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“Public debate

on a large infrastructure”

A Dissertation presented

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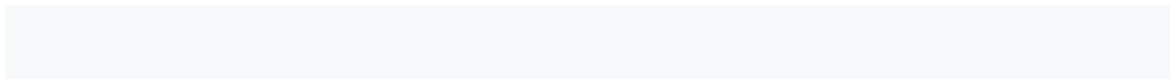
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The polis ... is the organization of people as it arises from their acting and speaking together, and its true space is realized among the people who come together for this purpose, regardless of where they are. "Wherever you go, you will be a polis" (H. Arendt, Vita Activa, p. 145).

Political coexistence among different people in Europe has been guaranteed for decades by the form of representative democracy and the rule of law. Today this structure is shaken by the spread of new inequalities on a global scale, by the social effects of climate change, by the phenomenon of great migrations, by the rooting of the "artificial intelligence" paradigm.

Faced with these challenges, we can close ourselves, isolate ourselves, resort to the shortcut of neo-authoritarianism and populism. Or we can focus on the imagination of new incubators of inclusive, deliberative participatory processes capable of influencing public policies, thus demonstrating the plausibility of the regeneration of our democratic participation.

This research tries to explore this path, deepening the deliberative democracy.

Four cases of public debate (an example of deliberative democracy) were analyzed on infrastructures that have a social and environmental impact: the port of Livorno, the restoration of a quarry in Gavorrano, a new motorway pass in Bologna, the redevelopment of the center in Termoli. The first two public debates

were organized according to a specific Tuscan regional law. For the study of the four cases an evaluation grid was developed, based on the Topsis method.

INTRODUCTION

In 2016, the Oxford Dictionary asserted that *post-truth* is the keyword to understand the world.

Slogans attracting the attention of internauts are more important than rational considerations. Many Internet users only accept comments bolstering their belief, they refuse everything innovative and unusual by rejecting any “exploration” of different viewpoints. In the real world, this behaviour results in spreading cynicism, mistrust of institutions, dangerous isolation in one’s own cognitional perimeter, with no more joyful curiosity in getting in touch with other possible worlds, different from one’s own (M. Sclavi, 2003).

What can be done?

Cocoon is an original 1985 film about a group of elderly people who enter a pool they later discover to have reinvigorating properties. It’s a variation of the Fountain of Youth myth.

Italian democracy is old and tired, it would need rejuvenation. A remedy exists: Italian people are the solution to this problem, the citizens, thanks to their ideas, beliefs, dignity, civic and constitutional passion. The point is that Italians are swimming in less and less water – that is to say that social capital is becoming impoverished – and the water is more and more polluted. But if democracy is dropped, there will be dictatorships or monarchies – sometimes enlightened, sometimes not – or a resurgence of theocracies led by few people.

An attempt to save democracy must be done in Italy and in other countries.

Deliberative democracy, still almost unexplored, is considered by many people a possibility to regenerate the positive features of a democratic regimen.

Post-truth rhetoric is highly polluting, it wasn't born on the Internet, though the web strongly diffuses it. The invention of the Protocols of the Elders of Zion was rotten grist to the antisemitic mill; in the Twentieth Century, Nazism stunned consciences with an untruthful propaganda and Communism played a similar role. Lately, the USA and the UK hurry and validate not properly confirmed news in order to export democracy to Iraq, with the consequent epochal tragedies caused by this fake news: everybody remembers C. Powell who - at a UN meeting in February 2003 – claimed to know for sure that Saddam Hussein owned doses of anthrax ready for use.

Maybe fake news helps to increase audience or to win the elections, but it hopelessly damages coexistence: denigrating others is not only an unpleasant and mean offense to dignity, but in the long term it also becomes treason against democracy, a complicity with regimens of all world round that for decades deliberately tried to manipulate the truth in order to preserve power, even if it meant using lies, prevarications and violence. Post-truth will lead us to post-democracy? It is likely to be, if this trend is not reversed.

Deliberative democracy must not take representative democracy's place – 'representative democracy' is based on the summary of all citizens' preferences expressed through electoral vote. Deliberative democracy's purpose is to rejuvenate representative democracy, as the 'magic' pool does to the people in the film *Cocoon*. Deliberative democracy is based on the coexistence of multiple

arenas and participatory techniques - citizens' juries, deliberative surveys, public debates, participatory budgeting, etc. – thanks to which citizens can debate, exchange opinions, express their agreement or disagreement, confronting one another in an informed discussion.

Deliberative democracy is characterized by being based on structured participatory paths in which each person can see their point of view recognized and can be put in a position to listen to the points of view of others. The participatory paths are conducted, for a period of two to three months, by a coordinator who is distinct from the public decision maker and who is an expert in facilitation and equidistant from the parties involved who, in the process, meet, confront and sometimes clash. The participants do not vote, but they listen. Deliberative democracy "exalts" the contribution of experts (university professors, technicians, etc.), but also counter-experts, without forgetting the "common knowledge" that comes from the citizens. Finally, deliberative democracy requires that public decision-makers take participants' arguments seriously, making a commitment to specify in public which proposals emerged from the process will be accepted and rejected, indicating the reasons. Deliberative democracy is characterized by being based on structured participatory paths in which each person can see their point of view recognized and can be put in a position to listen to the points of view of others. The participatory paths are conducted, for a period of two to three months, by a coordinator who is distinct from the public decision maker and who is an expert in facilitation and equidistant from the parties involved who, in the process, meet, confront and sometimes clash. Deliberative democracy "exalts" the contribution of experts (university professors, technicians, etc.), but also counter-experts, without forgetting the "common knowledge" that comes from the citizens. Finally, deliberative democracy requires that public decision-makers take participants'

arguments seriously, making a commitment to specify in public which proposals emerged from the process will be accepted and rejected, indicating the reasons.

Believing in our talents and cognitive resources would be enough to face the threats deriving from post-truth.

DELIBERATIVE DEMOCRACY, PUBLIC DEBATE AND OTHER INNOVATIVE TYPES OF PARTICIPATION

It seems that democracy, as a form of coexistence among humans, is going through a phase of increasing age. Spotting problems is easy: disillusionment with representative democracy and its social components as parties, trade unions, citizens' associations; difficulty in taking decisions inside the Parliament, usually controlled by a few technocrats; invasive technologies destroying millions of jobs for the benefit of very few creative neo-bourgeois and *bohemians* (the *bobos*); abandonment of any hopes in a better future and the consequent diffusion of the so-called 'cold passions' among the many unemployed young people...

Centuries of revolutions and reforms – 1774, 1789, 1917, 1948, 1968, 1989 – seem to have left a very precious heritage, though highly unstable for what concerns rights, equality, wealth distribution, global safeguard. Democracy isn't a guaranteed future anymore.

The crisis is not only a matter for Italy, but for all Europe: one of its causes is the feeling of a democratic deficit inside the current organisation of the main European institutions such as the Commission, the Council and the Parliament. The last one isn't still sufficiently effective, despite being the only one of the three institutions directly anchored in the population.

A further possible cause of the increasing citizens' mistrust is the public policies' failure to fulfil the goals established in the institutional bodies with the consequent delays in the development and innovation processes. In the end, there's a feeling of inner low quality of the very decisions.

Moreover, the traditional forms of representation have been undermined in the last years; an example is the invalidation of the role, identity and registration with the traditional parties. Meanwhile, some new types of participation emerged but their use was too rapidly taken for granted; this is the case of the web and its tools – social media such as *Twitter*, *Facebook*, etc. The consequence is what the scholars define 'disintermediation process', which tends to reduce intermediate bodies' role, encouraging abuse of power in politics.

Besides, public opinion has shown mistrust of politicians and their speeches for decades. Reality is more and more complex and representative institutions are definitely not the main change agents, unlike they were after the World War II; economic and financial institutions representing corporate interests and non-governmental organisations all around the world have supported politics and politicians for decades in the construction of common meanings concerning freedom, integration, equality, social justice, respect for the environment.

This feeling of 'gloomy fatigue' has also been undermining science and, consequently, the experts owning peculiar expertise, achieved by attending specific institutions such as universities or research centres, and accredited to express their opinion on a portion of reality.

The majority of young people have a deep mistrust of institutions and parties (Report by Giovanni dell'istituto Toniolo, 2017). What has to be done when the

citizens are not interested in participation or lack in cultural tools to participate?
What should the Public Administration do to increase participation?

Portuguese scholar Boaventura De Sousa Santos talks about a 'double pathology of liberal democracies': political mistrust results in further mistrust of participatory processes. We are discouraged and that's why we settle for arenas of discussion where we reproduce the same *cockfights* perpetrated by parties, instead of striving to provide new civic space for the ones who love learning, understanding and discovering.

Maybe due to their poor organisation, many Italian participatory processes are limited to interest exchanges, with no knowledge enhancement.

What should be done?

Italian institutions made an attempt to bridge the gap between the leadership and the citizens by issuing two constitutional reform proposals in 2007 and 2016, but they were both rejected by voters.

What has the debate on constitutional reforms and their failure left behind? What shared interests may be found after a decade of harsh contrast? The proposal is to abandon the anxiously chasing of constitutional reforms as they were a miracle cure to every participative problem and to aim to less revolutionary but more effective changes, like the introduction of the French *Débat Public* in Italy. Deliberative democracy and its new types of participation are the *fil rouge*. The world of social research strongly needs models, after all. Moreover, it is possible to pinpoint some actual cases of new participation demand, like commons' management, urban gardens, co-production of services and *social streets*.

Some constitutionalists – U. Allegretti, R. Balduzzi – included deliberative democracy among the possible solutions to the system crisis of Italian democratic status, characterised by a deep citizens' mistrust of parties and trade unions and the risk of becoming an ochlocracy – government by the mob.

Having mentioned the 'deliberative democracy', an etymological premise is needed; 'to deliberate' means 'to consider, to debate, to weigh" and not 'to decide'. In the English-speaking world *deliberation* is the initial phase of decision-making processes, during which opinions and ideas are recollected.

It would also be possible to speak of 'agora-like democracy', adding value to the ancient Athens legacy inherited by institutions, referring to the fifth-century-before-Christ Agora.

JURGEN HABERMAS'S CONTRIBUTION TO DELIBERATIVE DEMOCRACY

One of the deliberative democracy's undisputed founders is a European man: the German philosopher Jurgen Habermas. Major scholars are Anglo-Saxons: J. Rawls, J. Bessette, C. Sunstein, J. Fishkin, J. Elster, J. Cohen, S. Arnstein, B. Barber, J. Mansbridge. Some French scholars important to be mentioned are Bernard Manin, Yves Sintomer, Michel Fourniau, Loic Blondiaux, who also studied public debate.

Jurgen Habermas particularly preferred a 'system approach': deliberative processes fill into a pre-existent 'system' of powers, that somehow interacts with

them and may transform, as appropriate, according to what discussed, done and proposed by deliberative processes.

Deliberation is the moment during which pros and cons are considered, one's own and others' reasons are taken into account, problem's features are better clarified, shared and mutually acceptable solutions are studied. From a historical-philosophical point of view this idea of deliberation is rooted in Aristotle's philosophy and, in particular, in some passages from the *Nicomachean Ethics*. 'Deliberative democracy' considers common decisions' democratic legitimacy as based not only on the 'legality' of institutional procedures (elections, separation of powers), but also on the legitimacy derived from a public and inclusive formation and transformation process of citizens' opinions.

J. Habermas created the so-called 'system approach', according which public deliberation – public opinion's formation processes, the way in which citizens' opinions on a certain political subject develop and evolve – mustn't be considered as something happening in isolated places at precise moments, but as a 'system' process involving several moments through a deliberative sequence; from 'everyday talks' – expression created by Harvard scholar Jane Mansbridge, who firstly proposed this model – to more 'formal' and 'institutionalised' moments. The combination of all these public dialogue processes produces – or steals – a democratic legitimacy for the decisions made by the institutions. A completely 'representative' democracy is in principle a 'deliberative' democracy based on communication among representing and represented. Deliberative democracy fights all narrow and impoverished views that consider representative democracy as based on leaders' selection and on elections as a mere authorization to 'rule'.

A proper deliberative process may help overcome three critical aspects undermining the decisions' democratic legitimacy: a) lack in legitimate deliberation of political decisions – decisions are not sufficiently discussed and publicly considered before being made, consequently they are often accepted and shared only by few people and often result in being ineffective; b) lack in information and awareness of decisions' contents – problem solvable through greater mobilisation and use of common experiences and knowledge existing inside society and in its intermediate bodies; c) extreme strategic uncertainty about decisions' effects (expected, negative and/or unexpected) – this too may be almost limited thanks to a wider use of social intelligence, able to consider far more 'variables' than a single person.

A possible innovative solution to 'representative institutions' crisis' is to foster confidence among people through the development of inclusive arenas of discussion. That's what people standing up for deliberative democracy try to do.

Though still not completely recorded, there are several initiatives – promoted by municipalities, associations, universities – aimed at testing new ways to support a new social framework favourable to citizens' empowerment or *capability*, as Amartya Sen would call it. There are still several and various types of popular participation and they have been growing in number. Many Italian municipalities tested new forms of participatory budgeting, a civic way of involving people that allows citizens to decide where to invest a proportion of the annual council budget.

The subject of this research is a deliberative democracy's apparatus; the public debate on a large infrastructure, an institution born in France in 1995, adopted by

some regional legislations such as Tuscany and lately introduced in the Italian law with the Prime Minister's Decree of 10 May 2018, in force from 24 August 2018 - Decreto del Presidente del Consiglio dei Ministri del 10 maggio 2018.

The adoption of public debate on the building of a large infrastructure constitutes a deep institutional shift, comparable to the innovative enactment of the Constitutional Law concerning the establishment of Regions (1970), to the new municipal Statutes conceding a certain degree of autonomy to local authorities or to the Law of Administrative Procedure that set off the era of communication between Public Administration and citizens (1990).

Starting from Act No. 241/1990 on administrative procedure, Public Administrations began to consider the importance of involving citizens in public decision-making, which at the end of the last Century seemed more and more complex and bearing several consequences; Public Administration started promising more frankness and more responsiveness to civil society's requests and legitimate interests. Thanks to that process, several public meetings hosting citizens and their associations have been convened over the years on subjects such as urban renewal, health care options, new waste storage facility location or a new motorway project.

The previously mentioned participation processes involving citizens in public decision-making often present a basic ambiguity: at the end of the process, citizens know not if their opinions would be actually taken into account and how by the decision-makers. The risk of one-directional communication remains; the decision-maker often informs the population about irrevocable choices already made,

excluding any citizens' participation, generating what is called 'DAD mode' – Decide-Announce-Defend.

Public debate, by its very nature, fights DAD mode because, as will be better explained later, is based on the written, clear and complete report of the discussion that the proponent of a large infrastructure must provide the participants at the end of the debate.

A further consideration is needed: participation in 'usual' democratic initiatives has been going through a phase of exhaustion, but it doesn't affect the more or less voluntary citizens' mobilization for a large public infrastructure project.

Environmental disputes linked to new large infrastructure are not a prerogative limited to industrial companies and they also affect developing countries. In Italy, the environmental dispute par excellence is the one concerning the high-speed-train Turin-Lyons project going on for years, that deeply disturbed the politicians. Other happenings worth to be mentioned are firstly the popular mobilisation of people from Basilicata against the government's choice of 2003 to place in Scanzano Jonico the national radioactive waste storage facility for Italian nuclear plants' waste; secondly, mass-media recently showed the Apulian protests against the choice to build the Tap regasification duct in Melendugno Municipality.

Environmental disputes are on the increase (according to the annual reports by Nimby Forum Observatory); they strongly affect public infrastructure planning in many Italian regions, where environmental disputes arise about waste storage systems and where they start long-lasting judicial reviews through legal challenge by local authorities and citizens' committees. This results in delays in the

construction of fundamental infrastructures such as those aimed at waste disposal or at the improvement of the national infrastructure network.

The aim of public debate on a large infrastructure is to give purpose to the disputes, recognising their value, turning probable tears in the social fabric into opportunities.

That's why it is better to highlight this datum. Disputes about new infrastructures are endemic; that means that every project involving environment is first of all a political act, before being a technical intervention. There are three kinds of social disputes on a large infrastructure: the disputes connected to the impact on health and on environment; the disputes concerning the development model when it is not accepted by some citizens; the disputes on the way in which the infrastructure was approved, for example without involving citizens in the decision-making process (I. Casillo, 2017).

Public debate may internally take three possible dimensions.

Luigi Bobbio (2011) further increased the records adding six types of dispute with six possible explanation on their origin:

1) Particularism

The first explanation is surely the most widespread on the media and among political commenters. It blames local disputes on local particularism development that prevent citizens' general interests to be fulfilled. That's where the term 'Nimby' comes from; appeared in the America of the 1980s, it spread all around the world.

2) Fomentation

The second explanation is as widespread as the previous one, but it's often mentioned in a low voice or hinted to. It also has the same purpose of the previous one: deprive local opponents of legitimacy and, indeed, it's promoted by the same actors as a strategic support to the expression of general interests. According to this explanation, the actual reasons of the protest are different from what they seem. At the protest's basis there are *deus ex machina*, instigators or entrepreneurs - or professionals – of the protest hidden behind the interests of the communities involved to play completely different games on completely different playgrounds.

3) Imbalance between costs and benefits

While the first two explanations are aimed at discrediting the opponents – referring to them as selfish or instrumentalized – the third one seems more impartial. The dispute is not an abnormal or pathological phenomenon, it's the normal and expected consequence of an actual imbalance between costs and benefits of the proposed settlement. Indeed, while the benefits are shared by several citizens, a small community has to bear all the costs of something that will benefit others. Dispute is perfectly normal in such a situation of imbalance between benefits and costs.

4) Risks

The fourth explanation asserts that the dispute is caused by unacceptable risks brought by the proposed settlement; health risks, threats to the environment,

security risks, risks for economic activities and inhabitants' quality of life. That's always the first matter raised by the opponents and it provides a proper explanation to the disputes; they come from the *risk society* (Beck 2000): science and technology development promised mankind's liberation from the risks that threatened it for millions of years, but at the same time innovation exposed humans to new and even worst dangers, because of men's inability to foresee or control the system effects of their creations.

5) Places vs. flows

The fifth explanation asserts that the protests tend to burst also regardless of the actual existence of risks. The very threat of an external invasion can trigger defensive reactions in the community that feels 'attacked'. It would be rather possible to say that the often hard and overdone search for likely risks is just a way to find topics validating the aversion. According to this explanation, disputes are a reaction of the 'places' to the flows occupying or crossing them.

6) A new development model

The last explanation considers territorial disputes as a reaction to the dominant development model. Who fights against a dump, an incinerator, a railway, a power line shows aversion – sometimes only implicit, but more and more often conscious and debated – against a development model based on uncontrolled consumption, energy wasting, unlimited long for profit. The proponents of this view retrieve the dominant explanation according which protests are anti-modern and anti-scientific, but they reverse the process. They fight against this modernity and this use of science, showing that a different world is possible.

Public debate's challenge is to manage – and this doesn't mean to neuter or to remove – the environmental disputes, using a structured setting, that is a set of actions divided into several stages, using precise inclusive methods to start citizens' involvement.

By recognizing their value, public debate hosts disputes in the dialogical process it creates and try to turn them into opportunities to originate new social learning. The challenge is to include social disputes, even if they are harsh, in a 'common conversation', trying to draw useful elements from common, environmental and social knowledge.

In summary, public debate create a brief framework - from two to four months of duration – of dialogue, where talking is possible despite the strong environmental disputes.

But was this new procedure so needed? Isn't there the risk of a further bureaucratic obstacle?

Current participatory methods do exist in the environmental field, such as the ones concerning VIA – Valutazione di Impatto Ambientale, Environmental Impact Evaluation (Legislative Decree No. 152/2006 with following alterations and supplements) that somehow fulfil the obligation of the countries to guarantee rights to a full environmental information, as stated by the Convention signed by Aarhus in 1998. However, participatory opportunities provided by VIA are maybe too procedural/bureaucratic and they are also limited to 'standard' interlocutors - environmental associations, trade unions, professional associations, committees – without a fundamental characteristic of the public dialogue: the public, indeed. They lack in the promotion of common citizens' participation, above all of the weaker,

more marginal and exposed to great infrastructural changes without even knowing it.

Not to mention the fact that public debate takes place when a large infrastructure project is at an initial and preliminary stage, while participatory events inside VIA takes place at an advanced stage of the project.

Deliberative democracy expressed by public debate isn't aimed at cancelling existent institutions, its purpose is to transform them. A distinction is made among representative democracy, direct democracy and deliberative democracy.

Representative democracy searches for *consensus* and its cornerstone is the mobilisation of several parties and movements to gain the elections. Direct democracy aims to *approval* starting from a dichotomy – that we can find, for example, in *referenda* – expressed by answering YES/NO about a question, often very complex and multifaceted. Deliberative democracy's purpose is to find the *meaning* or the possible meanings of a public choice.

As Marianella Sclavi (Sclavi, 2003) would say, deliberative democracy thanks to measurable processes promotes the art of listening to the diverse, inviting the people to explore mutual 'reference worlds.' Deliberative democracy does not substitute the representative one; it strengthens it. It prefers the 'Agora-like' dimension than the agonistic one privileged in public life. The 'Agora-like' dimension includes many democratic activities that have been spread also in Italy: participated budgeting, citizens' juries, participated architectural and urban planning and public debate.

Not all the scholars studying social and political phenomena consider deliberative democracy as a solution. On the contrary, they consider it an unintentional promoter of the same causes of the representative democracy's crisis.

In particular, the criticism comes from some scholars – e.g. in Italy from Luigi Pellizzoni and Nadia Urbinati – who, inspired by French philosopher M. Foucault's thought, consider the diffusion of deliberative practices as the result of a neutralisation and depowering strategy generated by social dispute.

These critics consider deliberative democracy as a tool of the hegemony of a moderate neo-liberalism so, in theory, they warn the people of some deliberative democracy's versions that result in an 'impolitical' idea of democracy: a vision that assumes an impartial 'judge-citizen' who issues 'verdicts'. But politics, according to N. Urbinati for example, is essentially a dispute triggered by different ideas of the common good. It is possible to answer to this criticism by saying that public deliberation's purpose is to define the boundaries of this dispute to lay the foundations of a positive, cooperative and shared resolution of the same dispute.

Public debate comes from the *débat public*, instituted in France by the French Law of 2 February 1995 and named after the then Environment Minister Michael Barnier. The *Loi Barnier* derived from the need of French institutions for creating new rules to include in the 'democratic game' very harsh territorial disputes caused by people's opposition to the inauguration of a new high-speed railway, in the early 1990s. The rules of the *débat public* are characterized by the existence of a proper institution: the national Committee for public debates, which monitors the respect for public participation to the making of projects, plans and programs with an environmental impact and characterized by different degrees of uncertainty.

National Committee has been turning into a real independent authority for a few years, it is a collegiate body including 25 members, among which members of Parliament elected by local authorities, members of the Council of State, of the Court of Cassation, of the Court of Auditors, of the Administrative Courts, associations', trade unions' and universities' representatives. The national Committee is characterized by its independence and impartiality and is called upon to promote values such as transparency, clarity, respect for democratic procedures to help provide legitimacy to the decisions on large infrastructures. Two and a half million of euros have been annually allocated for its funding. Since 1997, the national Committee was called on 324 times, but it convened *débats publics* only in 94 cases and only once the proponent of the construction project abandoned the project as a result of the *débat public*.

