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DIRECTORATE-GENERAL FOR ENERGY AND TRANSPORT

DIRECTORATE G - Logistics, innovation, co-modality & maritime transport

Clean Transport & urban transport

Preparation of the Green Paper on urban transport

Background paper for the participants

Launch-Conference

"Urban transport: problems, solutions and responsibilities"

Brussels, 31 January 2007

NOTICE

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1. Objective of this background paper

In its mid-term review of the 2001 Transport White Paper¹ the Commission announced the publication of a Green Paper on Urban Transport in 2007 to identify potential European added value to action that is taken at the local level.

The Green Paper will examine whether obstacles to successful urban transport policies exist at the EU level. In addition, it will examine where, whilst fully respecting the subsidiarity principle, there is a consensus among stakeholders to develop and implement joint solutions. The Green Paper will form the basis for the development of a European policy on urban transport as part of European transport policy.

The Green Paper on urban transport will address all transport modes, including walking, cycling, motor cycles and motor vehicles, and will cover both urban freight (and logistics) and passenger transport. The functioning of the private car in cities will be addressed. In addition, the paper will emphasise the need for an integrated policy approach. The paper will have a strong technology component and may also address issues related to the Commission's proposals on public service obligations in public transport and clean vehicle procurement.

The conference "Urban transport: problems, solutions and responsibilities" on 31 January 2007 will mark the launch of the preparations of the Green Paper on urban transport². The preparatory phase of the Green Paper will come to an end in June 2007. The Commission intends to organise a number of technical workshops and two stakeholders meetings: one at the beginning of the process and the second one at the end. For each of them the Commission will prepare and distribute a background paper in advance.

The question of governance and subsidiarity, and its application to urban transport, is the focus of this first stakeholder conference. The objective of the present paper is to provide a first orientation on the problems and solutions.

The speakers and stakeholders in this first stakeholder conference are invited to focus their interventions on the following questions:

1. What are your expectations from a Green Paper on urban transport?
2. In which fields do you see an added value for action on urban transport at the EU level, if any?
3. Are there barriers that exist at the EU level that hinder you in implementing an effective and efficient urban transport policy?
4. What role should subsidiarity and governance issues play in the debate on action on urban transport at the EU level?

¹ Keep Europe moving – Sustainable mobility for our continent. COM (2006) 314 final

² For an overview of the planning of the Green Paper see Annex 1.

2. An overview of the main issues

2.1 The link between EU policy and local, regional and national policies

Around 80% of European citizens live in an urban environment. They share in their daily life the same space, and for their mobility the same infrastructure. Their mobility accounts for 40% of all CO₂ emissions of road transport and up to 70% of other pollutants from transport.

European cities increasingly face problems caused by transport and traffic. The question of how to enhance mobility while at the same time reducing congestion, accidents and pollution is a common challenge to all major cities in Europe. Cities themselves are usually in the best position to find the right answer to this question that takes into account their specific circumstances.

But at the same time, urban transport policy is of increasing importance for the EU. Efficient and effective urban transport can significantly contribute to achieving objectives in a wide range of policy domains for which the EU has an established competence. The success of policies and policy objectives that have been agreed at EU level, for example on efficiency of the EU transport system, socio-economic objectives, energy dependency, or climate change, partly depends on actions taken by national, regional and local authorities.

Existing EU legislation, for example on public service obligations in public transport, air quality and noise and vehicles standards, does have a direct impact on the transport policies of Europe's cities. EU policy and financial programmes for regional development and research provide significant resources for the renewal and innovation of urban transport infrastructures, technologies and services in many European cities.

National, regional and local authorities, besides being able to receive EU financial benefits, have responsibilities for implementing EU policies and legislation. They have enforcement and compliance responsibilities. **Every level of governance in the EU has an important and own role to play in the formulation and implementation of transport policy in general and urban transport policy in particular. It is important that these policies match each other and strengthen each other.**

2.2 Recognising and benefiting from different approaches

It is important that the preparations of the Green Paper, and the stages that will follow, are undertaken in an open and interactive process. The complex structure of policies, objectives and legislation, combined with the wide range of different responsibilities, administrative structures and interactions, can only be taken into account if all levels of governance and all stakeholders accept a “shared responsibility”.

An EU approach on urban transport policy should recognise and respect national differences. Urban transport is organised differently in every Member State, with different allocations of policy responsibility, administrative structures and financial responsibilities. The interactions between these levels of governance and with stakeholders are also organised differently in every Member State.

