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► **To cite this version:**

Caroline Gallez. Territorial Development Contracts in the ‘Grand Paris’ project: towards a negotiated networked development,. *Town Planning Review*, 2014, 85 (2), pp.273-286. 10.3828/tpr.2014.17 . halshs-00972067

HAL Id: halshs-00972067

<https://shs.hal.science/halshs-00972067v1>

Submitted on 16 Mar 2018

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Territorial Development Contracts in the ‘Grand Paris’ project: towards a negotiated networked development?

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Aknowlegments

The author is very grateful to the anonymous reviewers for their valuable comments that helped to improve the manuscript.

Abstract

Introduced by the Grand Paris Act of June 2010, the purpose of Territorial Development Contracts (Contrats de développement territorial or CDT) is to set targets for housing construction, economic development and public facilities in areas around the future automatic metro stations. They take the form of contractual agreements between the state and the municipalities concerned. The 2010 law initially attracted opposition from local politicians, who saw it as a move towards recentralisation. Based on the study of two CDTs in the new town of Marne-la-Vallée, this article gives a more qualified picture of this perceived move towards recentralisation, showing that local officials use CDTs as a means to promote local priorities and exercise influence on the Grand Paris project.

Introduction

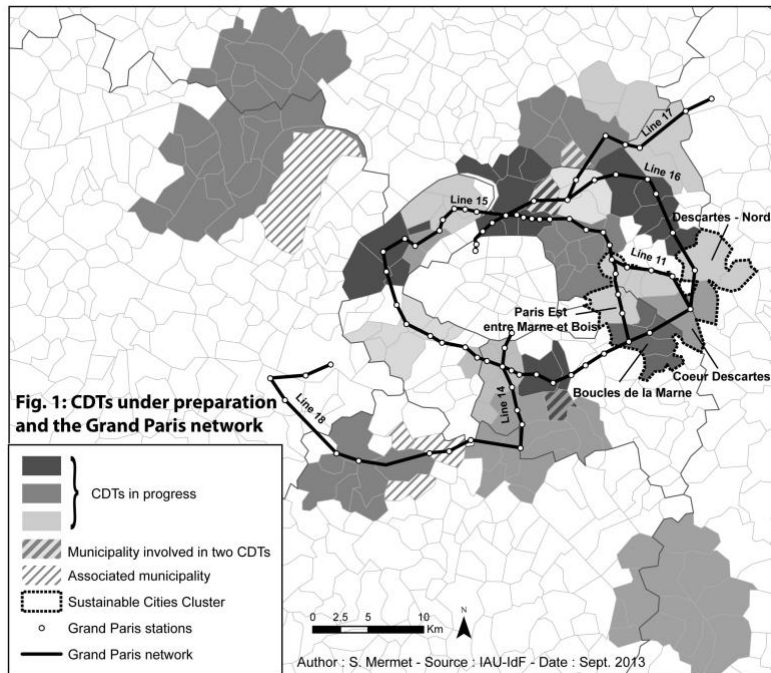
At the opening of the ‘Grand Pari(s)’ exhibition¹ on 29 April 2009, President Nicolas Sarkozy unveiled the outlines of the ‘Grand Huit’ project, the government’s transport plan for the Greater Paris region. The Grand Huit (Big Eight) was a 130 km long double automatic metro ring primarily intended to connect Paris’s airports to the main hubs of economic growth, laying the foundations for a newly competitive Île-de-France region.

A year later, on 3 June 2010, the Grand Paris Act was adopted by Parliament.

In order to encourage housing construction and business development in the areas around the automatic metro stations, the Act provides for the signature of contractual agreements, called Territorial Development Contracts (Contrats de Développement Territorial or CDT), between the state and the municipalities affected by the stations. In a context of strong conflict between the right-wing central government and the left-wing regional assembly, exacerbated by central government’s attempt to force the decision (justified by “the urgent need to act”), the law as a whole and this provision in particular were perceived by local elected officials as a step towards recentralisation.

However, by October 2012, two years after the law was passed, nineteen CDTs had been instituted (Fig.1).