In 19 cases the proponent decided to continue the work unamended. In the rest of the cases, the projects were deeply altered: 19 of these cases underwent an alternative design solution not originally intended by the proponent.

Participants in French public debates are on average seven for each participatory process (Casillo, 2018).

French Public Debate, since Barnier Law (1995)

From the Bianco circular it emerged that a first phase of debate should be organized upstream of the choice of tracks, thus allowing everyone, including individual citizens, to inform themselves and allow a discussion that can touch not only environmental but also social aspects. economic aspects of projects. The White circular also laid the foundations for the creation of an authority, not yet

independent but placed with the prefect, which was able to regulate the conditions for a transparent and open debate on the implementation of large infrastructure works promoted by the State.

- The Billardon circular, continuing along the same lines as the previous one, insisted

for a strengthening of the "concertation préalable" also in the sector of energy works with reference to high and very high voltage power lines. In fact, the application of the two circulars proved to be very weak, with the routinization of the procedure and poor participation by citizens

The legislation on participation: from the Barnier loi to the implementation of the principle of public participation.

The Barnier law n. 95-101 of February 2, 1995 concerning the strengthening of environmental protection, laid the basis for the débat public procedure and specified and delimited the subject of the debate.

Loi 95-101 provides that all large infrastructure projects of national interest of the State or local communities, before being possibly subjected to an environmental impact assessment or public inquiry, must be submitted to débat public; the debate must concern the objectives and the main characteristics of the projects and must be organized by the Commission National du Débat Public (CNDP).

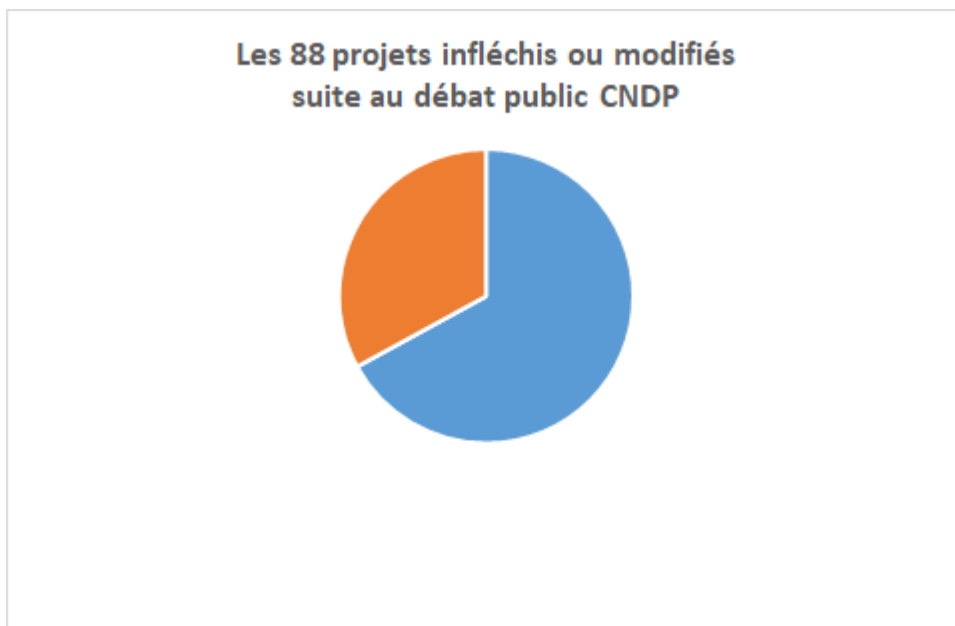
The activation of the public debate was not mandatory; the limited powers and resources available to the CNDP initially created significant difficulties in the affirmation of the debate itself. To meet these limits, following the entry into force of the Aarhus Convention and the new centrality at the international level of participatory democracy in the environmental sphere, France with the law n. 2002-276 of 27 February 2002, relating to Proximity Democracy, as well as with Decree

n. 2002-1275 of 22 October 2002 concerning the organization of a public debate and the CNDP, reorganized the entire institute. The most significant changes concern the CNDP which, classified as an independent administrative body, has been invested with new and greater powers, including that of forming and guaranteeing the conduct of the debate as guarantor of participation. Considering the evaluation profiles of the projects, the CNDP exam will no longer concern only the main characteristics of the project and its objectives but also its opportunity, that is the feasibility of the intervention and the actual benefits that can be derived from this with respect to the environmental impact of the work itself. In addition, thresholds have been set within and beyond which the activation of the debate becomes mandatory or optional.

Another important step in the evolution of participatory democracy in France was the adoption of the constitutional reform that took place with law n. 2005-205. With this reform the Charte de l'environnement was introduced in the Preamble of the 1958 Constitution which innovates the relationship between constitutional law and the law of the environment. Your Grenelle II of 12 July 2010 focuses mainly on environmental issues, but also makes changes to the discipline of participation. In particular, the law, (art. 236) widens the scope of the prior public inquiry (enquête publique) to all those projects capable of having a negative impact on the environment and, specifically, «the works and works that involve an environmental impact study pursuant to art. 122.1 as well as programs and plans subjected to the same obligation ». In practice, those relevant projects, but not of national importance, which therefore cannot be the object of public debate in the strict sense.

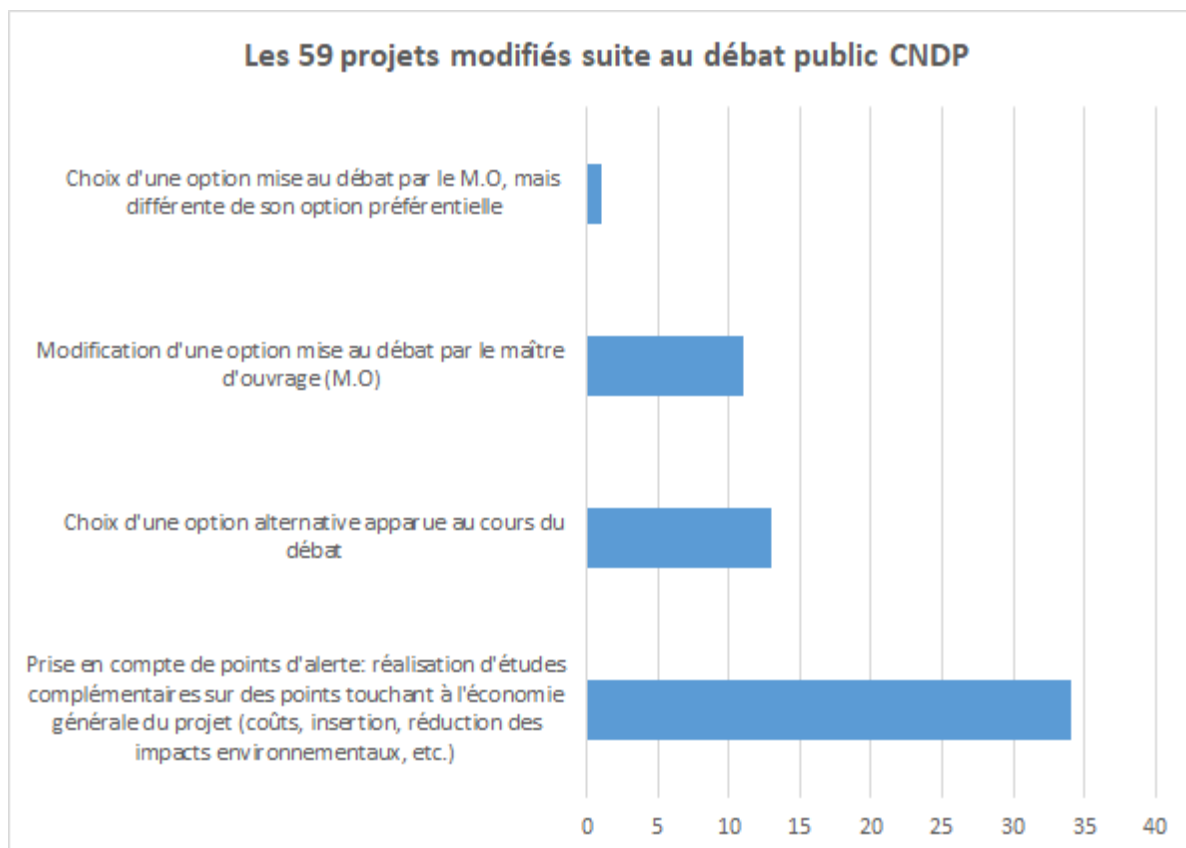
In 2012, to give greater support to the Environmental Charter, the law n. 2012-1460, on the implementation of the principle of public participation, as defined by art. 7 of the Environmental Code. With this rule the legislator has specified the meaning of public participation; «The principle of participation is that in virtue of which all must be informed of the projects that affect the environment and which will be the subject of a public decision, so that interested parties can formulate their own observations which will be taken into consideration by the authority that must decide on the project »

In France, CNDP is the only institution that has 20 years of experience in organizing participatory processes in the environmental field.



59 Projects have been extensively modified (in the features or objectives of the work) as a result of public debate.

29 projects were however influenced by the public debate



The French experience has allowed us to focus on five fundamental principles of participatory democracy that also apply to contexts other than the French:

- Independence: who coordinates the public debate must not have any direct or indirect link with whoever proposes the work or with whom it has to decide.
- Neutrality: those who coordinate the public debate do not take any position

on the project, nor do they support this or that opinion of the participants.

- Transparency: the coordinator of the public debate must guarantee that the information useful for the discussion is available and understandable.

- Argument: who coordinates the public debate asks that all opinions be argued.

- Equivalence or equality: who coordinates the public debate must ensure that each person who participates can express themselves freely and that each topic is considered useful, whatever the social condition of the person expressing it.

- Inclusion: based on this principle, forms of positive discrimination are envisaged, in order to allow the weakest groups or those further away from participation to express themselves.

10 years ago: At Genova, the first example of italian public debate

In Italy, the first example of public debate inspired by the French model concerning a large infrastructure is the one that took place in Genoa in 2009 with regard to five different hypotheses for the layout of the West coast

highway.

In the absence of a reference legislative framework, the public debate procedure was detailed in an agenda approved by the municipal council of the session of 14 October 2008, which included two phases:

(A) preparation phase (for which the duration was one and a half months), during which the following activities had to be carried out:

- 1) appointment, by the auditor, of an independent commission, in agreement with Autostrade per l'Italia s.p.a. (hereinafter also "Aspi") - the company responsible for the intervention - to prepare and manage the public debate. The Commission had to be made up of 3 members with proven expertise in the design and management of similar processes and in technical fields similar to the interventions in question;
- 2) constitution of a staff of people committed for the whole duration of the process that would answer directly to the Commission and its president;
- 3) preparation of a dossier by Aspi;
- 4) examination and evaluation of the dossier by the Commission;
- 5) approval and publication of the dossier on the website of the public debate organized by the Commission;
- 6) identification of the subjects involved, preparation and publication of the calendar of the debate organized by the Commission;

(B) phase of the public debate (for which the duration was three months), during which the following activities had to be carried out:

- 1) information: distribution of brochures; publication on the website of all documents; relations with the press and local television stations;
- 2) interaction with citizens: preparation of appropriate spaces on the website; responses to citizens' requests; possible opening of discussion forums on the website; activation of a telephone number;
- 3) scheduled meetings: meetings open to the general public and meetings on specific aspects and issues chaired by the members of the Commission and with the presence of Aspi.

The public meetings were accompanied by three smaller tables "... which allowed all interested parties to discuss in a protected space "on data, hypotheses and perspectives through a colder process of confrontation"

Citizens were also able to contribute through e-mails and letters (to which the Commission has always responded), as well as through the forum open on the website.

The c.d. notebooks of the actors: following the French model of the cahiers d'acteurs, the Commission has invited citizens and organizations to formulate comments and proposals that have been published, under a

common graphic layout, on the website (over the three months 45 have been published notebooks).

In mid-May 2009 - 15 days after the end of the debate - the Commission presented its final report. In the following 15 days, Aspi published its final declaration, in which it proposed a new design solution. The agenda provided that at the end of the public debate the Commission would present a "Final Report" followed by a "Declaration by Autostrade Companies". The following November 13, 2008, the municipal council unanimously resolved to activate the public debate on the hypothesis of tracing of the highway eaves of west, taking into account the methods provided by the municipal council, and to this end it has allocated 70,000 euros. In the preparatory phase, the Commission appointed by the Municipality carried out several inspections, carried out 61 interviews with representatives of local authorities and institutions, research centers, trade associations, environmental associations, citizens 'and companies' committees and viewed the documents produced by Aspi, highlighting the contents and elements to be explored. As a result of this preliminary activity, the Commission established the layout of the debate, established the calendar of meetings, prepared the information brochure, distributed in 230,000 copies, opened the website of the debate and produced an illustrative video. The public debate was declared open on February 6, 2009 and ended April 30, 2009. During this timeframe, 14 public meetings were held (6

presentation meetings, 7 thematic meetings dedicated to the aspects more relevant to the project and a final meeting). Regarding the contents of the public debate in question, the final report of the Commission for the public debate on the Genoa eaves reported the following: "... the initial mandate of the Commission concerned exclusively the discussion of the five alternatives crossing the Val Polcevera, which meant that the other parts of the route were excluded from the debate, so there were no alternatives (in particular, the Voltri node) and above all the impossibility of opening the debate on the opportunity of the Eaves and on the so-called zero option

The reasons for these limitations are also easily understood. The Eaves had already been decided at national level and, since the Municipality had explicitly committed to it with the Region, the Province and the Anas in the 2006 program agreement, it could not allow the public debate to put it into question. And yet, as soon as the debate opened, it became clear that it could not be confined within these limits. The protest against the new motorway immediately proved to be strong and asked difficult questions. The same happened for those parts of the track that, initially not included among the topics of the debate, have turned out to be highly problematic and worthy of further study. The extension of the camp should not be surprising. The public debate aims to "discover" the problems that are perceived by the different social groups that participate in it, to reveal latent conflicts, to focus on new aspects.

Moving the object of the dispute is proof that the public debate was not a pre-ordained ritual, but produced an unexpected redefinition of the themes discussed. In essence, the debate started from the comparison of the five route alternatives, but it then led to broader reflections on mobility and the exploration of possible alternative solutions motorways and not. In particular the question of the opportunity of the Gronda has quickly become one of the central points of the debate on which technical investigations have been carried out and to which a specific laboratory has been dedicated. What has been discovered is that the new highway was not universally considered as a remedy for the congestion of the Genoa node and therefore this crucial question could not be overlooked. In general it is unlikely that a public debate can focus exclusively on "how" and not even "if". One was held on this point tormented opposition in the first years of experimentation of the public debate in France (1995-2002) until the law of 2002, which reformed the institute, dissolved any doubts affirming that the public debate "concerns the opportunity, objectives and characteristics of the project "(art. 121-1, Code de l'environnement). In the light of the Genoese experience, it is suggested that the discussion on the opportunity of an infrastructure be admitted from the beginning in the next possible replicas of the public debate that should be started in Italy".

Regarding the overall costs of the debate, the final Report (p. 26) reported that: "The debate cost € 191,000, of which 37% for the Municipality of

Genoa and 63% for Aspi ... The contribution of the Municipality is underestimated because it does not take into account the staff made available to the staff of the Commission, nor the premises and telephone and stationery expenses. The total amount does not even include the video recordings of the meetings that have been performed by the offices of the Municipality on another budget. This figure is considerably lower than the average cost of French public debates, which is about 1 million euros. This is due to several factors: the very short duration of the preparatory phase (45 days against 6-8 months of the French case); the free use of meeting rooms and theaters; the choice not to print the authors' notebooks on paper".

The Commission consisted of three Italian university professors (but outside the Genoese context) who were associated with an engineer from the Institut national de recherche sur les transports et leur sécurité in Paris. The staff of the Commission was composed of three officials from the Participating City Office of the Municipality of Genoa, who were joined by five additional staff, whose tasks were arranged against Aspi, coming from the Department of Political and Social Sciences of the University of Genoa, from the University of Turin and from a company active in the field of construction of participatory processes and conflict management

Deliberative democracy

In Italy, the first institution to adopt public debate was the Tuscan regional legislation, becoming a pioneer in the matter of participation and public debate, by the Tuscan Act No. 69/2007, then replaced by Regional Act No. 46/2013. Furthermore, Tuscany gathers from the French Law the provision involving the institution of a regional Authority for participation with the tasks of convening, supervising and examining public debates. At the beginning it was a single authority - professor Rodolfo Lewanski from the University of Bologna was its first representative – but currently it includes three members appointed by the Tuscan regional Council: professor Francesca Gelli, professor Giovanni Allegretti and professor Paolo Scattoni.

In 2016 in France, Barnier's Law was amended around the Tuscan Act: it was introduced the possibility to convene public debates on the initiative of citizens and not only from the top, as it was before.

It is useful to mention the public debates on the destination of Castelfalfi village, Tuscany, from ten years ago and the important Genoese public debate on the so-called *Gronda*.

They were 'law free' public debates, without a reference to proper laws, unlike the case of Livorno in 2016 and of Gavorrano, Grosseto. The first debate owned two subjects: it was both about the construction project of the new dock *Darsena Europa* and on the new marine station of Livorno and it

costed 130 thousand euros. The second public debate was about the use of '*gessi rossi*' for the environmental restoration of a quarry and it took place in Gavorrano Municipality – with a cost of about 80 thousand euros.

During a public debate people don't vote, the expression of all the citizens' opinions on that infrastructure is promoted. Public debate doesn't lead to co-decision, it is a path of rational and moderated listening among different actors, which finally leads to an overview of proposals by the accountable officially appointed to organize the public debate. The proponent of the project or the politics is expected to express his/her opinion on the proposals' overview, saying how he/she wants to proceed. That is to say that the proponent must say if he/she wants to cancel or amend the project following the matters emerged during the participatory process, or if he/she goes on as originally planned and the reasons for each choice must be clearly explained.

It is a collective learning process and it is not easy to organize: it takes months of investigation to define the subject and to make complex topics comprehensible by the citizens. Set and clear criteria are important to decide when and how to convene public debates: one of these criteria is that project options must be still on the run; another one is the credible commitment on the part of the political authority to convene effective public debates, constituting inclusive arenas where it is possible to actually influence proponents' choices, to face the crisis of confidence in the democratic processes in general. The construction of an inclusive legitimacy for collective choices is needed and it mustn't be technocratic or populist.

Public debate is generally expected when the project of a new infrastructure is still in a preliminary phase, that is to say when all the alternative designs are still present, including the so-called 'zero option' or the possibility of not transforming the area.

Public debate lasts three or four months, prolongable in cases of manifest need. The project proponent is called upon to write a *Project Dossier* on the characteristics of the infrastructure and on its possible social and environmental impacts. The dossier must be written in a non-technical language.

Obviously, the position of the designer of a large infrastructure – power plants, railways, ports, motorway loops, incinerators, radioactive waste storage facilities – differs from the positions of the stakeholders' representatives – environmental associations, homeowners' associations, trade unions, associations, etc. –, of the representatives of the institutions located in the place where the new infrastructure will be built and of the public and private experts – Arpa, Universities, city planners, engineers, geographers, ecologists, architects, legal experts, etc.

The designer is interested in reducing social disputes on the new infrastructure, hoping that the public debate will reduce the time for government authorization.

Stakeholders usually aim to understand the positive effects of occupation or highlight possible health or environmental risks, but they can also participate in the public debate to express the reasons against the new infrastructure –

s. committees' mobilisations such as *No TAV*, *No TRIV*, *No Dal Molin*, *Scansiamo le scorie*.

Public institutions – Ministries, Regions, Municipalities – aim to provide social legitimacy to infrastructures that, despite being legal, are threatened by social protests. Finally, the experts have interest in making their scientific disciplines guide the process towards a rational method, that in Italy is a hope rather than a fact. Public debate is an answer to almost all of these matters and is aimed at incorporating each protagonist's expectations. However, deepening the community's awareness level about a new infrastructure is its major calling; public debate helps the citizens question the opportunity represented by this new infrastructure and, at the same time, it makes them think about their history, the link with their local area, the emotional and environmental bonds that make that land a special common good, such that the proponent may cancel the project or substantially amend it, to the presence of grounded and clear motivations shared by a large majority of participants in the public debate. The proper citizens' deliberation promoted by public debate opens up the chance for close dialogue between the considerations on the infrastructure's quality – *genius operis* – and the uniqueness of the land where the building of the infrastructure is expected – *genius loci*.

A key figure in a public debate is the accountable, appointed among the experts of inclusive participatory processes. The accountable must not have interests in the matter and must be impartial or, better to say, '*equivino*' (L. Bobbio) – equidistant – from the factions of the public debate. The accountable has the important task to write down a conclusive report,

highlighting proposals, criticism, citizens' doubts about the proponent, who must publicly explain his/her opinion on the conclusive report's contents within a fixed time period – three months according to the Tuscan legislation. The proponent must publicly notify the citizens of his/her intentions; if he/she wants to continue the infrastructure, to cancel the project or to continue it but accepting the proposals emerged during the debate.

Very important is the role of the coordinator for public debates, who has the task of simplify mutual understanding, usually helped by a staff of professional facilitators. This is definitely not an easy task, because the infrastructure's extents are not only technical, but also social: technical expertise must be combined with the natives' knowledge of the land. The accountable for the public debate has to 'depict' a symbolic space divided into open creative moments for the construction of new knowledge and he/she must be able to use many tools to do so. The coordinator has to encourage to debate the citizens unaccustomed to participating. English-speaking countries gained experience in *outreaching*, that is to say the preliminary stage of a public debate in which resources and time are invested to inform as many citizens as possible on the imminent public debate on a new infrastructure.

The accountable for the public debate has the further task of generating participatory processes suited to the peculiar social context where the debate will take place. The number of participants is not important, the crucial thing is the presence of many and various points of view. Moreover, participation is also valued in accordance with the actual possibility of

citizens uninformed on complex problems to express their opinion in public; the *Project Dossier* must provide usable and clear technical and environmental information to the citizens in this regard.

Another coordinators' challenge is to trigger the democratization of knowledge, that is to say using different kinds of academic knowledge present in the deliberative context to explain complex matters at best. One of the co-ordinator and his collaborators' skills must be the ability to explain complex subjects in a clear and explicit manner, knowing full well that common wisdom has the same dignity of the knowledge and expertise of the experts and academicians involved in the public debate. The citizens may provide original and unexpected ideas on the new infrastructure and the co-ordinator's task is to choose the best deliberative settings encouraging citizens to be proactive and keen to argue their objections to the new infrastructure. In literature the citizens are defined *expert analysts*.

- ***Concordia discors* between Luigi Bobbio and Luigi Pellizzoni**

Criticism against deliberative democracy comes above all from some scholars, e.g. Luigi Pellizzoni, who, inspired by Foucault's thought, consider the diffusion of deliberative practices as the result of a neutralisation and depowering strategy generated by social dispute.

These scholars assert that deliberative democracy is included in a post-democratic horizon aimed at the overcoming of the dispute in a neo-liberal governance, for the benefits of few technocrats.

