

# Using participatory tools in practice – case study of the non-statutory participatory process “Re:witalizacja – Wzgórze Karscha” conducted in 2020 in Kielce

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## Abstract

Abstract: The article describes a case study – a non-statutory participatory process carried out in Kielce in 2020, the purpose of which was to educate and gather information from residents on the development of an amendment to the Kielce City Study. The article discusses the assumptions adopted for the consultations, and the participatory techniques used, in the context of the level of participation required by the current legislation as well as the factors influencing the success of individual activities.

**Keywords:** urban planning, public participation, non-statutory participation

## 1. Introduction; Goals of the paper

The subject of the paper is a case study of “Re:witalizacja Wzgórze Karscha” participatory process, with the analysis on the factors influencing the effectiveness of individual activities.

Spatial planning in Poland is strictly regulated by the provisions of the Act of March 27, 2003 on spatial planning and development (hereinafter UPiZP), which, in simplest terms, defines the procedure for the development of a planning document, and by Ordinance of the Minister of Infrastructure of August 26, 2003 on the required scope of the local spatial development plan – which in turn defines the scope of development of planning documents, but also the legally required forms of messages addressed to residents during the process itself.

In Poland, there are two basic types of planning documents: the spatial study, which in the scale of the entire city or municipality defines the strategy of their development and, in a very general scope, the purpose of given areas, and local spatial development plans (hereinafter spatial plans) which are prepared for much smaller areas and define in detail the principles of the development of individual sites. The development of spatial plans is non-obligatory, as there are other regulations regarding the possibility of building development in areas not covered by the plans, however they provide for limited public participation.

In the case of the development of each of the above-mentioned types of planning documents, Polish law provides for forms of social participation, however, only the necessary minimum required for the recognition of the correctness of the entire process has been specified in the law. Its course is supervised by the Regional Office, a supervisory body for the local Municipal Offices that in turn prepare the spatial planning documents.

Social participation in spatial planning in Poland is also inclusive and non-discriminatory. The regulations do not require the necessity to present any document, and as a rule, the person submitting the proposal or comment does not have to meet the condition of being of age nor having Polish citizenship.

In 2015, the Polish government adopted the 2023 National Urban Policy (Krajowa Polityka Miejska, 2023), a document containing an analysis but also an attempt to respond to the problems of Polish cities. Strengthening the ability of cities and urban areas to create sustainable development by improving the quality of urban policies at the national and local levels was identified as the overarching goal of urban policy. To this end, five specific goals have been introduced, including the promotion and development of mechanisms for public participation in all aspects of city functioning, towards a transition from formal public consultation, to real, as widespread as possible, partnership-based public participation in city development planning.

With this in mind, state bodies, with the participation of EU funds, have carried out a number of programs to support local governments, aimed at developing non-statutory forms of public participation.

The City of Kielce took part in two such programs, and the described non-statutory public consultation “Re:witalizacja Wzgórze Karscha” is the result of the second of them, conducted in late 2019 and early 2020, and completed in 2021 with the project “Przestrzeń dla partycypacji 2”. The organization supporting the city office was the Warsaw Shipyard Foundation, which conducted a series of trainings and workshops for employees of the Kielce City Planning Office.

## 2. “Wzgórze Karscha” as a substandard public space in a key city location

Kielce, currently a city of about 180,000 people in central Poland, saw its fastest growth in the 1960s-90s. Before World War II, it had a population of about 80,000, and by '75 this number had already reached about 151,000. This was linked to the dynamic development of industry, and the massive influx of people

into the newly built housing estates of those years, surrounding the relatively small center of the approximately 80,000-strong city with a wreath. Such a sudden change in urban planning brought with it a number of phenomena, such as the functional incorporation of suburban housing complexes, often of an industrial nature, into essentially downtown areas. Over time, these complexes lost their original purpose and underwent far-reaching transformations, or disappeared altogether, replaced by an urban fabric with a completely different structure.

“Wzgórze Karscha”, however, has avoided this fate. Located in the southern part of downtown Kielce, it occupies a plot of land at the intersection of Ogradowa and Jana Pawła II streets. Originally located on the outskirts of the city, near the Krakowska Rogatka, one of the entry points to the city, at the time when the work on the amendment to the Study was undertaken, it was a unique example on the scale of the city of a complex of industrial buildings, along with a representative mansion, and traces of a former garden and orchard.