¹ At the beginning of 2008, President Sarkozy launched a consultation with architects and urban planners “on the future of Paris as a metropolitan area”. At the same time, an eleventh ‘governmental team’ appointed by the Secretary of state, Christian Blanc, was working on the Greater Paris transport plan.



The study of these processes tells us a great deal about the nature and evolution of governance in the Île-de-France region.

Firstly, the Grand Paris Act signals the revival of strong state involvement in spatial planning, housing and urban renewal, reflected in the introduction of new standards, plans and multiannual programmes in the last decade. At the same time, the continuing decentralisation process – which occurred much later and less markedly in Île-de-France than elsewhere – has increased the responsibilities of local actors (especially at intermunicipal scale). This combination of increased state intervention and local actor involvement in housing, urban planning and development, and in transport, has led to the implementation of competing visions of local-based development and conceptions of public interest. This raises a first question on how these visions, with their different rationales, can be integrated to make collective action possible.

Secondly, the subject of contractual agreements to coordinate urban development and public transport policy is particularly illustrative of the constraints and challenges confronting urban policies today. On the one hand, growing transport networks and mobility tend to weaken local government capacity for policy making, exacerbating the problem of coordination between public and private actors (Offner, 2000). On the other hand, the need for coordination also stems from the lack of synchronisation between network development and urban growth, and continual misalignments between existing infrastructures and their uses (Scherrer, 2004). In brief, as we have argued in previous work, the coordination between transport and urban planning may be seen as an attempted strategy by local actors to regulate these mismatches, misalignments and conflicts (Gallez et al., 2013).

Could it be that, by generating discussion and negotiation between public actors at the different policy and planning levels, CDTs may contribute to new forms of ‘public territorial regulation’ (Gallez and Ollivier-Trigalo, 2011)? In this paper, we present findings from research based on the study of two CDTs located within the new town of Marne-la-Vallée, in the east of the greater Paris region (Gallez and Thébert, 2012). Our study builds upon a detailed document analysis (project documents, studies, plans, rulings, agreements, etc.)

combined with eighteen semi-directive interviews with the actors involved in the CDT process, namely: elected representatives of the six municipalities involved (mayors or deputy mayors in charge of urbanism); technicians working for various public authorities (municipalities, intermunicipal bodies, Départements); state representatives (Préfecture d'Île-de-France, Epamarne, state department for regional infrastructure and development, Société du Grand Paris).²

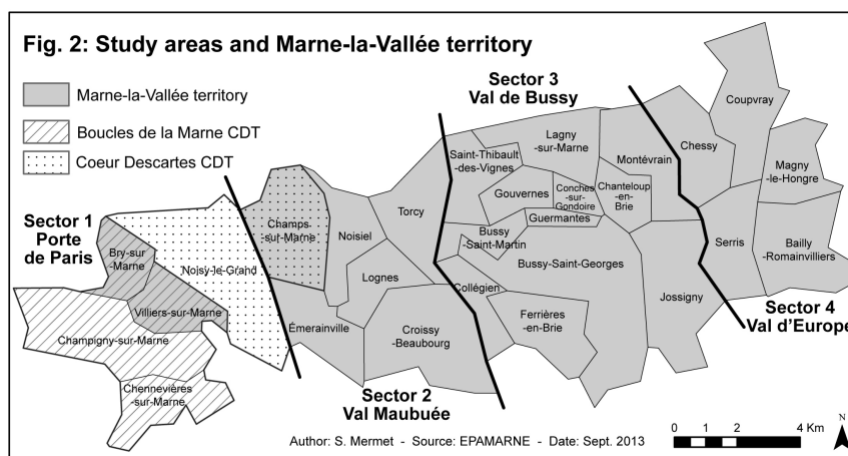
After a presentation of the two case studies and the recent political and legislative context, we will analyse the initial phases in the implementation of the CDTs. First, we will explain the reasons why the municipalities participated and how the perimeters were chosen. Then, we will review the issues under discussion and identify the main points of disagreement between the municipalities and the state. In conclusion, we will assess the extent to which these new contractual tools contribute to the 'territorial regulation process' in the Île-de-France region.