They also consider deliberative democracy as a tool of the hegemony of a moderate neo-liberalism. In theory, Nadia Urbinati warn the people of some deliberative democracy's versions that result in an 'impolitical' idea of democracy: a vision that assumes an impartial 'judge-citizen' who issues 'verdicts'. But it is important to remember that politics is essentially a dispute triggered by different ideas of the common good. Public deliberation's purpose is to define the boundaries of this dispute to lay the foundations of a positive, cooperative and shared resolution of the same dispute. There is no 'common good' assumed in advance: common good has to be built. Deliberation tries to judge what is – or seems – 'right' or 'wrong', and not what is 'true' or 'false'.

Luigi Bobbio, in a recent contribution on participation (Bobbio, 2016), speculated about public deliberation, which at this point has been introduced for decades by J. Habermas. To answer to those stating that Habermasian proposal lost its shimmer in the field of discussion on political and institutional phenomena, Bobbio asserts that Habermas's proposal is more shining than ever. Continuing to promote deliberative processes may mean returning to the basics: running social inquiries, giving value to grassroots democracy, thinking systematically. It means returning to collective learning, to educate people for responsible, widespread and inclusive citizenship.

By analysing the dynamics of democracy's transformation, Bobbio showed interest in Pellizzoni's criticism according which deliberative democracy is depoliticised and generates disputes. He adds that a depoliticised but well-

structured deliberative setting is still able to facilitate innovative political processes with no obvious results.

Public debate inside a democratic innovations' ecosystem

Public debate is not the only democratic method to test social inclusion and the promotion of new civic scenes.

There is a whole case system of innovations that seems useful to be mentioned, even if in short. An ecosystem is the result of the agreement among citizens' movements and institutions longing for innovation, in which different languages – of inclusion, of protest, of equality... - got mixed up.

Brazilian Canoas village developed a variety of participatory procedures at once: direct democracy tools, communication with the stakeholders, even one-to-one dialogues between the mayor and the citizens. Recently, a Municipal Forum has been activated in Barcelona, to provide a venue to the participants.

By monitoring the effects of participatory procedures, it was possible to study the interaction among the members of the system. Lisboaidea, a good idea on Lisbon. 43% of the participants randomly presided over that process. Systems strengthen single processes: the more assembled the more they reach critical mass, giving the impression of a participatory style to re-create a conduit between citizens and institutions.

The law provides for an independent Authority, elected by regional Council, with the responsibility for coordinating and organizing the requests for participatory events proposed by citizens, schools, Municipalities, and evaluating the ones worthy of funding, being respectful of some statutory requisites. Since 2008, Tuscan Law allowed the execution of over 200 participatory processes (Florida, 2013).

With participatory processes different from public debate, we go from *participation to decide* to *participation to do*. Inhabitants of the territories can present participatory proposals and the regional Authority is required to periodically evaluate them, allocating little contributions so that schools, local authorities, citizens and companies can run projects usually concerning urban restoration, common spaces sharing, co-production of goods and originating social innovations. These projects are aimed at terms facilitation so that groups of citizens may take care of public dimensions.

Emilia-Romagna, Puglia, the Province of Trento and the Municipality of Bolzano followed the Tuscan example, providing themselves with a participatory-promoting law.

Democracy quality is based on the possibility that citizens get an informed, rational and thoughtful opinion through a public debate. Doing 'what the people tell you or want you to do' is not enough: it is necessary that what the citizens 'want' is the result of a rational transformation of their immediate ideas. Inside an approach *à la* Habermas there are not opinions able to praise *ex ante* a supremacy in truthfulness, it is only in the final stages of

the deliberative process that conclusions shall be drawn about what is the proper – and not the best – solution to that problem.

The major ways of development are linked to some questions: how can the participatory project's structure and design affect the quality and the results of a deliberative process? In what way is it possible to evaluate the quality of a deliberation? How is it possible to make 'ordinary' a public policies construction mode that activates deliberative and participatory procedures? Answering to all these questions is not easy, but Italian and international experience has offered us many examples over the last years. First of all, it is necessary to go beyond a simplified and often counterproductive vision of participation: summoning a meeting is not enough to hope that citizens feel truly involved. There's a need for innovative ways to structure the arenas where the discussion takes place, involving experts and 'facilitators' shaping a neat and inclusive communication. It is also necessary – and that's a fundamental premise – that political decision-makers have no instrumental vision of participation: if a decision has been actually already 'made', there's no use in talking about 'participation'. Participation must not be mistaken for 'consultation' and certainly not for 'communication' – from the top to the bottom – between the politician and his/her citizens. A prior serious and credible institutions' commitment is needed: not to delegate to the citizens the final decision, but to allow the real involvement of all citizens' skills – before the decision is made – encouraging them to adopt a 'point of view' going beyond particular interests. It is not easy to debate on 'what is fair(er)' for a community – and not for oneself or one's group – but a proper design and an effective project of a participatory process may help in this

sense. Seeking for a common good is not easy but experience suggests that it's not impossible. There's no other way, after all, if the purpose is to avoid that democracy depend on the clash between 'friends' and 'enemies' or on the control of mere relationships of strength and power.

Deliberative democracy may enrich Italian Republic's ability to consider the dispute as a decisional 'stage' and not as an 'enemy' of the decision. Shared projects may be obtained through a deeper awareness, thanks to an exchange of different kinds of knowledge; we often like standing by our statements without putting ourselves in other people's shoes. Deliberative democracy challenges these certainties of our own.

- **Participatory budgeting**

Participatory budgeting was created in 1986 in Porto Alegre. It was the age of the first free elections after the Generals' Dictatorship. Participatory budgeting comes from the desire to restore citizens' trust in the institutions. In Brazil, deliberative and participatory processes helped defeating populism, based on fear and ignorance. Deliberative democracy realized an encounter among different points of view and helped know others and be less afraid.

Participatory budgeting (PB) is a tool for the construction of public policies and it's based on a direct involvement of the citizens in a communicative decision-making process on the investment priorities inside a government budget. Participatory process explicitly raises the economic-financial issue on an initial stage. The citizens are given the slightest conceptual tools to understand how to make their proposals respectful of the budgetary rules

since the start of the process: the proposals must explicitly concern economic-financial matters and practical resources and they must interact with a public authority qualified for the topics of the debate.

There are other similar processes, such as the Community Driven Development procedures put in place by the World Bank, granting recipients with decision-making power on the funds allocated by various donors, with no need for appealing to public authorities. This happens places affected by on-going bribery or civil wars.

A good participatory budgeting generates new cultural resources for the relationship between citizens and institutions, so institutions must be involved in it. The dialogue between citizens and their representative administrations must be the centre of this co-decisional process. Today it is possible to use participatory budgeting also in specific public-private agencies or in particular types of thematic spending: there are PBs on the budgets of schools, universities, single departments, private and public companies, voluntary associations, etc. The concept can be fractally extended to cover every form of discussion, in which the budget is at the core of a rational meeting and dialogical process concerning the ways in which public money – and other funds – may be invested. The important thing is to restore the budget's political value, since it has been 'technified' for years until it became something usable and comprehensible only by a small group of highly specialized people. The major aim is to give the budget back its previous supervisory role over the executive branch and restore the idea of economy as a field open to different development options, not a unique and unchanging mainstream from the top to which the people must

obey without arguing. The complicated accounting and economic procedures are often used as an excuse to justify the impossibility to accomplish citizens' proposals; that's something that need to be fought or, at least, the rules underlying the choice to ignore grass-roots requests must be explained. **Many Italian Municipalities have undertaken several versions of the PB practice; from the information budgeting – according to which the administration presents the budget and asks for citizens' advice, without assuring its acceptance – to the very participatory budgeting.** A participatory budgeting must own a deliberative stage - that is to say an exchange of reasonings in the Anglo-Saxon meaning – of confrontation with the so-called 'expert knowledge'. It also needs a decision-making stage – 'deliberation' in the South-European languages sense of 'decision' – that is to say a phase in which the citizens are given the possibility to vote and not only to speak. Speaking without voting impoverishes the process, that is likely doomed to make superficial decisions without a real debate. Without co-decision – at least on urgencies and on funding priorities – a process cannot produce a major change in political culture and it may hardly restore mutual trust between citizens and institutions. There are minimalist forms of participatory budgeting we could call 'advisory', in which citizens list their dreams and needs and politics reserves the task of choosing which ones should be carried out. This is called 'cherry-picking', but nothing changes compared to the traditional ways of making decisions. I would hardly define those methods as a real participatory budgeting. It would be better to watch out, because they could create frustration in the citizen: he/she lists his/her desires that are often ignored without an explanation. In my opinion, the very consultation is not

enough: all the different stages of deliberation and co-decision are necessary. Today, the acronym PB invokes a series of radical issues referring to the places where it was signed in Brazil at the beginning of the '90s; so, using this acronym creates expectations. Using the name 'participatory budgeting' without its essence – the co-decisional stage – may generate political boomerangs. That's why some municipalities name it differently – *'lo conto!'*, *'Decidiamo insieme'*, *'Via per via'*, *'Il Bilancio del Cittadino'*, etc.

. Participatory budgeting is a global phenomenon. Scholars Y. Sintomer and G. Allegretti studied several participatory budgeting cases from every continent.

Laying down minimum requirements is very hard; participatory budgeting occurs in different variations. There is no supranational authority attesting what is participatory budgeting and what is not. I would say that not only each continent has its methods, but also each country has its own, depending above all on each political and institutional culture. European and American method of participatory budgeting differs from Latin American one: the first one is much more careful for methodology to enhance a European tradition developed by creating the figures of facilitators and moderators. These figures are far less present in South America, where large assemblies take place, maybe with a major sense of juxtaposition between civic and political societies, more attention to dispute and social redistribution, but little attention to the inclusion of who feels not represented

by social movements and by large social groups fighting one another and already organized compared to the beginning of the participative process. In the 2013 pamphlet on global participatory budgeting Yves Sintomer and I wrote for Engagement Global and German Cooperation Agency, we tried to track analysis models, Weberian maps on the different participatory budgeting of the world, trying to establish where it best creates neighbourly relations, better performances of the public administration or participative democracy. In the USA, for the last five years, they have developed a participatory budgeting process that is very attentive in educating figures committed to social inclusion, for example of women, ethnic minorities, prisoners who lost their political rights. These 'advocacy' groups are educated in different languages and use several technologies to translate for the 'ignorant' what expressed in accountancy jargon in participatory budgets (Allegretti-Syntomer, 2009).

The Asian processes are very different: they often suffer from an element of neo-Confucian culture, that is to say the fact that social roles are established according to what each person was during life. For example, in Asia there are not assemblies like ours, where we seek equality between citizens and politicians, even arranging circular spaces to communicate as equals. In Indonesia, the places selected are often much more like theatres, with politicians on a stage and citizens in the audience. This happens because local culture gives symbolic importance to the role of elected politicians and IF they don't occupy that position, their words won't be taken into account and participative process would lose its effectiveness and ability to affect policies. Participatory budgeting also exists in countries with an

underdeveloped democracy, but where at a local level there are interesting events accustoming people to conceive larger forms of democracy than the ones offered by their country. This is the case of China and Zimbabwe; there are studies such as the ones carried out by Baogang He showing several Chinese models of participatory budgeting, that produce a step forward in their immature democracy by involving limited sections of the population. A peculiarity lies in the encounter between PB and the ancient tradition of community democracy, regulated by recognized authorities that differ from the ones belonging to 'west' representative democracy. For example, today the laws of several African countries – such as Congo, Cameroon, Mozambique or South Africa – open special spaces to the role of the so-called 'traditional authorities', such as tribal leaders, religious authorities, etc. However, many of these bodies rule – often having access to public resources deriving from taxes – without accountability forms helping to avoid bribery or a bad use of the funds intended for communities.

Since higher social roles are transmitted from father to son – risking widespread lack of management transparency – participatory budgeting resulted in controlling public funds, in other words people managing public investments became accountable, responsible for the participatory budgeting process, even if they weren't elected. For this reason, in South Kivu – a Congolese province tormented by war – the Provincial Government has made participatory budgeting compulsory for the 27 local governments since 2010. Today hybrid processes are common – above all in countries with a strong planning tradition – explicitly debating on a large part of the budget and they do so on the basis of an integrated multi-year planning-

framework, to annually realize general estimates. This is the case of Perth and Geraldton, Australia, where planning – more difficult to understand and manage because of the territorial extension and the minor immediate effects – is run by few citizens, usually drawn by lot, involved in further participative-planning processes and then brought together in the participatory budgeting stages.

- **"Planungszelle"**

"Planungszelle" are the cells for participatory planning elaborated by the evangelical German theologian Peter Christian Dienel, born in 1923 and died in 2006.

Dienel wants to add the spontaneous rationality of society to the technical administrative rationality of the state. Since 1971 in Germany there have been hundreds of cases of planungszelle use (Gangemi 2018). Some citizens are chosen by lot among the population between 16 and 68 years of a neighborhood, a city, a region, a state. Citizens chosen by lot offer different points of view with respect to a decision to be taken, aided by public administration technicians but also by civil society. Expert facilitators help cell participants in their work. For Dienel, the cells are investigative communities. The work of the cells make a territorial or relational or cultural community more cohesive. Multiple cells work simultaneously on the same problem. At the end of the path, each cell elaborates a recommendation to propose to those who must decide (Public administration, Municipal Councils, etc). A good participatory process is one in which the unanimity of the cell processes the

same recommendation to propose to those who must decide. The fact that more cells work together improves the investigation: even if a cell does not work well, there will still be other operative cells. In some ways, the cells developed by Deniel are inspired by the Consensus Conference of the Danish Board of Technology, the citizens' juries, civic journalism.

- **Inclusive participatory processes**

Tuscan Regional Authority for participation isn't committed only to public debates, actually its major task is selecting participatory processes that have to be fund upon request by local authorities and associations. Participatory processes' structure is less formal than the public debate's one and concern more general topics than the construction of a single infrastructure. An example are the participatory processes on the regional personnel, on the environment, on the construction or removal of schools, on urban regeneration, on the construction of public housing, on regulations on common goods management, on enlargement or restoration of schools and on many other issues. Local participatory processes are based on the assumption that the introduction of a participatory culture is needed in all the contexts and at all social levels, not only when the debate concerns large infrastructures.

Ten years ago, in Livorno, Susan George and Marianella Sclavi coordinated one of these first participatory processes called Cisternino2020, funded by

the Tuscan Regional Authority for Participation. About 100 young people took part in those events and they could make proposals for the use of the area called Cisternino so that it would become the driving force of the town's future. The process gained great success in the town and educated local young professionals for participatory projects. Any participatory project requires excellent listening skills, emotional self-awareness and a fair share of humour. Alternative dispute resolution requires the ability to conceive several forms of social construction at once. The aim of the ones coordinating local participatory processes is to re-frame the existing potential dispute, by describing it so that the participants would see the possibility of other interpretations.

Participatory process is based on the work of an expert on the subject, who must be sympathetic with the reality with which he/she interacts. Experts study to gain deep proficiency to accomplish a proper participatory process.

Here's a list of abilities:

- ability to understand the context and the relations' dynamics among the people involved;
- the ability to listen and reinterpret the proposals in a win-win view and not in a zero-sum game;
- the ability to understand the premises hidden behind words and to gather and expose the emerging innovative ideas;
- great patience and the belief that social constructions are many, then the use of this plurality of social constructions to find unexpected solutions –

that's where humour plays its role, since it's usually based on contradictory interpretations;

- the awareness of the different theories of deliberative democracy and the choice of proper tools.

- **On-line democracy: risks and opportunities**

On-line direct democracy is increasingly widespread. Some people are enthusiastic about it, while others consider its limits. Technological innovations haven't to be demonised beforehand, they have to be seriously examined to verify their compatibility with a constitutional state based on freedom, equality, plurality, respect for minorities. From this point of view, innovative movements and parties' examples are the *Piraten* in Germany, the *Podemos* in Spain and the *Movimento Cinque Stelle* in Italy. Many participatory processes by now – for example, the Irish constitutional reform process – use the Internet to integrate and not to substitute face-to-face participatory processes. However, mayors and political movements using the Internet should know the limits and the serious risks of on-line democracy. A superficial use of on-line democracy risks creating dangerous and definitely undemocratic distortions. Many wonders who verifies that on-line votes reflect the votes actually cast. Serious distortions emerged from paper-based vote, too – for example, during 2000 ballot between Bush J. and Al Gore, in Florida – so more caution should be exercised. Scholars try to overcome this *deficit* by proposing the institution of an independent body aimed at avoiding rigging or even fraud. According to R. Lewanski, on-line

democracy rises consideration worthy issues; it implies the people's disposal of both proper devices – computer, Internet connection – and IT skills – the so-called digital divide must be taken into account, that is to say the inability or unavailability of some populations group to use the net. It also implies citizens' will to participate in this way. Still exists the sacrosanct right to be disconnected. However, participants in the vote are often far less than people entitled to vote; if representativeness is lacking, the resulting decisions lack of legitimacy. On-line interactions summon small tribes including already committed people owning pretty much built-in ideas they are not intended to change. American political scientist Robert Putnam makes a distinction between bonding and bridging participatory processes. The *bonding processes* strengthen already existing bonds among homologous groups: each clan or tribe only debate to confirm its opinions and identity, they are not interested in ideas that differ from theirs – the net is full of fanatic fundamentalists' sites of various ideologies. The *bridging processes* help creating bridges among heterogeneous groups; that's what today's complex, miscellaneous and well-structured societies need. Diversity is richness and it must be brought to the fore and given value. Who stands up for direct democracy – but also who opposes it – must accept the involvement of all the citizens and not only of the similar to them.

An on-line democracy is neither natural nor a matter of course; first of all because the intertwining of opportunities and threats resulting from the huge amount of digital information raises much concern, due to the possibility of confusion caused by data's infinite multiplication, the growing risk of turning advertisement into a kaleidoscope of unrestrained data and of turning

transparency into opacity. Even facing more deeply on-line democracy's problem, it remains highly challenging all the same. It is expected to have a strong impact on standards of living, social and political phenomena, research and ethical issues. It would be good to create new interpretation and prediction models for on-line democracy, that requires the action of a personal and collective conscience necessary to explore a planet still largely unknown to political operatives, theorists and democratic-deliberative experts.

- **Citizens' juries**

A further way to regenerate deliberative participation is to draw lots. In Australia and in Ireland groups of citizens were selected for sampling to guarantee diversity and representativeness and these are called 'citizens' juries', where some citizens, in a well-defined period of time, debate and co-decide about complex issues, also with the help of proper information and experts, until they develop thoughtful and in-depth proposals to different levels of government, from local to national. According to public debate critics, the actual different and innovative solution is the construction of Forums made of population samples representatives of drawn-by-lot citizens from a socio-demographic point of view. Citizens would examine the various proposals for change and would be paid in attendance fees, as established for city councilmen and in the ancient Greek *polis* (Lewanski, 2016).

The Theory U by the Presencing Institute (MIT)

The English-speaking world created some applied research-action tools developed at the Sloan Business School MIT and at Harvard University. They all belong to the Theory U by the Presencing Institute (MIT); the underlying idea is that any institution may improve when all its components at different levels understand they are the actual system and that problems are not from the outside, but from the inside. The originality of the approach lies in its leveraging on every single person's desire for change, by asking people to contend with their deepest ambitions (Scharmer, 2016). By shaking off superfluity, people look and listen to one another in a different way and begin to make previously unimagined proposals. The works by Peter Senge – *The Fifth Discipline* and *Society for Organizational Learning* in which companies and institution are taught to learn -, Edgar Schein – groups of self-organization and applied research-action – and Otto Scharmer and Katrin Kaufer – *Leading from the Emerging Future: From Ego-System to Eco-System Economies* - are at the basis of this approach. The techniques used are *coaching circle*, *stakeholder interview*, *co-sensing journey*, *social presencing theatre* and the result is the creation of an interactive and inspecting community, where institutions are aware of their place inside the system and of the possibility to be modified by the members of the same system. Scottish Government uses this approach to reverse the relationship between citizens and central administration, inviting the 70 geographic and thematic communities that completed the 8-12-week course to write down their priorities. Once set the priorities, some funds are transferred and the community chooses the company that will provide the requested services and supervise the results. Other examples mentioned in *Leading from the Emerging Future* by O. Scharmer and K. Kaufer are East

Java regional government, Indonesia, Namibian and Danish health care system, Austrian education system, Chinese companies and education.

Experienced facilitators – such as Susan George – tested Theory U in Livorno Municipality with innovative results, involving employees, officials, managers and the town Council.

An innovation generated by Theory U implementation is the Municipality's will to make the new urban centre of Livorno the driving force of civic participation and insert the town in the new commons' model. Another result is the improvement of human and professional relationships. When people feel comfortable inside institutions, they unleash the typical Italian creativity, showing the frozen wonders of Italian collective intelligence.

Theory U is based on the assumption that every single person's talent has to be found and brought to the fore. Cooperation is needed to work on coordinated networks and systems. In Italy the table is hardly ever round, it's usually rectangular and becomes the catwalk to show off the experts' skills, while it should be an opportunity to exchange knowledge and different needs to find new solutions.

- **The Consensus Building and the Alternative Dispute Resolution**

The *Consensus Building* is another Anglo-Saxon approach – an Italian translation proposed by Marianella Sclavi (Sclavi, 2011). This approach is inspired by the studies carried out by Lawrence Susskind, expert on 'active listening' and 'alternative dispute resolution'. Consensus Building approach explores the dynamics of public life and describes in an original and

effective way not only the negative side of civic debate among citizens with different ideas, but also and above all its positive side – and that’s unusual. This may be a reference strategy in times like these, in which dispute seems to control human relationships.

In the early ‘80s, Lawrence Susskind from MIT was among the founders of Harvard Law School *Program on Negotiation* (PoN), a highly prestigious international laboratory very active in *Alternative Dispute Resolution* (ADR).

