

LEGISLATIVE ASPECTS CONCERNING TOURISM PLANNING ISSUES IN ROMANIA

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Abstract: Strategy planning in general and integrated tourism development in particular has an important role for local development and application of planning concepts, taking into account their official purposes. Thus, based on the primary purpose of urbanism to stimulate the development of complex settlements, by developing and implementing development strategies in the short, medium and long term. A study of planning and integrated tourism development includes as an important component of the mechanism that determines the functionality of the territorial system studied, a good knowledge of the institutions (actors) involved in coordination, approval and implementation and documentation underlying the whole approach to succession in their natural logic.

Key words: Regional/spatial planning, regions, transport infrastructure, institutions

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CONCEPT OF REGIONAL / SPATIAL PLANNING

The analytical studies started from the study of bibliographical materials, taking into consideration the existing information (Ilieş et al., 2008; Ilieş et al., 2011), originated by researchers (Petrea & Petrea, 2000) for various purposes. The information analyzed in this study come from direct observations of authors in the study area, as well as from literature and official sources of statistical data. The main documents that define the concept of regional/spatial planning in Romania are connected to the European documents from this field. This ensures harmoniously a sustainable and spatial development of the different areas of the country and materializes in studies, plans, programs and projects that unify at territorial level the economic, social, environmental and cultural policies. According to the definitions found in the professional literature, we can say that regional/spatial planning, respectively integrated tourism planning of territory represents an assembly of complex activities (Ionaşcu, 2002) reflected in the continuous structural-functional (re)organisation of a territorial system.

REGIONAL/SPATIAL PLANNING AT EUROPEAN LEVEL

Regarding the process of regional/spatial planning at European level, at the beginning of the 60s, the Parliamentary Assembly of the Council of Europe, preoccupied

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with the excessive concentration of regional disparities, declares within the resolution no. 210/1061 that „it is convinced that a hamoniously spatial development of the economic, social, cultural activities is impossible without a policy of regional/spatial planning”.

In 1958, the Parliamentary Assembly suggests to the Committee of Ministers of the Council of Europe to employ a new way of European cooperation in the regional/spatial planning field and to organize in this respect a permanent ministerial European conference, charged with the elaboration of new political orientations of regional/spatial development on the European Continent and to ensure the harmonization of national policies in the regional/spatial planning field. Thus, for this purpose, the Resolutions 525 and 526/1968 were issued.

The first European Conference of Ministers Responsible for Regional/Spatial Planning (CEMAT) took place in 1970 at Bonn, Germany. Since 1970, CEMAT has gathered in 12 sessions and enacted over time, fundamental documents for the European regional/spatial planning. After 1991, Romania participated constantly at the CEMAT Sessions by representatives of the ministry responsible with regional/spatial planning.

„European Regional / Spatial Planning Charter” – enacted in 1983 by CEMAT at Torremolinos (Spain) – defines regional/spatial planning as „the spatial expression of the economic, social, cultural and environemntal policies of all societies” with the following fundamental objectives: a balanced socio-economic development of regions, an improvement of the quality of life, a responsible management of the natural resources and the protection of the environment, a rational use of the soil.

The main European documents in force that synthesize the experience concerning regional/spatial planning to which Romania aligns its policies with are:

- *European Regional/Spatial Planning Charter* (figure 1) – document belonging to the European Council, agreed within the 6th European Conference of Ministers Responsible for Regional/Spatial Planning (CEMAT), that took place at Torremolinos, Spain (may 1983);



Figure 1. European Regional/Spatial Planning Charter and European Spatial Development Perspective (Source: <http://www.mdrl.ro>)

- *European Spatial Development Perspective (ESDP)* – Towards a balanced and sustainable development of the territory of the European Union – document belonging to the European Union, agreed at the Informal Council of Ministers Responsible for Regional/Spatial Planning in the Member States of the European Union – Potsdam, Germany (may 1999);

- *The Guiding Principles for Sustainable Spatial Development of the European Continent* (figure 2) – document belonging to the Council of Europe, adopted at the European Conference of Ministers Responsible for Regional/Spatial Planning (CEMAT) – Hanovra, Germany (september 2000);

- *The Territorial Agenda of the European Union* (figure 2) – document belonging to the European Commission (may 2007).

The activity of spatial/regional planning at European level is supported by Programs of territorial cooperation 2007-2013. Among these we can enumerate INTERREG (program of interregional cooperation) and ESPON.