1. Context

1.1. Two CDTs in the new town of Marne-la-Vallée

Situated east of Paris, Marne-la-Vallée is one of the five new towns in the Île-de-France region that the government built in the 1960s as part of a targeted town planning policy. Marne-la-Vallée was more specifically intended to help restore the balance between the west and east of the Île-de-France region.

The initial construction projects were begun in 1972 by Epamarne, the local planning and development authority created in the same year. The new town stretches 25 km from west (Noisy-le-Grand, about 15 km from Paris) to east (Chessy-Paris Disneyland, about 30 km from Paris), containing four sectors of urbanisation and 27 municipalities (Fig. 2). Marne-la-Vallée is served by the A4 motorway and the RER A express railway, respectively opened in 1976 and 1977. In 1992, RER A was extended to Chessy to serve the Disneyland theme park.



Within Île-de-France's distinctive urban planning and transport system (box 1), the new town's institutional environment is particularly complex. Epamarne, which is a public authority reporting to the Prefect and to the central administration, acts as a developer in the areas covered by the 'National Interest Operation' (OIN) for new town development. Its responsibilities include buying land, preparing plans and organising the infrastructure for the sale of the land to private or public development partnerships. In addition, two intermunicipal bodies were set up in the 1970s, responsible for all financial and administrative decisions

² All the interviews were recorded and fully transcribed.

regarding different aspects of the new town's development (housing programme, urban planning, economic development, water supply and sewerage, etc.). As well as these dedicated authorities, two other intermunicipal bodies, three Départements (Val-de-Marne, Seine-et-Marne and Seine-Saint-Denis) and the Île-de-France Région operate in the Marne-la-Vallée area in their different spheres of competence (urban planning, urban and economic development, public transport, social policies, road networks). Alongside the state, the Départements and the Région are the main funders of local urban development and transport projects.

Box 1 – Organisation of urban planning and transport in the Île-de-France region

Decentralisation in Île-de-France took place later than in the rest of the country and the state retained control of the strategic planning and management of the transport system until the early 2000s.

The last Île-de-France region master plan, adopted in 1994, was drawn up under the aegis of the regional infrastructure department (DREIF), a decentralised state department headed by the Prefect of the Île-de-France Region. Since the outline spatial planning and development act of 4 February 1995, the region has drawn up the master plan, but its approval remains the prerogative of the state, which conducts a statutory audit. In 2005, a decree was issued for the review of the SDRIF, and between 2005 and 2006 there was extensive consultation with local authorities (Départements and municipalities) to feed back local priorities to regional level.

Public transport organisation in the Île-de-France region differs markedly from that of provincial towns. In the late 1960s, a Paris transport federation (STP) was created, encompassing Paris and all the Départements in the Paris region, chaired by the regional Préfet. In 1971, a local business tax was introduced, called “Versement Transport”, the proceeds of which were allocated to the funding of public transport; in 1975, an integrated tariff scheme (the “carte orange”) was established, covering the metro and regional express railways (RER). Since 2004, the Région has held a majority on the board of the federation, now rechristened STIF (Île-de-France transport federation) and chaired by the president of the regional assembly.

The adoption of the Grand Paris Act in 2010 marked the re-entry of the state into urban and transport planning. The master plan has to comply with provisions of the Act, which takes legal priority. Furthermore, the Société du Grand Paris, a public company charged with designing and constructing the new metro network, is encroaching on STIF's powers with regard to the regional transport network.

Whereas in the first years of implementation, strong central control extended to local level, Marne-la-Vallée is now gradually coming into line with general law. As a result, mayors and municipal councillors are demanding greater autonomy and control over urban development decisions, some suggesting that Epamarne should become an urban planning agency, providing expert support for municipalities without any decision-making powers.

The two CDTs studied here are located in the most westerly part of Marne-la-Vallée's territory (Fig. 2). They are part of a strategic development area referred to as the “sustainable cities cluster” (Fig. 1). The two CDTs are under the technical supervision of Epamarne.