In 1987, Susskind published a book titled *Breaking the Impasse. Consensual approaches to resolving Public Disputes* – co-authored by Jeffrey Cruikshank – in which ADR is applied to Public Quarrels. He also asserts that public decision-making and governance crisis of the ‘70s was linked, on the one hand, to the need for increasing the number of participants and, on the other, to the inability to enhance citizens’ disputes to produce creative transparent projects and reach win-win solutions. In other words: increasing the number of participants in the decision-making process is not enough, ADR inter-individual and group dynamics are also extremely needful. ADR was promoted thanks to some ‘urban pioneers’ who restored a South-Bronx neighbourhood. Marianella Sclavi tells this story: in the early ‘90s she was carrying out a fieldwork to unveil the secrets of this incredible success. One of the secrets concerned the resolution of disputes through innovative methods such as ADR. ADR originated from a series of studies on the differences among win-win dynamics implemented in dispute resolution and the unsuccessful ones, implemented in situations in which dispute went on or even escalated. In the positive cases, the players in the game adopt an attitude of mutual exploration, without making

haste in judging or reaching conclusions. This is a process made of precise stages: firstly, interests and concerns beyond mutual opinions and claims are identified, then everybody deals with the increasing in options' number – good practice, previously excluded possibilities, etc. – and only in the end win-win solutions are sought. 'I win, you lose' logic and hasty judgement must be abandoned in favour of a propensity to be 'explorers of possible worlds'. Later, this research was published under the title '*La Signora va nel Bronx*' – '*An Italian Lady goes to the Bronx*'. In 2005, Susskind organized a three days conference to gather two groups that then – and often still – worked separately: the major theorists of Deliberative Democracy (DD) and the practitioners of the Alternative Dispute Resolution (ADR). The aim was the creative transformation of disputes. Jane Mansbridge, James Fishkin, Susan Potziba, Carolyn Lukensmeyer and Italian Marianella Sclavi studied and applied ADR. Another mentor is John Forester from Cornell University, well-informed on Sclavi's work in Turin with *Avventura Urbana* in the '90s, during which she served as an expert on the art of listening and on alternative dispute resolution in participatory processes. In 2006 she was invited as *visiting scholar* to MIT and to the Harvard Law School *Program on Negotiation*. Later she wrote 'Confronto Creativo', co-authored by Susskind, a book presenting this approach and these problems in Italy. The experiences at the bases of the Consensus Building took place in the USA, in South Africa and in Italy, too. As regards Italy, an important case is the 2007 participatory process in Livorno, where on behalf of the mayor *pro tempore* many young people were involved in the drafting of the guidelines for the re-use of a 750-square-metre building in the middle of town, the '*Cisternino*' former House of Culture, to be allocated to creative and cultural

area for young people. The methods adopted were aimed at listening to the single participants and, at the same time, helping them listening among one another. The Consensus Building 'control room' makes it possible to broaden contacts and ideas to develop a new conceive of the general way in which the town considers itself and appears to others. Sclavi underlines that, in her opinion, this is not achievable with an approach *à la* Habermas or of mere 'broad debate' such as, for example, the French *Débat Public*, introduced in Italy with the Prime Minister's Decree of 10 May 2018. Consensus Building implies a context shift from 'debate and argumentation' to 'dialogue and ADR'.

Within the limits of this approach, Public Debate and all the procedures providing for the extension of debate spaces called 'negotiation' – based on open and transparent reasoning – may be insufficient or used on manipulative purposes – often politicians consider them useful to gather consensus and not to make diagnoses on problems. A compulsory involving procedure of the lands interested in the decisions, the *Débat Public* is an adjustment willing to support representative democracy with further information and points of view. It requires the development of alternative options and also the possibility to completely annul the original project, both positive things. However, it doesn't take into account that communication crisis is such that it requires a far deeper and more radical epistemological change, even for actually achieving these results. Sclavi asserts that ambiguity prevents us from stepping forward. A dialogue is not a polite debate in which the interlocutors exchange pros and cons of their opinions, like in a ballet. Effective dialogical spaces as the ones required by

democratic processes are rigorously based on other rules. Consensus Building is focused on the idea of transforming the 'frames', that is to say transforming the implicit assumptions that have to be questioned to broaden the options beyond the possibilities taken for granted in our social world. This process requires lessons based on experimental phenomenology and ethnomethodology exercises – the 'pataphysics of social science' – to produce self-reflexivity experiences. Which are the emotions caused by the escape from the 'frames' taken for granted?

How may we use them to boost innovation? What is the relationship among humour, good intercultural communication and creative design dynamics?

Answers may be found in the works by Gregory Bateson - *Steps to an Ecology of Mind* - Michail Bachtin, Arthur Koestler, Wittgenstein and many others. According to all my favourite authors - Bateson, Wittgenstein, Bachtin, Koestler, Von Foerster, De Bono and Zen masters – humour and proper knowledge dynamics are basically the same. They consider humour a gym for non-traumatic training to leave behind language and thought clichés that imprison us and dull our minds. Humour is a field of knowledge specialized in techniques and tricks to surprise, de-familiarize, confuse: all fundamental moods to reach self-reflexivity, estrangement and involvement necessary to proper knowledge and an *ecology of mind*. Some context circumstances and 'implicit premises' – almost the same present in a good joke - are needed to make people conceive a contradiction as something amusing and not annoying or insulting, so far as to laugh of themselves. Actually, had I to say what I deal with, the answer would be 'jumping beyond the obvious' and the tricks to simplify it. In her book '*L'arte di ascoltare*',

Sclavi re-propose the Alexander Langer's decalogue – from '*Il viaggiatore leggero*', Sellerio 1996. Langer was a *natural* of escaping the soporific frames that suffocate us. The Consensus Building method was also implemented to heal the deep internal injuries inflicted by former Yugoslav and Israeli-Palestinian wars. Dealing with irreconcilable conflicts – and humour – she understood that the leading epistemology has no defence or cure for violence. Our leading culture is basically watered-down violence. The absence of Alternative Dispute Resolution from our range of possibilities can be proved. We may try to limit violence and debate politely instead of insult one another, but it is no longer enough. All you one has to do is look around. The most reasonable thing to do is to change epistemology radically.

It is from this ecosystem of deliberative arenas – Consensus Building, public debates on a large infrastructure, participatory budgeting, participated city planning processes, citizens' juries, etc. – that a new *res publica* may originate, as a new public forum in which the quality of reasoned debates empowers the citizens to explore original solutions to complex problems: by doing so, deliberative democracy may raise the common awareness of the peculiar era we are living in. The development of dialogue and disputes based on proper subjects and on the willingness to listen to the interlocutor may encourage the community to feel more cohesive, in order to deal with the next stages of our planet's history with an inclusive and ecological style.

Participatory processes of reconstruction following natural disasters

Participated civil protection processes are also worthy of mention, as regards municipalities affected by the recent earthquakes – their list is attached to Decree Law No. 189 of 17 October 2016, converted into Law No. 229 of 15 December 2016. At the beginning, the Law had the best of intentions, being based on the assumption that the citizens of the earthquake zone had the right to be listened to. Special Commissioner *pro tempore* for reconstruction Vasco Errani claimed that reconstruction would be based on participation (Mira, 2017).

Indeed, article 16, second clause of the Law on earthquake provided for forms of civic consultation called ‘public debate’ – but it would have probably been more accurate to call them ‘participated design’ – and public inquiry. With a later law, the mention to ‘public debate’ was deleted, maybe because the Legislator understood that public debate may not be the proper way to promote participation in post-seismic reconstruction – far more complex than public debates on a large infrastructure. Modalities were defined by the Special Commissioner in the regulation of the Standing Conference of the Regions functioning. One of Luigi Bobbio’s – prematurely departed in October 2017 – articles concerned participation in reconstruction. Later in this work, his full article will be quoted, with its concision and attestation of vibrant protest against not inclusive arrangements for participation that seem to be made especially for keeping out citizens from participation. It is an homage to this experienced and humble scholar of deliberative democracy, esteemed all around Europe, and whom I had the honour to meet during the Seminar on public debate in Livorno, in May 2016. Shown below the e-mail exchange between professor Bobbio and I - which I report

with a mixture of emotion and inadequacy – concerning civil protection law on participation and which may have encouraged Bobbio to write his last short essay published a few days before his passing¹.

¹ Oltre il terremoto, la burocrazia **L'ultima ordinanza di Errani**, *Nell'ultimo giorno del suo mandato, il commissario straordinario per la ricostruzione post-sismica, Vasco Errani, ha emanato l'ordinanza n. 36 dell'8 settembre 2017 sulla partecipazione dei cittadini alle scelte che riguarderanno i loro territori. L'ordinanza è una sequela di disposizioni formalistiche e burocratiche che invece di favorire la partecipazione, la inibiscono. Cittadini e gruppi possono formulare proposte, ma solo entro 45 giorni della perimetrazione dei siti e devono inviarle esclusivamente per via telematica (articolo 3), una disposizione che, trattandosi per lo più di borghi di poche anime, appare quanto meno strana. Possono formulare osservazioni sui piani urbanistici e ambientali dei comuni, ma solo entro 10 giorni dalla loro adozione, che scendono a 7 se si tratta di osservazioni alle contro-decisioni della commissione permanente (articolo 4). A loro volta, i comitati istituzionali dovranno emanare entro 60 giorni un regolamento sulle modalità di partecipazione dei cittadini e, se non lo faranno (e possiamo facilmente prevedere che non lo faranno), dovranno provvedere le regioni nei successivi 45 giorni (articolo 2). Queste norme si basano su meccanismi tradizionalissimi e notissimi per la loro totale inefficienza: forma esclusivamente scritta, partecipazione individuale, nessun contatto diretto (per carità), nessun confronto né dialogo, termini perentori, attribuzione di diritti astratti (non importa se saranno esercitati o no) invece di opportunità concrete. L'ordinanza reca il titolo: "Disciplina della partecipazione". Ma si devono disciplinare fenomeni che sono esuberanti, incontrollati, eccessivi; non i fenomeni, come la partecipazione, che sono fragili e richiedono cura e sostegno. Si sarebbe potuto procedere diversamente? Certamente sì. Vasco Errani avrebbe potuto, per esempio, imitare quello che aveva fatto, nel 2010, la sua regione che, con una legge sulla partecipazione, aveva disposto di sostenere e co-finanziare progetti proposti da comuni, associazioni o gruppi di cittadini. Basandosi su questo modello o su quello adottato qualche anno prima dalla regione Toscana, e poi rivisto nel 2013, il commissario straordinario avrebbe potuto invitare comuni, associazioni, fondazioni, agenzie pubbliche o scuole a predisporre progetti partecipativi nei diversi comuni, impegnandosi a sostenerli. Avrebbe potuto chiamare a raccolta le competenze di facilitatori, mediatori e esperti di partecipazione (che in Italia sono notevoli) per sperimentare qualcosa di nuovo e di vario. Le scelte di ricostruzione post-sismica meriterebbero di essere meditate con le popolazioni interessate, non mediante l'attribuzione di diritti astratti, ma mediante l'effettivo coinvolgimento; non mediante la formulazione di osservazioni individuali e scritte, ma mediante il confronto ragionato e la gestione dei conflitti che inevitabilmente emergono in qualsiasi comunità su temi così importanti, non mediante regole uniformi come quelle previste dall'ordinanza, ma lasciando a ciascun contesto locale la possibilità di cercare la propria strada. La motivazione di questo disciplinamento, del tutto controproducente ai fini della partecipazione dei cittadini, è adombrata nella premessa, dove si dice che la regolazione delle modalità di partecipazione della popolazione deve tener conto della "necessità di assicurare, in ogni caso, la massima celerità, efficacia ed efficienza degli interventi". Certamente, l'esigenza di una ricostruzione rapida è un'evidente priorità, ma non sono i processi partecipativi che la rallentano, dal momento che sono brevi, strutturati e di durata prevedibile. Nuociono molto di più gli scontri sordi tra istituzioni, imprese, cordate politico-affaristiche, i conflitti di competenze, la difficoltà di districarsi nel ginepraio delle norme che si accumulano senza sosta. D'altronde, l'idea di non dover disturbare il manovratore impegnato in scelte strategiche appare assai curiosa.*

*Tutti ci lamentiamo che l'Italia è soffocata dalla burocrazia, ma curiosamente nessuno fa niente perché i nuovi provvedimenti che vengono alla luce non continuano a alimentarla in modo perverso (Bobbio, *lavoce.info*, 3 ottobre 2017).*

It would be a shame if such important assertions would be limited to a condescending and cursory availability to hold meeting here and there in the earthquake zones. Civic participation must be well-structured and an example is provided by what did professor E. Blakely after the devastation left by Hurricane Katrina in New Orleans.

Ordinary citizens who live in the earthquake zone have the right to take the floor and be listened to when they dispense their ideas on reconstruction, on how to limit the risks derived from possible future earthquakes, implementing the principle of resilience which, unlike the principle of resistance, teaches the community to overcome disasters learning something from them, despite their deadliness. Reconstruction is the most important stage in the disaster-cycle and a proper involvement of the population would allow the development of resilient communities, aware of their land's dangers and able to develop a productive and urban fabric suitable for the characteristics of that particular area (Marincioni 2016).

Following below the case of the reconstruction after Hurricane Katrina in the USA, during which they activated a participation programme, involving even the more depressed and territorially scattered sections of the population:

“Il cittadino vuole essere informato sulla “verità” dei rischi che lo riguardano, sui provvedimenti delle amministrazioni e sulle misure che può direttamente prendere, chiede di esprimersi, di essere coinvolto e desidera che siano previste delle condizioni per il suo coinvolgimento. Non accetta più di vedersi imporre dal potere politico decisioni che possono incidere

negativamente sul suo stile di vita, sui suoi beni materiali, sui suoi valori identitari.

Il verificarsi dei disastri è il risultato combinato di un'esposizione al pericolo, di preesistenti e inerenti vulnerabilità, di insufficienti capacità di gestione. Non potrà esservi piano di riduzione dei rischi di disastri, né riforma radicale dell'abitare gli Appennini, se non vi sarà un'analisi delle vulnerabilità sociali che caratterizzano questi territori, e dei rischi a queste associati" (Jonas 2016).

M. Marcatili e M. Colombi (2016) sono intervenuti nel dibattito relativo alle sfide della ricostruzione sociale nel dopo-terremoto, evidenziando come il sisma non abbia colpito solo le nostre tane ma anche il nostro essere urbs (struttura fisica), civitas (realtà sociale) e polis (sistema di governo). Gli autori invocano un ricco dialogo partecipato sulle nuove forme dell'abitare, che ad esempio accolga le esigenze degli anziani, dei turisti, delle persone non auto-sufficienti, etc. Evocano intelligenza collettiva e valorizzazione del genius loci .

As well as disasters, a series of natural psychosocial phenomena must be monitored, because they may produce division. They may be positive aggregators to collect human energies and enthusiasm, but they may also waste 'relational capital' increasing distrust of uninterested politicians, concerning people on individualism. Participation challenges the institutions' ability to listen, in order to reduce their self-centredness and increase social capital necessary for the urban restoration after an

earthquake. A proper participatory process for reconstruction should enhance – or at least take into account – these phenomena.

Reconstruction must be carried out in an authentic way, instead of identically, to carry over the history built by the community over the centuries, recovering places features when possible, but maintaining their identity (Servadio, 2017).

F. Marincioni writes that in the months following an earthquake, a time window for mitigation is opened and administrators and community are willing to abandon traditional practices and innovate in order to guarantee more safety for the future. For example, new anti-seismic techniques may be implemented, using wood instead of stone even in Italian ancient villages. But this has to be done urgently, because the time window may close. This has to be further explored during participatory processes on reconstruction provided for by the recent law on earthquakes.

Learning, Dispute, Surprise: three ways to overcome democracy crisis

Grassroots democracy guides deliberation towards several directions, with strategical purposes for the maintenance and relaunch of Italian democracy: it promotes relationships regeneration, it offers new means of communications, encourages the involvement of weaker people, boosts civic participation and democratic legitimacy to choose over complex issues. Grassroots democracy is a set of procedures aimed at putting in contact institutions and citizens, reconsidering citizens' role as active participants in the issues concerning them closely, such as first of all local Administration.

Democracy and proximity have never been as necessary as they are now. Today, political decisions appear authoritative and rough and are based on a plebiscitary principle and unanimous thought – or at least widely prevailing – that seem very undemocratic. The current slogan seems to be ‘involving everybody to listen to nobody’ and it further moves people away from politics, at the expense of weaker people, more and more confused and isolated. That’s why proximity is getting more and more important. Proximity must produce a genuine relationship among people, made of details, explanations, involvement and assistance. It provides an opportunity for politics to directly come into contact with first-hand related people’s problems, in order to seek solutions that are not from the top, but resulting from debate and communication with whom expresses needs and propose solutions.

Proximity is produced by the mutual convergence between politics and people. Public debates’ limitation is the fact that only more informed and acculturate people would always speak, that is to say strongest people. The others – the weakest, lonely, poor, ill people – hardly ever take the floor during public debates.

Hardly ever the debate involves young, elderly or foreign people. People lost their willing to participate, sheltering in the fleeting participation with a click or a like on Facebook. So, processes and initiatives aimed at re-activate social relations and the pleasure of being together – in a few words the desire of being a community - must be started beforehand. Some cities, such as Bologna or Milan, decided to promote *Social street*, a tool that may

be effective to build relationships and boost mutual help, on which a good community is based (Cristina Pasqualini, 2016).

Other lines of research promote the places for the community – starting from young people – to carry out forms of self-management aimed at creating venues for meetings but also at producing self-entrepreneurship experiences. Shown below, three possible directions to overcome representative democracy crisis, also involving innovative participatory processes such as public debate on a large infrastructure.

First direction: Learning, from J. Schumpeter to S. Podziba

For decades, a vision including and radicalizing democracy notion proposed by Joseph Schumpeter has been widespread: democracy is a mere electoral procedure selecting a politicians' team politically competing among one another to achieve the power to make decisions on behalf of all and that's all. That means that citizens have no more say in the subject among elections. They are like audience, waiting for the next calling to vote. Marianella Sclavi, scholar and promoter of S. Podziba's participative philosophy, summarizes it in this way (Podziba, 2013) : in spite of remaining locked up in one's individuality, relationship exploration civic practices need to be improved, without rushing to conclusions, but taking time to escape one's frame, seeking for others' points of view, conceiving the possibility to change and transform one's original point of view. If you want to understand what others say, you have to take in the assumption that they are right and ask for their help to see things and happenings from their viewpoint.

Emotions are fundamental cognitive tools if you are able to take in their language. A good listener is an explorer of possible worlds, who gladly accepts thought and interpersonal communication's paradoxes and faces disagreement considering it an opportunity to train in a field he/she loves: Alternative Dispute Resolution. To become experienced in listening you must use a humorous method.

The first theoretical assumption is that you must start from interests – social, economic, cultural, spiritual interests – that diversify the partners and try to trigger participatory methods turning interests into transformational learning.

Second direction: Disputes, from C. Schmitt to C. Mouffe

C. Schmitt (Schmitt, 1998) theorized the importance of dispute in the dynamics constituting the political dimension in human existence. The radicalization of this notion led to the division into *friends* and *enemies*.

About political disputes, scholar Chantal Mouffe (Mouffe, 2015) starts from C.Schmitt and then steps back from him. According to the Belgian scholar, Schmitt's mistake was the degeneration in an antagonistic distinction between friends and enemies, while the democratic challenge consists in remaining in the political field by domesticating antagonism, making it a pluralist agonism without enemies to defeat, but only opponents. That's what should happen inside pluralist democracy.

The second theoretical assumption is to believe in innovative possibilities offered by disputes, without enhancing or neutering them. This way goes from antagonism to pluralist agonism.

Third direction: Surprises, from J.J. Rousseau to J. Habermas

The promotion of direct democracy in political and institutional philosophies' history is due to the philosopher J.J. Rousseau. Popular will manifests itself in the direct vote of the citizen, who combines his/her preference to the one of other citizens without intermediaries. Manin and Florida signalled a characteristic of the Genevan philosopher's approach: voters are considered independent beings with a peculiar and well-structured opinion. In these cases, the relationship with other partners is useless, because it doesn't enrich knowledge (Florida, 2017).

This situation of frozen democracy due to the competition of an élite of citizens can be dealt with by means of J. Habermas's studies – and by J. Rawls's studies, too – enhancing social, cultural and ethical pluralisms, maybe together with debate circumstances between democratic institutions and the various worlds or religious and philosophical beliefs. Different religions and laic concepts of existence have full right to exist in the public forum on two conditions: not escaping from the pluralism concerning culture, religion and vision of the world and readiness to curate the internal aptitude for deliberation, explanation, publicly debating about opinions in various deliberative arenas, without resorting to violence, diktats, unclear negotiation strategies from behind the scenes; even though these phenomena evidently will never disappear completely.

The third theoretical assumption is to recognize effective participatory requests by citizens, asking more referendums and elections to have their

say, trying to pursue a solution different from direct democracy, that is to say seeking a way to introduce even more ‘radical’ deliberative democracy’s elements – e.g. citizens’ juries – inside representative democracy, in order to contribute to creating democratic surprises and innovations.

Learning/Disputes/Surprises (LDS) directions will be at the basis of valuation methods of the public debates that are the content of this research:

- Public debate on the port of Livorno (2016)
- Public debate on the motorway loop *Passante di Mezzo* of Bologna (2016)
- Public debate on the urban redevelopment of Termoli (2016)
- Public debate on the use of ‘*gessi rossi*’ to restore a quarry in Gavorrano (2017).

Tuscan public debates in Livorno and Gavorrano were ‘law-based’, se were carried out following specific regulations provided by Tuscan Regional Law on participation No. 46/2013. I took part in these public debates as PhD student. Public debates in Bologna and Termoli were ‘law free’.

A further motivation to study public debates is the recent introduction in the Italian Law of the already mentioned Prime Minister’s Decree No. 76 of 10 May 2018, called ‘*Regolamento recante modalità di svolgimento, tipologie e soglie dimensionali delle opere sottoposte a dibattito pubblico*’

HYPOTHESIS

The Decree of the President of the Council of Ministers n. 76 of 10 May 2018 introduced into the Italian legal system the public debate before the decision on the construction of a new infrastructure, with significant environmental and social impact.

The provision, published in the Official Journal of June 26, 2018, governs the methods of execution, the types and thresholds of the works subject to public debate, in implementation of article 22, paragraph 2 of the Code of public contracts (legislative decree n. .50 of 2016).

What is a public debate?

How does it work?

What is it for?

What sets it apart from the other new institutions of civic participation that in recent decades have emerged even in the face of the crisis of representative democracy (participatory budgets, citizens' juries, public inquiries, participatory planning in urban planning, etc.)?

Is it possible to measure the effectiveness of a public debate?

These questions are secondary to the question of what it really means to "participate", as citizens, in relation to public policies relating to the choice of new complex infrastructures, potentially a source of conflict and opposition: bridges, airports, highways, power stations, conventional and special waste deposits.

The "initial" assumption is that a public meeting was attended if many people participated. The quantitative data is what emerges, on the surface. But quantity does not always bring with it the quality of participation. The scientific literature has highlighted how the success of a public meeting does not pass as much by the number of participants as by the number and quality of the "voices" that could be expressed

During the research period, some participatory processes took place with the characteristics of a public debate. In particular, the cases of Livorno (public debate on the new Darsena and on the new maritime station), Gavorrano (use of red chinks for the restoration of some quarries in the Grosseto area), Bologna (hypothesis of new motorway bypass) and of Termoli (redevelopment of the city center).

The writer participated in the Scientific Table promoted by the coordinator of the public debate on the port of Livorno (May 2016) and took part in the public moments of the public debate on the red chinks of Gavorrano (2017).

The comparison of these four cases was aimed at bringing out similarities

and differences. The first two cases (Livorno and Gavorrano) were conducted in an institutional context that provides for the presence of a Tuscan regional law on public debates, while the Bologna and Termoli cases, although conducted by experts and scholars, did not have a regional law to coordinate the phases: does this difference in the institutional context have any significance, in terms of greater or lesser "success" of public debates?

Furthermore, just as a result of the Tuscan regional law, Livorno and Gavorrano were led by a regional authority for participation (made up of three university professors, experts in participation processes and analysis of public policies), independent of both those who proposed two debates (The Port Authority of Livorno and the multinational Venator together with the municipality of Gavorrano). The presence of a regional law on public debates contains normative statements that indicate precisely the timing, purpose and characteristics of a public debate.

The hypothesis to be verified is whether the presence of specific legislation on the public debate can offer useful elements for the success of a public debate, with respect to similar cases realized in the absence of an ad hoc regulatory context.

This hypothesis is placed in the consideration that "the models of democracy necessarily imply [...] a mutable balance between descriptive-explanatory statements on the one hand and normative statements on the other" (Held, 2006). In the last decade, philosophical-normative reflection has dealt with an intense program of empirical verification of deliberative postulates (Delli Carpini et al., 2004).

