



*Ministry of Economic  
Development*



*Swedish International  
Development Cooperation  
Agency*



*United Nations  
Development Programme*

## **Spatial Planning Support Project in Montenegro**

Revised Project document and No-cost extension proposal

June 2009- December 2010

May 2009

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## 1. Introduction

The following Revised Project document and no-cost extension proposal is based on the approved Project Document “Strengthening governance systems in spatial planning to address uncontrolled building and implementation of the new planning legislation” that started implementation in January 2007 and was supposed to finish by the end of 2009. The specific objectives were enhanced physical planning capacity in 12 northern municipalities, registration of illegal buildings through developing and implementation of the legal framework, and active participation of civil society in spatial planning and development.

During the first two years of implementation of the existing project several conditions affected the delay in completion of the initially planned outputs.

The most important change was shift in the Government of Montenegro policy over the issue on illegal building (component 2 in the original project). That component was based on the drafting and implementation of the Law on Illegal construction but in the meantime the Government decided they will take a different approach to solving the issue of illegal building, therefore this component became irrelevant, and the resources (600,000 USD) were unused. As the responsibility for dealing with illegal construction was shifted from central to local level, and realizing that sustainable local planning requires more substantial and longer support, it is proposed to redirect these resources towards partner Municipalities based on the custom based assessment of their needs.

Second condition that affected the implementation was a delay by Government in finalizing the National Spatial Plan (NSP). The NSP is the overarching strategic spatial planning document, and all the Municipal spatial plans have to be in line with the provision from the NSP. The partner Municipalities were unable to start working on their plans before the NSP was finalized. NSP was planned to be adopted in the beginning of 2007, but it was actually adopted in March 2008, after which the Municipalities have started preparation of their plans. Another issue that affected the delay in plans is that the Ministry of economic development has drafted and adopted new Law on Development and Construction in September 2008. Municipal plans will have to align with the new and changed provision in the new Law.

These changes in conditions and priorities have been recognised in the Mid-term evaluation<sup>1</sup> and following the recommendation from the report and consultations with the ministry and local partners, we are proposing the revised project document with no-cost extension to one more year in order to achieve originally planned goals, and ensure long-term sustainability. The proposed overall development objectives are the same as in the Original Prodoc, with some specific adjustments reflecting the redirection of the funds from the component on Illegal buildings towards assistance to partner Municipalities.

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<sup>1</sup> Mid-term evaluation report prepared by SIDA consultant Stig Egnell in October 2008

Also it is proposed to change the project name to *Spatial Planning Support Project (SPSP)*, which is more suitable for planned activities under this proposal.

The SPSP will continue to support 12 Partner Municipalities in finalizing the obligatory Spatial Urban Plans (SUP), while working on building their capacities. Based on the new needs-assessment it is identified that the best approach would be that the SPSP assists Municipalities on development of the Annual programme for planning and development, and assist the implementation of the local plans identified as the priorities of the programme.

In close cooperation with Ministry of Economic Development SPSP will work on improving the spatial planning legislation, through providing technical assistance in drafting relevant Bylaws, creating the template Terms of Reference for municipal use, making Guide for implementation of the Law on development and construction and organizing trainings.

The SPSP will continue to support the active participation of the NGOs in spatial planning issues, and encourage more active cooperation between both levels of Government and civil sector. SPSP will also ensure more active role of the Faculty of Architecture in the project activities.

The SPSP will further build the capacity of municipalities for spatial planning and related activities. In order to secure the sustainability of the project results, SPSP will initiate the provision of the necessary support services, such as a web based municipal spatial information system, within northern Montenegro. If applicable, these services will be developed through a regional planning centre to be established by the municipalities themselves with the technical assistance of the SPSP.

At the end of year 2010, it is expected to have: efficient spatial planning legislation in line with EU standards, 12 Spatial Urban Plans, 12 Local Urban Plans, 1 Spatial Plan of Special Purpose, capable Municipal officials with prepared planning documentation for the new development projects, active participation of all the stakeholders in the spatial planning processes.

## **2. National Context**

### ***2.1. Spatial planning in Montenegro***

Spatial planning in Montenegro is based on hierarchy of plans, from national spatial plan, plans for areas of special purpose and spatial urban plans, to the municipal detailed urban plans. In the transition process with rapid urban development and progress of private entrepreneurship, this system of planning proved to have many weaknesses causing negative effects such as changes of land use regardless of valid plans, illegal construction and uncontrolled urbanisation without development of adequate infrastructure. Because of these effects, quality of nature and landscape, which represent an important competitive advantage of Montenegro are jeopardized. At the same time, quality of life in urban areas is diminished because of inaccessibility or too low capacity of infrastructure (such as water supply). Number of traffic problems in urban centres is increased, as well as the risks related to natural catastrophes (earthquakes and floods).

In the year 2008, as the answer to all these problems, with the assistance of the SPSP, new Law on spatial development and construction was adopted. This law shall provide better functioning of spatial planning system and efficient application of plans on the basis of participative process of preparation and adoption. Successful implementation of the new Law depends on strengthening of capacities of both Ministry and Municipalities for preparation of new planning acts and updating of the existing planning acts, especially at the local level; as well as on supervision of realization of plans and on integration of sustainable regional economic, social and environmental development into plans. Effective implementation of the new Law also depends on the cooperation between Ministry and Municipalities on their shared responsibilities (approvals for municipal spatial-planning acts, issuing of licences for larger structures, shared web information system, etc.)

National spatial plan was adopted in the beginning of the year 2008, with contribution from SPSP in organizing the public debates. The NSP provides guidelines for significant investments into infrastructure and services, which needs to be further planned by Municipal Spatial Urban Plans.

Partner municipalities, with the support of SPSP and support of other donors and implementing agencies (World Bank is starting Land Administration Management Project (LAMP), and Austrian Montenegrin Partnership is already co financing SUP development in Municipality of Mojkovac) are in the process of preparation of new Spatial Urban Plans.

