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## Local Development and Municipal Authorities

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## LOCAL DEVELOPMENT AND MUNICIPAL AUTHORITIES

Local development, by its own nature, assumes the existence of changes taking place in a given area. They are not of a unidimensional character, however; the changes may concern all aspects including, in particular, the social, economic and cultural spheres. Thus, the question of local development ought to be dealt with as a process, or a sequence of events generated by numerous factors of different origin. One of them is definitely the way local authorities operate, especially those on the municipal level. It is the authorities who the legislator and the local community have high hopes for as it comes to being the initiator as well as the performer of the development policy.

The activities of the authorities are supposed to focus on all the public matters with high importance of local dimension. What should be borne in mind, however, which was emphasized by J. Hausner, is that „the development policy does not prevent neither a society nor an economy from threats, shocks and crises. If well-managed, it comprises institutional resources which enable a defensive reaction and adaptation.

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The socio-economic development is not and will never be a linear process. It cannot be steered, but favorable conditions can be provided, thanks to which inevitable and often erratic changes do not lead to decomposition and catastrophe<sup>1</sup>.

The aim of the paper is to characterize the notion of local development focusing on its nature related to the territorial placement of the process. A range of factors that determine local development and its growth will be analyzed, as well, and normative foundations of the development policy will be indicated. Moreover, the question of local authorities in the process of local development will be elaborated on. What has been omitted is the legal tools and instruments which a municipality might take advantage of when it comes to its activities concerning local development.

## SUBSIDIARITY AS A PRINCIPLE OF LOCAL GOVERNMENT FUNCTIONING

It was in 1990 when the restitution of local government was initiated, at that time only at the level of a commune. As a result of a reform a dualist model of the public administration system was restored<sup>2</sup>, which consists of two divisions: government and local government. The former is based on the principle of centralism and relies on a professional clerical system. The latter, on the other hand, is based on the principle of decentralization and subsidiarity<sup>3</sup>.

The principle of subsidiarity was formulated in the preamble to the Constitution of the Republic of Poland dated 2.04.1997 – the Constitution further addresses all public authorities so as to strengthen the rights of citizens and their communities. According to B. Dolnicki, the principle of subsidiarity constitutes “reasonable compromise between maintaining the uniformity of national actions and the necessity of distributing powers among independent public law bodies”<sup>4</sup>. The aforementioned principle is of twofold significance as it comes to legal relationships concerning local government bodies. Under Article 166(1) of the Polish Constitution, local government authorities carry out public tasks that serve to satisfy the inhabitants’ needs. As units operating within a broader area, a district and a voivodship perform auxiliary functions in relation to a commune in such a way that it is them who is responsible for tasks of supra-communal character. A detailed specification of the principle is found in Article 4(1) of the District Government Act dated 5.06.1998

<sup>1</sup> J. Hausner, *Zarządzanie publiczne*, Warsaw 2008, p. 381.

<sup>2</sup> See: Z. Ofiarski, M. Mokrzyć, B. Rutkowski, *Reforma samorządu terytorialnego*, vol. I, Szczecin-Zielona Góra 1999, pp. 13-20.

<sup>3</sup> K. Complak, *Konstytucje Rzeczypospolitej oraz komentarz do Konstytucji RP z 1997 r.*, ed. J. Boć, Wrocław 1997, p. 12.

<sup>4</sup> B. Dolnicki, *Ustrój samorządu terytorialnego w świetle standardów europejskich*, [in:] Z. Janku, Z. Leoński, M. Szewczyk, M. Waligórski, K. Wojtczak (ed.), *Europeizacja polskiego prawa administracyjnego*, Wrocław 2005, p. 148.

and Article 14(1) of the Voivodship Government Act. In compliance with the aforementioned legal acts, a district performs tasks of supra-communal character, i.e. those whose execution would be inexpedient as far as their range is concerned. On the other hand, a voivodship community performs tasks on the voivodship level, i.e. those whose range exceeds beyond the are of particular district communities.

## THE NATURE OF LOCAL DEVELOPMENT

The notion of „local development” does not have one explicit definition, however, a common element appearing in every attempt to define the subject matter of the issue can be indicated. Therefore, local development in its general meaning functions most frequently in relation to such notions as locality, localism, local community, local government, local life actors, local actions and local system. As development processes take place within a particular geographical space which they are closely related to, and they are frequently strongly dependent on that space, as well, the spatial factor always plays a vital role in modelling not only the character, but frequently also the extent and the dynamics of development processes.