Effective urban transport policies also depend on successful interactions with other policies. Examples are the interaction between transport and land use policy, the frameworks for local and regional co-operation, and the co-ordination and the allocation of financial responsibilities for urban transport between the national, regional and local level. Responsibilities, administrative structures and interactions again differ per Member State.

Local, regional and national authorities, when implementing EU policy or legislation, need to base themselves on the good practices that exist elsewhere. Practices that have been, and that are being developed in a wide variety of contexts. **Policy makers at all levels need to base themselves on knowledge and feedback from the local and regional level, in this wide variety of contexts. This requires an interactive combination of 'top-down' and 'bottom-up' policy making.**

2.3 Maximising the added value of a European policy on urban transport

So far, European policies which have effect on Urban Transport, be it transport, regional, environmental, internal market or research policy, and legislative initiatives have often been developed independently from each other. Therefore, an integrated European approach on issues linked to urban transport and adding value to individual policies, is lacking. In addition, so far no reflection has taken place on how such an integrated European approach might feed back on these individual policies and legislative initiatives – and their future development. The Green Paper on urban transport will have this aim and will take the objectives of the EU's sustainable transport policy as a starting point.

The Green Paper on urban transport will sketch a possible general EU policy framework for urban transport. The paper will look at the main trends and the resulting problems and challenges. It will reflect on the barriers, identify options and will pay particular attention to those solutions that have already been successfully tested. The added value of possible policy and actions at EU level will be examined and the adequate instruments identified. The need for early actions will be assessed.

But the Green Paper will certainly not be able to give an answer to all questions and to offer all solutions. It should recognise the fact that it is usually the cities that are in the driving seat, and that they are moving forward. Advanced solutions are under continuous development or are already in place in a number of European cities. Developments at the local, regional and national level should be encouraged and not hindered.

Nevertheless, at the same time, **a possible EU policy framework for urban transport should ensure minimum levels of coherence in policy and actions at all levels and help to maintain the integrity of the Single Market.** It should offer legal

certainty or could facilitate decisions which are not always easy to take at the national, regional or local level. It should help to generalise joint solutions across the EU. This generalisation can be based upon the knowledge on measures that have been successfully tested by Europe's advanced cities.

Whatever policy, measure or package of measures will be suggested in the context of the Green Paper, it should be properly targeted and assessed, and supported by guidance for proper implementation, appropriate monitoring and the collection of non-excessive data at EU level. The Action Plan that will follow the Green Paper, and possible proposals for actions, will be accompanied by an impact assessment.

2.4 Carefully select possible ideas for continuing and new actions

The Green Paper will be limited in length. **The following list is a non-exhaustive list of issues, topics and actions that are being debated in cities in Europe. A selection will need to be made of the topics that the Green Paper will address, and what the priority areas for possible further action will be.** A decision will also be necessary on what instrument should be used for each topic. The questions that will guide the debate that will follow after the publication of the Green Paper will need to be carefully formulated.

It is of strategic importance to better understand the impact of technological and demographic changes on urban transport. The demographic trends mainly have an impact on the demand side. Technology may help to make car alternatives more attractive and reduce transport impacts on citizens, including of pollution and noise. The (future) opportunities of Galileo and Intelligent Transport Systems systems should be exploited, especially to make better use of existing infrastructure and improve the links between the modes. Galileo and ITS can also help to improve continuity of services that connect with or pass through urban networks, including those on the TEN-T. This requires interoperability and standardisation of equipment and services and will bring significant market benefits. The role of public private partnerships for financing (intelligent) infrastructure needs to be clarified.

A key question is how to ensure attractive and effective future public transport systems. What could be the role of quality standards? Should user rights be strengthened at a European level? One could consider improving user rights, for example through a 'mandatory' customer charter, the publication of performance indicators -including on accessibility- and harmonised procedures for complaints and damages. The parallel promotion of safe walking and cycling is another priority. New ways to strengthen international cooperation and the exchange of best practices on urban transport need to be explored.

A number of European cities are implementing demand management measures in their sensitive inner-city zones. One may consider the need for a general framework and support measures to facilitate the introduction of Green Zones (restricted access/environmental zones). Green Zones could build on successful zones that have been implemented in many cities, where large areas have been reserved or prioritised for pedestrians, cyclists and resident vehicles only. Also some recent examples of zones with congestion charging, with regulated/restricted access for certain vehicles and/or during certain periods, and with speed limitations could be of interest. This could be

supported by a harmonised European 'on vehicle' labelling scheme for clean vehicles. The promotion of the procurement of clean vehicles as proposed by the Commission could be an additional element.