Municipal administrations have very limited capacity for managing of preparation process and process of plan implementation. From the beginning of SPSP a great part of the work is done by Capacity Development Unit (CDU) which is in charge of providing direct technical help to the Partner municipalities in the course of complete process of adoption of spatial-planning documentation. The activity of CDU contributed that, so far, 9 Municipalities started with the Planning process, and 5 of them are in process of Drafting Spatial Urban Plans. Also, capacities of local officials are significantly improved, and that can be judged by their better performance in everyday work, self-assurance, new initiatives and better information sharing between municipalities.

## 2.2. Regional development in Montenegro

Due to great regional differences in Montenegro, regional development, especially on the north, is priority for ministries and donors. For the time being, in Montenegro there is no active program or institutional frame which would correspond to the model of regional development in EU, with geographic definition, authorised bodies for development at regional level and with regional development programs, which would serve as a base for financing from state budget and by European Union through pre-admission structural funds which are foreseen in the second phase of Instrument for Pre-accession (IPA) funds implementation.

In the National Spatial Plan, which also includes the aim of more uniform regional development, the following is clearly emphasized: **“Capacity for spatial planning and sustainable development is limited in small municipalities and through different options that capacity and quality of local spatial planning should be increased by realization of cooperation between municipalities, forming of regional institutions and other.”**

Also, the following is emphasized in the National Spatial Plan: „Since spatial and settlement development (and environment protection) is complex and multi-disciplinary issue, it is necessary to form, in the Government of Montenegro, appropriate institution for spatial development, which will execute state competences regarding spatial planning and provide inter-department harmonization of different ministries, state institutions, local authorities and private and civil sector. Key aspect of this institution is forming and implementation of Spatial information system and monitoring system.“

In the year 2007, Montenegrin Secretariat for Development made evaluation of applying of Strategy of regional development and presented it to the Government, with recommendations for strengthening of institutions and processes, in order to achieve national development aims and establish frame for EU regional development funds. These recommendations include:

- Preparation of National development Plan
- Review of the Strategy of regional development
- Law on regional development
- Forming of advisory body for regional policy
- Forming of Regional development Centre within Secretariat
- Accepting of classification of territorial units for needs of EU statistics
- Preparation or review of strategies, plans and policies at national and regional level in fields, such as: rural development, tourism, employment, duty-free zones, etc.

It seems that programming of the regional development is in initial development phase, and that certain ministries and municipalities have not yet understood and applied that mechanism. General distrust between sector and level of government and administration, as well as low level of cooperation between government, business sector and civil society make the situation even worse.

### **3. Demands and Needs to be addressed**

As mentioned above, the Ministry of Economic Development has adopted a new Law on development and construction in September 2008, and currently is preparing Bylaws and other instruments for more effective implementation. So far, the SPSP has provided technical assistance by giving expert advice in drafting of the Law and one Bylaw. Since the Law has introduced many changes, there is a need for further technical assistance to ensure efficient implementation.

In regards to other instruments that would help implementation of the Law, the Ministry has requested the assistance from the SPSP in creating a template Terms of Reference that would be used by Municipalities in drafting their Spatial Urban Plans, as well as creating a Guide for Law implementation and joint workshops with Municipalities to examine strengths and weaknesses of the Law in practice. The Ministry has prepared the Terms of Reference for Spatial plan of special purpose for Durmitor area (SPSP has provided technical assistance) and has requested that the SPSP continue to provide technical assistance until the completion of the Plan and if possible to provide co-financing for development of Strategic Environmental Impact Assessment (SEA).

According to the Law, Municipalities are obliged to finish the process of developing new Spatial Urban Plans and modifying the existing planning documentation until September 2009. SPSP will continue to provide both, technical and financial assistance to partner Municipalities, in order to try to reach this deadline.

Beside development of planning documentation, as important part of development services, municipalities expect more approachable manner for conducting of administrative procedures, which fall within state competence (for example, approvals for municipal spatial-planning acts or issuing of licences for larger structures). At present, those services can be performed in Ministries in Podgorica, which has limited capacities, and this presents additional obstacle for faster economic development on the north of Montenegro.

During January and February 2009 UNDP team made new need-assessment for all 12 Municipalities included in SPSP, and through consultations with the Mayors and other Municipality officers came to the most appropriate solution to meet their further needs from the area of spatial planning.

According to analysis of the situation and dialogue with municipalities, there is strong need for expert services in the area of spatial planning and regional development within the region. Transforming of that need into effective demand depends on limitation of capacities of municipal administrations and other administrative bodies, while in financial terms demand is generated or limited by budgets of municipalities, ministries and international donors.

In short-term period, in the field of spatial planning and regional development, municipalities usually ask for the following services:

- Preparation of spatial planning acts,
- Establishment and maintenance of spatial information system,
- Preparation of projects for application at donors and EU funds,
- Coordination and implementation of donor and EU supported projects,
- Capacity building of municipal administration and other relevant partners

In medium to long term period, an increase of demand by all types of services which within the EU are performed by so called agencies for regional development can be expected. In order to satisfy this demand, an initiative to establish a Regional Planning

Centre is under way with the support of all the municipalities in the region. The idea is that such a centre would ensure sustainable and cost effective offer of expert services which will be needed in the northern region before and after admission of Montenegro into European Union.