In such meaning we can distinguish development on the global, continental, national, regional and local scale<sup>5</sup>. I share A. Oleńczuk-Paszel and A. Sempolska-Rzechuła's opinion that „developmental transition processes are always dealt with in the context of a particular geographical space, which, to a great extent, the success of the processes depends on. The spatial factor plays a significant role in shaping the character, scale and dynamics of the processes. The variety of places in the geographical space, related to different environmental, economic and social conditions, implies territorial distinctness, which is the reason why the socio-economic development does not progress at the same pace and in the same direction everywhere. The geographical space is also believed to constitute a criterion for distinguishing global, continental, national, regional and local development”<sup>6</sup>.

A similar point of view is shared by T. Truskolaski, according to whom locality in its holistic meaning appears to be a set of conditions related to a given place, the community, its economy, culture, customs and the local reality. These factors are influenced by those of supra-local dimension, including regional and national, and more frequently even supranational ones, taking into account the pan-European circumstances. The interaction between the external and internal factors constitutes a well-established part of the issue of local development<sup>7</sup>.

<sup>5</sup> A. Zalewski (ed.), *Nowe zarządzanie publiczne w polskim samorządzie terytorialnym*, Warsaw 2007, p. 8.

<sup>6</sup> A. Oleńczuk-Paszel, A. Sompolska-Rzechuła, *Wybrane metody taksonomiczne w zarządzaniu rozwojem lokalnym*, „Samorząd Terytorialny” 2011, nr 10, pp. 27-28 and the literature mentioned there.

<sup>7</sup> T. Truskolaski, *Strategiczne wyzwania rozwoju lokalnego na przykładzie Białegostoku*, „Samorząd Terytorialny” 2011, nr 12, pp. 7-8.

Another aspect of the analyzed notion is emphasized by K. Heffner, according to whom local development should be understood analogically to the regional one, but it refers to the positive changes, quantitative growth and qualitative development on a much smaller scale. Therefore, the needs, preferences and value hierarchies suitable for local units are allowed for. On a local scale, however, the problems of socio-economic development become significantly complicated, as each area functions and develops as an integral part of a larger entirety (a region, a country or another system). Local structures, in a broader perspective, take advantage of goods and services of external origin, they also strongly depend on the “external consumption” of their products<sup>8</sup>. R. Brol also emphasizes that while analyzing the notion of local development one should take into account changes which constitute the result of interaction and activation of local and regional units.

The changes consist in creating or improving the already existing:

- utility values of a given territorial unit,
- possibilities of its economic growth through creating external benefits for economic operators,
- local and regional ecosystem values and spatial order<sup>9</sup>.

Approving the aforementioned standpoint fully, M. Ziółkowski's view should be accepted, too, according to whom both local and regional development constitute a complex and multi-dimensional process taking place in the following spheres:

- economic – through quantitative, qualitative and structural development of economic operators, which should be considered as increasing employment, introducing new products and services, as well as improving the already existing ones, expanding outlets, introducing new technologies, investing,
- social – through improving the conditions and range of services in the following areas: education, healthcare, social welfare, housing, public order and security, sport and leisure, culture and art,
- spatial – through establishing reasonable settlement patterns and placing activities (functions) in space, as well as reasonable land planning and managing space (the spacious individuality of landscape, i.e. all the environmental resources, should display particular esthetic, artistic and historical characteristics),
- ecological – through protecting valuable resources and ecological values, and preventing natural environment pollution,
- cultural – through taking care of monuments of material culture, historical traditions, developing local and regional identity and revitalizing the damaged substance of art and culture<sup>10</sup>.

<sup>8</sup> K. Heffner, *Strategie rozwoju ...*, op. cit., p. 165 and the literature mentioned there.

<sup>9</sup> R. Brol, *Czynniki rozwoju regionalnego*, [in:] D. Stahl, (ed.) *Metody oceny rozwoju regionalnego*, Wrocław 2006 p. 18, from A. Miszczyk, K. Żuk, *Samorząd terytorialny jako stymulator lokalnego i regionalnego rozwoju gospodarczego* [in:] A. Miszczyk, M. Miszczyk, K. Żuk, *Gospodarka samorządu terytorialnego*, Warsaw 2007, p. 161.