The cooperation area for INTERREG expands over the entire territory of the European Union (27 Member States), to which is added two partner states with a special statute: Norway and Switzerland. ESPON 2013 is an operational program within the European Territorial Cooperation Objective of the European Union Cohesion Policy by which the European territory research is financed.

In Romania, the activities of regional/spatial planning and of urbanism are hold according to *Law 350/2001* concerning regional/spatial planning and urbanism, with the later changes.



Figure 2. The Guiding Principles for Sustainable Spatial Development of the European Continent and The Territorial Agenda of the European Union (Source: <http://www.mdrl.ro>)

REGIONAL/SPATIAL PLANNING AT NATIONAL LEVEL

According to Law 350 from 2001, the activity of regional/spatial planning applies to the entire Romanian territory based on the principle of hierarchy, cohesion and spatial integration at national, regional, county, urban and local level, creating an appropriate

framework for a balanced development and a rational use of the territory as well as a responsible management of the natural resources and the protection of the environment. The main objectives of planning according to Law 350/2001 are:

- a balanced economic and social development of the regions and areas, respecting their particularity;
- improving people's and human communities' quality of life;
- a responsible management of the natural resources;
- the protection of the environment;
- a rational use of the territory.

The tourism is dependent on the environment, it actually represents the main resource and its quality can promote or hinder the development of tourist activities (Cândeș et al., 2003). The protection requirements are multiple: ending the advance of projects which affect the environment, carrying out impact studies, a clear delimitation drawn up for soil occupation plans, the delimitation of protected areas, of natural parks and of reservations (Băltărețu, 2010).

Tourism planning occurs at three levels: national, regional and local. At national level it implies the coordination and management of some large tourism regions or at the level of the whole country, based on the policies issued in this field, of national standards and institutions. At local level it implies the planning, conception and development of individual tourism attractions, of services and facilities that serve tourists needs. The policy of tourism planning is also materialised in the *Emergency Ordinance no. 142/2008* concerning the approval of The Plan of National Spatial Planning, the 8th section – Areas with tourism resources.

The regulatory document identifies at national level the administrative-territorial units on the territory of which exists tourism resources of national interest, that can generate the development of one or more types of tourism activities. In these areas, tourism is considered a primary economic activity, and the investments for the development of this activity will be targeted, by choice, towards these areas. It will stimulate the development of the areas with socio-economic problems, that benefit of tourism resources with high and very high concentration.

A recent program which sights regional development (where tourism is also included) and that Romania drafted it as member state of the European Union is The Regional Operational Program in which are drawn the main directions and priorities for accessing the European funds for financing.

The Regional Operational Program 2007-2013 (ROP) includes all the eight development regions of Romania, established by the Regional Development Law no. 151/1998, modified by the Law no. 315/2001, respecting the European Council Regulation no.1059/2003, regarding the establishment of a common system of statistical classification for territorial units.

The Regional Operational Program is financed for the period 2007-2013 by the state budget and local budgets, as well as by private sources, being co-financed by the European Regional Development Fund (ERDF) – one of the Structural Funds of the European Union. The financial contribution of the EU can reach up to 85% of the total national spending (public and private). The purpose of the ROP is to support, as possible as it can be, a balanced increase in all areas of the country, not only by redistributing public resources, but especially by the assurance that all areas have a minimum level of business and social infrastructure and human capital, thus enabling economic growth. Within this program six primary axes of development were elaborated (<http://www.fonduri-structurale-europene.ro>):

- Primary Axis 1: Supporting a sustainable development of towns–urban growth poles;
- Primary Axis 2: Improving regional and local transport infrastructure;

- Primary Axis 3: Improving social infrastructure;
- Primary Axis 4: Strengthening the regional and local business environment;
- Primary Axis 5: Sustainable development and tourism promotion
- Primary Axis 6: Technical assistance.

On October 30, 2009, the Management Authority of the Regional Operational Program published the final version from the Applicant's Guide for the intervention area 5.2 „*Creating, developing, modernising tourism infrastructure for natural resources exploitation and increasing the quality of tourism services*”. Thus, beginning with 23rd of November 2009, one can continually present grant applications within the intervention area 5.2. of the Regional Operational Program 2007-2013.

Each part of this law can be analyzed, interpreted and applied at the existing territorial-administrative structure with the amendment that the application of general criteria for regionalization of the area (Cocean P., 2000), the geographic regionalization of Romanian space (Cocean & Filip, 2008) and identification of mechanisms that ensure the establishment and functioning of regional systems (Ianoş, 2000) could group structures identified by territorial units with high functionality and valorification in touristic aspect.