The ‘Coeur Descartes’ CDT contains the two municipalities of Noisy-le-Grand and Champs-sur-Marne. Noisy-le-Grand's socialist mayor, whose relations with Epamarne's representatives have long been conflictual, recently decided to take his municipality out of the perimeter of the new town. Noisy-le-Grand is Marne-la-Vallée's most important urban centre. Champs-sur-Marne hosts ‘Cité Descartes’, a higher education, research and tertiary development hub. The municipality is part of the Val Maubuée New Town Federation (SAN du Val Maubuée) – recently transformed into a *communauté d'agglomération* (conurbation) – which is involved in preparing the elements of the CDT that relate to its own spheres of

competence. Furthermore, two Départements, Seine-Saint-Denis (for Noisy) and Seine-et-Marne (for Champs) are involved in the discussions.

The ‘Boucles de la Marne’ CDT encompasses four municipalities (Bry-, Villiers-, Champigny- and Chennevières-sur-Marne), of which only the first two are part of the new town. The area contains a large state-owned land reserve, the right-of-way for a planned highway called the ‘eastern service road’ (VDO), which was abandoned in the late 1990s. Through the municipality of Chennevières, the *Communauté d’agglomération* du Haut-Val-de-Marne is involved in the CDT process. One *Département* (Val-de-Marne) is participating in the procedure.

1.2. Political conflict in Île-de-France

Since 2008, the political situation in the Île-de-France region has been marked by strong conflict between the right-wing national government and the left-wing regional assembly.

The first point of disagreement concerned the Île-de-France master plan. Adopted by the regional assembly in September 2008, the master plan had to be approved by the Council of state. It was the first time that the Région had led the land-use planning process, previously headed by the state department for regional infrastructure (DREIF). At the same time, however, the government was preparing its own plan for the Greater Paris region. Approval of the regional master plan was deliberately delayed until the Grand Paris Act was passed. The official reason given by the government was that it was not ambitious enough to ensure that Paris retained its status as a world city. In November 2010, the Council of state finally rejected the master plan as incompatible with the objectives of the Grand Paris and Grenelle II Environment Acts. The master plan was revised and a new version was presented in October 2012.

The second point of disagreement concerned the metro project. Since 2007, the Île-de-France Région (in concert with Paris and the Départements) has been backing its own automatic metro project, called “Arc Express”. The priority objective was to serve the more densely populated inner suburban areas and to connect communities isolated by inadequate public transport. The opposition between centre and region thus highlighted two contrasting narratives of spatial mobility: the ‘Global City’, prioritising economic development, and the ‘Just City’, focusing on social justice (Belkind, 2013).

These conflicts led to heated debates in the National Assembly on the draft bill. After the passage of the Grand Paris Act, parallel public debates were organised by the National Commission for Public Debate (CNDP) on the two metro projects, which resulted in agreement between the state and the Région on a joint project in January 2011. The overall scheme for the automatic metro project, called ‘Grand Paris Express’, was adopted in May 2011. The forecast budget for this project, with its 205 km of lines and 72 new stations, was 22.6 billion euros. In March 2013, the project’s integration into the global regional transport scheme, as well as its schedule and financing, were reviewed by the newly elected socialist government. The aim of the so-called ‘New Grand Paris’ project is to enhance coordination with the Région’s plan in order to improve the existing network. The budget has been increased (to 29.5 billions euros) and the financing has been finalised. All revenues from the increase in the office premises tax in the Île-de-France region will go to Société du Grand Paris (SGP), the state-owned industrial and commercial company responsible for the design of the overall planning and infrastructure projects and the construction of the lines, facilities and structures (including development of the stations). Work is due to begin in 2015 with line 15 (circle line), and all the lines should become operational between 2020 and 2030.

2. Implementation of the CDTs: setting the initial conditions

The purpose of the Territorial Development Contracts (CDT) is to set the targets and priorities for economic development, new housing and public facilities in areas around the future Grand Paris Express stations. The primary contractors are the state's representatives (mainly the Préfecture of the Île-de-France region) and the municipalities where stations will be located.