<sup>10</sup> M. Ziółkowski, *Zarządzanie strategiczne w polskim samorządzie terytorialnym*, [in:] A. Zalewski, (ed.) *Nowe zarządzanie publiczne w polskim samorządzie terytorialnym*, Warsaw 2007, p. 91.

A. Klasik and F. Kuźnik's standpoint is also worth mentioning at this stage. The authors add two new dimensions to the spheres of local development: the cultural and the infratechnical one. Their understanding of particular personal scopes of local development differ slightly, too (Fig. 1).

Figure 1. The dimensions of local and regional development

Dimensions	Areas
Socio-cultural	Population, education, professional qualifications, local and regional society integration, living conditions, social institutions and services
Environmental	Elements and resources of natural environment, the level of pollution and damage to the environment, green infrastructure, ecological awareness
Infratechnical	Local, regional and supra-regional technical infrastructure, infrastructure sectors management, infrastructural gap, infrastructural reserves, infrastructural investments
Economic	Economic resources, business operations according to branches of industry, local and regional markets, economic base of cities and regions, external benefits, social costs, common goods, competitiveness of cities and regions
Spatial	Spatial planning, functional-spatial arrangements, spatial availability, spatial composition and order, spatial value

Source: A. Klasik, F. Kuźnik, *Planowanie strategiczne rozwoju lokalnego i regionalnego* [in:] S. Dolata (ed.), *Funkcjonowanie samorządu terytorialnego – doświadczenia i perspektywy*, vol. 2, Opole 1998, p. 396; A. Miszczuk, K. Żuk, *Samorząd terytorialny jako stymulator lokalnego i regionalnego rozwoju gospodarczego*, [in:] A. Miszczuk, M. Miszczuk, K. Żuk, *Gospodarka samorządu terytorialnego*, Warsaw 2007, p. 16.

Such depiction of the dimensions in which local development might take place validates the thesis that it is necessary to touch upon the issue of local development in a multi-faceted way. Moreover, it is essential to elaborate on local development as a dynamic process.

„Changes usually take place simultaneously; they are mutually related to one another, frequently on the principle of feedback, which means that the notion of local development ought to be examined in a complex way, taking into account a number of cause-and-effect processes. Each cause constitutes an effect of events from the past, each effect, on the other hand, is going to be the cause of future phenomena. Causes and effects are interrelated, and, referring to all four aspects of development,

they might constitute its factors (if they initiate or facilitate the development) or barriers (if they hinder or prevent it)<sup>11</sup>.

## LOCAL DEVELOPMENT FACTORS

As it was indicated earlier in the paper, local development might be understood as a complex of qualitative transformations concerning a territorial local structure as far as the standard of life of its users and the functioning conditions of economic operators related to it are concerned. The result of the changes is development on the local level in the context of internal and external determinants (factors, conditions, means)<sup>12</sup>.

The aforementioned classification of development factors is commonly shared in the literature, the nomenclature might differ, though. In order to confirm the thesis it is worth introducing A. Oleńczuk-Paszel and A. Sempolska-Rzechuła's view, who distinguish internal (endogenous) and external (exogenous) development factors, depending on the surroundings<sup>13</sup>.

While accepting the division of development factors presented in the literature, it is necessary to study their characteristics. „Internal conditions, which are of microeconomic character, refer to the socio-economic potential of a microregion and the activities of local authorities, institutions and organizations functioning in a given commune. The most significant are the following conditions: demographic, environmental, capital, infrastructural and social”<sup>14</sup>. According to K. Heffner, the internal development factors include everything that can be described as local possibilities and plans. The former ones depend strongly on the resources a local unit possesses (raw, mineral, material, human and others, whereas it is not only their quantity, quality, availability and effectiveness of use that is of significant value, but also the sufficiency as far as external and local needs are concerned.

What brings about developmental possibilities is various local trumps, such as location, specialization, manufacturing traditions, as well as taking part in the supralocal and regional exchange, etc. The developmental needs usually amount to providing a particular level of living conditions for the inhabitants or maintaining the right pace for its growth, which is frequently associated with the necessity to eliminate negligence and shortcomings that cause local uneasiness. Moreover, a unfavorable comparative position of a local individual might have an influence on the intensification of its developmental needs<sup>15</sup>.