#### **4. Revised Outputs and Interventions**

Based on the changed conditions and priorities identified by the Ministry and local governments, SPSP is proposing the following revised outputs and correlated interventions:

##### **OUTPUT 1 - Sustainable Spatial Planning and Development in Municipalities in the Northern Montenegro** that will be achieved through these interventions:

- a) Expert and financial assistance in process of developing Spatial Urban Plans and establish transparent and participatory planning process
- b) Expert and financial assistance in process of developing Local Urban Plans and establish transparent and participatory planning process
- c) Capacity building of local governments in Northern Montenegro and supporting exchange of best practices among the municipalities and from the region
- d) Improved support services for spatial planning within the partner Municipalities

##### **OUTPUT 2 - Efficient implementation of the spatial planning legislation and active participation of civil society** that will be achieved through these interventions:

- a) Drafting of Bylaws related to the Law on development and construction
- b) Developing template for Terms of Reference, Tender procedure and Timeline for Municipal plan development in accordance with the new Law on Development and Construction
- c) Analysis of the Law on Development and Construction implementation and recommendations for improvement
- d) Supporting involvement of the civil society in the area of spatial planning
- e) Organizing two student competitions on urban development
  
- f) Expert and financial assistance in process of developing Spatial Plan of Special purpose for area of Durmitor (with SEA)

#### **5. Output Indicators**

##### **5.1. Output Indicators for Output 1 - Sustainable Spatial Planning and Development in Municipalities in the Northern Montenegro**

###### *5.1.1. Spatial Urban Plans for 12 Municipalities in Northern Montenegro developed*

According to the new Law on development and construction, Municipalities are obliged to finish a process of developing new Spatial Urban Plans and modifying the existing documentation until September 2009, which is very optimistic deadline.

Until beginning of 2009, Municipalities of Mojkovac, Andrijevica, Pljevlja, Zabljak, Bijelo Polje, Pluzine and Berane started with procedure of SUP development. Municipalities of Cetinje, Plav and Rozaje didn't start yet with tendering procedure, and it is expected that they will start with planning process until April 2009. Municipalities of Savnik and Kolasin have to align their existing documentation with a new Law, which is also a process that will last until the middle of year 2010.

The following are indicative activities for this Output indicator which will be aimed in finishing and adopting Spatial Urban Plans with Strategic Environmental Impact Assessment (SEA) in 12 Municipalities in Northern Montenegro until June 2010:

- Prepare ToRs for development of Spatial Urban Plan (SUP) and SEA, or prepare ToR for aligning existing Local Spatial Plan and General Urban Plan with new Law
- Organize tender procedure for development of Municipal SUP with SEA or aligning existing Local Spatial Plan and General Urban Plan with new Law
- Organize public debates on Draft versions of Municipal SUP with SEA
- Prepare comments on Draft versions of Municipal SUP and SEA
- Adopting Final versions of SUP and SEA by Municipal Parliament

The cost sharing for the development of all Spatial Urban Plans is maximum 50% of the total cost financed by the partner Municipalities, but not over 50 000€ per Municipality. The total cost for SUP development is being defined after the finishing tender procedure and choosing the best proposal according the defined criteria (criteria are defined by Municipality officials, with approval of SPSP). The SPSP will also provide technical assistance to municipal officials for Spatial Urban Plans development.

#### *5.1.2. Local Urban Plans for 12 Municipalities in Northern Montenegro developed*

After the adoption of Spatial Urban Plans every Municipality will start with developing Local Urban Plans. It is expected that this process start at the end of 2009 or in the beginning of 2010. Trough assistance to Municipality officials in preparing the Annual program for planning and development for year 2010, (or trough analyzing the existing Annual program for 2009 for these Municipalities that will start with Local Plans development earlier) one Local Urban Plan that is most significant from the aspect of benefit for local community will be chosen in each Municipality. Local Urban Plans, according new Law, are Detailed Urban Plans, Local Studies of Location or Urban Projects.

Using this approach the Project will meet the most important needs of each Municipality, but will also ensure some flexibility to decide about most important Local Urban Plans until beginning of 2010. The criteria for selection will be developed by SPSP and Municipalities, and will be presented for approval at the December 2009 Project Management Board.

The plan is to finish and adopt these Local Urban Plans in each of 12 Municipalities until December 2010.

Trough implementation of this component, full compliance of chosen Local Urban Plans with the new Law and previously adopted Spatial Urban Plans will be ensured.

The support to development of a chosen Local Urban Plans is maximum 50% of the total cost financed by the partner Municipalities, but not over 25000€ per Municipality (300 000€ for all 12 Municipalities). The total price for chosen Local Urban Plan in each Municipality will be defined after tender procedure and choosing the best proposal according the defined criteria (criteria are defined by Municipality officials, with approval of SPSP). The expected price for these type of documents is cca 50 000€ (if calculated with average price of 1500€/ha).

#### 5.1.3. Capacity of the Municipality officials improved

Indicative activities for this output will be organizing Best practice workshops for representatives of all stakeholders (municipalities officials, representatives of Ministry of economic development, NGOs etc.), where they will have a chance to share their experiences in dealing with issues related to implementation of new legislation, and other urban planning themes. The Workshops will be organized twice a year and will be at the national level, including all 21 Municipalities.

As a part of capacity development process, a second thematic Study tour is planned, with the aim of further increasing of urban planning capacity in the northern Municipalities by an exposure to the best practice and innovative ideas that were used to solve similar urban planning issues in countries from the Region. The exact place and subject of the study visit will be determined based on the assessment of the needs of the Municipalities and total cost of the visit.

Since the new Law introduces the use of the information system in urban planning, the Municipalities have expressed a need to become more familiar with the usage of such system. The SPSP, as a part of the capacity building, will work with municipalities on designing and implementation of such training.

#### 5.1.4. Improved Support services for spatial planning within the partner Municipalities

Indicative activities for this output will be further improving of support services for spatial planning within the partner Municipalities, such as availability of professional expertise, availability of information technology and GIS related services, accessibility of information and similar services.

As part of improvement of the provision of services, and as envisaged by new Law on development and construction, a web based spatial information system for all the partner municipalities will be developed. This information system would provide web based access to the newly developed municipal spatial plans, which already are in digital format,

and to other publicly available geographic information, to the staff of municipalities and general public.

The web based spatial information system should be located in a such a way to save significant funds and time of the municipalities both in terms of avoiding investments into their own GIS servers, maintenance costs and reducing the number of information requests to the municipal officials. The possibility that the Ministry or one of the larger Municipalities host and administrate such system will be explored by SPSP.

At present, the municipalities are considering the option to establish a Regional Planning Centre, that would provide some of the required services more effectively and efficiently than if each municipality would have to develop them on its own. If the Regional Planning Centre is established, the spatial information system could be moved in that Centre, if the analyses show that this will be the most effective option.

