

# ROADS AUTHORITY DECENTRALISATION IN FRANCE

C. DE MAZANCOURT & O. GRISAUD

Ministère de l'Équipement, France

[Odile.Grisaud@equipement.gouv.fr](mailto:Odile.Grisaud@equipement.gouv.fr)

[Claire.de-Mazancourt@equipement.gouv.fr](mailto:Claire.de-Mazancourt@equipement.gouv.fr)

## ABSTRACT

In the face of road network development and the needs of different users of this network, the French government has decided to transfer part of the national road network to local authorities: counties (départements). The transfer of skills concerning approximately 18,000 km of national roads, i.e. somewhat less than half the French national road network (the combined French road network being estimated at 1 million km), goes hand in hand with transfers of both financial and human resources along with complete reorganisation of the State road authorities.

## KEYWORDS

DECENTRALISATION / ROADS / FRANCE

## 1. WHY DECENTRALISATION IN THE ROADS AREA?

### 1.1 The French road network

The French road network currently comprises:

- 38,000 km of motorways and national (trunk) roads, including 8,000 km of concessionary motorways,
- 360,000 km of county roads built, maintained and managed by Counties (100 departments  $\approx$  UK counties),
- 600,000 km of communal (local) roads, built, maintained and managed by French territorial communes (36,000 communes  $\approx$  UK parishes).

All these roads are surfaced.

The national road network therefore represents only approximately 4% of the combined French road network, but this 4% carries alone 40% of all road traffic.

### 1.2. Current road authority organisation

State road authorities include both central and decentralised bodies responsible for the entire national non-concessionary road network. On a central level, these authorities are headed by the General Directorate for roads (Direction Générale des Routes), which is supported by engineering departments (SETRA, CETU, CERTU, CNPS, etc.) responsible in particular for developing and communicating engineering policy. On a decentralised level, the French infrastructure ministry (Ministère de l'Équipement) has 100 county public works directorates (Directions Départementales de l'Équipement - DDE), one per county. DDEs are in charge of design, construction, maintenance and operation of the non-concessionary national road network under the authority of the roads general directorate.

The ministry also operates 7 Regional Public Works Engineering Centres (Centres d'Etudes Techniques de l'Equipement) featuring mainly design offices and laboratories.

There are 8,000 km of concessionary motorways within the French national road network. Eleven motorway concessionary companies are in charge of building maintaining and operating these 8,000 km of motorways in return for collecting toll charges for a determined period. State road authorities ensure management of concessionary motorway design projects until "notice of public utility" is given. This preliminary statutory act is essential to infrastructure construction and alone authorises expropriation.

Today, following initial decentralisation, some French infrastructure ministry personnel (approximately 24,000) are already working on county roads. DDEs and Counties have either identified, within their organisation, authorities operating exclusively in the county area under the functional authority of county administrations, or have agreed on a volume of services performed by the DDE on behalf of the county without altering DDE organisation.

### 1.3 Decentralisation reasons and principles

The principle underlying decentralisation involves granting decisional power to the public authority level best placed to exercise this power (principle of subsidiarity).

Many national roads have lost their function of ensuring through-traffic flow with the building up of a structuring network of motorways and major links over the last 30 years (11,000 km of motorways in service, including 8,000 km of concessionary motorways). Henceforth, a large proportion of national roads has therefore assumed significant local importance. These roads are indeed very similar to current county roads in terms of both usage (e.g. type of traffic) and physical characteristics (e.g. lane widths).

The State will therefore transfer national roads of predominant local importance to the counties, which already own nearly 360,000 km of county roads, but will conserve its responsibility for the unique main structuring network, essential to the country's economy. The latter network is, in particular, made up of motorways and roads receiving long-distance traffic serving large regional centres and major economic hubs.

French counties appear best suited to ensuring hands-on management of roads, which receive mainly local traffic and offering users of these roads the services they expect of them. On the other hand, the county level is unsuited to offering services for long-distance through-traffic. The State will therefore focus its resources on this network, essential to the country's economy, and on the services expected by its users.

## 2. SETTING UP DECENTRALISATION

### 2.1 A decentralisation law

Roads decentralisation falls within a wider decentralisation movement from the State to the territorial regions, counties and communes. This decentralisation was enacted by the French "law governing local liberties and responsibilities (loi relative aux libertés et responsabilités locales).

Clause 18 of this law makes provision for:

- definition of the national road network: "a coherent road network of national or European interest",
- a text (decree) drawing up the list national routes,
- county consultation on this text,
- for each county, an order giving notice of the transfer of national (trunk) roads to the county.

The law also provides for continued State responsibility for the combined French road network, in particular in terms of drawing up engineering policy.

## 2.2 Network definition

A projected future national road network has been established integrating:

- road links foreseen in long-term planning schemes,
- trans-European transport network routes,
- other roads of motorway status,
- roads allowing coherence of the future national network, so formed, to be ensured.

This projected national road network has been submitted to the opinion of the counties. The great majority of them have expressed a globally favourable impression of the project submitted to them. In some cases, their opinion was accompanied by reservations and the formal consultation phase, which closed at the end of March, was pursued with some counties to refine definition of the part of the network to be transferred.

The projected future national road network was amended to take into account these county opinions. The distance covered by the future non-concessionary national road network, initially 10,000 km, was thereby extended to 11,800 km.

Finally, the future national road network will include approximately:

- 8,000 km of concessionary motorways,
- 11,800 km of national roads and non-concessionary motorways.

Approximately 18,000 km of roads will therefore be transferred to the counties.

## 3. TRANSFER OF FINANCIAL RESOURCES

### 3.1 Information on transferred road network

The law has provided for State communication of all information on the public road area transferred to each county.

