) according to their scope: general or sectoral; and (c) according to their content: regulatory, distributive, redistributive, and institutional. In this article, we are interested in paying attention to regional or local and sectoral policies.

Urban policies propose a renewed and determined action on content and territory that requires a type of governmental action, urban governance. In particular, urban or metropolitan governance can be understood as a manifestation of governance in the face of challenges in urban environments, mostly in cities or urban centers where the local world can be understood as urban, being a space for the development of the economy, the society of knowledge, information, communication, ethical values and the democratic learning of citizens (Romero Tarín 2018).

Urban governance decisions, and those of cities, are often insufficient in the face of regional interests that mimetically reproduce models of reinforced centrality, prioritizing the connection with the regional or state center, and not so much between other axes or nuclei—sometimes closer and more powerful—that are sacrificed, under the pretext of an alleged territorial integration for the sake of the development of regional centrality Seisdedos (2007).

Since the end of the last century and the beginning of the new millennium, governance has become increasingly important in political science debates. State crisis, the various administrative reforms, the globalization process characterized by the emergence of a welfare state in crisis, and the strengthening of a regionalist political reorganization, have laid the foundations according to Zurbriggen (2011) for analyzing governance as a new style of government, different from the hierarchical control and market model, characterized by a higher degree of cooperation between governments and public administrations and nongovernmental actors in the making of public policies. Through this policy-making process, based on collaboration, consensus, and participation of different actors, it is expected to improve policy outcomes and performance and, ultimately, to ensure the governance of the political system. In short, governance is characterized by a network of institutions and individuals collaborating together and bound by a pact of mutual trust; they are organizations of power that form semi-autonomous and sometimes self-governing networks. Rhodes' (1996) expression "governance without government" sums up his conception well and helps us to assimilate that urban governance develops a constant search for innovation from a multiactor and multiscale approach.

The characteristics of the relational and entrepreneurial state, which assigns roles and responsibilities among its actors: market, state, and civil society in the first place; and secondly, that which is permanently in search of innovation and improvement, attract new models of public-private collaboration alluding to more accessible and less hierarchical urban public policies. But what do we mean by innovation in the framework of collaborative governance and urban policies? Local governments must meet the objectives they set themselves, and to this end, planning incorporates clarity but also detects shortcomings. Innovation is key to the modernization of administrations, responding to previously detected problems, but understood from complementary perspectives: (a) those oriented towards anticipation or prevention;

(b) those that provide greater adaptive skills in the face of new situations or problems; (c) those oriented towards results and; (d) finally those oriented towards the mission, molding all the actors involved in the same direction.

For Mazzucato (2014), the public sector can establish a basis for the development of this collaboration through symbiosis. This symbiotic relationship offers the public sector learning to jointly implement and develop new technologies and procedures or make decisions together where they initiate a joint public-private learning process. Urban public policies supported by public-private partnership innovation transform behavior and take a step towards constantly improving the public sector (Table 4.3).

4.5 The Neighborhood Law. Case Study

Catalonia experienced the fastest demographic growth in its history during the 1960s and 1970s, based on the so-called rural-urban exodus phenomenon. A flood of people from depressed or poorly resourced areas migrated to Catalan cities in the hope of a better quality of life. In 1960, the population of Catalonia amounted to 2,560,464; in 1970 it was 3,871,471 (INE 2020). The Stabilization Schemes led to the development in the industrial sector, in need of labor that would favor its growth objectives creating poles of attraction for the “new industry” in cities such as Madrid, Bilbao, Valencia, Seville, and obviously, Barcelona.

Table 4.3 Some typologies of indirect management of public services

Discretion	Designation	Possible legal formulae	Examples
<i>Mainly public discretion</i>	Outsourcing	Service contract awarded by open procedure	Contract cleaning in public buildings
<i>Mainly shared discretion</i>	Public-private partnership or collaborative governance	Contracts for the concession of works or services through competitive dialogue or a negotiated procedure. Agreements—Forming a new entity; mixed-capital consortia; mixed-capital trading company; mixed-capital foundations	Barcelona Metropolitan Housing Operator; Scientific and Technological Consortium, Basque Research and Technology Alliance (BRTA)
<i>Mainly private discretion</i>	Philanthropic activities or corporate social responsibility	Private foundations; NGOs; Companies with a specific corporate social responsibility program	Eroski Foundation; Banco Santander Foundation

Source: Alsina, Victoria, and González de Molina, Eduardo (2019) Public-private collaboration as a vector for innovation: success stories in Spain. *Basque Journal of People Management and Public Organisations*. Núm. Especial 3/2019, 122–139, based on the division established by Donahue and Zechauser (2006) regarding the concept of discretionality

This population, which came from the rural world, generally from the agricultural sector, with small family farm plots, believed that industry, but above all the cities, could offer them new opportunities and prosperity. The consequences and impacts of this phenomenon were manifold; however, the lack of planning in land management and also of public services should be highlighted as they were far greater than imagined in any existing forecast.