The first aim of this new planning tool is to concentrate activities and housing in areas with good public transport provision, in order to promote alternatives to the car under the principles of sustainable urban development. Another goal is to support the development of selected economic activity zones (called 'clusters'), reflecting the vision of the main instigator of the Grand Paris project, Christian Blanc: to boost the economic development of the capital region in order to ensure that Paris maintains its status as an international metropolis. A further major issue for the state is to encourage new housing, a domain that is largely the remit of municipalities, which purchase land from private parties, resell it to private developers and issue building permits. The target for new housing was set at 70,000 units per year for the Île-de-France region.

Under certain conditions, the law allows Société du Grand Paris to operate as a developer. In the absence of a contractual agreement between the state and the municipalities, SGP can implement urban development projects in place of the municipalities. This provision ran into considerable opposition from local government politicians during debates on the bill.

The first CDTs were implemented in late 2011 by the Préfet of the Île-de-France region, Daniel Canepa. Municipal leaders' fear of losing their decision-making powers played a role in their choice to engage in the CDT process. Our observations show that, in addition to this political incentive, other factors undoubtedly influenced the initial conditions of implementation.

2.1. Municipalities: reasons for participation

In the specific context of the new town, the relations between the municipalities and the local representatives of the state constitute a determining factor.

Some of the municipalities in the new town, whose decision-making powers have been curtailed in specific parts of their territories by state intervention (through Epamarne), want to be more closely involved in the framing and implementation of spatial planning and development decisions. In this specific context, they see participating in a CDT as a means to regain control over their prospects for urban development.

By contrast, the representative of Noisy le Grand, which pulled out of the new town perimeter at the beginning of the CDT process, is defending the independence of the municipality. Stressing that the law gave them no choice on whether or not to take part, he sees the CDT as "of no interest".

Another reason to participate is to secure state commitment to the projects. This is well illustrated by the case of Chennevières, which joined the *Boucles de la Marne* CDT a few months after it began. According to the municipal representative, participation in the CDT is a way to ensure that the first section of a planned Bus Rapid Transit line (*Altival* project) extends to the centre of Chennevières.

A third reason advanced by local representatives was that CDTs may facilitate local authority access to funding streams, in the sense that municipalities engaged in CDTs may receive priority in further development programmes.

Finally, some local authority technical staff, more specifically at inter-municipal scale, see the CDT as an opportunity to be part of a shared project. As noted by one person we spoke to, in

some cases this may be the first time that the technical services of two contiguous municipalities have talked to each other.

2.2. Defining the perimeter

The decision on the perimeter of the CDTs was taken by the Préfet of Île-de-France. Depending on conditions, the Préfet would either approve a municipal proposal or encourage other municipalities to participate. Some proposals were refused. The law was somewhat vague about the demarcation of the contractual area, stipulating that “each contract focuses on the development of a territory included within a group of contiguous municipalities without a common perimeter”.³ The decree of 24 June 2011 was no more precise, stating that “a territorial development contract concerns all or part of the territory of at least two municipalities”. As a local representative of the state pointed out, “initially, nobody knew how to define the scope of the CDTs”.

In practice, several factors played an important role.

The existence of land reserves was a determining factor in the location choice for future Grand Express stations, and therefore in defining the perimeter of the CDT, as illustrated by the case of the ‘Boucles de la Marne’ CDT. A few months after the passage of the 2010 law, the three mayors joined forces to ask for a change in the location of the metro station slated to serve their municipalities. They approached several members of the central administration and filed formal requests at the public debates, supported by representatives of the Val de Marne Département. Arguing that the initial location suffered from poor access and meagre opportunities for urban development, they asked for the station to be relocated close to the VDO land reserve. Despite great technical difficulties associated with the need for interconnection with the RER E line, their request was finally accepted.

In every case, the boundaries of the CDT ultimately extended significantly beyond the 400 m limit around the stations stipulated in the act, in fact covering the entire territory of the municipalities concerned. There are two main reasons for this. First, it gives the municipalities the opportunity to consider a wider range of factors. Second, it allows them to distribute new housing – the annual target for which is set by state regional departments – across their whole territory, relaxing the requirement to increase density in the immediate vicinity of the metro stations.