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<sup>11</sup> A. Oleńczuk-Paszel, A. Sempolska-Rzechuła, *Wybrane metody taksonomiczne ...*, op. cit., p. 29 and the literature mentioned there.

<sup>12</sup> K. Heffner, *Strategie rozwoju regionalnego i lokalnego*, [in:] Z. Strzelecki (ed.), *Gospodarka regionalna i lokalna*, Warsaw 2008, p. 165.

<sup>13</sup> A. Oleńczuk-Paszel, A. Sempolska-Rzechuła, *Wybrane metody taksonomiczne ...*, op. cit., p. 29 and the literature mentioned there.

<sup>14</sup> *Ibidem*, p. 29 and the literature mentioned there.

<sup>15</sup> K. Heffner, *Strategie rozwoju ...*, op. cit., p. 166.

The external factors of development, in turn, are of macroeconomic character. They refer to the national economic policy, especially the guarantee of stability and durability, the rules of privatization and investments, specific economic preferences, as well as providing direct and indirect sources of financing. The right proportion as it comes to both groups of factors is crucial, since basing the development exclusively on external or internal factors constitutes a major strategic error. As the socio-economic development advances, the importance of its factors changes. Traditional factors related to resources, such as capital, land and labor are believed to be of smaller importance, whereas modern development factors are playing a more and more important role in the light of technical and scientific progress and the economy transformation processes; these factors are: the quality of human factor, the technical and scientific progress, innovation in the sphere of production and services and structural transformations that improve the economic effectiveness and are conducive to the scientific and technical progress<sup>16</sup>.

External factors, as far as the local scale is concerned, are associated with social and economic policy of the country, as well as its surroundings (management system, legal arrangements, ecology and environmental protection) and the corresponding spatial policy. Furthermore, supralocal market factors, especially influencing the society's standard of living, the international position of the country, export and import policy, are of great significance<sup>17</sup>.

Other authors formulate a thesis according to which it is possible to provide even more particulars the list of development factors, broadening it with the elements of demand. Then, the local and regional development factors will be the following:

the needs of local and regional communities,

- the needs of local and regional communities,
- resources and values of the natural environment
- labor resources,
- infrastructural investments,
- the already existing economic capacity,
- the financial market (especially the investment market),
- the level of science, technology and culture,
- modern manufacturing technologies,
- investment areas and the benefits of location,
- international and bilateral relations<sup>18</sup>.

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<sup>16</sup> A. Oleńczuk-Paszal, A. Sompolska-Rzechuła, *Wybrane metody taksonomiczne ...*, op. cit., p. 29 and the literature mentioned there.

<sup>17</sup> K. Heffner, *Strategie rozwoju ...*, op. cit., p. 166.

<sup>18</sup> A. Miszczuk, K. Żuk, *Samorząd terytorialny jako stymulator lokalnego i regionalnego rozwoju gospodarczego* [in:] A. Miszczuk, M. Miszczuk, K. Żuk, *Gospodarka samorządu terytorialnego*, Warsaw 2007, pp. 162-163 and the literature mentioned there.

The analysis of possible local development factors would not be complete if it did not take into account a broader range of social factors including economic phenomena and relations which are directly connected to people as inhabitants, but also as employees and entrepreneurs, who, altogether, constitute the so called social fittings of places, which include local entrepreneurship, the industrial culture, innovation capacities, social solidarity. These factors, together with availability, the size of markets or the benefits of agglomeration constitute a basis for local development and have an influence on its dynamics<sup>19</sup>.

While elaborating on local development factors, subjective circumstances, both formal and informal, shall not be omitted. The conditions include interpersonal relations within local communities and between these communities and their surroundings, the ability to assert their rights, pressures on the authorities, and the image of a given area established by the general public. Although the factors are of unmeasurable character and it is difficult to determine their influence on the development of a commune, it must be stated that on the level of a local community their role is significant. What should also be included in the group of subjective circumstances is factors which the success of the development mainly depends on. They are related to the features of people who create the development. These features include their qualifications, lifelong learning, professionalism and leadership skills. The role of human factor in local development management has been an issue since the beginning of the systemic reforms process in Poland. The postulate has been up-to-date as the years pass<sup>20</sup>.