Depending on municipal commitments and political decisions for establishment of Regional Planning Centre (RPC), the SPSP could provide technical and advisory assistance to RPC. Detailed scope of SPSP activities related to RPC will be subject for decision by the Project Board Meeting.

## **5.2. Output Indicators for Output 2 - Efficient implementation of the spatial planning legislation and active participation of civil society**

### *5.2.1. Adopted Bylaws related to the Law on development and construction*

After the adoption of new Law on Development and Construction, relevant Bylaws are being drafted. In 2009 the SPSP will provide technical assistance to the Ministry in drafting the following two Bylaws:

- Bylaw on Content and management of information system in spatial planning
- Bylaw on supporting documentation for plan development

Out of 16 Bylaws from the Law on Development and Construction these two (together with the Bylaw on Technical which SPSP assisted in drafting at the end of 2008) are representing most relevant Bylaws for implementation of the Law.

Technical assistance envisages engaging consultants, from Montenegro or the Region, who will be participating in the working groups, and will contribute with the experiences from their countries and their areas of expertise.

### *5.2.2. Developed templates for Terms of Reference, Tender procedure and Timeline for Municipal plan development in accordance with the new Law*

Since the new Law on Development and Construction include changes in regards to the Municipal Plans, SPSP will assist the Ministry in preparation of three Templates that will be used by the Municipalities during the process of plan development:

- Terms of References for Spatial Urban Plan development;
- Tendering procedure and documentation; and
- Exact time frame for plan development (defined timeframe for preparatory work, draft Plan, public debate, final Proposal Plan and adoption).

#### 5.2.3. Analysis of the Law on Development and Construction implementation and recommendations for improvement

In the second quarter of 2009, after over 6 months of the new Law implementation, SPSP together with the Ministry of Economic Development, will organize a workshop with all 21 Municipalities, where Ministry will clarify some of provisions of the Law used in practice, and the participants will have a chance to present their experience in implementation of the Law, raise awareness of any problems and provide comments for the possible improvements. On this workshop Ministry will present already adopted Bylaws, whose implementation will start soon. The inputs from this workshop will be used for final improvements of Bylaws that are being developed, and whose adoption is planed for third quarter 2009.

In addition to this, in the second half of 2010, the SPSP will produce a report that will analyse the impact of the spatial planning legislation in Montenegro during the implementation of the Project, and provide suggestions to the government of the lessons learnt during the period of project implementation.

#### 5.2.4. Increased involvement of the Civil society in the area of spatial planning

Beside co-operation with Ministry and Municipalities SPSP has been actively working on increasing involvement of the civil society in the area of spatial planning. This was achieved by providing grants for NGOs small projects which are aimed in cooperation between Municipalities and NGOs and also for projects dealing with monitoring of implementation of the Law. Three NGOs were selected in 2008 for implementation of the small projects.

Two of the NGOs are implementing Placemaking methodology (revitalization of public spaces through participatory planning) in the Municipalities of Cetinje and Pluzine, and one NGO is working on monitoring illegal development in the protected area of Skadar Lake.

The projects are planed to be finalized by September 2009.

#### 5.2.5. Increased involvement of Students of Architecture in the area of spatial planning

As a part of capacity development of new generations of urban planners in Montenegro, it is planned to organize two medium size student competitions with a theme of urban

development in Montenegro, urban reconstruction and revitalization, sustainable urbanism and architecture etc, in collaboration with Faculty of Architecture. The aim of these competitions will be familiarising young architects with urban planning issues, and involving them in this area during their study period. In this way, they will be more motivated to aim their professional orientation towards urbanism, and this seems to be crucial for further capacity development in area of urban planning in Montenegro.

#### 5.2.6. Spatial Plan of Special purpose for area of Durmitor (with Strategic Environmental Impact Assessment - SEA) developed

It is planned to continue with assisting in a process of conducting development of Spatial Plan of special purpose for Durmitor area. Since the Durmitor area covers the territory of 5 partner Municipalities in the northern region, this activity appears to be very relevant to the SPSP. During this activity, consultants from Montenegro and the Region will be engaged, and they will provide assistance to Ministry of Economic Development in organizing a Tender procedure, write a comments and suggestions for improvement of pre-draft and draft versions of Plan, monitor process of SEA development for this document. The SEA is participatory process involving experts, Municipalities, civil society etc. which results in the SEA report. The SEA report will point out any provision of the Plan which could have negative effect on the environment.

Also, part of the SPSP will be ensuring the assistance in conducting of Public debates.

As defined by Law on Development and Construction, this type of documentation is on the state level, and it is financed by Ministry for Economical Development.

The cost participation for the development of a SEA for Spatial Plan of Special purpose for area of Durmitor is 50 000 €. The total cost for development of Spatial Plan of Special Purpose for area of Durmitor (with Strategic Environmental Impact Assessment) is cca 1000 000 € (the exact price will be defined in the Contract between Ministry and chosen company). Average share in total price for SEA development is up to 20% (in this case cca 200000€).

### **6. Beneficiaries**

Northern Municipalities and Ministry for Economic Development will benefit from capacity building, expert and financial assistance in development of plans, development of models of best practice in process of planning and exchange of information.

The region of northern Montenegro will especially benefit from adopted planning documentation which is base for future investments, and having increased capacities for implementation of this plans.

Ministry for Economic development will benefit from having completed effective legislation and better services available in the northern region.

The project will also further build capacities of NGOs in improving cooperation between Municipalities and NGOs and also monitoring of implementation of the Law.

Students of Faculty of Architecture will benefit from familiarising with urban planning issues, and involving themselves in this area during their study period. In this way, they will have a chance to gain motivation to aim their professional orientation towards urbanism.

Citizens will benefit from increased possibility for participation in the process of urban planning and from more efficient spatial planning administration.