Carrying out a public debate in a regulatory context may not be the same as organizing a public debate in the absence of a specific reference law. But what does the presence of a regional or national law entail? "Institutionalizing participatory processes means basing them on established procedures, practices and standards, thus allowing citizens to play a formal role in the decision-making processes of a policy, law or other type of provision. Institutionalization involves the persistence and reproduction of a model of behavior or a procedure that progresses independently of the characteristics, interests and preferences of the individuals who are involved (Marchetta, 2018)".

As the institutionalization of the public debate exists, so it is proposed to institutionalize the evaluation of these same public debates.

The analysis of the participation scales is connected with the historical reconstruction of the new democratic thought on the participation carried out by Hauptmann (2001) and which gives an account of the passage from the radical left (participatory) advocated by the Students for a Democratic Society, to Lynd (1965), from Arnstein (1969), from Pateman (1970), to a New deliberative left which intends to express more equality of access and expression (Warren 1996), greater capacity to influence the exercise of power (Bohman, 1996), better protection of the individual rights (Benhabib, 1996).

We then wondered if from the study of the four cases of public debate it was possible to delineate common characteristics starting from which to identify the criteria for the measurement (and therefore for the evaluation) of all

possible future participatory processes similar to public debates. As written above, the Italian State has approved rules that will govern public debates throughout the national territory. As of now, asking the question as an evaluation, a public debate could be of some use.

In elaborating an evaluation model, the French experience was taken into account (since 1995 there has been the *débat public*, managed by an independent national commission, the *Nationale du débat public*), of the scientific literature on the evaluation of participatory processes and on the elaboration of scales of participation (starting from that developed 50 years ago by S. Arnstein, in 1969)

American scholar Jane Mainsbridge provides a list of requisites for a proper deliberative meeting: 'deliberation should, idealistically, be open to all of them who are touched by the decision. Participants should have the same opportunities of influencing the process, the same resources and they should be safeguarded by fundamental rights. It is required – and crucial – a deliberation process, in which participants treat one another with mutual respect and equal consideration. They should listen to one another and offer arguments acceptable and understandable by everybody. They should find equal terms of cooperation among the free and the peers and talk honestly [...] participants should not try to change others' behaviour by threatening them with penalties or use of force.'

Starting from this consideration, it would be good to think about some possible 'deliberative rights' each one of us may exercise at a public meeting, at a school reunion, at a civic arena:

- the right to express one's opinion on the public arena's Agenda;
- the right to understand the meeting's level of influence and whether it changed anything or not;
- the right to moderate discussions, avoiding the prevarication of one or more participants;
- the right to a common memory, that is to say to write down the different opinions emerged during the discussion;
- the right to express one's opinion on the appointment of potential experts;
- the right to a proper and deliberative dialogue with the possibility to require an impartial person as the moderator of the meeting;
- the right to help assess the meeting's results.

The previously mentioned would be small tangible steps to generate important civic and democratic innovations. In 2016 and 2017 in Italy, according to the Regional Act on Participation, two public debates were convened; the debates were about new port facilities in Livorno and about the use of *gessi rossi* for the restoration of a quarry in Gavorrano, in the province of Grosseto.

I was allowed to take part in person in such inclusive deliberative procedures.

I will provide a report on what I observed, on the conditions and execution and on the results of these structured deliberative arenas.

Promoting the basis of evaluation methods of the public debates is the subject of this research.

The public debates I studied are four:

- Public debate on the port of Livorno (2016)
- Public debate on the motorway loop *Passante di Mezzo* of Bologna (2016)
- Public debate on the urban redevelopment of Termoli (2016)
- Public debate on the use of '*gessi rossi*' to restore a quarry in Gavorrano (2017).

Tuscan public debates in Livorno and Gavorrano were 'law-based', se were carried out following specific regulations provided by Tuscan Regional Law on participation No. 46/2013. I took part in these public debates as PhD student. Public debates in Bologna and Termoli were 'law free'.

- What happens during the public debate?
- Who are the protagonists?
- What is the social and normative context in which the public debate takes place?
- Have any conflicts/objections emerged on the case studies examined?
- To the point of asking the so-called "option Zero" (the withdrawal of projects)?
- How do the meetings take place?
- How are the contents of the experts "translated and transferred" (engineers, urban planners, architects...) to the different participants?
- Does public debate produce any influence on the proposing subject (e.g. the Port Authority of Livorno and that of other case studies)?

Placing a bet on deliberative democracy may seem utopia, but two points can be made: firstly, there's a use, at any rate, in trying and signalling to civil society and institutions a desirable innovative democratic model, despite the fact that the actual everyday democratic institution is pervaded by individual interests, lobbying, populism, mental rejection of debate. Secondly, each one of us almost once took part in or organised a successful event, that made the participants happy, astonished and satisfied. The memory of our little deliberative achievements may be the starting point of citizens' contribution to the reduction of post-truth's polluting effects and may regenerate the Italian Republic.

METHODOLOGY

What do to evaluate on public participation processes ?

By proposing a valuation model for public debate, this research aims to contribute to the development of innovative methods to study structured participatory processes.

The proper method can be summarized in the following stages:

Stage 1: Scrutiny of literature about participatory processes valuation

Stage 2: Creation of a valuation model, divided into five stages (preparation, development, auto-reflexivity, output, outcome), criteria, scoring

Stage 3: Selection of a MCDA method: TOPSIS method

Stage 4: Contribution by experts on participatory processes to evaluate the stages' importance

Proposing a method of evaluating a participatory process means trying to answer the question: "What works best and when?" (Rowe and Frewer 2004).

To answer the question, we need to identify the characteristic dimensions

of a participatory process.

In this research, we will propose our own "grid" of evaluation of different participatory dimensions typical of a public debate.

These dimensions will be the result of a questionable but not unreasonable choice.

In fact, the dimensions chosen are subsequent to the analysis of the participation scales that have taken place over the decades (Gangemi 2018) and of the main strands of scientific literature on the evaluation of participatory processes (Citroni, 2012)

-A participative approach from S. Arnstein (1969) to G. Gangemi

Fifty years ago, in 1969, S. Arnstein developed the first scale to measure civic participation. This is an important event: from this reflection, born in the America of the student movements and of the civil rights movement, after the shock of the killings of world leaders like J. F. Kennedy (1963), Malcom X (1965), M.L. King (1968), other scales of participation were also born, which enriched and modified the original elaboration of Arnstein.

Degrees of Citizen's Power

8. Citizen control

7. Delegated Power

6. Partnership

Degrees of Tokenism

5. Placation

4. Consultation

3. Informing

Non participation

2. Therapy
1. Manipulation.

The scale consists of eight steps: from "non-participation" to "citizen power". Arnstein's analysis is critical of institutions that treat citizens, that is, they would "correct" their alleged gaps and their ignorance. For the scholar, this is a form of manipulation, not participation. The term "therapy" is peculiar to the Arnstein scale.

Just as conflict containment (placation), providing information to citizens and consulting them are not true participation. Arnstein uses a technical term: tokenism. To explain this term, Gangemi refers to the example of Monopoly money, of necklaces in holiday villages: they seem outwardly coin or jewelry, but in reality they are not.

As previously written, the Arnstein scale "breathes" the values of the American 60s: participation is a process that allows citizens to control (at various levels) the public activities of the institutions. Citizens participate when they have the power to make decisions on how to carry out an activity, being able to transform, limit, etc.

Referring to the review prepared by the scholar Giuseppe Gangemi, the evolution of the "participation scale" is presented below. Over the decades, the scales of participation have changed and with them the thought on what is important to measure in a participatory process has

changed.

Following these transformations will be useful to highlight what are the cultural elements that make a civic process can be said to be participatory and at what level

Aggens Scale

The 1983 Aggens Scale (Aggens 1983) provides the following steps

Unsurprised	Apathetics
Observers	
Reviewers	
Advisors	
Creators	
Decision	Makers

It is characterized by the presence of the advise dimension (considered as an important dimension of citizenship participation and is expressed in the competence to provide advice to decision-makers, both in terms of agenda setting, evaluation and implementation), while references disappear tokenism present in the Arnstein scale. Gangemi comments that if a scale considers the size of the advances the tokenism dimension is ignored and vice versa.

For Aggens, it is possible to elaborate sets with circular orbits: on the outside

there are the indifferent citizens; in the narrowest circle there are the elites who decide and are a small minority. The Aggens scale does not concern problem solving (the level at which the decision is manifested) but the problem setting (the level at which the problem is reset). Aggens favors participation by involvement rather than participation by conflict.

The Corner scale

Desmond M. Corner's Scala dates back to 1988; seeks to value the nature of conflictual participation, which the Aggens scale did not allow.

Leaders

- | | | | |
|----|------------|---|------------|
| 7. | Resolution | / | Prevention |
| 6. | | | Litigation |
| 5. | | | Mediation |
| 4. | Joint | | Planning |

General

- | | | | |
|----|-------------|--|---------------------|
| 3. | | | Public Consultation |
| 2. | Information | | feedback |
| 1 | | | Education |

For Corner the participation has a value not so much in the planning, as in the mobilization in favor of this or that politics. From 1964 in the USA and from 1967 in Europe, forms of strong student mobilization and other forms of movement have developed: feminist, workerist, environmentalist, consumerist. In this perspective, the participatory outcome is given by the creativity that each group or movement generates. And we specify that creativity comes from interaction, it is not a starting point. Corner distinguishes between mediation (when looking for a meeting point during a conflict) from litigation, that is, from a conflict that cannot be mediated or not yet mediated. Corner also distinguishes two levels: what citizens can do and what leaders (politicians, the movement, the committee or civil society) can do. It is interesting to note that the level of Education is important for Corner, what for Arstein was considered a form of manipulation: this means that the lack of even generic knowledge on complex topics (eg energy sources, chemical production processes, nuclear power) can increase the conflict of the system. Conversely, "education" can reduce this conflict.

Hart's scale

The Hart scale indents tokenism.

It gives great importance to the figure of citizenship in general, within which

volunteers work, different from the ruling and political class and who intend to take action, so to speak, from below.

Dorcey's scale

Also in 1994, Dorcey developed her own scale, aimed at civic participation in planning processes (Dorcey 1994). The Dorcey stairway attaches great value to the advice, to advise with competence.

8. Get involved in the action
7. Seeks consent
6. Search for ideas, get advice
5. Consult on the reactions
4. Defines the problems
3. Collect information, perspectives
2. Educate.
1. Inform.

The Berkes co-management scale

In this 1994 scale it contains the word "management" for the first time. This stems from the influence of New Public Management.

- | | | | | |
|----|----------|---|------------|---------------|
| 7. | Partners | / | Community | Controlo |
| 6. | | | Management | Boards |
| 5. | | | Advisory | Committees |
| 4. | | | | Communication |
| 3. | | | | Co-operation |
| 2. | | | | Consultation |
| 1. | | | | Informing |

Gangemi criticizes the choice to include the cooperation under the Communication, the committees of experts, the boards of directors.

Choguill's participation scale

This 1996 scale surpasses New Public Management and focuses on empowerment, that is, activating or requesting something through mobilization (Choguill 1996).

The main innovation of this scale is the inclusion of the typology of "neglect", which considers for the first time the refusal of citizens towards participation and this, unlike the Aggens scale which negatively described the indifferent citizens, for Choguill can have a neutral, if not positive, connotation: citizens

do it themselves, self-administer in the care of their own interests, without resorting to public participation.

Support

- | | |
|----|--------------|
| 8. | Empowerment |
| 7. | Partnership |
| 6. | Conciliation |

Manipulation

- 5. Dissimulation
- 4. Diplomacy
- 3. Informing

Rejection

- | | |
|----|------------|
| 2. | Conspiracy |
|----|------------|

neglect

- 1. Self-management

Public participation spectrum of the IAP2

Taking inspiration from Choguill, the international association for public participation elaborates a very simple Scala, composed of only 5 steps (in 2000).

1. Inform
2. Consult
3. Involve
4. Collaborate
5. Empower

IAP2 was founded in 1990 and organized its annual conference in 1992 in Portland.

It is widespread internationally, not only in the Anglo-Saxon countries (USA, Great Britain, Australia, New Zealand, South-Africa), but also in Italy, France, Poland, Slovenia and China, India, Japan, Israel, Lebanon, Brazil and Mexico .

The scale of participation in 2000 was adopted with a two-year participatory process.

The IAP2 in addition to formulating a scale of participation has developed the principles of participation. In this study, these principles were important for the elaboration of the criteria identified for the evaluation of the public debates of Gavorrano, Livorno, Bologna, Termoli.

- 1) Participation should be considered as a right for all;
- 2) Participation includes the promise that will result in concrete practices (in problem solving or decision making or implementation)
- 3) Public participation promotes win-win decisions, in the sense that they must receive recognition of both the needs and interests of volunteers and elected representatives.
- 4) Public participation is based on the transparency of the interventions and interests of those who are involved or get involved.
- 5) Participation allows to identify the specific contributions of each participant
- 6) Participation provides participants with the information they need to participate properly
- 7) Public participation informs participants of the ways in which their inputs influence the decision making process.

The hierarchy of Pomeroy co-management agreements

The Pomeroy scale of 2001 is profoundly influenced by the vision of New Public Management: on the one hand the State (Regions, local authorities) from the other the community, but considered as a market, rather than as a civil society

Government centralised management	Community self-governance and self-management
7a. Government-based management	7.b Community –based management.

The highest levels of participation are 7.a and 7.b. when autonomously (even perhaps separately) the Government administers itself and the community /Market does the same. Without cooperation! But maybe that's the real essence of New Public Management.

The other lower levels are as follows:

6.Co-operation management

5.Instructive

4.Consultative

3.Cooperative

2.Advisory

1.Information

The Scale of Bryant Bruns

In 2003, Bruns tried to insert many elements of the previous scales, in a new scale he called the "extended scale of participation" (Bruns 2003).

9. Enable
8. Advice
7. Establish autonomy
6. Delegate autonomy
5. Partner
4. Collaborate
3. Involve
2. Consult
1. Inform

Bruns approaches Dorsey when placing the board/competence within the participation ladder.

Forrester Research Inc.'s participation scale

This scale is characterized by attributing different degrees of participation to those who surf the Internet.

6. Creators (who publish web pages)
5. Critics (commenting on blogs)
4. Collectors (using web pages)
3. Associates (interacting on social sites)

2. Viewers (who read blogs)
1. Inactive (none of these activities).

The highest level of network participation for Forrester Research inc. it's not power/empowerment, it's creativity.

Phil Wolff's participation scale

The last scale of Gangemi's participation is the Ladder of Disculture, in which Fr. Wolff in 2007 considered participation in the Internet.

1. Off the grid

2. Peeping

3. Doe

4. Real name

5. Story teller

6. Stream me!

Wolff takes e-participation seriously.

After presenting the participation scales, Gangemi develops a "participation tree", based on two different dimensions of participation: the forms of participation and the functions of participation.

With regard to form, the main forms of participation are:

1. Participation by involvement of active citizens.
2. Participation by privilege of so-called "strong powers" (government, industrialists, trade unions, local associations).
3. Participation by conflict. Conflict can be pragmatic (if the disputes underlying the conflict are treatable) or in principle (how much the underlying disputes are intractable).
4. Participation by contamination which is the "prince" form of participation as it contains all previous forms of participation.

In relation to the function, participation is:

1. Function of power (or political decision in problem solving)
2. Function of advice (or skills needed for agenda setting)
3. Function of audit (or control necessary for policy implementation).

Civil society live (social network)- Civil society that activates for personal reasons

Tokenized- Civil Society that formally participates but not not not not not anotingly

Civil society informing

Civil society acting only formally

Civil society that formally and suspiciously participates

Those who activate for personal reasons, do so for the following reasons

0.1. People who activate to have fun

0.2. People who activate to find a partner

0.3. People who are active through study and work

Those who formally but do not take part are used by those with an interest:

1. People being manipulated

2. Gene that is therapized (according to the meaning of S. Arnstein).

3. People that is used for decoration (i.e. for purposes other than those declared)

2.1 people asking (civil society asking- FAQ)

2.2 people discussing (civil society talking)- Chat

2.3 people you know to decide (civil society learning)

Those who are used, in various ways, to get some form of popular legitimization token

3.1 people who, activated by involvement, are manipulated (civil society manipulated)

3.2 people, who, active by involvement, is trained, in order to eliminate alleged limits of their participation (civil society coached)

3.3 people who, activated for self-involvement, are co-opted into the political or administrative hierarchy

3.4 people who are activated by co-optation, for example because it belongs to a certain category

3.5 people who act by conflict, self-organizing, cooperating with other conflicting organizations and who become antagonistic towards the political class.

Those who, by mobilizing, produce new forms of reunification through mutual contamination:

4.1 People mobilising in the form of a committee or collective movement (civil society in movement)

4.2 People imposing a new agenda and a new way of reading problems

4.3 People who participate with their specific expertise

4.4 People who, acting, learn (civil society learning by doing)

4.5 Civil society auditing the implementation of a policy.

		0		
	0.1	0.2	0.3	
		1		
	1.1	1.2	1.3	
		2		
	2.1	2.2	2.3	
		3		
3.1	3.2	3.3	3.4	3.5
		4		
4.1	4.2	4.3	4.4	4.5

In the light of this review carried out by Gangemi, it is clearer what is meant by participation and what is not.

In summary, starting from the work of S. Arstein, it has been pointed out that there are participatory fictions, which seem to participate, but are not: they are Tokenism, decorations, in which citizens are manipulated more or less consciously for other people's goals.

In addition, the review on the participation scales highlights and positively highlights three elements, to which to be attributed more or less importance depending on the cultural perspective that the scholar and researcher adopt: education, advice, empowerment.

With education, the participatory process achieves the goal of updating citizens on their democratic awareness, addressing not only a single problem (e.g. where to place an energy plant) but also the modalities of a civic confrontation tolerant and respectful.

Another dimension that can be activated in a participatory process is that of advice, in which the citizen provides elements and information to the

institutions, which in this way can accompany their specialist knowledge a civic, popular knowledge.

Finally, empowerment, which allows citizens to co-decide together with institutions or to control the outcome of their decision.

The three dimensions "education, advice, empowerment" can also be present in a participatory process such as public debate and as such highlighted and measured.

For example, the dimension of "education" manifests itself if and when public debate has allowed new social capital to be developed among the participants.

The advice notes when the participants were able to express their knowledge, which comes from experience, and as such they advised institutions and designers on possible possible solutions regarding how to carry out the public work and that neither the institutions nor the planners had considered.

Empowerment in a public debate is when participants in the public debate have expressed considerations and findings so precise that they influence the designer. It should be remembered that public debate is not an institution of direct democracy (where people vote for or against the work), but of deliberative democracy: it is through the quality of their argumentative speeches that citizens influence the designer. Not for nothing, in France, public debate is referred to as the "maggot of influence".

-A deliberative approach (Lewanski, Citroni, Brombal-Moriggi-Marcomini, Franceschini)

Inclusion and speech

Inclusion and discursiveness, or participation and deliberation, are two principles that have been inspired by policy processes, governance models and organizational practices in both the public and private sectors for at least twenty years. This article examines the literature that at international level and in a variety of different scientific fields has addressed the problem of systematically assessing whether public policies constructed through participation and deliberation are really perceived as more democratic, and if they really work better. The cutting of the treatment is mainly methodological, since as we shall see there is still so little consensus on instruments that it is still too early to talk about results; Moreover, we will advance the hypothesis that both the instruments and the results should be sought (yet?) at the individual policy case level, or at most with very limited generalizations, without aspiring (yet?) to a general theoretical systemization.

The principle of inclusion refers to the aspiration that "all interests, opinions and positions in society [are] included in the process" (Marion Young, cit. in Bobbio, 2005, 71); the principle of deliberation is the aspiration for

problematic situations to be resolved through "a dialogic process in which participants compare their reasons" (James Bohman, cit. in Bobbio, 2005, 78). With the progressive integration of these two principles in the creation of policy arenas, organizational practices and methods have been consolidated (Citroni, 2010) which – used in the various stages of a policy – seem useful to confer legitimacy, effectiveness, and quality to decisions. Among these methodologies, the most structured and well-known are participatory budgets, citizens' juries, deliberative polls, electronic town meetings, but the experimentation on the ground is so extensive that it is difficult to definitively cataloguing (Citroni, 2010, 59 ss.).

Judy Rosener, (Judy Rosener)

In 1978 Judy Rosener pointed out the need – and the existence of some initial attempts – to assess the effectiveness of citizens' involvement in decision-making; and already pointed out (Rosener, 1981) the main difficulties: the complexity and regulatory charge of the concept of participation, the absence of a widely shared scheme to define effectiveness and to measure it, the absence of reliable detection techniques.

Sewell and Phillips

In the same years, Sewell and Phillips (1979) analysed some models proposed since the mid-1960s, and argued that "the increasing sophistication employed in the assessment is clearly demonstrated: models

are becoming more complete and attempts are being made to take account of the wide range of interests pursued [...]; however, they all have flaws and we are still quite far from a 'magic formula' In analyzing 22 cases of evaluation of participatory processes they also made an important discovery, which can only serve as a warning to those who want to analyze or design such assessments: the objectives of the participatory process and the criteria by which it was assessed, as well as the substantive conclusions reached by the evaluation effort, not only varied widely from case to case, but varied systematically according to the nature of the assessor and its position with respect to the participatory policy process. The staff of the public agencies promoting participatory processes, citizen groups and external evaluators differed in the type of objectives and criteria that undercut their assessment. Citroni writes that "the abstract ideal of rational and impartial evaluation came out, if ever there was a need, widely discredited." In dialogue with this conclusion, this research, with the use of the Topsis method, wants to try to give new breath to the reasonable evaluation of public debates, if not quite rational and impartial.

The evaluation of participation for Chess and Purcell

In participatory processes, techniques are adopted that facilitate exchange between participants. Chess and Purcell urge not to overestimate the use of such techniques: in fact, for them the success of a participatory process

is linked to the quality of the contexts in which participatory processes take place.

In particular, Chess (2000) distinguishes between three basic approaches evaluation of deliberative participatory processes:

- user-based: Each participant has distinct goals, which can be taken into account in the assessment;
- theory-based: This is a regulatory assessment that refers to models theories, which give testable assumptions about the effects of processes participatory/deliberative;
- goal-free: that is, without theories or goals to evaluate.

The evaluation of the participation for Rowe and Frewer

Rowe and Frewer (2004) in dictating an "agenda" for evaluating public participation in policy-making processes, identify three orders of problems, linked to three distinct stages of the evaluation process:

The definition of 'effectiveness', or evaluation criteria (effective for whom? effective in this case or in general? implementation of this, or with the unfolding of its effects?);

The operationalization of the definition of effectiveness and the collection of data, a phase which will be affected by the usual problems of validity, reliability and usability of the techniques, but which will also have to submit

to the needs of political clients who have an interest in Direct to the results (will it be possible to set former pre-effectiveness criteria and detection tools? will it be allowed to collect the necessary information and data?); the risk is to end up considering the mere number of participants and their representation with respect to the population in terms of simple demographic characteristics;

The interpretation of the results: what has emerged is typical of a technique, or rather of the policy area in which it has been applied, or has it depended on how the process is executed and managed?