## THE PRINCIPLES OF THE DEVELOPMENT POLICY

The normative dimension of the development policy was established in the Act of Dec. 6<sup>th</sup> 2006 on the principles of the development policy<sup>21</sup>. According to its explanatory memorandum, the Act, apart from the community regulations, provides legal basis for the implementation of structural funds and the cohesion fund in the financial framework 2007-2013. Another amendment of the Act from 2013 assumed developing legal bases for the relevant Minister in charge of the regional development to prepare a new programming period of the European Union for years 2014-2020, as well as successive programming periods of the EU. It was also indicated that the main goal for the upcoming programming period of the UE 2014-2020 is basing the development on further increase in the competitiveness of the economy, the improvement of social and territorial cohesion (by eliminating the already existing developmental barriers) and raising the efficiency of the country.

<sup>19</sup> T. Truskolaski, *Strategiczne wyzwania ...*, op. cit., pp. 7-8.

<sup>20</sup> A. Oleńczuk-Paszel, A. Sompolska-Rzechuła, *Wybrane metody taksonomiczne...*, op. cit., p. 29 and the literature mentioned there.

<sup>21</sup> Consolidated text. Journal of Laws of 2014, item 1649.

A legal definition of the notion of the development policy is included in Article 2 of the Act on the principles of the development policy. Therefore, what is understood as the development policy is a set of interrelated actions undertaken in order to provide sustainable and balanced development of a country, socio-economic, regional and spatial cohesion, an increase in the competitiveness of the economy and the creation of new jobs on the national, regional and local scale. While specifying the areas within the scope of the development policy, C. Kosikowski pays special attention to the following:

- environmental protection,
- healthcare,
- the promotion of employment, including counteracting unemployment, cushioning the effects of unemployment and activating the unemployed,
- the development of culture, sport and tourism,
- the development of cities and metropolitan areas,
- the development of rural areas,
- the development of science and increasing the competitiveness of the economy, including the development of sectors that base on the use of modern technologies,
- the development of prosocial behaviors of local communities, as well as building and strengthening the structures of civil society,
- the development of human resources, including improving educational attainment of the society, the qualifications of citizens, as well as counteracting social exclusion and cushioning its negative effects,
- stimulating the creation of new jobs,
- creating and upgrading the social and technical infrastructure,
- supporting and updating the national institutions,
- supporting the development of entrepreneurship,
- supporting the economic growth,
- increasing the competitiveness of the economy<sup>22</sup>.

According to Article 3 of the Act on the principles of the development policy, the following are in charge of conducting the development policy:

- the Council of Ministers,
- voivodship self-government,
- metropolitan unions,
- municipal and communal self-governments.

The development policy, according to Article 4 of the Act, is conducted on the basis of the development strategy, programmes and the programming documents. The development policy might also be conducted on the basis of legal and financial instruments laid down in separate provisions (Article 7(2) of the Act on the principles of the development policy).

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<sup>22</sup> C. Kosikowski, *Publiczne prawo gospodarcze Polski i Unii Europejskiej*, Warsaw 2007, p. 130.

What is of key importance as far as the development policy is concerned is the character and the diversity of the institutional environment of the economy, which determines the adaptive effectiveness and the innovation of business entities<sup>23</sup>. This exceedingly significant element has been included by the legislator at the very stage of establishing the policy. According to Article 6 of the aforementioned Act, development strategy projects are subject to consultation with local and regional authorities, social and economic partners and the Joint Commission of the Government and Local Governments. The entity who prepares a draft of a development strategy announces the information about consultation in a daily national newspaper and on its website, focusing on the invitation to the process of consultation, the place, the topics of meetings and conferences and the website address where the development strategy draft is available. When it comes to a development strategy draft of regional character, the entity announces the information about consultation in a daily national or local newspaper and on its website.