3. Issues at stake

The first phases of the implementation of the two CDTs highlighted the main issues at stake.

3.1. New housing

Since 2007, housing construction has been a major state concern, both at national and local levels, especially in the Île-de-France region. The state target for new housing in the Grand Paris Act is 70,000 units per year, 10,000 more than the annual target set by the Region in the 2008 draft master plan. This increase was justified by the arrival of the automatic metro and the development of territorial projects.

The annual target rate for new housing is distributed across Île-de-France, depending on the different areas’ development potential (availability of land, accessibility, priority areas, protected areas, etc.). The overall target for new housing in the municipalities involved in CDTs is 30,000 units per year, of which 900 fall within the ‘Noisy-Champs’ CDT and 655 within the ‘Boucles de la Marne’ CDT.

³ 2010 Greater Paris Act, n°2010-597, 3 June 2010, art. 21-I.

According to the state side, the additional effort required from the municipalities served by the Grand Paris Express comes in return for the state's financial contribution to the metro project. The municipalities do not share this view. Whatever their political colour, they believe that the state should fund the development of public amenities associated with the influx of new inhabitants.

As the targets set for each CDT have not been distributed among the municipalities involved, negotiations on the rate of house building itself have, strictly speaking, not yet started, be it between the state and the municipalities or between the municipalities themselves. Nevertheless, each municipality has already reached its own estimate based on its population, leading some municipal officials to complain that the state targets are too high relative to their current (or projected) rate of construction and their land-use constraints.

3.2. Social housing balance

The issue of social housing could be a stumbling block in further negotiations between state and municipalities. In 2000, the Urban Renewal and Solidarity Act set a target of 20% social housing in any municipality with a population of more than 3500 (1500 in the Île-de-France region) falling within an urban area or intermunicipal structure with more than 50,000 inhabitants. The Act of 19 January 2013 reinforced the requirement for social housing by increasing the proportion to 25%.

As one local representative argued, although the municipality is working to meet the 20% social housing target set by the Urban Renewal and Solidarity Act of 2000, increasing the rate of housing construction would oblige it to boost its effort on social housing (in order to maintain the rate). According to this person, this raises problems of social diversity and local acceptability.

In practice, the municipalities most reluctant to build social housing prefer to pay the fine stipulated by law than to comply with the standards. It is not clear whether the CDTs will provide sufficient incentive for these local authorities to meet the targets, which will depend, among other things, on the negotiations between the different municipalities involved. In another context – outside the Île-de-France region or outside the perimeters of the CDTs – the role played by intermunicipal structures has proved to be ambiguous in this respect. As recent work has shown, intermunicipal authorities have little effective power to promote more cohesive policies (Desage, 2012); they appear to help the municipalities in easing the constraints rather than in better integrating metropolitan priorities (Desjardins et al., 2010).

Furthermore, agreement on the overall building rate does not mean that the state and the municipality agree on the percentage of social housing. In one communist led municipality, officials expressed their wish to maintain 50% social housing in the areas around the metro station, in order to ensure that everyone benefits from improved transport, regardless of income. The state wanted a lower rate, arguing that the percentage of social housing in the municipality was already high (40%). This example implicitly raises a major unresolved policy issue, concerning the rule for calculating land-value capture. As social housing will probably be exempt from the tax on land value capture, the question arises of how to balance fairness in transport provision against the financing needs of the network.

3.3. Economic development

The priority for local authorities is to promote economic development. Municipal representatives argue that a better balance is needed between jobs and housing, particularly in the eastern part of the Greater Paris region, which is still disadvantaged (in terms of jobs and local development) relative to the west. An association of local authorities, called the East Paris Association of Territorial Authorities (Actep) was set up in the early 2000s to advocate

for more development in this area. By 2012, this association comprised 14 municipalities (including 4 of the 5 studied here) and one Département (Val-de-Marne).