Many theoretical studies, which we have not included, relate to individual effects (e.g. Andersen and Hansen, 2007 and Niemeyer, 2011 for the effects on participants; Abels, 2007 on accountability; Mendelberg, 2002 on group dynamics).

Other studies focus mainly on the premise and consequences of politics rather than policy (such as Freschi and Mete, 2009; Pellizzoni, 2007).

Or they relate to governance modes that are close to participatory-deliberative but distinct from these (e.g. Bler and Schwab, 2007; Rose, 2007; Asthana et al., 2007). Finally, other analyses are related to specific aspects of the process (e.g. Enserink and Monnikhof, 2003 and Davies and Burgess, 2004, on knowledge management; Al-Kodmany, 1999 on visualization techniques for participation in urban planning).

Citroni reviewed the main sources of evaluation of a participatory process.

It is concluded that models and evaluation attempts coexist that aim to evaluate techniques, identifying their fundamental characteristics and practical functioning, and models that instead give themselves as a unit of analysis the case of application of the and therefore the event or participatory process itself, within its context and according to the ability of the promoters (or participants) to make the most of it.

Other studies distinguish between ex-ante rating, iterating evaluation and ex post rating

Many of these studies, however, mainly use deductive reasoning and formal model analysis to understand their usefulness and consequences, few supplement the deduction with the description or use of methods that can support a survey of contextual conditions that can influence the effectiveness of a technique; however, only in one case do they report the results of an actual application of the proposed model within a policy process.

Among these texts are some particularly influential, and in particular Renn et al. (1995) and Rowe and Frewer (2000): the first – a collective volume – is widely cited by many authors for the definition of the two categories of criteria it introduces (col. 8), i.e. fairness (opening of the process, quality of deliberation and impact on the competence (understandable, access to information, procedural techniques, etc.); the second, which distinguishes not too dissimilarly between criteria of acceptance (legitimacy and influence) and process (structuring and costs) will be reused repeatedly by the same two authors in various works reported below for the analysis of cases. A

third, very recent, is likely to become a reference point for the near future (Geissel and Newton, 2012).

15By looking at the most large set of texts that deals with assessing actual cases, we must first note the variety of definitions of the object of analysis (col. 2), which range from 'Groups of Friends of Park X', to the specific technique (e.g. 'citizens' jury'), up to any technique of deliberation or citizen participation in models with more general aspirations; some studies focus on the evaluation of participatory research, others assess attempts at participatory evaluation.

Equally varied is the scope of policies referred to by the authors that if in some cases they do not specify a scope of applicability, more often they limit their model to a specific area: territorial planning, health, and very often environment.

The participatory evaluation

For some time now, the choice to involve participants (administrators, organisers or the evaluators of participation policies) has been widespread for some time to understand whether a participatory process has been successful. It is well established in literature and practice, that is, that it is the participants in a public policy who collaborate with the evaluators in the definition of criteria and in the collection and analysis of information. This approach is clearly closely linked to the very nature of the policy procedures we are dealing with (Hanberger, 2006).

Empowerment versus process features

The use of participatory tools for the construction of analysis criteria systematically sees a strong interest of participants in empowerment, i.e. the transfer of decision-making powers, and fundamental process characteristics such as access to information and transparency of this (see Sewell and Phillips in particular, 1979; Tuler and Webler, 1999; Abelson et al., 2004; Grant and Curtis, 2004; Charnley and Engerlbert, 2005).

Generally speaking, and beyond the different criteria classifications that each author gives (process and result; process, result and learning; fairness and competence; acceptance and process, etc.) three policy orders can be distinguished:

Process criteria: quantity and variety of participants or positions expressed; Transparent and effective information and knowledge management; transparency of the rules of the process; Participants' ability to influence the process; placement of the process at a fairly early policy stage; quality of deliberation, i.e. mutual listening, responsiveness, mutual respect, etc.; (Rowe and Frewer, 2004) consider costs or affordability; and the obvious methodological problems of the selection, self-selection and self-exclusion of participants are rarely seriously addressed (Fishkin, 2012; Fresh and Refine, 2008), or interview the non-participants and the dissatisfied (Germain et al., 2001);

Outcome criteria on participants and the community: capacity building for current and future initiatives; increased self-confidence, institutions and the legitimacy of decision-making; more informed and sensitive citizens, or more politically active; better relationships between opposing interests; rarely (e.g. Laurian and Shaw, 2009) are considered similar effects also on promoters and administrators, and not only on citizens;

Outcome criteria on decision: ability to influence collective decision; better ability to implement collective decision; reaching an agreement (if not quite a consensus) and the absence of appeals and litigation; better decision, especially in terms of integrating new knowledge and shared values into it; greater accountability of decision makers; rarely (e.g. Leach et al., 2002) considers the impacts on the policy problem itself and the ability to solve it, also because equally rarely does it take into account a time frame long enough to include significant impacts of the policy as a whole (Schulz et al., 2008).

The "operation" of the criteria

As the list of criteria is clear, for most of them there is a problem of operationalisation and information collection. Not all authors describe the methodological tools by which, based on their criteria, one should measure the success of an engagement process. As many as five studies (plus two of those analysing techniques instead of cases) do not provide for any detection tool; nine proceed to complex case studies that integrate different techniques, but mainly documentary analysis, in order to reach a thick description of what happened and then draw the assessments of the merits.

On the other hand, about twenty texts describe, in more or less detail, a multiplicity of detection and analysis tools: the most common are observation (often used in a non-entirely formal way, when researchers/evaluators were facilitators or organizers of the process), the questionnaire (with the prevalence of 'Likert' questions) and the semi-structured interview with the participants. Evidently, each instrument is different in the detection of results according to different criteria: for example, the questionnaire to participants can detect attitudes and perceptions, while the 'dense' analysis of cases can also give indications impact of participation on decisions taken.

In addition to these more traditional social science tools, two techniques are of particular interest in the analysis of deliberative and participatory processes, because they are specifically intended to detect central aspects of such processes: the Discourse Quality Index, which detects the quality of deliberation, and the Q-Methodology, which identifies the different existing views on a given topic.

The first, developed by Steenbergen et al. (2003), is a quantitative tool for speech analysis that involves rather intensive coding work by the researcher who, reading the transcripts of a debate, gives scores to individual speeches according to the type of justification that is given to the statements, respect and listening that are demonstrated towards the statements of others, the absence of interruptions, etc. The scores thus attributed are composed in a quality index of deliberation that incorporates the principles of the ideal discourse situation of Habermas.

The "Q" technique, devised by Stephenson (1953) and most recently revived by Brown (1980), Dryzek and Berejikian (1993), Durning (1999) and Liston et al. (2012), instead allows to analyze people's views by asking them to sort in a quasi-normal distribution a series of asserts on a single topic, from those with whom they disagree less to those with whom they most agree. Once the views of multiple different people have been constructed, differences can be analysed and opinions grouped into key structured points of view using factor analysis. This tool is particularly useful for verifying that a sufficient amount of existing views on a topic within society are represented in a deliberative forum.

Both instruments are quite challenging from an operational point of view (for the DQI the proponents suggest that to perform coding should be a philosopher, able to interpret the contents in perfect Habermasian logic... [B'chtiger et al., 2010]), but they represent inescapable landmarks because they are closely linked to crucial dimensions of the phenomenon we are talking about.

The integration of ex-ante assessments (which allow you to choose the technique and tools of participation and deliberation suitable for a certain problem and a certain context), in progress (for monitoring and redefining the ongoing process) and ex post (for the assessment of process results and decision impact) appears as a plausible option and is referred to by many authors as fundamental. However, if there are proposals for an ex post assessment, there is a very lack of analysis of contexts and problems

that could support an ex-ante analysis; and yet, we have known since the dawn of deliberative theory (Mansbridge, 1980) that not all problems lend themselves equally to discussion.

Secondly, there is also a lack of effort in existing literature to monitor the actual use of assessment by policy actors. at the same time facilitated or designed the participatory process and tells "how it went" and "what we learned" (Abelson et al., 2003); but very few systematically, and independently, analyse how much assessment and what assessment is actually carried out. This is all the more urgent as inclusive practices are being institutionalised (think of the implementation of the regional laws of Tuscany 69/2007 and Emilia Romagna 3/2010; more generally cf. Hartz-Karp and Briand, 2009), and evaluation efforts will have to be explicit and systematic: the agencies and authorities that support and fund participatory processes are trying to develop assessment tools, but also the administrative levels directly involved in such practices will need to be analysed and involved to understand what interest and capacity exists to activate real documentation of the results.

Thirdly, despite the efforts of many scholars continuing to go in this direction, it seems difficult to imagine that a final model of evaluation, or even just the definition of a coherent and shared whole of the criteria and evaluation tools. The development of project indicators and criteria, created ad hoc for the individual process or set of processes, is a practice very little frequented by the authors we have observed, as if it diminished the scientific scope and authority of the evaluation; it is conceivable, however, that criteria set ex ante, transparently, possibly negotiated between the parties or

otherwise defined with the contribution of participants (and non-participants) may be more useful for accountability and for the actual Assessment of success, of how none generalist indicators and instruments can be, which risk measuring something that was not among the objectives of any of the actors involved.

A further point concerns a factor ignored by almost all observed studies: the communication of the process and its results. A few more hints do so by the researches that derive the criteria from the participants, but it seems a very marginal theme. But if integrating representative democracy with participatory and deliberative tools means enriching public debate and citizen awareness, then the results of the processes should be disseminated, known and discussed to understand what Use the administrator has made of what process – is it not possible at the end of the day that in the face of a poorly conducted process, the positive result is that the decision taken is not accepted? The issue of communication is also central because participation and deliberation are in themselves a form of evaluation, because the participants, and the citizens informed of the process and its outcomes, will be able to judge the work of the administrators. Given good information about, and in the process, citizens and interests will be able to assess whether and how much has 'happened'. The same may not be said of the administrations.

Finally, with regard to the relationship between research and evaluation, and between method and results: the search for generalizations and wide-ranging explanations is still premature according to many authors (Mutz, 2008; Thompson, 2008); but it is equally clear that the analysis of

individual cases with new methods is no longer sufficient. The close relations between local and regional authorities, designers, scholars and evaluators that exist in Italy – and which may have been the brake on an explicit and formalized assessment (Irpel, 2011, 118 ss.) – could be put to good use to find a bridge between research and evaluation, exercises not distant, indeed often superimposed (Barnes, 2009; Pellizzoni, 2007), and both useful to understand if, when, how and why more inclusion and more deliberation bring better democracy.

OECD 's point of view

The OECD is a unique forum where the governments of 30 democracies work together to address the economic, social and environmental challenges of globalisation. The OECD is also at the forefront of efforts to understand and to help governments respond to new developments and concerns, such as corporate governance, the information economy and the challenges of an ageing population. The Organisation provides a setting where governments can compare policy experiences, seek answers to common problems, identify good practice and work to co-ordinate domestic and international policies. The OECD member countries are: Australia, Austria, Belgium, Canada, the Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Korea, Luxembourg, Mexico, the Netherlands, New Zealand, Norway, Poland, Portugal, the Slovak Republic, Spain, Sweden, Switzerland, Turkey, the United Kingdom and the United States. The Commission of the European Communities takes part in the work of the OECD. OECD Publishing

disseminates widely the results of the Organisation's statistics gathering and research on economic, social and environmental issues, as well as the conventions, guidelines and standards agreed by its members.

4) Good participation must involve a sufficient number of citizens

OECD 2005

The issue of citizens' role in evaluation of government-citizen partnerships is not as easy and straightforward as it might seem at a first glance. A number of different factors tend to complicate the situation, but three of them are particularly significant.

The first factor is the **ambiguity of the concept and practice of evaluation**. It has indeed a double nature. On the one hand, it is a technology, *i.e.* a toolbox that scholars, practitioners and stakeholders can

use to understand whether programmes and actions embodied in a policy have fulfilled their objectives and purposes. On the other hand, evaluation is itself a policy, *i.e.* a government activity that involves bodies, resources and rules that directly or indirectly influence the lives of citizens. In this case by verifying the success or otherwise of a policy and re-engineering it. From this point of view, citizens can be involved either as actors of a technical activity, or as stakeholders of a set of intentional government actions. As anyone can see, this is not exactly the same thing.

Another distinction which is related to, but not completely super imposable on, the previous one is: **the distinction between evaluation and assessment**. The first refers to “the structured process of establishing the success or otherwise of an exercise against *pre-set criteria*” and the latter, “the relatively unstructured analysis of an exercise without pre-set effectiveness criteria, as occurs in the conduct of descriptive case studies” (Frewer and Rowe).

The third factor is more specific. It regards the **overlapping and multi-dimensional nature of evaluation**, when it is viewed from the citizens’ perspective and when its object is citizens’ participation in policy making. In this case, one can speak of evaluation in very different terms, such as:

- Participation of citizens in evaluation processes.
- Citizens’ evaluation of participation processes.
- Citizens’ evaluation of evaluation processes.

This is not a trivial distinction, but a serious, substantial problem. It involves very different facts, actions, and processes which happen in reality.

It cannot therefore be solved by a superficial approach to the issue, but requires a clear methodological choice.

In seeking to solve this methodological puzzle, we will introduce both theoretical and empirical elements. In particular, we will try to define what participation is from the citizens' point of view; then we will review some concrete cases of successes and failures in citizens' participation; and finally we will try to set out some key factors regarding the evaluation of participation on the part of citizens.

The background to this paper is well represented by a statement by Aaron Wildavsky (Wildavsky, 1993, p. 277).

“The temptation of the analyst is to treat citizens as objects. By depriving people of autonomy in thought (their consciousness is false, their experience invalid) it is possible to deny them citizenship in action. The moral role of the analyst, therefore, demands that cogitation enhance the values of interaction and not become a substitute for it.”

Wildavsky adds that policy studies have always neglected citizens' participation in public policy, and this field of studies must be enhanced, both on theoretical and empirical aspects (ibid, p. 252). This paper also aims to contribute to this end.

What is to be evaluated?

A first, only apparently obvious, question concerns what to evaluate. There is a tendency, both among policy makers and scholars, to reduce citizens' participation in policy making to discussion and deliberation (see

for example Pierre, 1998). The underlying idea is that, while citizens only discuss, the public administration does the real job.

As we have seen in the previous paragraphs, this is simply not true: citizens not only discuss, but act as well. This happens not only in the implementation phase, but also in the other phases: evaluation, for example, is often a matter of actions aimed at testing and verifying the implementation gaps for a given policy. If citizens want to participate in the evaluation of a home care service for the elderly, they must speak with target people, observe the effects of the service on the everyday life of a family, verify if the persons in charge of the service work well, etc.

From this point of view, it is very significant that the OECD handbook, *Citizens as Partners* (OECD, 2001) deals with the whole cycle of policy making.

Which criteria for evaluation?

In a very general manner, it can be said that what will be evaluated is the quality of the participation process, or, in other words, the results of the implementation of governance-situations in policy making.

More specifically, the following elements should be part of an evaluation.

- Effectiveness (better achievement of the goals and objectives).
- Efficiency (saving of time, money, social tensions, and so on).
- Impact (wider, deeper and more permanent effects on target situations and subjects).
- Pertinence (greater relevance to the issues dealt with by the policy).

For example, involving consumer, grassroots, neighbourhood and local development organisations in monitoring the prices of large consumption goods in a big city could add value if it:

- could lead to a lower level of inflation than if the public administration acted alone.
- were quicker or less expensive than if public officials acted alone.
- had a positive impact, for example in terms of establishing a permanent monitoring network of retailers' behaviour.
- could monitor all of the retailers and not only a sample of them, as the public administration would probably be able to do.

2) A good participation process must empower citizens

Empowerment is, “the sense of efficacy that occurs when people realize they can solve the problems they face and have the right to contest unjust conditions” and “the process of gaining control over different forms of social power” (Rubin and Rubin, 1992, p. 62). Involving citizens in policy making must increase the awareness, the know-how and the operational ability of citizens as actors in public life.

Empowerment is a double-sided concept: it has a cognitive and an operational side. Both must be enhanced thanks to participation. For example, involving citizens in risk management – say, in civil defence programmes – can empower them if, thanks to their participation, they can know better the risks of their territory, distinguish between what is natural

and unavoidable and what can be prevented or eliminated, cooperate in the definition of a civil defence plan including both preventive and emergency measures, learn what to do in order to minimise risks, organise themselves to cooperate in the implementation of the plan, each with specific roles, tasks and powers.

Trust can be defined in general terms as “a bet about the future contingent actions of others” (Sztompka, 1999, p. 25).

It is actually the basis of social development, since it implies the existence within societies of **3) *Good participation must improve social trust and social capital***

normative coherence, stability of social order, transparency of social organisation, familiarity of social environment, accountability of persons and institutions. When trust is lacking, its “functional substitutes” tend to prevail (Sztompka, pp. 161 ff.). These are providentialism, corruption, vigilantism, and externalisation of trust. Among the indicators of distrust there is also the withdrawal from participation in public life. In a similar manner, the concept of social capital emphasizes the strength of the norms that govern life in common, the existence of networks of civic associationism, the soundness of social ties that are the fabric of society (Putnam, 1993, pp. 191-218; cf. also Putnam, 2000; Skocpol and Fiorina, 1999).

Citizens’ involvement in policy making must, therefore, contribute to enhancing social trust and social capital. This can happen, for example, when citizens’ organisations are called upon to deal with the management

of conflicts that arise in the neighbourhoods because of religious, ethnic, class, but also simply behavioural, differences. The same fact that conflicts between citizens are managed by other citizens with the support of public authorities enhances the credibility of institutions, strengthens social links, gives a practical meaning to interdependency, urges a *gestalt* switch in the people involved (from enemies to neighbours) – in a word, enhances trust, ties, reciprocity and common values.

No absolute criteria can be established in this case, for three main reasons:

- Quantity is relative to the situations, programmes and purposes of each policy. Involving 100 people can be a significant achievement in the case of a programme of home care for the elderly in a medium-sized town, but can be a really poor result in the case of a programme aimed at cleaning and caring for public parks in a city of 5 million inhabitants.

- Frequency and intensity of participation can vary a lot, so that a person that works one day a week in an advice bureau cannot be compared with a person that cooperates in the organisation of the annual fund raising party of a neighbourhood association.

- Forms and tools of citizens' participation are very different and not so easy to compare, such as in the case of, on the one hand, participation in walk-ins of traditional social movements and, on the other hand, post-modern e-volunteerism and civic engagement through the Internet.

We need, therefore, a flexible and articulated set of criteria, able to take into account these insurmountable differences, but, in the same time, able to assess the value of the number of people involved in policy making.

The best conclusion of this chapter is probably to reaffirm that citizen participation is not an ethical or political imperative, for either the public administration or for citizens. Rather, it is a matter of better policy making and of enriched political process.

Under our approach, citizens' participation is clearly an activity aimed at saving and not at wasting time, at solving conflicts and not at making trouble, at practicing rationality and not increasing chaos.

It can, for example, enable public administration to successfully manage conflicts with strong interest-holders putting citizens' points of view and claims for their rights first. It can ensure that the decisions taken by the public administration at the end of a well-managed consultation process, even though disagreed upon by some participants, are not challenged since they have been shared and therefore are fully legitimate. It can mobilise those resources – human, technical, financial, of time, of knowledge – that are often lacking in the realm of public policies. It can empower public management reformers, as they push for openness, accountability and priority to outcomes rather than to outputs.

These are the same reasons why, in the end, the development of the evaluation of citizens' participation is a noteworthy issue and an important task, both for governments and for citizens alike.

The analysis of the scientific literature on the evaluation of participatory processes and on participation scales has identified several criteria to be measured, in the different phases in which the participatory process is articulated.

Taking a cue from the scientific literature, a set of criteria has been created specifically adapted for the evaluation of a public debate.

The criteria thus identified aspire to provide answers to the questions that guided this research:

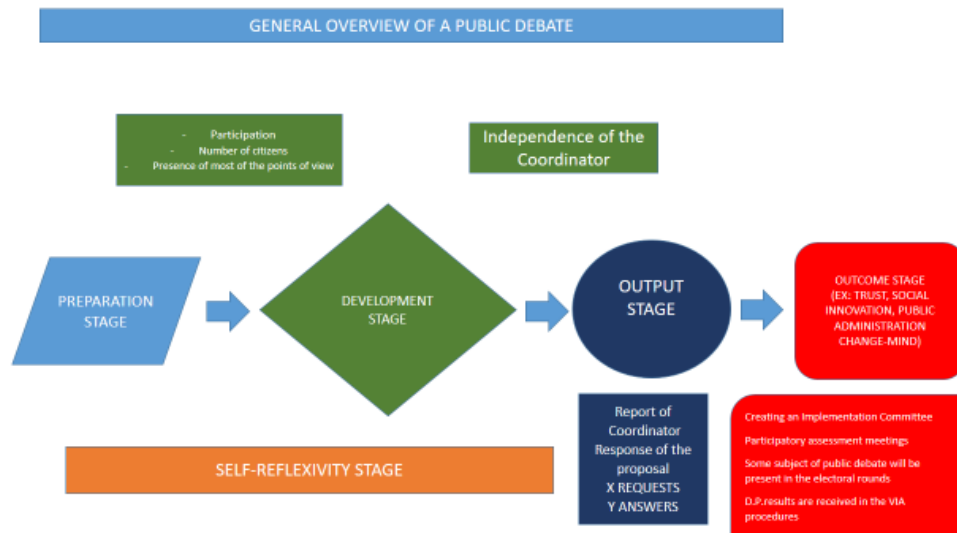
What is a public debate?

How does it work?

What is it for?

Is it possible to measure the effectiveness of a public debate?

Is it irrelevant that a public debate is carried out in the presence of a regulatory context that explicitly promotes it?



Rodoldo Lewanski dedicated chapter 13 of his recent essay titled '*La prossima democrazia*' (Lewanski, 2016) to the evaluation of participatory processes. Public debate on a large infrastructure is a particular participatory process type.

Lewanski provides an up-to-date examination of different authors' contributions – among which Guba, Lincoln, Rowe, Frewer, Abelson, Gauvin, Penco, Sozzi, Gastil, Mansbridge, Niemeyer e Dryzek – dealing with participatory processes' evaluation.

The evaluation consists in a judgement not definable in absolute terms; it requires a 'reference measurement' (Lippi, 2007, 75), a parameter divided into criteria – that have to be operationalized through indicators.

Lewanski makes a list of participatory processes' evaluation difficulties.

- the same notion of participation is full of meanings
- there are neither broadly shared criteria to evaluate the degree of success or failure, nor agreement on what is a 'proper process'
- there are not clear, unambiguous and one-dimensional properties to define 'effectiveness' in this field
- there is no agreement on the valuation methods
- the development of usable, reliable, replicable and properly tested measuring instruments is still one of the greatest challenges of the evaluation of deliberative participatory processes

Lewanski proposed the following Summary table.