The entities consulting the development strategy can, within 35 day from announcing the strategy in a daily national newspaper and on their website, express their opinion of the draft. Not submitting the opinion is equal to waiving the right to express it. Within 30 days from the end of the consultation the entities who organized it prepare a report on the course and results of the consultation, including, first and foremost, responds to comments submitted during the consultation, along with justification. The report should be made public on the website of the entity. Under Article 9 of the Act on the principles of the development policy, the following development strategies can be distinguished:

- a long-term development strategy of the country – a document describing the main goals, challenges and directions of socio-economic development of the country, including the sustainable development principle, covering a minimum period of at least 15 years,
- a medium-term development strategy of the country – a document describing basic conditions, aims and directions of the national development in its social, economic, regional and spatial dimension, encompassing a period of 4-10 years, being realized by the development strategies and by means of programmes, taking into account the programming periods of the EU,
- other development strategies – documents describing basic conditions, aims and directions of development, referring to sectors, areas, regions or spatial development, including metropolitan areas and functional areas.

## A COMMUNE AND THE LOCAL DEVELOPMENT

There is no doubt that there is space for local development only when a given local system enjoys significant autonomy as it comes to the allocation of resources

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<sup>23</sup> J. Hausner, *Zarządzanie publiczne...*, op. cit., p. 379.

and the possibilities to take decisions concerning itself in a self-governing and democratic way. One of the favorable changes in the process of system transformations in Poland was reactivating regional and local authorities in 1990<sup>24</sup>. Thus, ascertaining the role of a commune in creating local development is not possible without referring to its political position. According to Article 15 of the Constitution of the Republic of Poland<sup>25</sup>, the system of government of the Republic of Poland provides for decentralization of public authorities.

The territorial division of the state respecting social, economic or cultural bonds that ensures the possibility of performing activities to the local units is prescribed by law. Therefore, “a local government is an element of the public sector, and its units belong to the public finance sector. The finance of a local government constitute an integral part of the public financial system which includes processes related to collecting and allocating public funds”<sup>26</sup>.

According to Article 16 of the Constitution, on the other hand, the communities of the units of the territorial division comprise a local government under the law. A local and regional self-government takes part in the exercise of public authority. A local self-government performs a substantial part of its activities, pursuant to the acts, on his own behalf and under its own responsibility. “It means that the citizens organized in a local self-government satisfy their basic needs on their own, electing authorities whose responsibility is to conduct the affairs in such a way that it is in line with the needs of the local community”<sup>27</sup>.

Therefore, what has been rightly noticed by W. Kosiedowski, the decentralization of the administrative system and the public finance, provided for in the Constitution, resulted in commune, district and voivodship self-governments playing a significant role in the public governance in Poland<sup>28</sup>.

What is also worth presenting at this point is T. Bąkowski's view, who claims that the decentralized organization of public administration, and therefore distributing tasks and competences among entities that are closer to an individual, might have an influence on the quality of their relationship, which is usually the case. What seems to be an unquestionable advantage of the implementation of the law (lawmaking, law application and law enforcement) by decentralized public administration entities is easier recognition of cases, especially establishing the matters of fact<sup>29</sup>.

Article 166 of the Constitution, in turn, regulates the scope of actions of a local government unit. Public tasks whose purpose is to satisfy the needs of a local self-

<sup>24</sup> T. Truskolaski, *Strategiczne wyzwania ...*, op. cit., p. 8.

<sup>25</sup> Journal of Laws No 78 item 483 of 1997 with amendments.

<sup>26</sup> T. Truskolaski, *Strategiczne wyzwania...*, op. cit., p. 8.

<sup>27</sup> Ibidem, p. 8.

<sup>28</sup> W. Kosiedowski, *Zarządzanie gospodarką regionalną i lokalną*, [in:] Z. Strzelecki (ed.), *Gospodarka regionalna i lokalna*, Warsaw 2008, p. 229.

<sup>29</sup> T. Bąkowski *Administracyjnoprawna sytuacja jednostki w świetle zasady pomocniczości*, 2007, p. 202.

government community are performed by the local authority unit as its own. If substantiated needs of the state require so, the Act can commission local government units to perform other public tasks. The Act sets out the rules for delegation and implementation of the tasks assigned.

While indicating the legal aspects of the tasks of a local self-government, Article 6(1) of the Local Government Act of 8 March 1990 must be mentioned, too. According to the Act, within the scope of activities of a commune there are all the public matters of a local significance, not reserved to other entities. Article 6(2) of the Local Government Act says, however, that unless the Act stipulates otherwise, handling cases mentioned in item 1 is a responsibility of a commune. As a result, what is rightly emphasized by A. Szewc, all the tasks that belong to the scope of responsibilities and competences of a commune can be characterized by two features: public character and local meaning. These constitute objective criteria. What must be added is a subjective criterion of negative character: the lack of regulation concerning the competence to handle such cases for another self-government or national authority, or a social organization (e.g. a district council, a regional council, a voivod, the government special administration authority or another national authority, a trade union, social labor inspection etc.)<sup>30</sup>.