While the historical sources regarding the “Wzgórze Karscha” are scarce, it was firstly mentioned in “Pamiętnik Kielecki” (Kielce Diary) in 1874 as one of the recently erected buildings by Franciszek Ksawery Kowalski, and in 1882 “Słownik geograficzny Królestwa Polskiego” describes it briefly, paying special attention to the arcade walls surrounding the complex and its beautiful landscaping. At that time, it was consisting of a Borkowski family manor house and brewery buildings. Over the years, it changed owners, passing from Borkowski family to the Stumpfs, and then the Karsch family. As the profitability of the production decreased, the complex was gradually degrading, in order to finally, after the Second World War, become nationalized and allocated to warehouses.

The buildings preserved to this day are located in the northern part of the plot. As Kwasnik-Gliwinska (1980) points out, the individual buildings do not form a regular urban layout, rather random, resulting from different times of creation and the industrial nature of the buildings.

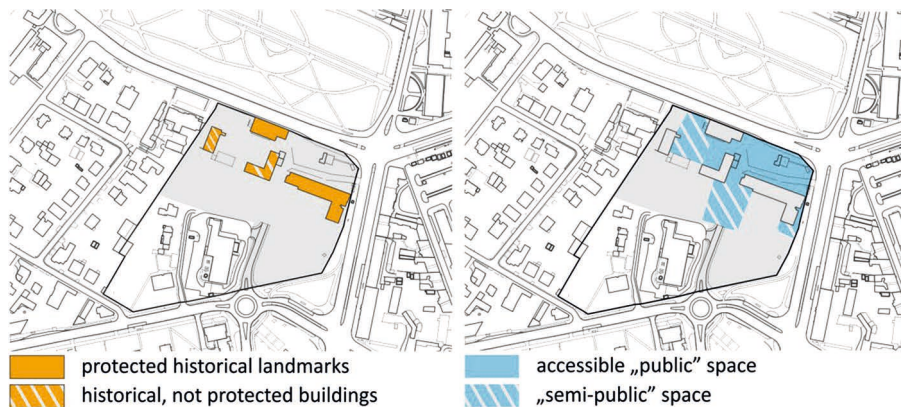
Only in recent years have the inheritance cases and returns have been completed, and the heirs have begun efforts to introduce new buildings on the “Wzgórze Karscha”.

Figure 1 shows the “Wzgórze Karscha” location in relation to the Kielce City center, including the main lines and objectives of communication.

Figure 2 shows the current “Wzgórze Karscha” development, taking into account the different legal protection status of individual buildings, as well as the space availability context. Figure 3 and 4 shows current and historical image of the Karsch manor house.



**Fig. 1.** “Wzgórze Karscha” Location (source: Ortofotomapa 2019 r. Miejski System Informacji Przestrzennej Geoportal Kielce, own elaboration)



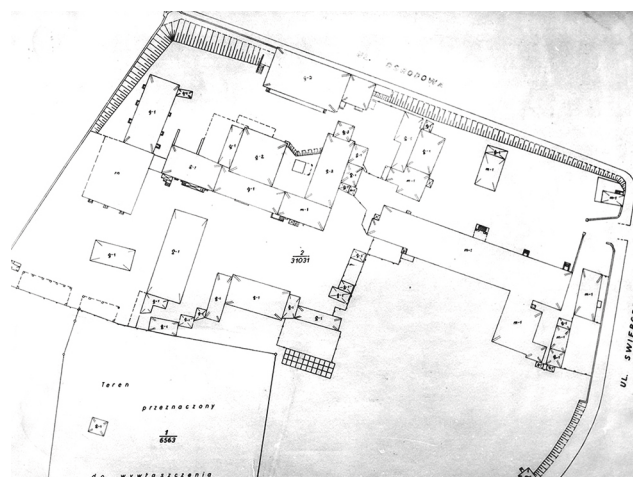
**Fig. 2.** “Wzgórze Karscha” current development and legal protection status of individual buildings (own elaboration)



**Fig. 3.** Current image of the Karsch manor house (source: Leaflet ‘History of the Place’ developed by Kielce City Hall for the process ‘Re:witalizacja Wzgórze Karscha’, 2019)

**Fig. 4.** Historical image of the Karsch manor house (source: Leaflet ‘History of the Place’ developed by Kielce City Hall for the process ‘Re:witalizacja Wzgórze Karscha’, 2019)

Figure 5 shows a “Wzgórze Karscha” historical plan, dated around year 1958. The plan comes from Kielce Municipal Department of Geodesy Archive.