Particularly important is the integration of transport systems, linking the different transport modes as well as longer distance commuter traffic and inter-urban traffic with urban transport systems. Well integrated public transport systems, combining train, metro, tramway, and the bus, have been developed in many urban areas in Europe. But their attraction for the user often depends on the link between private and public transport. Public and company supported measures have contributed to a large extent to an uptake of public transport. These success stories should be given wider attention and could serve as examples for wider replication in the EU.

A key question is how to implement integrated policy approaches and remove barriers towards implementation. Development models that promote the use of public transport, organisational models for local-regional co-ordination and the promotion of mixed land use are of special interest. Perhaps research can help to find out how to achieve a better coordination between transport and land use planning. Other questions where research might help are how to better organise urban logistics and how to improve public participation in decision making.

2.5 Taking subsidiarity seriously

The Commission needs to objectively assess all the input it receives in the context of the Green Paper preparation and consultation.

The principle of subsidiarity is incorporated in the Treaty of Maastricht in Article 3b. It is intended to ensure that decisions are taken as closely as possible to the citizen, and that constant checks are made as to whether action at EU level is justified in the light of the possibilities available at national, regional or local level. It is closely linked to the principles of proportionality and necessity, which require that any action by the EU should not go beyond what is necessary to achieve the objectives of the Treaty.

The Green Paper on urban transport should also indicate and explain cases where no action is envisaged. Protocol 30 to the Treaty of Amsterdam states, that Member States are required to take all appropriate measures when the application of the subsidiarity principle leads to no action being taken at Community level. This requires monitoring and the collection of data and information.

Apart from the decision whether to take an action at EU level, the subsidiarity principle also influences the type of action that the EU may take in a given area. For example, reasons of efficiency, coherence, equity and standardisation may necessitate initiatives at EU level. It may e.g. be necessary to integrate networks or services such as ticketing or traveller information. This can happen within a Member State or between Member States, i.e. across national borders.

Complementary action can be a powerful instrument to achieve common objectives. The Green Paper should help to define those objectives.

3. EU instruments

Urban transport is a domain where the expectations from the EU are high but at the same time the competences of the EU are limited.

The EU can add value by:

- providing legal and financial frameworks as appropriate, to encourage decision-makers
- setting standards and ensure interoperability;
- promoting research and the spread of best practice across borders;
- integrating urban transport concerns into and removing barriers from sectorial EU policies;
- playing the role of catalyst;
- providing financial support.

The EU can use different legislative and non-legislative tools³. Within one single tool the focus can change over time. For example, legislation can be tightened. The use of one tool may also be followed by another instrument. For example a recommendation or voluntary agreement may be followed by legislation. The use of combinations of tools is also possible.

4. The process and planning of the Green Paper preparations

The preparation of the new Green Paper does not start without history. The Commission has presented its Citizen's Network Green Paper and its 'Implementation' Communication in the mid-1990-ties. **A number of recent Commission documents⁴, proposals and initiatives have substantially touched upon urban transport issues and helped to build up the momentum for the new Green Paper on urban transport.** The responses by Parliament and Council to these recent initiatives will be analysed and incorporated.

To support the preparations of the Green Paper, a number of key events and meetings will be organised. An interservice group inside the Commission has been established.

There is a clear gap in the collection and availability of official urban transport statistics at local, regional, national and European level. There will be a need for the Commission to collect existing information and data during the preparations of the Green Paper in order to get a good picture of the situation and the trends. Stakeholders will be invited to share their data.

³ For a more detailed description see Annex 2.

⁴ For example:

- the Thematic strategy on the urban environment
- the Energy efficiency Green Paper and its Action Plan,
- the Mid term review of 2001 Transport White Paper,
- the Communication on Cohesion policy and cities,
- the Communication "Regions for economic change";
- Cars 21 initiative;
- the clean vehicle procurement proposal for a directive;
- the public transport services proposal for a regulation.

The Green Paper on urban transport is foreseen for adoption by the Commission in the autumn of 2007. The Green Paper “process” will be undertaken fully in line with the Better Regulation principles. The preparation of the Green Paper will take place in partnership with the stakeholders concerned. We will also look for ways to interact with the relevant European institutions. An Internet consultation will take place during the preparatory phase. The Green Paper will include a series of questions that are the basis for a large debate to which all stakeholders will be invited to participate.