For this reason, the DDEs were invited to give available information on the network concerned to the counties prior to effective road transfer. This information may concern not only infrastructure condition at transfer, but also foreseeable short-, medium- and long-term investments associated with road area management and other financial data. This study is aimed at providing the future manager with up-to-date knowledge of the network concerned.

### 3.2 Transfer of maintenance financial resources

The State will transfer to the counties all the resources it currently dedicates to managing the roads to be transferred to them. The counties will therefore possess strictly identical financial resources as those of the State for exercising their new responsibilities.

The law includes an exhaustive list of all expenditure (maintenance, rehabilitation, operation, etc.) giving rise to financial compensation. The texts fixing the precise terms of this compensation were indeed drafted on this basis. These terms of compensation take into account the normal national ratios used to date by the State, when calculating credits allocated to routine maintenance. In the case of credits for major repairs, calculations were made following specific studies. Sharing is in fact based on the average value of the management credits allocated in the last three years.

Every year, nearly 185 M€ will be allocated to the counties for managing transferred roads, excluding credits intended for paying transferred human resources, which will also be allocated to the counties.

### 3.3 Transfer of investment financial resources

Under State-Region planning contracts (Contrats de plan Etat-Région), French counties contribute financially to the investments made on some national roads. In the future and once the current development contracts have terminated, the State will no longer contribute to financing new projects on the transferred network and the counties will no longer contribute to financing national road network development. This embodies the principle of "uncrossing finance".

This principle permits avoidance of financial transfer calculation based on past investment expenditure, which would have led to imbalances:

- counties, in which there had been extensive new national road construction in the past, would have received much, independently of investments still to be made,
- counties, in which there had been little new national road construction in the past, would have received little, whilst what is "still to be done" is, in principle, greater.

Overall, the uncrossing financial balance favours the territorial authorities taken as a whole (regions and counties).

## 4. TRANSFER OF HUMAN RESOURCES

In addition to financial transfers, French counties will benefit from the transfer of part of the county public works directorates (DDE) personnel for performing their new assignments. These transfers will involve all personnel categories in relation to both operatives and managers.

Calculation of number of employees transferred to the counties includes not only personnel ensuring management of transferred roads, but also, in part, those in charge of their development or those who perform their assignments in supporting services such as accounting.

Moreover, the 24,000 State civil servants already working on county roads, following previous decentralisation stages, will also be transferred to counties.

The financial resources enabling payment of this personnel will also be transferred to the counties.

Personnel to be transferred to counties are made up of employees, who already performed road-related jobs for State authorities. Counties will therefore be able to form skilled road authorities as soon as transfer has taken place. There will be no loss of skill or know-how.

The State will not share its scientific and engineering network (central engineering departments, engineering design centres, schools, etc.) with local authorities: sharing would have caused loss of skill because of the insufficient size of the units resulting from such division.

On the other hand, local authority access to this scientific and engineering network will be further facilitated. Work is in progress to define the working methods to be set up for this (circulation of information, acquisition of needs, consultation authorities, access to training courses, etc.).

## **5. REORGANISATION OF STATE DEPARTMENTS**

### **5.1 Need to reorganise State departments**

The current organisation comprising around a hundred county structures within the DDEs will no longer suit the new national road network. Furthermore, expectations of users on the national, major through-traffic network, made up mainly expressways, have evolved in recent years in terms of demand for safety, real-time information, accurate and suitable traffic management.

This is why it has been decided to set up an organisation that allows the national road network to be used according to major routes. This form of management enables a more uniform service to be offered to users, particularly in terms of practicability and information. In addition, setting up of management and operating units of sufficient size, despite the reduction in network size, is a guarantee of the continued high-level skill of French road departments.

In relation to construction and new projects, the aim is to:

- possess resources to fulfil comprehensively the functions of the project client and to separate clearly client and engineering supervision roles,
- strengthen the level of technical skill by creating sufficient large engineering departments,
- maintain the territorial link to ensure project optimisation,
- design and build according to usage.

The new State road departments have been designed in accordance with these aims.

### **5.2 The new road organisation**

Eleven interregional road divisions will be set up. They will be competent in terms of both road management and engineering and will be organised to manage the national road network based on main through-routes and freedom from administrative boundaries (county, region), which are rapidly crossed by national road network users covering large distances at high speed and which are therefore unsuited to user-oriented route management.

Twenty-one client regional departments will be set up to manage new road projects. These will be positioned within each infrastructure ministry (Ministère de l'Équipement) regional division and will be responsible for new project management.

## **6. DECENTRALISATION AND MUCH MORE**

The French infrastructure ministry (Ministère de l'Équipement) has initiated in-depth reform of its organisation at both centralised and decentralised levels. This reform is primarily aimed at better meeting the new challenges of the administration in the face of not only an evolving economic, political and statutory context, but also new expectations on the part of citizens.

Decentralisation is a major component of this reform, but it is not the only one. We must also adapt to the growing European influence in our sectors, to new the working methods of our private partners, to the needs expressed by our citizens and, in particular, to the very strong demand for risk protection and proper consideration of sustainable development.

It is within this context that ministry administration at county level is restructuring to better deal with not only town planning and housing problems, but also safety in the face of risks. At regional level, county public works Directorates (Directions Régionales de l'Équipement) are reorganising to become places where national policies in every area covered by the ministry can be open to consultation and rendered coherent. The ministry's central organisation itself has also changed with the desire to consolidate divisions not only to deal more efficiently with intermodal problems, but also to manage better ministry strategy, personnel and resources in a context that has strongly developed these last twenty years.

But, that is another story!

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