This situation led to areas in the region that were underdeveloped, unplanned, with poor public transport services, and lacking in infrastructure and urban facilities. During the following decades, marked by a democratic bias and neighborhood demands, these deficiencies were addressed, however, the new century has seen an increase in the migrant population, mainly foreigners, which has reversed the situation, generating problems of concentration and overcrowding as a result of a highly fluctuating real estate market.

Law 2/2004 of 4 June, on the improvement of neighborhoods, urban areas, and towns that require special attention, approved by the Generalitat de Catalunya in accordance with its Statute of Autonomy, is an autonomous law. Its main objective is to intervene in those neighborhoods, urban areas, or towns that require special attention and thus prevent the different processes of degradation that may occur, preventing additional setbacks for inhabitants of these areas caused by gentrification, real estate speculation, ghettoization, insecurity, urban regression, or economic and social deficiencies, among others, allowing for comprehensive actions aimed at the physical, environmental, social welfare and economic revamping of these areas.

Each city determines which neighborhoods are a priority in need of improvements, limited by the budget allocation available in each legislature. The chosen neighborhood must belong to the following urban structure or territorial scope: (a) old areas and old quarters; (b) housing estates; and (c) marginal housing estates and areas with dense housing units that do not meet the required minimum standards of habitability.

The projects submitted must contemplate one of the following actions: (a) improvement of public spaces and the provision of green spaces; (b) renovating and fitting buildings with collective elements; (c) providing public facilities; (d) incorporating information technologies in buildings; (e) promoting sustainability in urban development, especially with regard to energy efficiency, water-saving and waste recycling; (f) gender equality in the use of urban space and facilities; (g) designing programs for social, urban and economic neighborhood improvements; and (h) accessibility and the elimination of architectural barriers.

The Neighborhoods Act has invested 1.123 billion in its slums, neighborhoods, and urban areas over the last 17 years (Gencat 2021). 44.1% of this expenditure has been allocated to improving public spaces and providing green spaces, 23.8% to the provision of urban facilities, and 12.1% to social and economic improvement programs. During these 17 years, actions have been carried out in 143 neighborhoods in 117 municipalities throughout Catalonia (Gencat 2021).

This law aims to transmit (Nel-lo 2008) the following messages to the citizens, the town councils, and the market. Firstly, it wants to make it clear to citizens that the government of Catalonia will not allow its territories, its spaces of coexistence,

and social, economic, and cultural exchange to be degraded; secondly, the town councils will receive all the resources they require to carry out their functions despite the vicissitudes which they experience; and thirdly, to notify that the public administration will provide investment in the market to generate development and growth throughout the Catalan territory.

For Muxí and Ciocoletto (2011), this law is not only an example of a model of public-private collaboration but also a law that incorporates the gender perspective in an urban regeneration law. Specifically, field 6 of the law establishes gender equality in the use of urban space and facilities.

A second characteristic for these authors is the transversality of the gender perspective in public policies. The gender issue feeds back into decisions without singling out women as a minority and/or a problem, but rather as a fundamental part of offering alternatives, or solutions, from an approach of abstract neutrality (Table 4.4).

Bringing this Neighborhood Law into effect has led to successful results, and this is mainly due to two fundamental issues. Firstly, the existence of project evaluation and monitoring committees for each of the neighborhoods; and secondly, this regulatory initiative establishes the interoperability between local and regional government departments in the face of joint objectives, and also favors inter-administrative coordination and transversality in urban public policies.

The new global transformations have relegated small and medium-sized cities to second place. In large metropolises, the problems of segregation, lack of social cohesion, and dualization are almost irresolvable, but at lower levels, there may still be a chance to act on these problems and make medium and small cities fairer, more participatory, innovative, and democratic. Cases such as the one analyzed here can inspire the way forward.

4.6 Conclusions

This chapter has reviewed a number of key aspects of collaborative and multilevel local governance. In the Spanish case, collaborative governance is tentatively gaining ground, as the presence of the public sector in the provision and maintenance of the public service continues to be the most prominent, as opposed to the public-private partnership model, which requires greater trust between the actors involved, as well as more exhaustive regulations that guarantee equal risks in the actions to be implemented by all the actors.