**Fig. 5.** „Wzgórze Karscha” historical plan, ca. 1958 (source: Kielce Municipal Department of Geodesy Archive)

### 3. “Re:witalizacja Wzgórze Karscha” participatory process; case study with the analysis on factors influencing the effectiveness of individual activities

The adopted timeline for the Re:witalizacja “Wzgórze Karscha” consultation process is shown in the Fig. 6. The main goal of the process was to expand and move public consultation to the earliest possible stage in the development of the spatial plan and spatial study, as noted by Kaczmarek and Wójcicki (2015), extending it to non-statutory participatory activities. The goals were achieved by providing education in form of direct information activities, as well as participatory activities and using information channels selected specifically for the consultations’ topic and area, which in turn heavily supported the activation of previously passive social groups.

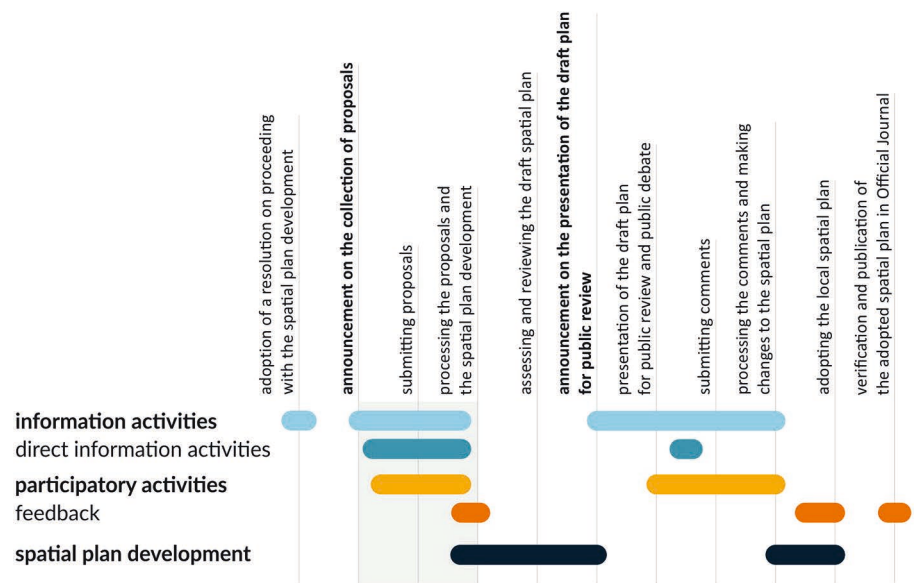


Fig. 6. Adopted timeline for the consultation process (own elaboration)

All processes leading to the adoption of the resolution on a spatial plan have been divided to five groups: information activities, direct information activities, participatory activities, feedback activities and development of a planning document.

For the purpose of this article, we will focus on the first three of the activities, as they form the backbone of the participatory process. Following the Fig. 7 all one-way announcements from local government administration to the local community are defined as information activities. By direct information activities we consider two-way communication, in which both parties can ask themselves questions and expect answers. Participatory activities mean, in simplified terms, such activities, thanks to which the administration receives the community’s response to a predefined problem. In addition to the above-mentioned activities, feedback, the means communicating the effects of participatory activities to the community, proves its importance. Actions marked on the diagram in italics, are resulting directly from the provisions of the law in force.

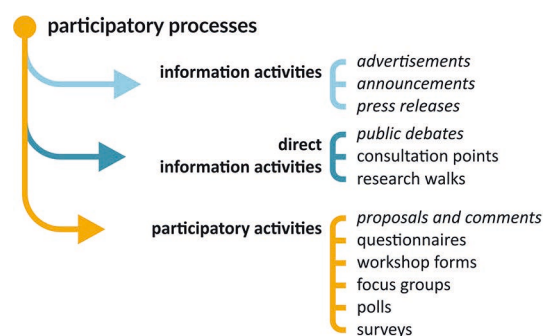


Fig. 7. Breakdown of consultation processes by direction of information flow (own elaboration)

### 3.1. Information activities

Announcements, advertisements and press releases are the most frequently used methods of communication between the office and the residents, as they are being required by law. Their form and scope have been defined in the Ordinance cited at the beginning. Despite the fact that it meets all the requirements, its content and form may be illegible for residents, which is confirmed by the research under the project “Decydujemy Razem” gathered by Bogacz-Wojtanowska and Olech (2014). Said research shows, inter alia, that citizens have little knowledge of what public consultations are, and the

inaccessible content of messages addressed to them is one of the factors, that make it difficult to take part in participatory processes. Moreover, it should be noted that the Polish act on spatial planning defines the channels of reaching the residents, yet they turn out to be ineffective and not adjusted to the needs of the public. Also, no stakeholder analysis is required at any stage, which could indicate the optimal ways of communicating with people potentially interested in participating in the process, and thus activating previously passive social groups, in Poland – mostly young people.