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Annex 1 - Planning and events to support the preparations of the Green Paper

Planning of the Green Paper

Stage	Who is involved	Period
Preparations	Stakeholders, citizens, (institutions)	January – June 2007
Writing up of Green Paper	Commission	June - July 2007
Adoption of Green Paper	Commission	Autumn 2007
Consultation period	Institutions, stakeholders, citizens	Winter 2007/08, spring 2008
Preparation of Action Plan	Commission	Summer 2008
Adoption of Action Plan	Commission	Autumn 2008

Events to support the preparations of the Green Paper

Stage	Event	Title/topic	Date/period	Location
Launch of preparations	Launch conference	Urban transport: problems, solutions and responsibilities	31 January 2007	Brussels
	Technical workshop 1	Urban transport and green propulsion	31 January 2007	Brussels
	Technical workshop 2	Urban transport financing: experiences from different cities	6 March 2007	Budapest
	Technical workshop 3	Public transport, intermodality and intelligent transport	7 March 2007	Budapest
	Technical workshop 4	Integrated urban transport approaches for successful and attractive cities	tbc	tbc
	Internet consultation		February – March 2007	
	Meetings with and events of stakeholders		Continuous	
Finalisation of preparations	Final conference	Towards a European policy for urban transport	4 June 2007	Brussels

Annex 2 – Main legislative and non-legislative tools of the EU

Main legislative tools (secondary legislation)

The secondary legislation (the Treaties being primary legislation) comprises the binding legal instruments (regulations, directives and decisions) and non-binding instruments (resolutions, opinions, ..).

Regulations are mainly considered when there is a need for uniform application and legal certainty across the Union. Adopted by the Council in conjunction with the European Parliament or by the Commission alone, a regulation is a general measure that is binding in all its parts. Unlike directives, which are addressed to the Member States, and decisions, which are for specified recipients, regulations are addressed to everyone. A regulation is directly applicable, which means that it creates law which takes immediate effect in all the Member States in the same way as a national instrument, without any further action on the part of the national authorities. They can be particularly important for example for the completion of the internal market or in the case of extreme political urgencies. They have the advantage of avoiding the delays associated with transposition of directives into national legislation.

Directives or framework directives have to be transposed into national legislation and offer greater flexibility as to their implementation. Adopted by the Council in conjunction with the European Parliament or by the Commission alone, a directive is addressed to the Member States. Its main purpose is to align national legislation. A directive is binding on the Member States as to the result to be achieved but leaves them the choice of the form and method they adopt to realise the Community objectives within the framework of their internal legal order. If a directive has not been transposed into national legislation in a Member State, if it has been transposed incompletely or if there is a delay in transposing it, citizens can directly invoke the directive in question before the national courts.

A **decision** is an individual measure, and the persons to whom it is addressed must be specified individually, which distinguishes a decision from a regulation. It is binding in its entirety. By means of a decision, the institutions can require a Member State or a citizen of the Union to take or refrain from taking a particular action, or confer rights or impose obligations on a Member State or a citizen.

Co-regulation combines binding legislative actions with actions that are taken by the actors most concerned, drawing on their practical expertise. It is used, for example, in areas like the standardisation of products ("New approach" directives) or in the environment sector ("Voluntary Agreements").

Main non-legislative tools

The **open method of co-ordination** is a way of encouraging improvement and/or harmonization through co-operation, the exchange of best practices, and agreeing and monitoring commonly agreed targets or guidelines between Member States. It adds value at a European level in areas where there is little scope for legislative solutions. This is for example the case for immigration policy.

EU programmes for Regional Policy aim at strengthening the economic, social and territorial cohesion by reducing disparities in the level of development among regions and Member States. EU programmes that support research, innovation and knowledge exchange help to develop and introduce new products and services. They contribute to better co-ordination between Member States policies, an improved European knowledge-base and help to increase the competitiveness of the European industry. They also lead to greater cohesion in the EU in terms of knowledge development and industrial development.

Other documents from the Commission

European Commission **White Papers** contain a set of proposals for action by the Community in a particular field. They sometimes follow on from Green Papers, the purpose of which is to launch a consultation process at European level. If a White Paper is favourably received by the Council, it can lead, if appropriate, to an EU action programme in the field concerned.

European Commission **Green Papers** are intended to stimulate thinking and launch consultation at European level on a particular subject. The consultations resulting from a Green Paper can then lead to the publication of a White Paper that will propose a set of concrete measures for Community action.

Other documents from the Commission, such as **resolutions, opinions, recommendations and guidelines**, are non-binding instruments adopted by the European Commission. They provide orientations and suggest a line of action without imposing any legal obligation on those to whom they are addressed (the Member States or other institutions).