Yet other features of the tasks realized by the local government are of interest to A. Gawroński, who emphasizes that they are the tasks which:

- originate in the national legislation, and hence as a decision of the state, which established the self-government,
- serve to satisfy the needs of local self-government communities, therefore they are of local character,
- what proves their local character is the fact that the recipient of the service is public, everyone can, and sometimes has to use it, but the aim of the service is the social good (e.g. preventive vaccination, education, prison, public transport),
- they are administered according to the subsidiarity principle,
- a local self-government cannot be prevented from providing assigned services<sup>31</sup>.

J. Kwaśny goes a step further with his conclusion. He believes that it is the tasks of local authorities covered by the law that make them responsible for the entirety of issues related to the development of a given area. From the perspective of the degree of impact on the direction of a commune socio-economic development, the whole of activities undertaken by self-governments can be divided into those which influence the direction and pace of the development of a commune directly, and the actions of indirect character. The former include actions within the public sec-

<sup>30</sup> A. Szewc [in:] A. Szewc, G. Jyż, Z. Pławecki, *Ustawa o samorządzie gminnym. Komentarz*, 2nd Edition, p. 73.

<sup>31</sup> H. Gawroński, *Zarządzanie strategiczne w samorządach lokalnych*, Warsaw 2010, p. 64.

tor, whose financial image is the structure of budget expenditure, whereas the latter constitute the whole of actions directed at controlling the already existing decisions, autonomous economic entities, institutions and organizations so that they comply with the preferences consistent with strategic goals of a commune and directed at creating favorable conditions that attract (create) new economic entities (the so called promotion and control activities of local authorities). The activities result directly from the instruments which a local self-government was provided by the law, and they can be divided into the following:

- legal and administrative instruments,
- information and promotion instruments,
- economic instruments,
- institutional and organizational instruments<sup>32</sup>.

Thereby, making use of the aforementioned legal instruments in the process of managing a given local government unit, the competent authorities shall take care of its development. Such a conclusion results from the specification of actions which should be taken in this respect. Undoubtedly, they could be characterized by:

- comprehensiveness in the approach to the problems of development, consisting in interrelated comprehension of the economic, social, spatial, environmental and cultural sphere,
- the efficiency of using the endogenous factors of development,
- treating a given local government unit as a part of its surroundings, where one might find both opportunities and threats to the development,
- a future orientation, which means dealing with current problems through the prism of the long-term goals,
- performance orientation, understood as achieving developmental goals,
- following the principle of rational management,
- implementing the principle of sustainable development successively<sup>33</sup>.

Therefore, M. Ziółkowski rightly claims, that the major goals of self-government authorities in the sphere of local and regional development should be the following:

- supporting the development of business entities functioning in the region which constitute the already existing service-productive base,
- regulating the development of a commune and region so as to create and stimulate particular utility values which are the source of location benefits for potential investors, inhabitants and tourists,
- acting with a measure of success to make the best use of the utility values in order to increase the competitiveness of local and regional economy and to acceler-

<sup>32</sup> J. Kwaśny, *Rola samorządu terytorialnego w procesie rozwoju lokalnego gminy na przykładzie miasta Tarnowa*, Zeszyty Naukowe Małopolskiej Wyższej Szkoły Ekonomicznej w Tarnowie” 2009, no. 2(13), t. 1 p. 153 and the literature mentioned there.

<sup>33</sup> A. Miszczuk, K. Żuk, *Samorząd terytorialny...*, op. cit., p. 172.

ate the development of the commune and the region as a whole<sup>34</sup>.

In conclusion, political location of a commune self-government and identifying it with the main implementer of the principle of subsidiarity lets us expect that it will activate, through its actions, local entities (economic operators, institutions, inhabitants) to generate changes which will improve the living conditions in the area. What seems to be of the greatest significance is the ability to make use of the potential of the commune and to direct it at implementing the common vision of the future, increasing the competitiveness and, above all, improving the quality of life.