Comparing a press release and a poster with a standard announcement drafted in accordance with applicable regulations is particularly beneficial for non-statutory activities (Fig. 8).

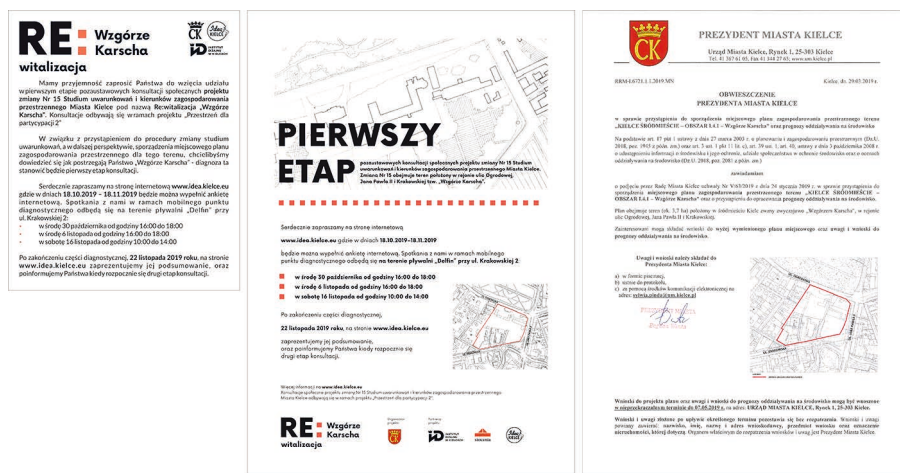


Fig. 8. Comparison between the press release (left) and the poster (centre) with a standard announcement done in accordance to the applicable regulation (right) (source: Press announcement preceding the participatory process, Gazeta Wyborcza Friday edition, 18 October 2019., Poster: www.idea.kielce.eu, announcement: Kielce City Hall)

Developing graphic materials, a distinctive and attractive logo was prepared and consistently used throughout the participatory process, both clear graphics of the poster and optimization of the amount of information provided contributed to the posters' reception and thus – activation of the inhabitants.

Furthermore, information materials prepared for the needs of a specific participatory process, graphically attractive and accessible, facilitate the education of the participants of the process, both in terms of legal regulations and the conditions relating to a specific consulted area (Fig. 9).



Fig. 9. Examples of information material on the consultation process (source: Leaflet 'History of the Place' and an information booklet produced and distributed by Kielce City Hall for the process 'RE:witalizacja Wzgórze Karscha', 2019)

### 3.2. Direct information activities

The most common direct information activities in Polish spatial planning processes are public debates. It results from the act on spatial planning and development, which obliges the authorities preparing the planning document, to conduct such a debate, at the stage of displaying the spatial plan for public

review, i.e. at the last stage of the documents' development. It is also often the first and only opportunity for the residents to physically participate in the process of adopting the plan, which is also noted by Kaczmarek and Wojcicki (2015). Despite the fact, that there are positive trends in seeking for and gradually implementing new, more effective ways of including an increasing spectrum of participants in the planning process by local governments, as well as gradually emerging local government initiatives, aiming to increase the scope of public participation, extended consultation techniques such as consultation points, research walks and other are used much less frequently. The consultation points used during the non-statutory participatory process "Raz, Dwa Piekoszowska" in 2018 in Kielce (Fig. 10), were positively received by the participants. Within 4 hours, it was visited by about 80 people, and the initiative itself was assessed positively. Residents appreciated both its location near the consulted area, as well as convenient hours and the presence of urban planners ready to answer any questions.