P1 INCLUSION

Aim: measuring inclusion degree: representativeness, significance, effective participation

P2 TRANSPARENCY, CONTRACT, COMMUNICATION

Aim: measuring clarity and spread of the information on the participatory process

P3 STRUCTURE AND METHOD

Aim: measuring the process's adequacy and proper functioning

P4 NEUTRALITY E IMPARTIALITY

Aim: measuring the degree of distortions in the framing of the process's subject

P5 INFORMATION

Aim: measuring variety and appropriateness of information circulated during the process

P6 DIALOGICAL-DELIBERATIVE QUALITY

Aim: measuring the degree of interaction during conversations

P7 RESOURCES

Aim: measuring the proportion between costs and outcomes

E1 SHARING

Aim: measuring the preferences' transformation degree

E2 OUTPUT

Aim: measuring the degree of clarity and inclusiveness of final proposals

E3 EFFECTS

Aim: measuring effectiveness degree of the debate on institutions

E4 SOCIAL CAPITAL AND EFFECTS ON THE PARTICIPANTS

Aim: measuring the degree of confidence generated by the process among the participants and inside the community

Recently, Franceschini proposed his own method, based on two kinds of evaluation: evaluation focused on the process and evaluation focused on social capital.

A summary of the dimensions adopted is reported below.

Evaluation focused on the process:

the dimensions (Franceschini, 2018)²

Transparency: Transparency conforms to *ex-ante* knowledge of decision-making, deliberative, dialogue-management, distinction composition and re-organization mechanisms

Balancing: Balancing refers to the ability to avoid overstatement or understatement of some interests' categories in respect of their actual social importance. Think about a participatory process involving several committees or trade unions for the sole purpose of representing all people and opinions concerning that interest, and even if he/she's not less important just one representative for each structured category

Equity: Equity refers to the possibility of all participants to actually influence decisions, avoiding situations of over or under-exposure. An example is the

² This monographic number of *Gazzetta Ambiente* is dedicated to the participation, curated by Simone Franceschini, has the priority objective of showing that public participation is grafted into a conflictual society and therefore these conflicts also occur within the Participative processes themselves. These tensions are therefore not a negative or limiting element because the participation does not have a problem solving goal, but often of problem setting, that is to say of construction of a structured arena and with precise rules of engagement, with the primary aim of making Contradictions and problems emerge. It is not a-conflictual but it allows to know what are the essential objectives to achieve knowing that not everyone can be pursued and that some may be among them in conflict.

case in which the right to speak is primarily and always given to the same person

Information exchange: Information exchange aims to measure the actual participants' ability to exchange information in an organized way, allowing mutual knowledge. This dimension can measure both quantity and quality

Representativeness : The ability to involve participants representing all the actually important interests

Organization: Organization conforms to the procedure's *ex-ante* ability to define government mechanisms of the very procedure following specific stages, happenings or situations

Decision-making mechanisms: Decision-making mechanisms refer to the modalities through which decisions are made, confirmed or amended. Some examples are the voting or agenda-setting procedures, the opening or closing hours of deliberative options

Integration mechanisms: Integration mechanisms concern structured synthesis processes of different but integrable positions. Different processes may require different ability levels and various procedural stages

Evaluation focused on social capital (Franceschini, 2018)

Public education and information: Participated process may generate a learning phenomenon of new public knowledge – ‘public’ refers to non-participant people. In fact, the procedure can be considered as an involving and conversational method influencing a wider reference community, instead of a self-referential process of sharing and decision-making involving only the participants

Incorporation of community’s values in public decisions: The incorporation of values is intended to monitor the decision-making process – often of the public authority – updating its beliefs and viewpoints integrating elements proposed by the participants. This evaluation doesn’t monitor whether the final decision was amended or not, but only the change in cultural, social and political references according to the decision

Public education and information: Participated process may generate a learning phenomenon of new public knowledge – ‘public’ refers to non-participant people. In fact, the procedure can be considered as an involving and conversational method influencing a wider reference community, instead of a self-referential process of sharing and decision-making involving only the participants

Information exchange; Information exchange aims to measure the actual participants’ ability to exchange information in an organized way, allowing mutual knowledge. This dimension can measure both quantity and quality

Trust building: Trust building monitors the credibility degree shown by a participant towards the others, often based on the identification of clear interests and on the absence of conflicts of interest

Learning: Learning monitors the participants' acquirement of new skills

Comprehension: Comprehension monitors the mutual recognition of others' positions, regardless of synthesis or common decision-making abilities

Public decision's quality improvement: Public decision quality improvement focuses on the ability and authority in supporting a decision according to an improvement of awareness on the problem and of possible alternatives. It means monitoring the ability to justify a particular position, according to the new knowledge and skills deriving from the participated process

Brombal, Moriggi, Marcomini

The method hereby proposed is also inspired and based on the work by Daniele Brombal, Angela Moriggi, Antonio Marcomini, reported in *Evaluating public participation in Chinese EIA. An integrated Public Participation Index and its application to the case of the Beijing Airport, Environmental Impact Assessment Review*, 67 (2017), pp. 49-60³.

Each criterion fits and appears in particular indicators to be scored.

Brombal, Moriggi, Marcomini (2017) studied an airport extension work in Beijing. The article is titled *Evaluating public participation in Chinese EIA. An integrated Public Participation Index and its application to the case of the New Beijing Airport*.

Researchers chose to highlight some dimensions of the participatory process and to score on a scale from 1 to 0, using the values of 0.66 and 0.33 according to the presence or absence of empirically observable evidence and resorting to the analysis of the development and conclusion of the participatory process.

The criteria were:

- Timing
- Information provision

- Consultation arrangements
- Public consulted
- Incorporation of consultation results in the EIA report

As will be later reported, this choice was seen as a guiding principle. An example of the dimension of “time of start of the consultation” is reported below.

CRITERION	ATTRIBUTE	CLASSES	SCORE
TIME	Time of start of the Consultation	Participation starts during screening stage	1.00
		Participation starts during scoping stage	0.66
		Participation starts during the environmental impact assessment	0,33
		Participation starts after the EIA report is submitted to the competent authority	0,00

- A proposal of a new grill evaluation

According to the scholars studied evaluation of participation processes, an evaluation method of public debate on a large infrastructure was developed.

The evaluation method's peculiarity is its usability based on sources available to everyone. For what concerns public debates, the major research sources are the conclusive reports that public debate coordinators must write in the end of the participatory process and the answers that the proponents must produce within a fixed period of time – usually within three months after the conclusive report publication. Both documents are available on the Internet website provided by public debates to report the updates and inform interested people on the public debate's subject.

Public debate participatory process may be divided into five stages:

- preparation stage
- development stage
- self-reflexivity stage
- output stage
- outcome stage

The preparation stage includes 4 criteria concerning:

Time adequacy of the preparation stage; characteristics of the public involved; outreach presence – ‘outreach’ is an Anglo-Saxon method used in participated design processes, that consists in going *outside* and meeting local interest groups or individuals to debate on various issues and listen to their suggestions -; the planning of an introduction meeting on what is public debate; the presence of a coordinative Committee/scientific Committee to introduce in the on-going debate possible requirements.

The development stage includes 14 criteria concerning:

Equal treatment by the Coordinator; information reported on the website; a judgement on clear and various pieces of information; fact-finding meetings in the places that are the debate subjects; results of public meetings; protagonists’ contribution; considerations on quantitative, qualitative and variety participation of the public debate; characteristics of public meetings; presence of a method to wilful facilitate the opinions exchange among the actors; possible involvement of experts; final Report presentation methods; considerations on whether it gave space to disputes; the idea of development that provides a context to the large infrastructure; the total budget to cover public debate expenses.

The self-reflexivity stage includes 4 criteria concerning:

Presence of an evaluation public meeting; possible on-going structural changes of the projects according to requirements; possible Evaluation Tests; possible essays published by the project's Coordinator; possible Universities' and research centres' interest towards the participatory process; considerations on the process's 'hospitality' towards Universities' and research centres' methods.

The output stage includes 3 criteria concerning:

Participants' influence on the proponent, represented by the number of requests actually accepted and taken over by the same proponent. In this work, this stage is considered of great importance as the qualifier of the whole process. In the Comments, I will say if this statement is confirmed or if it changed according to the study of the cases presented. Moreover, I will provide an exam of issues concerning the presence of the so-called 'option zero' and scale matters – local, regional or national scale of the infrastructure rate of interest.

The outcome stage includes 7 criteria concerning:

Discoveries; social context changes, transformation of civic involvement view of the participants; consideration on whether a commitment-monitoring meeting was organized within a year after the end of the process, media interest, taking over of the emerged disputes and issues.

As far as outcomes are concerned, Young has elaborated some exploratory questions

1	Interest of key stakeholders: getting issues on to the policy agenda	How interested and open are policy actors to your issues? What kind of evidence will convince them?
2	Public opinion	How does the public engage in these issues?
3	Capacity and engagement of other actors	Who else is engaging in this policy area? How influential are they? What can be done to involve others?
4	Change in discourse among policy actors and commentators	What are the influential policy actors saying on this issue? What language are they using?
5	Improvements in policy-making procedure/process	Who is consulted during policy making? How is evidence taken into account?

6	Change (or no change) in policy content	What new legislation, budgets, programmes or strategies are being developed?
7	Behaviour change for effective implementation	Who is involved in implementing targeted policies? Do they have the skills, relationships and incentives to deliver?
8	Networks and systems for supporting delivery	Are different actors working coherently together to implement policy? Are the necessary structures and incentives in place to facilitate this?
9	Relationships between actors	Do bonds of trust exist between different actors?

Later, the criteria of each stage were identified.

A Summary Table is reported below:

PREPARATION STAGE	DEVELOPMENT STAGE	SELF-REFLEXIVITY STAGE	OUTPUT STAGE	OUTCOME STAGE
Criterion 1.1 Preparator y stage adequacy	Criterion 2.1 Coordinator's impartiality	Criterion 3.1 Presence of an evaluation public meeting	Criterion 4.1. Influence on the proponent	Criterion 5.1. Discoveries/Innovations/Surprises
Criterion 1.2 Preparator y stage characteristics	Criterion 2.2 Internet website	Criterion 3.2 Presence of a monitoring Committee of the public debate	Criterion 4.2 The so-called 'option zero'	Criterion 5.2 Social context changes
Criterion 1.3 Outreach presence	Criterion 2.3 Clear and various pieces of information	Criterion 3.3 Evaluation tests	Criterion 4.3 Scale issue	Criterion 5.3. Transformation in participants' view of the perception of civic involvement

Criterion 1.4	Criterion 2.4 Fact-finding meetings in the places that are the debate subjects	Criterion 3.4 Production of a self-evaluating model of the process	Criterion 4.4. Monitoring meeting organized a year later – if present	Criterion 5.4. Possible improvement of participants' knowledge on the infrastructure
	Criterion 2.5 Results of public meetings			Criterion 5.5 Media interest
	Criterion 2.6 Actors' notebooks			Criterion 5.6 Taking over of emerged

				disputes and issues
	Criterion 2.7 Participation in the public debate (quantity)			
	Criterion 2.8 Participation in the public debate (quality)			
	Criterion 2.9 Participation in the public debate (variety)			
	Criterion 2.10 Public meetings' peculiarity			
	Criterion 2.11 Wilful facilitation of			

	opinions exchange			
	Criterion 2.12 Presence of experts			
	Criterion 2.13 Final Report presentation method			
	Criterion 2.14 Presence of disputes			

Later, following the example of Brombal, Moriggi and Marcomini each criterion was scored, so they were 'operationalized'.

Finally, Multi Criteria Decision Analysis (MCDA) is used. It is focused on supporting the decision-maker if there are several and contrasting evaluations to find an honest compromise (Mocenni). MCDA methods support the decision-maker during the stages of organization and synthesis of complex and varied pieces of information; it is used in several fields such as finance, planning, telecommunications, ecology, etc. In general, it is used in all the fields in which it is not possible to directly use an optimisation

method because of the variety of decision-making criteria. Some of the more MCDA methods used are ELECTRE (*Outranking*), PROMETHÉE (*Outranking*), *Aggregated Indices Randomization Method* (AIRM), etc.

TOPSIS method - Technique for Order of Preference by Similarity to Ideal Solution – was chosen for this research, because it can select the best alternative in a series thanks to criteria called Multi Attribute Decision-Making. Moreover, TOPSIS allows the setting of a decision supporting system facilitating the decision-maker in making the best choice thanks to quicker and more impartial standard criteria.

This is a compensatory aggregation method comparing several alternatives by defining their importance according to each criterion, normalizing each criterion's score and calculating the geometric distance between real and ideal alternatives, represented by the best score for every criterion.

Normalization is generally required because parameters and criteria are often inadequate for multi criteria problems. Compensatory methods such as TOPSIS allow an exchange of criteria – an insufficient result according to a criterion can be rejected by a good result according to another criterion. This provides a more realistic modelling system than non-compensatory methods.

The last methodological operation was the proposal of possible different degrees of importance of the five stages.

Requests for the importance weighing were sent to some experts, six of them answered.

SUMMARY OF THE EXPERTS' WEIGHING

Nadia Simionato is an active citizen, in charge of a co-housing project in Lombardy.

Roberta Pavarini is the Chairman of the Committee of the Municipality of Reggio Emilia, dealing with civic participation.

Iolanda Romano is a national expert on inclusive participatory processes, and had been a governmental commissary (government commissioner?) for the third pass until November 2018.

Vittorio Sammarco is a journalist, who coordinates the national website C3dem on citizens' commitment and participation.

Liliana Cori is a researcher of from the CNR of PISA, expert in epidemiology.

	Preparation	Development	Self-reflexivity	Output	Outcome	TOTAL
Alessandra	20	18	17	20	25	100
Iolanda Professor and expert	35	15	15	25	10	100
Liliana CNR	25	30	15	20	10	100

Nadia IUAV Course on Civil Society	30	20	15	15	20	100
Roberta Reggio Emilian Regional Councillor for Participation	20	40	10	20	10	100
Vittorio Journalist Entertainer of a website on participation c3 dem	20	30	20	25	5	100
Total score	150	153	92	125	80	600
Results expressed in percentage	25%	26 %	15 %	20%	14%	

Experts attribute the following weighing to the five stages: 25% to preparation; 26% to development, 15% to self-reflexivity, 20% to outputs, 14% to outcomes.

Attribution of the answers on the 11 criteria used in Gavorrano to the five stages, in order to produce a civic weighing.

During the first public debate in Gavorrano, a test was given to the participants, asking – among other things – for the expression of the degree of importance attributed to eleven criteria important for public debate.

The possible answers were: I totally disagree, I disagree, I don't know, I agree, I fully agree.

These were the eleven adjectives proposed:

- Participated
- Honest
- Sufficient duration
- Impartial
- Respectful
- Exchange of ideas promoter
- Proper organisational means
- Clear final report
- Influencing the proponent
- Common knowledge improving
- Trust improving

70 people answered this way.

Participated

30 I fully agree	34 I agree	5 no answer	1 I don't know	
------------------------	------------	-------------	----------------	--

Honest

40 I fully agree	24 I agree	4 no answer	2 I don't know	
------------------------	------------	-------------	----------------	--

Sufficient duration

22 I fully agree	34 I agree	9 no answer	5 I don't know	
------------------------	------------	-------------	----------------	--

Impartial

33 I fully agree	29 I agree	4 no answer	3 I don't know	1 I totally disagree
------------------------	------------	-------------	----------------	----------------------

Respectful

29 I fully agree	27 I agree	8 no answer	4	2 I totally disagree
------------------------	------------	-------------	---	----------------------

Exchange of ideas promoter

22 I fully agree	35 I agree	7 no answer	2 I don't know	4 other
------------------------	------------	-------------	----------------	---------

Proper organisational means

12 I fully agree	34 I agree	8 no answer	5 I don't know	5 other
------------------------	------------	-------------	----------------	---------

Clear final report

28 I fully agree	29 I agree	6 no answer	3 I don't know	4 other
------------------------	------------	-------------	----------------	---------

Influencing the proponent

15 I fully agree	27 I agree	9 no answer	13 I don't know	6
------------------------	------------	-------------	--------------------	---

Common knowledge improving

27 I fully agree	27 I agree	12 no answer	3 I don't know	1
------------------------	------------	--------------	----------------	---

Trust improving

19 I fully agree	31 I agree	9 no answer	6 I don't know	5 other
------------------------	------------	-------------	----------------	---------

Repeating this test at the end of the Gavorrano public debate was not possible.

Even if arbitrary, the *ex-ante* results of Gavorrano were used to weigh the five stages of Preparation, Development, Self-reflexivity, Output and Outcome according to the citizens' opinions.

PREPARATION	DEVELOPMENT	SELF-REFLEXIVITY	OUTPUT	OUTCOME
Proper organisational means <i>I fully agree</i> and <i>I agree</i> sum: 12+34= 46	Honest <i>I fully agree</i> and <i>I agree</i> sum: 40+24=64	Clear final report <i>I fully agree</i> and <i>I agree</i> sum: 28+29= 57	Influencing the proponent <i>I fully agree</i> and <i>I agree</i> sum: 15+27= 42	Common knowledge improving <i>I fully agree</i> and <i>I agree</i> sum: 27+27= 54
Sufficient duration	Participated			Trust improving

<p><i>I fully agree</i> and <i>I agree</i> sum: 22+34= 56</p>	<p><i>I fully agree</i> and <i>I agree</i> sum: 30+ 34= 64</p>			<p><i>I fully agree</i> and <i>I agree</i> sum: 19+31= 50</p>
	<p>Respectful <i>I fully agree</i> and <i>I agree</i> sum: 29+27= 56</p>			
	<p>Impartial <i>I fully agree</i> and <i>I agree</i> sum: 33+29=62</p>			
	<p>Exchange of ideas promoter <i>I fully agree</i> and <i>I agree</i> sum: 22+35=57</p>			

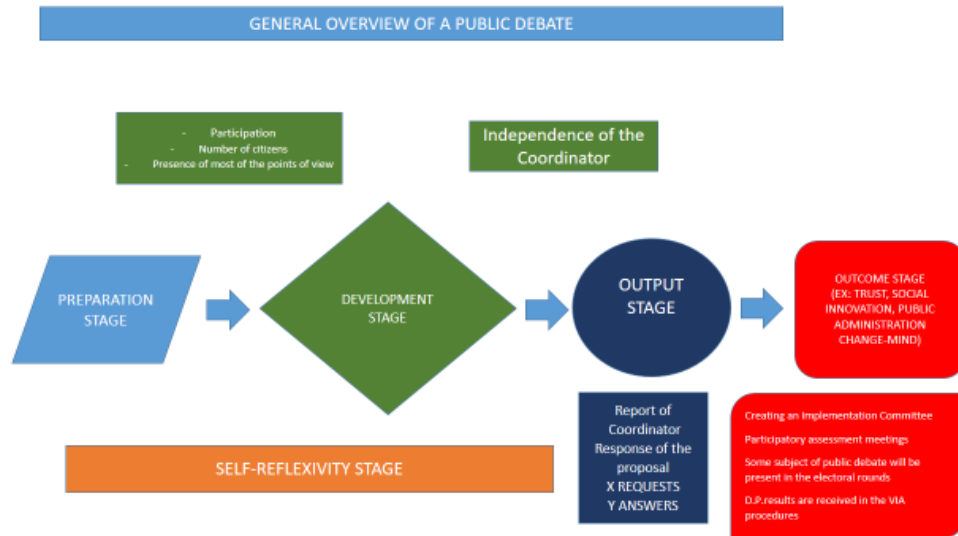
102	303	57	42	94
Divide 102 by the total sum 598	Divide 303 by the total sum 598	Divide 57 by the total sum 598	Divide 42 by the total sum 598	Divide 94 by the total sum 598
17%	51%	9%	7%	16%

Civic weighing result is: 17% to participation stage, 51% to development stage, 9% to self-reflexivity stage; 7% to output stage; 16% to outcome stage.

This method will be used for the four case studies of participatory processes on large infrastructures:

- Public Debate on the development and upgrading of the Port of Livorno – April and June 2016.
- Public Debate on the use of ‘*gessi rossi*’ and restoration of mining and quarrying in Gavorrano, in the province of Grosseto – 6th February 2017-29th June 2017.
- Public Debate on an urban regeneration project in Termoli – 1st September 2016-30th November 2016.
- Public Debate on the motorway loop ‘*Passante di Mezzo*’ of Bologna – July 2016-October 2016.

GENERAL OVERVIEW



RESULTS

The participatory paths are part of a certain historical, social and cultural context. Before adopting the evaluation grid it is considered important to provide some elements on the historical and social context of Gavorrano, Livorno, Bologna, Termoli.

Mengozzi (2006) listed the characteristics of the social context, on the research site "participedia", a very useful tool for the study of participatory processes.

Gavorrano

The mining sector had a strong increase in the post-war period but a slow technical improvement. Working conditions in the mines were still heavy and dangerous and after the initial "pacification" in industrial relations, the sector went through periods of tension and struggles between unions and the company: Montecatini. In the Maremma mining district of Montecatini, in Ribolla, in 1954 there was also a serious disaster in which 43 miners lost their lives. In the sixties mechanization and technological innovations improved productivity as well as working conditions and Montecatini concentrated on the extraction of pyrite. Gavorrano and Scarlino became important mining sites to the detriment of others.

Huntsman P&A Italy Srl, owner of the Huntsman-Tioxide plant in Scarlino is the only titanium dioxide producer in Italy. It also produces about 410,000 tons / year of a material (commonly called 'red chalk') consisting of calcium sulphate dihydrate containing iron oxide (hence the red color), classified as special non-hazardous waste

Livorno

The city of Livorno has an important port on the Mediterranean (freight and passenger yard) and the Naval Academy is located there. The moving goods amount to 28 million tons (2013) and the passengers are about 2.5 million, of which 730 thousand are cruise passengers. The population of the city has grown gradually from 1861 to 1981 by about 70 thousand people, reaching 175,000 residents, and then falling to 159,000 inhabitants until 2016. In Livorno, for centuries, numerous religious and cultural communities of the Mediterranean and Europe coexist that have characterized some places and buildings of the city. The presence of foreigners exceeds 7%. Seat of important chemical and port facilities, the city inherits a now disintegrated worker presence.

In 1921 in Livorno the Communist Party of Italy was born. The political tradition has always been left-wing with PCI leadership until 1985, then changed to PDS, DS and PD center-left. In 2014, for the first time a political movement different from the "red" tradition wins: the 5 Star Movement

Bologna

From 1958 to 1970, Bologna became one of the main nodes of the Italian transport system. The already active railway junction is joined by the motorways A1 (Milan-Florence), A14 (Ancona) and A13 (Padua). These highways, built in the 1960s, showed congestion in the 1980s (with the sole exception of the A13) due to the exceptional increase in traffic volumes. the "coplanar" bypass in the northern section of the city has shown increasing congestion, especially in the two urban side roads.

From the post-war period the Municipality of Bologna has always been governed by "red" councils led by the solid majority of the Italian Communist Party, which remains granitic until the 1995 elections.

In 1999, however, the continuity of the red tradition interrupted, with the defeat, at the ballot, of the candidate for mayor the center-left, by the center-

right candidate. The issue of upgrading the ring road dates back to the end of the 1980s, when the City Council plans to enlarge it from 2 to 3 lanes.

Alongside the presence of a strong left-wing popular party, the history of public participation in Bologna is full of experiments in participatory urban planning, civic committees, and social centers active in criticizing the injustices caused by the globalization of finances

At first the residents of the San Donnino area opposed each other, giving rise to a spontaneous committee, to which were then added the other areas crossed by the road and other critical voices of the city. The upgrading project is repeated in the following years but it was abandoned in August 2002 (during the center-right council) for the realization of a new motorway bypass that involved a much wider area north of Bologna, for a route of about 40 km, called "Passante Autostradale Nord"

Termoli

Termoli is a town in the Molise region of 33,000 inhabitants on the Adriatic coast. A fishing village in 1861 it had 2,533 inhabitants. In the following years it has seen a constant population growth, more accentuated between 1961 and 1991. Today its plain is occupied by various industrial activities and the beaches are the main attraction of the tourism sector.