## Bibliography

- Bąkowski T., *Administracyjno-prawna sytuacja jednostki w świetle zasady pomocniczości*, Warsaw 2007.
- Brol R., *Czynniki rozwoju regionalnego*, [in:] D. Stahl (ed.), *Metody oceny rozwoju regionalnego*, Wrocław 2006 from: A., Miszczuk, K. Żuk, *Samorząd terytorialny jako stymulator lokalnego i regionalnego rozwoju gospodarczego* [in:] A. Miszczuk, M. Miszczuk, K. Żuk, *Gospodarka samorządu terytorialnego*, Warsaw 2007.
- Gawroński H., *Zarządzanie strategiczne w samorządach lokalnych*, Warsaw 2010.
- Hausner J., *Zarządzanie publiczne*, Warsaw 2008.
- Heffner K., *Strategie rozwoju regionalnego i lokalnego*, [in:] Z. Strzelecki (ed.), *Gospodarka regionalna i lokalna*, Warsaw 2008.
- Kosiedowski W., *Zarządzanie gospodarką regionalną i lokalną*, [in:] Z. Strzelecki (ed.), *Gospodarka regionalna i lokalna*, Warsaw 2008.
- Kosikowski C., *Publiczne prawo gospodarcze Polski i Unii Europejskiej*, Warsaw 2007.
- Kwaśny J., *Rola samorządu terytorialnego w procesie rozwoju lokalnego gminy na przykładzie miasta Tarnowa*, „Zeszyty Naukowe Małopolskiej Wyższej Szkoły Ekonomicznej w Tarnowie” 2009, nr 2 (13), vol. 1.
- Miszczuk A., Żuk K., *Samorząd terytorialny jako stymulator lokalnego i regionalnego rozwoju gospodarczego*, [in:] A. Miszczuk, M. Miszczuk, K. Żuk, *Gospodarka samorządu terytorialnego*, Warsaw 2007.
- Oleńczuk-Paszal A., Sompolska-Rzechuła A., *Wybrane metody taksonomiczne w zarządzaniu rozwojem lokalnym*, „Samorząd Terytorialny” 2011, nr 10.
- Szewc A. [in:] A. Szewc, G. Jyż, Z. Pławewski, *Ustawa o samorządzie gminnym. Komentarz*, Warsaw 2005.
- Truskolaski T., *Strategiczne wyzwania rozwoju lokalnego na przykładzie Białegostoku*, „Samorząd Terytorialny” 2011, nr 12.
- Zalewski A. (ed.), *Nowe zarządzanie publiczne w polskim samorządzie terytorialnym*, Warsaw 2007.
- Ziółkowski M., *Zarządzanie strategiczne w polskim samorządzie terytorialnym*, [in:] A. Zalewski (ed.), *Nowe zarządzanie publiczne w polskim samorządzie terytorialnym*, Warsaw 2007.

<sup>34</sup> M. Ziółkowski, *Zarządzanie strategiczne ...*, op. cit., p. 93.

**Summary:** The political role of a commune self-government makes it responsible for all the public issues of local significance. Therefore, it includes conducting the policy of development understood as a set of activities to improve the quality and conditions of life of the inhabitants of a given commune. While taking actions within the local development process, a commune should consider the character and variety of the institutional surroundings of the economy, the environment and the social conditions. The local development of the commune must be held through creating new and improving its already existing utility values.

**Keywords:** local development, municipal government, development policy

### ROZWÓJ LOKALNY A SAMORZĄD GMINNY

**Streszczenie:** Ustrojowa rola samorządu gminnego czyni go odpowiedzialnym za wszystkie sprawy publiczne o znaczeniu lokalnym. Obejmuje ona tym samym prowadzenie polityki rozwoju rozumianego jako kompleks działań na rzecz poprawy jakości i warunków życia mieszkańców konkretnej gminy. Działając na rzecz rozwoju lokalnego, gmina powinna uwzględniać charakter i różnorodność otoczenia instytucjonalnego gospodarki, środowisko i uwarunkowania społeczne. Rozwój lokalny gminy ma się odbywać poprzez kreowanie nowych i poprawę jej istniejących walorów użytkowych.

**Słowa kluczowe:** rozwój lokalny, samorząd gminny, polityka rozwoju