**Fig. 10.** Consultation point during the "Raz, Dwa Piekoszowska" consultation process (photo by P. Hetmańczyk)

### 3.3. Participatory activities

Among the participatory activities required by law, the most important are the proposals and comments on the spatial planning document. It is worth noting the example form of the comment on the draft plan (Fig. 11), although others are, of course, acceptable. Proposals are collected at the initial stage of spatial plan development, right after the City Council adopts a resolution on proceeding with the development of a spatial planning document, and comments are gathered at the stage of displaying the spatial plan for public review, i.e. at the end of the development process. As Parysek (2010) states, statutory instruments are often treated only as a necessary requirement of the procedural correctness of the course of the entire process. The effect of such a procedure, and in particular the failure to consider the education of residents, is shifting the burden of consultation to the very end of the planning processes. This, in turn, marginalizes the participation of the public in the planning process and translates into a low level of involvement in participatory processes. According to research carried out under the project "Decydujemy Razem", only 10% of the communes' inhabitants take part in participatory processes. This is a particularly low value considering that the same research, gathered by Bogacz-Wojtanowska and Olech (2014) indicated that 80% of municipalities consulted on decisions made in the case of at least one solution in adopted resolutions. According to Kaczmarek and Wójcicki (2015) additional consultation techniques, such as, inter alia, polls, surveys, workshop forms or focus groups have a positive effect on the level of acceptance of the solutions proposed in spatial planning documents. However, they force the burden of the consultations to be shifted to the earliest possible stage of a spatial plan development process. An example can be a diagnostic



**Fig. 11.** Draft plan comment example (source: Kielce City Hall)

**Fig. 12.** Example of a diagnostic questionnaire (produced and distributed by Kielce City Hall for the process 'Re:witalizacja Wzgórze Karscha', 2019)

questionnaire, one of the elements of the non-statutory participatory process Re:witalizacja "Wzgórze Karscha" (Fig. 12). Attractive graphic design, thoughtful and important for the planning process questions and making the questionnaire available both on paper and via the dedicated Internet site, translated into about 403 answers, including 283 submitted via the Internet. The urban planning workshops, carried out later in the same process, proved to be equally successful.

#### 4. Analysis of the timeline for the development of planning documents based solely on the applicable legal acts

The spatial planning processes in Poland are based on a strict timeline, resulting from the applicable regulations (Fig. 13). It considers the previously explained systematic of activities. Therefore, it is possible to distinguish two basic stages of social participation, the first, just after the City Council adopts a resolution on proceeding with the development of a spatial planning document, and the second, at the last stage of the development process. Both of these stages are preceded by information activities. Their minimum scope is clearly defined in the UPiZP act. Direct information activities take place only at the second stage, when the draft document is made available for public review. At the same time, at both stages, there are elements of participation activities according to the adopted systematics, although it is only possible to submit a proposal or a comment on the draft spatial plan.



**Fig. 13.** The spatial planning process timeline (own elaboration)



The procedure provided for by the legislator does not consider the education of participants, which proves to be particularly important at the initial stage of planning works. This function is perfectly fulfilled by direct information activities, i.e. physical participation in the process, yet it was considered at the very end of the process. This may result in maladjustment of the proposed solutions to social expectations, which, combined with the late inclusion of participants in the process, increases the risk of having to repeat the most of the spatial planning development process. The lack of the statutory form of feedback in the first stage of social participation translates into lower confidence in local government authorities.

## 5. The future of the participatory processes in Poland

In the recent years, definitely positive trends related to social participation in spatial planning, have been noticed in Poland. Local governments are actively seeking and implementing new, more effective ways of activating residents. This is undoubtedly related to government programs to support social participation, also created with the participation of EU funds, but the impact of the development of modern technologies cannot be overlooked. Solutions facilitating access to participatory processes, tools enabling the co-creation of spatial planning documents, social media activating residents, but also the dissemination of education and the development of civic attitudes, in addition to positive effects, carry certain threats. As Miessen (2010) points out, superficial involvement in political and social activities, “slacktivism” or “clicktivism”, the resulting liquidation of personal responsibility and “ad hococracy” may be an obstacle to the planning processes, which requires professionalism, responsibility and, as a rule, is not unequivocally democratic. By adopting a participatory model that approaches the mechanisms of direct democracy, there is also a temptation to shift the decision-making process to the citizens. In extreme cases, we may be dealing with a false belief that inclusion is imperative. Therefore, the promoters of participation processes are responsible for development of social participation in such way, to consciously minimize and eliminate potential threats while supporting civic attitudes valuable for the development of local democracy.

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