Negotiations between the municipalities of Bry-, Villiers- and Champigny-sur-Marne and the state about the use of the VDO land reserve highlight the importance of this issue for local authorities. The three mayors firmly stated their position in discussions with the local Transport Ministry representatives, asking for 75% of the land to be allocated to business development and 25% to new housing. According to our local interlocutors, this negotiation laid the groundwork for the municipalities' early commitment to a CDT as well as for subsequent discussions with the state.

Whereas the commitment to economic development predates the metro project, Grand Paris Express is seen by local politicians as a decisive opportunity to move up a gear. This is apparent in the discussions about the location of housing and economic activities, which began during the drafting of the CDT. Emphasising the “structuring effects of transport” in territorial development, the municipal officials stress the need for sites close to the future stations to be set aside for economic activities rather than housing, which will be spread across municipal territory.

However, in the absence of serious thinking about instruments that might promote economic development, apart from territorial marketing, the objectives formulated in the CDTs are likely to remain in the realm of wishful thinking.

Conclusion: Governing with contracts?

Under the combined impacts of decentralisation, globalisation and successive strategic planning reforms, the institutional organisation of Île-de-France has become increasingly complex and its legitimacy fragmented (Subra and Newman, 2008). There is still no local authority corresponding to the urban zone, though the adoption by the National Assembly on 23rd July 2013 of a bill that would create a “Grand Paris métropole” would seem to be a sign of progress. Against a background of great uncertainty regarding the political control of a ‘Grand Paris’ authority, the government decided in 2008 to postpone the issue of institutional structure until after the adoption of the Grand Paris Act, prioritising the project over the issue of governance (Subra, 2009). According to Breuillard (2012), the re-centralisation that characterises this process runs counter to the constitutional principles of local autonomy and a decentralised Republic, “and fails to create a relevant Greater Paris authority”.

The analysis of the initial phases of the implementation of the CDTs gives us a more nuanced picture of this supposed trend towards re-centralisation and emphasises the role of local authorities in “public territorial regulation”. By territorial regulation, we mean the process whereby the conflicting views of public actors at different levels on the best course of action within a specific territory coalesce into a set of common rules that make collective action possible (Gallez and Trigalo, 2011). Because of the highly fragmented institutional setup and the concomitant increase in the powers of both central and local government in the spheres of urban development, housing, transport and renewal, there is no comprehensive picture of development priorities at metropolitan scale. Under these circumstances, procedures that encourage combined projects and generate convergence are more necessary than ever.

Whereas local officials initially expressed serious reservations about or opposition to the CDTs, two years after the adoption of the 2010 Act they were actively involved in their preparation, seeing the procedure as a way to promote local priorities and maintain control over the urban and economic development of their territory. Through CDTs, local politicians hope to be able to influence the Grand Paris project, both on the location of the future metro

stations and the development of areas surrounding them. The ongoing discussions with the state on the global housing targets and the proportion of social housing will be followed by negotiations between the municipalities themselves about the allocation of these targets. Depending on local conditions, this will lead either to a collective approach prioritising social cohesion or to local arrangements between municipalities. In any case, the debate is open. Above all, local officials perceive the metro as a crucial lever for promoting economic development and rectifying territorial inequalities. From this perspective, the involvement of municipalities and joint municipal structures in the preparation of the CDTs appears to be a means to ensure state commitment to the Grand Paris Express and other associated transport projects.

For the state representatives, an important question is whether the CDTs will enhance inter-municipal cooperation and to what extent the territorial projects may anticipate the creation of new inter-municipal bodies. Joint bodies, whether formal (like Actep) or informal (like the two *communautés d'agglomération* in our case studies) are actively engaged in the CDT process. Furthermore, interviews reveal that technical staff in the existing joint structures see the CDTs as an opportunity to overstep municipal boundaries and to take a wider territorial view. Some elected officials do not preclude the option of creating new inter-municipal structures based on CDT projects or expanding the scope of existing joint bodies.

Although it is too soon to reach conclusions regarding trends and practical outcomes, the findings from our field survey would seem to show that, in the context of the Grand Paris Express project, CDTs may lead to indirect forms of regulation that contribute to the governance of the metropolitan area (Lorrain, 2011).

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