Another financing program specific for the rural environment would be the National Rural Development Program (NRDP), that has the following general objectives (<http://www.fonduri-structurale-europene.ro>):

- increasing the competitiveness in the agricultural and forest sectors (strengthening human potential, restructuring and developing physical capital);
- improving the rural environment and space (sustainable use of agricultural and forestry lands);
- the quality of life in the rural areas and the diversification of rural economy in order to improve the quality of life.

Specific objectives:

- diversifying non-agricultural economic activities in the agricultural farms and encouraging the small entrepreneurs from the rural space;
- creating, improving and diversifying tourism facilities and attractions;
- creating and modernising the basic physical infrastructure from the rural areas;
- improving the quality of social, natural and economic environment from the rural space;
- protecting and conserving the cultural and natural rural heritage;
- developing the local actors' competences, in order to stimulate territory organization.

Based on the Law 151/1998, at the end of the year 1998 (www.cdep.ro), eight Development Regions were established by the association and agreement of the 42 counties and of Bucureşti Municipality. These do not have statute of administrative units, but represents territorial units large enough to constitute a good base for the elaboration and implementation of the regional development strategies, enabling an efficient use of the financial and human resources. Those 8 development regions established in Romania are the following:

1. BUCUREŞTI – ILFOV Region (Bucureşti Municipality and Ilfov County);
2. CENTRE Region (Alba, Braşov, Covasna, Harghita, Mureş and Sibiu Counties);
3. NORTH-EAST Region (Bacău, Botoşani, Iaşi, Neamţ, Suceava and Vaslui Counties);
4. NORTH-WEST Region (Bihor, Bistriţa-Năsăud, Cluj, Maramureş, Sălaj and Satu-Mare Counties);
5. „MUNTENIA” SOUTH Region (Argeş, Călăraşi, Dâmboviţa, Giurgiu, Ialomiţa, Prahova and Teleorman Counties);

6. SOUTH-EAST Region (Brăila, Buzău, Constanța, Galați, Tulcea and Vrancea Counties);
7. „OLTENIA” SOUTH-WEST Region (Gorj, Dolj, Mehedinți, Olt and Vâlcea Counties);
8. „ROMANIA” WEST Region (Arad, Caraș-Severin, Hunedoara and Timiș Counties).

SPATIAL PLANNING AT COUNTY LEVEL

At county level, the County Councils have the following attributions in this field:

- coordinate the spatial planning activity at county level, according to the law, and establish the general orientations concerning spatial planning based on the plans of spatial planning. For this purpose, the County Council coordinates the activity of the local councils and gives them technical assistance of speciality;
- ensure the taking-over of the provisions found in the plans of spatial planning at national, regional and local level within the documentations of spatial planning for the administrative territories of the localities belonging to a county;
- ensures the drafting of the Plan of Spatial Planning at County Level, of the plans of spatial planning at local level that are of county interest and approves them according to the law provisions.

SPATIAL PLANNING AT LOCAL LEVEL

The attributions of the local public administration in the spatial planning field ensure compliance with the provisions contained in the approved documentations for spatial planning. In order to fulfill its attributions in the spatial planning field, the local county uses information from all the fields of economic-social activity (<http://www.mdrt.ro>).

Coordinating institution at this level is the Local council that coordinates and is responsible for coordinating and planning all the work carried on within the administrative territorial unit and ensure compliance with the provisions of the approved planning documentation for implementing the program of urban development of settlements of the village or town.

CONCLUSION

Legal and urban component is an acute problem that arises in the era of globalization reflected in depersonalization and modifications to the aesthetic nature-of landscape-support framework for tourist activities (Gozner, 2010). This partial study is to be filled in by others in detail, in order to be a manual to teach, using sound and logical planning documentation, practices and how to avoid negative impacts on tourism phenomenon on medium and long term.

Legislation in Romania are trying to regulate and coordinate tourism development area of strategic importance for the national economy of Romania and tourism resources management in accordance with the principles of competitiveness, sustainability and sustainable development.

Research of the tourism phenomenon integrates a broad thematic area, from the conceptual clarification and defining its place in the development strategy, highlighting the determinants, trends of evolution and forms of manifestation, coordinates and market mechanisms and the assessment of its impact in the economic, social, cultural, environmental and political milieus.

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