## 7. Consolidated Budget

### 7.1. Planned budget for Output 1

OUTPUT 1 - Sustainable spatial planning and development in Municipalities in Northern Montenegro		
<b>1. 1. Spatial Urban Plans for 12 Municipalities in Northern Montenegro developed</b>		
	<ol style="list-style-type: none"> <li>1. Organize tender procedure for development of Municipal SUP with SEA</li> <li>2. Organize public debates on Draft versions of Municipal SUP with SEA</li> <li>3. Prepare comments on Draft versions of Municipal SUP and SEA</li> <li>4. Adopting Final versions of SUP and SEA by Municipality</li> </ol>	
	Activity 1.1. - Budget	<b>313 000€</b>
<b>1.2. Local Urban Plans for 12 Municipalities in Northern Montenegro developed</b>		
	<ol style="list-style-type: none"> <li>1. Assisting in preparation of Municipal Annual program for planning and development for 2010</li> <li>2. Implementation of Municipal Annual program for 2010 through assisting in adoption of one Local Urban Plan (Detailed Urban Plan, Local Study of Location or Urban Project)</li> </ol>	
	Activity 1.2. - Budget	<b>300 000 €</b>
<b>1.3. Capacity of the Municipality officials improved</b>		
	<ol style="list-style-type: none"> <li>1. Training seminars for the municipality staff</li> <li>2. Best practice exchange meetings</li> <li>3. Study tour</li> </ol>	
	Activity 1.3. - Budget	<b>117 050€</b>
<b>1.4. Support services for spatial planning provided on a sustainable basis within the region</b>		
	<ol style="list-style-type: none"> <li>1. Identify the needs of municipalities and the public for planning support services</li> <li>2. Identify the service providers capable of providing the required services</li> <li>3. Assist the municipalities in contracting and/or establishing service provider(s)</li> <li>4. Develop a web based spatial information system for the target municipalities</li> <li>5. Develop other identified services required by municipalities</li> </ol>	
	Activity 1.4. - Budget	<b>57250€</b>
	<b>Total budget for Output 1</b>	<b>827 300€</b>

## 7.2. Planned budget for Output 2

OUTPUT 2	
<b>2.1. Efficient implementation of the spatial planning legislation and active participation of civil society</b>	
<ol style="list-style-type: none"> <li>1. Adopted Bylaws related to the Law on development and construction</li> <li>2. Developed Template for Terms of Reference, Tender procedure and Timeline for Municipal plan development in accordance with the Law</li> <li>3. Analysis of the law implementation and recommendations for improvement</li> <li>4. Increased involvement of the Civil society in the area of spatial planning</li> <li>5. Organizing two student competitions on urban development</li> <li>6. Spatial Plan of Special purpose for area of Durmitor with SEA developed</li> </ol>	
Activity 2.1. – Budget (Total)	<b>128 300€</b>

## 7.3. Budget summary

OUTPUT 1 - Sustainable spatial planning and development in Municipalities in Northern Montenegro	827 300€
OUTPUT 2 - Efficient implementation of the spatial planning legislation and active participation of civil society	128 300€
Administrative and operational costs	304 785€
<b>Total Budget</b>	<b>1 260 385 €</b>

In Administration Agreement between Sida and UNDP the agreed contract amount is in Swedish Kronor (SEK) but when each of the instalments were made UNDP transferred it into the US Dollar based on current exchange rate. Therefore, UNDP received 18.000.000 SEK in 3 instalments and that makes 2.674.904, 66USD in total. This USD amount is what project received.

In year 2007 total expenditure was 368.119,74 USD, in year 2008 it was 554.370,75 USD and from January to May 2009 it was 98.366, 00 USD. Total expenditure till May 2009 is 1.020.856, 49 USD or 777.892,65 EUR based on exchange rate of 1EUR=0.762USD (official UNDP rate for February 2009). Remaining balance is 1.654.048, 17 USD or 1.260.384, 00 EUR.

## 8. Exit strategy

In the part of the technical assistance to the Ministry of economic development, by the end of the project implementation period relevant instruments for Law enforcement should be in place (Law on planning and construction, relevant Bylaws, template Terms of references, Guide to Law implementation), and stakeholders should have considerable experience in implementation. Before the end of the project, SPSP will produce a report

that will analyse the impact of the spatial planning legislation in Montenegro during the implementation of the Project, and provide suggestions to the government of the lessons learnt during the period of project implementation, which shall be used as a reference for future changes/adjustments in the planning legislation. By that time the Ministry should make full use of the presence of the European Commission delegation in Montenegro who will, if necessary, provide them further technical assistance in the area of spatial planning.

At the end of the SPSP implementation, all partner Municipalities will have their Municipal spatial urban plans adopted. These plans are being revised every 10-15 years. Also each Municipality will have one of the priority detailed plans adopted, which should help either legalize some of the illegal construction and collect revenue from taxes, or the plan will be used to steer new investments.

At the same time the capacity of the municipalities will be further strengthened through training and exchange of best practices. Municipality officials should be well trained in administrative part of the implementation of these plans.

At the beginning of the SPSP implementation, the Capacity Development Unit (CDU) was established to provide expert advice to the Municipalities and assist them in the process of Plan development. The CDU assistance was very well received by the partner Municipalities and they realized the value of such service. If the RPC is established, it will take over what CDU has been doing so far and will be handed over to Municipal ownership.

### *Management Arrangements*

#### **8.1. Roles and Coordination**

The SPSP Revised Project document and no-cost extension proposal was developed by UNDP Montenegro in consultation with partner Municipalities and the Ministry of Economic Development. It is financed by Sida with UNDP as executing agency under a separate Agreement between the two parties.

The project has its own budget and staff. The Project Manager, appointed by UNDP, will be responsible for overall implementation of the Project and the utilization of funds. Project Manager will be assisted by a Project Coordinator and supported by Financial/Administrative assistant.

The Project Manager will have the following role:

- 1) Manage technical, administrative and financial activities of the project;
- 2) Ensure monitoring and control of activities
- 3) Financially manage the project (including effecting disbursements);
- 4) Resolve bottlenecks;
- 5) Prepare substantive and financial reports to the Project Management Board.

The Project Manager may convene meetings involving UNDP senior management and the Government representatives if he/she encounters difficulties during the implementation of the Project.