Secondly, on this last point, trust is one of the fundamental elements of change. This quality affects collaborative governance, but also multilevel governance at the local level, as it is the basis for establishing any operational or substantive relationship. Specialists in this field agree that achieving greater trust in this fluctuating, complex and dynamic scenario in which we find ourselves, with successive economic crises and a recent pandemic, trust in the public sphere, can offer an increase in the legitimacy of local governments, greater citizen participation in public policies, greater transparency and accountability, leadership and, therefore, a better

Table 4.4 Main project areas of intervention

Areas of intervention	Objectives	Examples	Program investment
<i>Improving public spaces and providing green spaces</i>	Improve public spaces, increase green spaces, and enhance people mobility	Street paving, tree planting, street lighting	277.2 M€ (46.7%)
<i>Renovating and fitting buildings with collective elements</i>	Promote habitability and the quality of housing and facilities by improving elements used by the public	Roof repairs, exterior wall and water drain renovations, lift installations	56.5 M€ (9.5%)
<i>Providing public facilities</i>	Increase facilities to adequately cover citizens' needs and promote interrelationships and social cohesion	Renovation of retirement homes, creating civic centers	133.1 M€ (22.4%)
<i>Incorporating information technologies in buildings</i>	Promote incorporating ICTs to improve information and service provision	Wiring buildings to provide access to broadband	5.7 M€ (1.0%)
<i>Promoting efficient energy, water-saving, and waste recycling</i>	Reduce carbon footprint and the cost of services with incentive measures to increase energy efficiency, water-saving, and waste recycling	Installing energy-efficient and water-saving devices and automated waste collection, and building recycling plants	22.8 M€ (3.9%)
<i>Gender equality in the use of urban space and facilities</i>	Improve women's living conditions and promote their access to a minimum wage, services, and social life	Premises for hosting services aimed at balancing labor and family life, specific training courses, women's	12.2 M€ (2,1%)
<i>Accessibility and the elimination of architectural barriers</i>	Guarantee mobility and use of facilities and public spaces for all citizens, eliminating barriers impeding mobility	Widening pavements, building ramps, installing escalators, eliminating barriers	38.9 M€ (6,6%)
<i>Designing programs for social, urban, and economic neighborhood improvements</i>	Promote activating the economy, 17 commercial and social district places, enhance living conditions and fight against social exclusion	Promote activating the economy, 17 commercial and social district places, enhance living conditions and fight against social exclusion	47.3 M€ (8,0%)

Source: Own design based on data from Nel-lo (2008)

local democracy. In addition, trust also facilitates public-private collaboration and multilevel governance. It is the substratum that provides the stability on which interaction among actors must be built for its implementation to be as successful as possible.

In this respect, a national pact on public-private partnerships has been proposed in Spain to promote sufficient stability, and obviously trust, among the actors involved. In addition, it is also necessary for PPPs to be reinforced, objectives must

be decided interdependently and jointly, regardless of governments, within a medium and long-term action timeframe.

Thirdly, regulatory frameworks and institutional design must also respond to the new multilevel action contexts. A very relevant proposal would be the adoption of more flexible and adaptive administrative mechanisms and procedures for private and/or social organizations. In this case, the appropriate and timely legal formulation can help to foster the development of public-private partnerships or service outsourcing in Spain, especially in municipalities with (a) less than 20,000 inhabitants, where public services are mostly managed directly, 67%; (b) in municipalities with populations between 20,000 and 100,000 inhabitants, 67%, no change; (c) however, in municipalities between 100,000 and 500,000 inhabitants the percentage decreases in directly managed services, increasing outsourcing or PPP to 44%; and (d) in municipalities with a population of more than 500,000 inhabitants, the level of outsourcing or PPP is 33% Pina and Torres (2003: 20–21).

In spite of all this, it is worth pointing out the need to coordinate the different governmental levels and economic and/or social sectors in order to coordinate joint actions, and for these to be developed in an interdependent manner. This formula, a priori simple, turns out to be highly complex and requires the elements already described and analyzed in this chapter.

Lastly, local governance in Spain has taken a democratizing turn through public-private and multilevel collaboration. In addition to these models, the qualities of transparency and citizen participation have also enabled its development, making political representatives accountable for the results of their political decisions. Urban democratic governance is based on: citizen participation, accountability, transparency, leadership, and good governance, all of these qualities and demands being framed in a multilevel and collaborative government. Therefore, municipalities have become more plural and complex, which makes us aware and recognize that only by all actors working together can we achieve fair and democratic local governance.

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