In accordance with UNDP principles, the project has a Project Management Board (PMB) consisting of:

- Representative of the Municipalities
- Representative of the Ministry of Economic Development
- Representative of Sida
- Representative of UNDP

The role of the PMB is to review the successful completion of project stages, to follow up on project performance, achievement of results and provide guidance regarding future project activities. PMB meets three times a year <sup>2</sup> and the results from the PBM meetings are being presented on Steering Committee meetings.

The Steering Committee of Urban Secretariats represents the partner municipalities and meets so far in principle twice a year for project follow-up and coordination. Best Practice Exchange workshops, with a wider participation, are organized at the same occasions.

The Capacity Development Unit (CDU), financed by the project, has been established as the main human resource and project means for the support to the municipalities. An additional digital institutional "home" for the CDU function has been created through the new website "Forum for of Secretariats for Urbanism".

The UNDP Liaison Office in Podgorica staff will provide strategic advice and administrative support and is responsible for financial disbursements, controlling and reporting. The Backstopping Team will ensure that the project is informed about lessons learned of UNDP's prior projects experience and is integrated into the ongoing project activities.

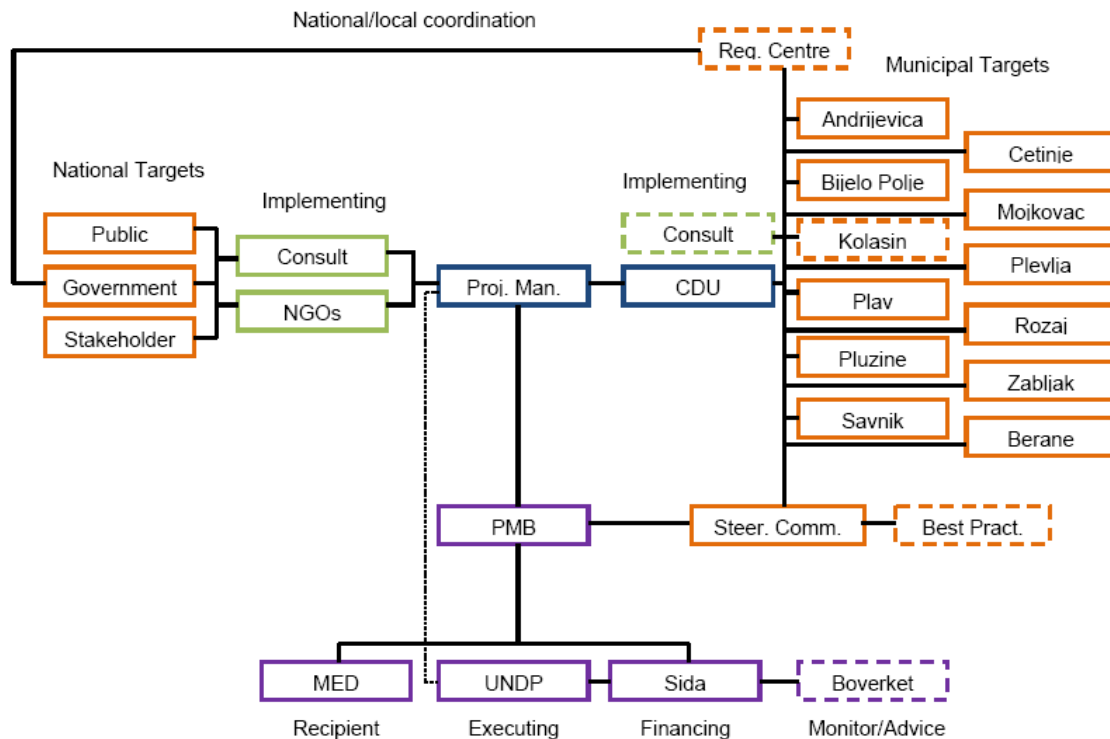
The Administrative Agreement between UNDP and Sweden initially prescribes semi annual meetings between Sida/the Embassy, Government of Montenegro and UNDP. Based on recommendation from the Mid-term evaluation report, these meetings will take place 3 times a year. Of practical reasons these meetings are combined with the Project Management Board meetings.

Sida is assisted by the Swedish Board of Housing, Building and Planning (Boverket) in monitoring the implementation of the agreement with UNDP.

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<sup>2</sup> The Administrative Agreement between UNDP and Sweden initially prescribes semi annual meetings between Sida/the Embassy, Government of Montenegro and UNDP. Based on recommendation from the Mid-term evaluation report, the PMB meetings will take place 3 times a year.

## PROJECT STRUCTURE



### 8.2. Reporting

The Project Manager is responsible for regular reporting to the PMB members. The reports will be in a form of a "Progress Report", which will be sent to all of the members prior to PMB meetings taking place 3 times a year.

The report shall include:

- the progress made in the project in line with the approved Project Document,
- Budget follow-up, totally and for the reporting period
- Planned activities for the period until the next PMB meeting
- Any deviations from the originally planned activities.
- Any other issue that is significant to the project implementation.

On PMB meetings reports will be approved along with possible revised work plans.

### 8.3. Risks and Assumptions

Because of the global financial and economical crises, there is a certain financial risk that Ministry or some of the Municipalities might have difficulties to finance their cost-sharing part for Plan development. The SPSP will manage this risk by working in advance with Municipalities in planning and allocating budget resources for the spatial planning documentation.

Since all the funds have been transferred to UNDP account in SEK, and automatically converted to US dollars, fluctuations in exchange rates between US dollar and EUR are

another risk. The SPSP will manage this risk by closely monitoring available budget and adjusting/downscaling the activities/costs accordingly (reducing number of participants, trainings, grants etc.), but without affecting the expected results.

An assumption is that the municipalities will establish the joint Regional Planning Centre.

In case the RPC is not established as planned, the same services can either be provided by the municipalities themselves, other donor projects or by commercial service providers in the region. These options will be actively explored from the start to avoid, inter alia, possible duplication of mandates or activities, and will be used if the RPC is not established and/or for the services the RPC will not cover.

## Appendix I - Action Plan

Description	Q3	Q4	Q5	Q6	Q7	Q8
<b>1. 1. Spatial Urban Plans for 12 Municipalities in Northern Montenegro developed</b>						
1.1.1. Organize tender procedure for development of Municipal SUP with SEA	■					
1.1.2. Organize public debates on Draft versions of Municipal SUP with SEA	■	■	■			
1.1.3. Prepare comments on Draft versions of Municipal SUP and SEA	■	■	■	■		
1.1.4. Adopting Final versions of SUP and SEA by Municipality		■	■	■	■	
<b>1.2. Local Urban Plans for 12 Municipalities in Northern Montenegro developed</b>						
1.2.1. Assisting in preparation of Municipal Annual program for planning and development for 2010		■				
1.2.2. Implementation of Municipal Annual program for 2010 trough assisting in adoption of one Local Urban Plan (Detailed Urban Plan, Local Study of Location or Urban Project)			■	■	■	■
<b>1.3. Capacity of the Municipality officials improved</b>						
1.3.1 Training seminars for the municipality staff	■		■		■	
1.3.2 Best practice exchange meetings		■		■		■
1.3.3 Study tour		■				
<b>1.4. Improved support services for spatial planning in partner Municipalities</b>						
1.4.4 Develop a web based spatial information system for the target municipalities		■	■	■	■	■
1.4.5 Develop other identified services required by municipalities				■	■	■
<b>2.1. Efficient implementation of the spatial planning legislation and active participation of civil society</b>						
2.1.1. Adopted Bylaws related to the Law on development and construction	■	■				
2.1.2. Developed Template for Terms of Reference, Tender procedure and Timeline for Municipal plan development in accordance with the Law	■					

2.1.3. Analysis of the law implementation and recommendations for improvement	■					
2.1.4. Increased involvement of the Civil society in the area of spatial planning	■					
2.1.5. Organizing two student competitions on urban development	■				■	
2.1.6. Spatial Plan of Special purpose for area of Durmitor with SEA developed	■	■	■			

## Appendix II - Programme Results and Resources Framework

<p><b>Project Outcome:</b> Sustainable Spatial Planning and Development in Montenegro</p>	<p><b>Project Duration:</b> 1 June 2009 - 31 December 2010</p>
<p><b>Project Outputs:</b></p> <p>OUTPUT 1 - Sustainable spatial planning and development in Municipalities in Northern Montenegro</p> <p>OUTPUT 2 - Efficient implementation of the spatial planning legislation and active participation of civil society</p>	<p><b>The Project Overall Goal:</b> Securing capacity for efficient implementation of the Law on planning and construction, and ensuring sustainable planning practices in the northern Montenegro.</p>

OUTPUT 1	Output Indicators	Indicative Activities	Inputs	Budget in EUR	
				2009	2010
<b>1. Sustainable spatial planning and development in Municipalities in Northern Montenegro</b>	1.1. Spatial Urban Plans for 12 Municipalities in Northern Montenegro adopted	<ul style="list-style-type: none"> <li>• Prepare ToRs for development of Spatial Urban Plan (SUP) and SEA or for aligning existing Local Spatial Plan and General Urban Plan with new Law</li> <li>• Organize tender procedure for development of Municipal SUP with SEA or for aligning existing Local Spatial Plan and General Urban Plan with new Law</li> <li>• Organize public debates on Draft versions of Municipal SUP with SEA</li> <li>• Prepare comments on Draft versions of Municipal SUP and SEA</li> </ul>	SUP and SEA Development  National Consultants	266 000  12 000	75 000
	1.2. One Local Urban Plan in each 12 Municipalities in Northern Montenegro adopted	<ul style="list-style-type: none"> <li>• Assisting in preparation of Municipal Annual program for planning and development for 2010</li> <li>• Implementation of Municipal Annual program for 2010 through assisting in adoption of one Local Urban Plan (Detailed Urban Plan, Local Study of Location or Urban Project) chosen as most important for local community</li> </ul>	Local Urban Plans Development	70 000	230 000
	1.3. Capacity of the Municipality officials improved	<ul style="list-style-type: none"> <li>• Training seminars for the municipality staff</li> <li>• Best practice exchange meetings</li> <li>• Study tour</li> </ul>	International Consultants  Training  Round tab./workshop  Travel	3 000  10 000  5 000  25 000	3 000  10 000  5 000  0
	1.4. Improved support services for spatial planning within the partner Municipalities	<ul style="list-style-type: none"> <li>• Develop a web based spatial information system for the partner municipalities</li> <li>• Develop other identified services required by municipalities</li> </ul>	National Consultants  International Consultants  Service Contracts (SC)  SC For other services	4 800  9 000  20 000  0	4 500  5 000  20 000  50 000
<b>SUB TOTAL OUTPUT 1</b>				<b>424 800€</b>	<b>402 500€</b>

OUTPUT 2	Output Indicators	Indicative Activities	Inputs	Budget in EUR			
				2009	2010		
<b>Efficient implementation of the spatial planning legislation and active participation of civil society</b>	1. Adopted Bylaws related to the Law on development and construction	1.1. Establishment of the working groups for drafting the bylaws	International Consultants	28 800	0		
		1.2. Engaging international/regional consultants to provide TA for drafting the Bylaws					
		1.3. Organize expert public debates on draft Bylaws	Workshops (2 Bylaw public debates, Donor Coordination Meeting and Law implementation practice)	12 500	0		
		1.4. Final version Bylaws prepared and adopted					
	2.1. Developed template Terms of Reference	Student Competitions				8 000	7 000
	2.2. Developed template Tender requirements						
	2.3. Developed template timeline requirement						
	3. Analysis of the law implementation and recommendations for improvement	3.1. Organize workshop on Law implementation practice	NGO grants	22 000	0		
		3.2. Report on Law implementation and suggestions for improvement					
		3.3. Donor coordination meeting for synergizing interventions in the area of spatial planning					
	4. Increased involvement of the Civil society in the area of spatial planning	4.2. Three NGO small projects finalized	SEA for SPSP Durmitor development	50 000	0		
	5. Increased involvement of Students of Architecture in the area of spatial planning	5.1. Two student competitions on urban development organized					

	6. Spatial Plan of Special purpose for area of Durmitor with SEA developed	6.1. Technical assistance to the Ministry of economic development for tendering procedure and contractor selection			
		6.2. Assistance in organizing public debates on Draft version of SPSP Durmitor with SEA			
		6.3. Ensuring monitoring of SEA development			
		<b>SUB TOTAL OUTPUT 2</b>		<b>121 300€</b>	<b>7 000€</b>
		<b>TOTAL (OUTPUT 1+2)</b>		<b>955 600€</b>	

Common costs for all activities	Budget in EUR	
	From June 2009	2010
Project Manager	13 120	21 120 <sup>3</sup>
Project Assistant	11 070	17 820
Fin/Admin Assistant	10 250	16 500
Equipment	4 500	4 500
Media Campaign/Audio Visual and Printing Production Costs	4 440	6 000
Miscellaneous <sup>4</sup>	27 688	30 093
Travel	14 630	15 000
Rental and Maintenance - Premises	3 955	6 500
Communications and Audio Visual Equipment	4 030	5 000
<b>Overhead costs</b>		
Facilities and administration (7%)	41 832	46 737
<b>SUB TOTAL for year</b>	<b>135 515</b>	<b>169 270</b>
<b>TOTAL</b>	<b>304 785 €</b>	

<sup>3</sup> The salaries of the UNDP staff implementing the project are projected to increase 10% compared to the original proposal from 2007 to be allocated for the pension benefits based on the planned UNDP Montenegro policy. No pension benefits have been provided to any of the Project staff so far.

<sup>4</sup> Miscellaneous - Stationery and other office supplies, rental and maintenance of office equipment, maintenance and licensing of software, maintenance, operation of transportation equipment and fuel costs, hospitality – special events, Bank charges, seminar fees for staff, different small costs that could occur

### Appendix III - Action Plan for Partner Municipalities

Municipality		Budget	Indicative Activities	Q3	Q4	Q5	Q6	Q7	Q8
<b>Andrijevica</b>	Developing of Spatial Urban Plan	<b>21000</b>	• Organize public debates on Draft version of Municipal Spatial Urban Plan (SUP) with Strategic Environmental Impact Assessment (SEA)	■					
			• Prepare comments on Draft versions of Municipal SUP and SEA	■	■				
	Developing of Local Urban Plan	<b>25000</b>	• Preparing annual program for planning and development for 2010		■				
			• Choosing one Local Urban Plan according the previously defined criteria			■			
			• Developing of chosen Local Urban Plan			■	■	■	■
<b>Berane</b>	Developing of Spatial Urban Plan	<b>31000</b>	• Organize public debates on Draft versions of Municipal SUP with SEA	■					
			• Prepare comments on Draft versions of Municipal SUP and SEA	■	■				
	Developing of Local Urban Plan	<b>25000</b>	• Preparing annual program for planning and development for 2010		■				
			• Choosing one Local Urban Plan according the previously defined criteria			■			
			• Developing of chosen Local Urban Plan			■	■	■	■
<b>Bijelo Polje</b>	Developing of Spatial Urban Plan	<b>21000</b>	• Organize public debates on Draft versions of Municipal SUP with SEA	■					
			• Prepare comments on Draft versions of Municipal SUP and SEA	■	■				
	Developing of Local Urban Plan	<b>25000</b>	• Preparing annual program for planning and development for 2010		■				
			• Choosing one Local Urban Plan according the previously defined criteria			■			
			• Developing of chosen Local Urban Plan			■	■	■	■
<b>Cetinje</b>	Developing of Spatial	<b>51000</b>	• Prepare ToRs for development of Spatial Urban Plan (SUP) and SEA	■					
			• Organize tender procedure for development of Municipal SUP with SEA		■				





	Developing of Local Urban Plan	25000	<ul style="list-style-type: none"> <li>• Preparing annual program for planning and development for 2010</li> </ul>						
			<ul style="list-style-type: none"> <li>• Choosing one Local Urban Plan according the previously defined criteria</li> </ul>						
			<ul style="list-style-type: none"> <li>• Developing of chosen Local Urban Plan</li> </ul>						
<b>Savnik</b>	Developing of Spatial Urban Plan	21000	<ul style="list-style-type: none"> <li>• Prepare ToR for aligning existing Local Spatial Plan and General Urban Plan with new Law</li> </ul>						
			<ul style="list-style-type: none"> <li>• Organize tender procedure for aligning existing Local Spatial Plan and General Urban Plan with new Law</li> </ul>						
			<ul style="list-style-type: none"> <li>• Organize public debates on Draft versions of Municipal SUP with SEA</li> </ul>						
			<ul style="list-style-type: none"> <li>• Prepare comments on Draft versions of Municipal SUP and SEA</li> </ul>						
	Developing of Local Urban Plan	25000	<ul style="list-style-type: none"> <li>• Preparing annual program for planning and development for 2010</li> </ul>						
			<ul style="list-style-type: none"> <li>• Choosing one Local Urban Plan according the previously defined criteria</li> </ul>						
			<ul style="list-style-type: none"> <li>• Developing of chosen Local Urban Plan</li> </ul>						
<b>Zabljak</b>	Developing of Spatial Urban Plan	19000	<ul style="list-style-type: none"> <li>• Organize public debates on Draft versions of Municipal SUP with SEA</li> </ul>						
			<ul style="list-style-type: none"> <li>• Prepare comments on Draft versions of Municipal SUP and SEA</li> </ul>						
	Developing of Local Urban Plan	25000	<ul style="list-style-type: none"> <li>• Preparing annual program for planning and development for 2010</li> </ul>						
	<ul style="list-style-type: none"> <li>• Choosing one Local Urban Plan according the previously defined criteria</li> </ul>								
	<ul style="list-style-type: none"> <li>• Developing of chosen Local Urban Plan</li> </ul>								