Of Christian Democratic tradition, formerly Termoli was also governed by the center-right and was several times commissioner.

During the public debate, the City Council was formed by a mayor of the Democratic Party elected thanks to a coalition with Italia dei Valori and local civic lists. The public debate concerned the elaboration and approval of the urban restructuring project (resolution of the Municipal Council n. 245 of 09/25/2014), with which a policy was adopted for the design, construction and management of a multi-storey underground car park in Piazza Sant'Antonio Furthermore, to complete this project, additional interventions

and redevelopment of the surface areas, squares and accesses were planned.

Before adopting the Topsis method to the four cases, a quantitative and qualitative analysis of participation will be provided, using the data present in the final reports of the coordinators of the four public debates.

Livorno

Participation in the debate

Quantitative analysis

- Participation in meetings

A total of 440 people attended the meetings, of which 40% were present in three or more meetings. The visits to the port areas involved a total of 211 participants of which 75% participated subsequently in the laboratories.

During the meetings, 73 individual cards, 41 collective cards and yes were collected 52 public speeches are recorded.

- Stakeholder books

Introduced from the second thematic laboratory, the books collected amount to 18, compiled mostly by participating associations.

- The profile of the participants

Regarding the stakeholders, the categories that participated in the debate can be more or less brought back to the port community, while as regards citizenship represented school, Navy, unemployed and freelancers.

The world of work was represented by the various cooperative societies and consortia present on the territory while for the world of associations and the third sector it has been seen a strong presence of those involved in the environmental field, of mobility cycling, volunteering, social and cultural promotion.

Representing the world of research and university, they were present at the tables professors and researchers of the University of Pisa, of Florence of the CNR of Pisa, of CISDU120 and ISPRA environment (Higher Institute for Environmental Protection and Research).

The trade union parties, political representatives and others also took part in the tables executives and officials of local public administrations and the Port Authority.

Qualitative analysis

- The evaluation questionnaire during the debate

The questionnaires, distributed at the tables and at the end of the thematic workshops, responded 189 people of whom 60% are male with an age range of over 50 years. Two thirds of respondents declare a level of university education while for 30% the school higher. 22% were represented by pensioners, 18% by sector employees public and 13% from the private one.

It emerged that the main reason that led people to take part in the process is state to get more information on the port theme, others have shown

curiosity towards the new participatory tool and the possibility of influencing decisions.

The judgment on the comprehensibility of the information is generally positive with an average rating of 7.6 on a scale of 1 to 10.

- The monitoring system

The evaluation model was based on the objectives that the Public Debate was originally set: Information, Transparency, Dialogue, Trust, Knowledge and awareness, participation.

GAVORRANO

Participation in the debate

Quantitative analysis

A total of 365 people participated in the public debate inhabitants of the Municipality of Gavorrano but with a strong presence from Follonica and Roccastrada, many of which belong to environmental associations and local committees or employees of the Venator, members of the Municipal Councils or representatives of acronyms union. To these are added 15 technicians and experts. More in detail were:

- 88 participants in the introductory seminar;
- 132 participants at the first meeting on plaster casts;
- 39 participants in the visit to the quarries;
- 115 participants at the second meeting on the restoration of Montioni;

- 150 participants in the meeting on the criteria for site selection;
- 405 names on the mailing list;
- 10,500 visitors to the website.

- The actors' notebooks

The actors' notebooks were the main instrument with which any citizen, during the public debate, he was able to present his own observations, proposals and contributions. Once completed, the notebook were sent to Responsible and promptly published in a special section of the site. In addition to each public meeting a copy of the notebooks was made available on the tables in the previous weeks.

A total of 13 notebooks were sent by local actors and the same were published in full without any modification by the Manager.

Qualitative analysis

- The evaluation questionnaire

At the beginning and at the end of each meeting the questionnaires were given to the participants prepared and treated in compliance with the legislation on the confidentiality of personal data, in anonymous and aggregate form, in order to acquire information useful for the evaluation of process and research activities. The APP analyzed in particular the results of 56 questionnaires filled out by 37.3% of the present (in total the participants were 150) at the meeting of June 14 Criteria for guidance

the choice of the site, from which it was possible to deduce that most of the participants (88.5%) evaluated the useful discussion, had the opportunity to ask questions (Yes: 67.3% - No: 32.7% - No answer: 7) and was satisfied with the answers obtained (Yes: 87.1% - No: 12.9% - No answer: 2). 26% of citizens said they were very satisfied with having participated, 48% Enough, 18% answered Sufficiently and only 8% yes is deemed to be not satisfied with the participation.

BOLOGNA

Participation in the debate

Quantitative analysis

Attendance at meetings

Participated overall:

- At the first five meetings: about 700 people, of whom 502 were present at the meetings tables; The participants asked 386 questions, 107 of which were of a general nature several tables and 279 concerning specific aspects presented by individual citizens. At 80 of the 107 general questions were answered during the meetings while the remaining questions were

answered 27 and 279 of a specific nature was partially answered via the website of public comparison.

During the meetings space was also given to interventions by committees and local associations for a total of 9 interventions.

- At the four in-depth meetings: a total of 313 citizens.

- 59 candidates were originally enrolled in the two local laboratories while i there were 45 actual participants. The meetings were structured as workshops conducted by independent facilitators, with the presence of the proponents of the work for deepen the design issues. The citizens were asked to elaborate proposals here ameliorative. Each proposal had to be illustrated as detailed as possible by so being able to identify with certainty the scope of the intervention; motivated explaining the reasons, enriched also by the illustration of the effects and objectives that the intervention could have in the future.

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Qualitative analysis

The analysis of the published documentation does not reveal the preparation of any questionnaire, neither ante nor post public comparison, fundamental tool to formulate a judgment about the comprehensibility of the information provided. It is also possible to draw up a profile of the participants either as representatives of committees and associations both as individual citizens interested in the project.

Data processing

The improvement was emerging and analyzed by the party of the Monitoring Committee and some of these have been reflected in the project final of the work, others will be used in the development of new ones urban planning tools of the Municipality of Bologna and the Metropolitan City.

With regard to the 386 questions raised during the meetings, the same concerned the following topics:

- 21% landscape and environmental inclusion of the work;
- 18% infrastructure features;
- 16% possible alternatives to enlargement;
- 12% impact on the health of citizens;
- 9% traffic data presented;
- 8% work costs, compensation and expropriation;
- 8% public comparison;
- 4% site construction;
- 4% adduction works.

During each of the workshops, the citizens have had the opportunity to speak with him public debate staff (company experts e administration), submitting questions related to the project.

In the workshops of 22 and 29 October and of 12 November 33 applications of the citizens, to whom an argued answer has been given by administration and business technicians. The question time was an important tool, as it allowed a participation in the Public debate also of citizens who are themselves refuse to take part by formally identifying yourself. Through it, the Debate - and therefore the citizens who they have followed the work, directly or through media and Facebook - could hear the voice of those who have chosen to boycott the debate itself.

TERMOLI

Quantitative analysis

Participants: n. 350

Meetings with students: n. 25

Tavoli tematici n. 35

Associations : n. 38

Workshop: n. 3

Qualitative analysis

The analysis of the published documentation does not reveal the preparation of any questionnaire

In the final report, we note the presence of a theoretical reflection on the difference between direct democracy and deliberative democracy. This is due to the fact that the guarantor, Marco Olivetti, is a professor of Constitutional law. Olivetti wrote:

“The use of the instrument of public debate finds the its explanation in the context of the crisis of the instruments classics of contemporary democracy. On the one hand, in fact, the latter is, in the context contemporary constitutional, a model devoid of systemic alternatives: there is no other form of

It was considered legitimate to regulate cohabitation among free men. On the other hand, there is a growing sensation of detachment between the citizens and the subjects in charge of represent them in the administrative sphere and in the legislative one. The "age of distrust", in which we live, it is also the age of counter-democracy, it is worth to say of the popular protest of the rulers. Self this last phenomenon must be considered physiological in a pluralistic democracy, the dominance of "negative" dimension of democracy risks alter its delicate balance and make the system political and administrative hostage of a paralysis decision

- a) *The referendum is one of the tools that sometimes comes used - especially in the Italian experience - for bridging the gap between citizens and representatives. The its potential is considerable, especially if it has ad object not micro-issues but important issues general for the community. But on one condition very precise: to develop rigorously compliance with procedures and standards that ol regulate. In any case, the referendum is characterized in positive for the direct adoption of the decision by*

part of the body of the governed and, in negative, for the dramatization of the decision, which is reduced to a dry alternative (Yes / No) between two solutions among which no mediation is possible. It also runs the risk of playing only the function to delegitimize those in a given historical moment govern - based on a popular election held under the rules democratic - a city, a region, a state, ending, therefore, to illegally replace the regular elections, whose function is to renew the representative and government positions are in based on the principles of representative democracy, incorporated among other things by the Italian Constitution.

b) The techniques of participatory democracy e deliberative aim to bridge the gap between rulers and governed differently by techniques referendum. On the one hand, they introduce a argumentative burden for all participants in the discussion. On the other hand, they allow solutions intermediate, mediation, modifications with respect to starting proposals. At the same time, public debate and other institutions similar to it, they do not challenge the claim of decision-making power to the governing subjects,

democratically legitimized by elections free, pluralistic and periodic. It is a non easy bet on the quality of participation, instead of its incisiveness in decision-making terms. A similar technique obviously requires a high level of loyalty compared to a dialogical method by of all those involved. The standard for debate public is therefore high and the present procedure presents, among other things, an experimental scope (also in reason for the absence of an organic legislation that the disciplines) and has the potential of a (auto) business civic education of citizens. It should however be reiterated that the public debate, in the so far experienced models, does not consist of one decision-making procedure, but in a structured dialogue”.

The following tables show an overview of the four case studies’ results.

Each criterion will be analysed in the following pages.

The summary tables are reported below:

CRITERIA	PREPARATION STAGE Scores			
	Livorno	Gavorrano	Termoli	Bologna
1.1	1	1	1	1
1.2	1	1	0	1

1.3	1	1	0	1
1.4	1	1	1	1

CRITERIA	DEVELOPMENT STAGE Scores			
	Livorno	Gavorrano	Termoli	Bologna
2.1	1	1	0,66	0,66
2.2	1	1	0,33	0,33
2.3	1	1	0	0
2.4	1	1	0	0
2.5	1	1	1	1
2.6	0,66	0,66	0	0,66
2.7	0,75	0,75	0,5	0,5
2.8	1	1	1	1
2.9	0,66	0,66	0,33	0,33
2.10	1	0,66	1	1
2.11	1	1	1	1
2.12	0,66	0,66	0,33	1
2.13	1	0,33	0	0,66
2.14	1	1	1	1

CRITERIA	SELF-REFLEXIVITY STAGE Scores			
	Livorno	Gavorrano	Termoli	Bologna
3.1	0	1	0	0

3.2	1	1	0,66	0
3.3	0,66	0,66	0	0
3.4	1	0	0	0

CRITERIA	OUTPUT STAGE Scores			
	Livorno	Gavorrano	Termoli	Bologna
4.1	1	1	1	1
4.2	0,5	1	0,5	1
4.3	1	0,33	0	0,66
4.4	1	0	0	0

CRITERIA	OUTCOME STAGE Scores			
	Livorno	Gavorrano	Termoli	Bologna
5.1	1	1	1	1
5.2	0,33	0,33	0	0
5.3	1	1	0	0
5.4	1	1	0	0
5.5	0,66	0,66	0	1
5.6	1	0,66	1	1

1.1 Preparation

The Preparation is an important stage, allowing the participants to understand the social context in which the participatory process will take place.

- The preparatory phase lasted longer than laid down by public debate's rules, score: 1
- The preparatory phase lasted exactly as provided for by public debate's rules, score: 0.66
- The preparatory phase lasted less than expected according to public debate's rules, score: 0.33
- It was not possible to carry out the preparatory phase, score: 0

Criterion 1.1 provides for longer duration of the Preparation stage than established by public debate's regulation.

The reference point is the Prime Minister's Decree No. 76 of 10 May 2018 - published on the *Gazzetta Ufficiale* on the 25th June 2018 – and it gives a month to the public debate's coordinator to design the participatory process: according to the paragraph 6 of Article 6, the coordinator must design public debate's arrangements and, within a month from his/her appointment,

he/she must produce a document reporting public debate's project, the subjects of discussion, the schedule of meetings and the rules for participation and communication to the public.

	Livorno	Gavorrano	Termoli	Bologna
1.1	1	1	1	1

The public debate of Livorno lasted two months, as required by law, from 12th April to 14th June. The Preparation stage had to fit projects' times with their related parallel tender procedures – expression of interest for project financing on the EU Platform and by the majority of the company Porto di Livorno 2000, managing body of the Marine Station – imposing a strict timetable for detailed study and logistical administration preceding public debate.

Public debate's preliminary stage in Gavorrano started at the end of January 2017 until mid-April 2017.

In Termoli, a website on public debate was put at the disposal of the citizens from 25th July 2016. The first public meeting took place on October 22nd.

In Bologna, the preliminary stage lasted from July 18th to September 7th 2016.

1.2 Preparation: stakeholders and marginalised groups' meetings

- Public meetings involving stakeholders, the media, marginalised categories (young, elderly, disabled people who have difficulty accessing to the Internet...) Score: 1
- Public meetings involving stakeholders and the media Score: 0.66
- Public meetings involving only stakeholders or only the media Score: 0.33
- Meetings involving only one stakeholder Score: 0

	Livorno	Gavorrano	Termoli	Bologna
1.2	1	1	0	1

Some information events took place in Gavorrano to involve groups of people usually avoiding institutional public meetings, in particular:

- two information events for elderly people. The first one took place on April 1st at the Auser of Scarlino – also the headquarters of one of the three public debate's information points -, while the second one took place on April 29th at the Auser of Gavorrano Scalo. The presidents of both structures cooperated on the organization of these meetings.
- a meeting for young people, with the cooperation of some local associations, that took place on April 6th at Porta del Parco of Gavorrano.

1.3 Preparation stage quality

- Yes score: 1
- No Score: 0

	Livorno	Gavorrano	Termoli	Bologna
1.3	1	1	0	1

Itinerant listening points were instituted in Livorno: the opinions of the people unlikely to participate in public meetings were collected through the outreach method – directly approaching people. Meanwhile, the outreach method – carried out by the itinerant listening points – crossed the borders of the Municipality of Livorno and got in touch with other institutions, above all the Municipalities of Pisa, Collesalveti and Piombino. Public debate’s staff met officers from the Municipalities of Pisa and Collesalveti; the last one cooperated on the organization of a meeting for the stakeholders of the port’s inner harbours at the Amerigo Vespucci International Port.

An outreach activity of land exploration took place in Gavorrano, in order to measure the possible extent of the environmental impacts – positive or negative – depending on the designed location, and to design a proper and

effective involvement and communication plan. This activity of direct listening was useful not only to understand the alert level about the arrangement of *gessi rossi*, but also to better understand the sense of identity of the citizens affected by the consequences of this choice.

There were not outreach initiatives in Termoli.

Conflict assessment was carried out in Bologna through over fifty interviews to the major institutional and local actors affected by the project. The interviews were aimed at:

- identifying the various interests and opinions of the different interlocutors;
- highlighting the **major concerns** on the infrastructure;
- detecting local actors' opinions on the public debate;
- carrying out a **swot analysis** – strong and weak points, opportunities, threats – on the project's design, the decision-making process and in particular the public debate.

1.4 Presentation meetings

- Yes score: 1
- No Score: 0

	Livorno	Gavorrano	Termoli	Bologna
1.4	1	1	1	1

A presentation meeting took place in Livorno on April 12th 2016.

A public presentation seminar took place in Gavorrano on February 6th 2017.

A website informing citizens on the public debate's subjects was opened in Termoli on July 25th 2016.

Public debate process was presented in Bologna on July 22nd 2016.

2.1 Unquestioned and questioned impartiality

- No-questioned impartiality Score: 1
- Impartiality questioned by the opposing committees Score: 0.66
- Impartiality questioned by the opposing committees and ordinary citizens Score: 0.33
- Impartiality questioned by the opposing committees, ordinary citizens and institutions Score: 0

	Livorno	Gavorrano	Termoli	Bologna
2.1	1	1	0,66	0,66

There was not criticism on coordinators Guillain and Pignaris's impartial debate's management in Livorno.

Citizens opposing to the infrastructure criticized the impartiality of the two coordinators of Termoli and Bologna, prof. Olivetti and dr. Pillon, respectively.

R. Lewanski (School of political and Social sciences, UNIBO) wrote :

The CP did not exert any influence on the choice of proponents, nor could it have given the premises of departure and the way in which it was conducted: the outcome was predetermined. Therefore, it was a form of symbolic involvement with traces of manipulation, in which the voice of the citizens counted little or nothing: something very different from actual participation . The process had the appearance of participation (the choreography, the facilitated tables, in part of the structure of the process...), but it lacked in substance a real participatory process is an all-round discussion on all the options, including the 'Option Zero' (reading the articles of Wu Ming). (Lewanski, 2018)

As explained by an authoritative on the sector (referring to the same company that managed the CP of Bologna) during a public debate, 'not only the 'how' has to be discussed, but also the 'if': deliberation is needed on how and if the work has to be done [...]. It makes little sense to debate when the decision-making process is already in an advanced state and the public debate is based on deeply rooted convictions. [...]. It is possible, and it actually happened, that public debate led to the abandonment of the project (Romano 2012, 4 and 36). Therefore, although the Public Debate is a very weak form of involvement leaving the final decision to the proponent's discretion, at least it allows to consider all the possible options, including-the Option Zero– consisting in the abandonment of the project.

‘And this is what we wanted to avoid with confrontation rather than debate:
in this way we prevented other layouts – e.g. in the Northern or Southern
part of the city – from being taken into account [...].’

2.2 Informations on Internet

- The Internet site was updated step-by-step after each meeting and more than 50% of the users found the website useful according to their answer to a final question or to objective evidence, score: 1
- The Internet site was updated step-by-step after each meeting and less than 50% of the users found the website useful according to their answer to a final question, score: 0.66
- The Internet site was updated but did not contain any final question Score: 0.33
- The Internet site was not updated and did not contain any final question, score: 0

	Livorno	Gavorrano	Termoli	Bologna
2.2	1	1	0,33	0,33

The Livorno's Internet site was updated step-by-step after each meeting and more than 50% of the users found the website useful according to their answer to a final question or to objective evidence.

2.3 Information feedback

- It was possible to verify that participants found the information appropriate

Score: 1

- It was possible to verify that participants found the information inappropriate

Score: 0.50

- It was not possible to verify whether participants found the information appropriate or not Score: 0

	Livorno	Gavorrano	Termoli	Bologna
2.3	1	1	0	0

The majority of participants who filled out a final questionnaire in Gavorrano gave positive feedback to the clear information system.

In conclusion, the general feedback to information's comprehensibility is positive if it's given an average rating over 7,6 out of 10.

Neither final Reports nor websites provide this piece of information concerning Termoli and Bologna's information feedback.

2.4 Visits to the areas

The website contains summaries and/or recordings Score: 1

The website does not contain summaries and recordings of the meetings

Score: 0

	Livorno	Gavorrano	Termoli	Bologna
2.4	1	1	0	0

Visits to the areas constituting the debate's subject were organized in Livorno and Gavorrano.



2.5 Meeting results' update on the Internet

	Livorno	Gavorrano	Termoli	Bologna
2.5	1	1	1	1

Websites providing information on the results of the debates were opened during all the four public debates examined.

2.6 Participants' contributions

- The actors' notebooks were presented mainly by individual citizens Score: 1
- The actors' notebooks were presented mainly by associated citizens Score: 0.66
- The actors' notebooks were presented mainly by institutions (municipalities, regional authorities, Regional Agencies for the Environment - ARPA) Score: 0.33

No actors' notebooks were presented Score: 0

	Livorno	Gavorrano	Termoli	Bologna
2.6	0,66	0,66	0	0,66

The participants' notebooks are the best way in which citizens can express their opinions and proposals during the public debate. The form to be filled in is usually available on the public debate's website.

In Livorno, stakeholders' notebooks – innovative means of expression for specific actors such as associations, committees, economic or cultural actors, etc. – were introduced from the second thematic laboratory – May 23rd – in order to present the subjects of the debate to the public before the beginning of the process. Encouraged by the staff, the participants filled in the forms during the last stage of the process, in the week before the last public meeting – June 14th – and in the following week. Eighteen notebooks were collected and most of them had been written by participants in the public debate. A list of these notebooks is attached at the end of this work.

Stakeholders' notebooks:

- AMT Toscana
- Associazione Oltre per Livorno

- Associazione Progetto Bici
- Associazione Sport Insieme
- Associazione Terme del Corallo
- Associazione Carico Massimo
- Municipality of Pisa
- Community of Sant'Egidio
- LAPEI – UniFi
- Legambiente
- Movimento consumatori Toscana
- OTU Osservatorio Trasformazioni Urbane
- Province of Livorno
- Rete civica livornese contro la guerra
- WWF
- Some individual citizens.

Thirteen notebooks were produced in Gavorrano by the local actors: the first notebook was sent on April 27th, while the last one was submitted on June 29th, when the final meeting took place.

Coordinator Chiara Pignaris pinpointed some similar contents among the notebooks:

- the importance of finding a proper solution not to jeopardize the job of hundreds of families;

- the need for an environmentally friendly solution considering costs and benefits for each category affected: manufacturing, agriculture, tourism, healthcare;
- the need for a proper location for *gessi rossi* in compliance with the law in force;
- the need for accurate techniques to verify project's possibilities impartially evaluated;
- the need for new uses of *gessi rossi* and technological solutions considerably reducing storing and/or restored materials.

23 notebooks were published in Bologna:

- 2 by professional associations – Cia, Coldiretti and Confagricoltura, Collegio costruttori di Bologna, ANCEBOLOGNA;
- 2 by political movements – Rete Liberale Bologna;
- 3 by local associations and organizations – Legambiente Bologna, Associazione il Cerchio Verde, Consulta Comunale della Bicicletta;
- 5 by local committees – Coordinamento comitati mobilità sostenibile, Comitato via della Campagna, Comitato Passante di Mezzo NO Grazie, Comitato per l'Alternativa al Passante nord;
- 11 by citizens – Antonio Panza, Luigi Luccarini, Paolo Natali, Angela Lacopetta,

Paolo Dotta, Fiorenzo Mazzetti, Antonio Bonomi, Fioretta Gualdi, Flavio Neri.

Observations, criticism and proposals included in the notebooks are available in the final report.

Citizens' notebooks weren't collected in Termoli.

2.7 Participation: quality

- The number of participants increased by more than 50% from the first to the last meeting Score: 1
- The number of participants remained constantly between 15 and 50%
Score: 0.75

- More than 15% participants or less than 15% participants Score: 0.50
- The number of participants dropped from less than 15% to less than 50%
Score: 0.25
- The number decreased by over 50% or it was not possible to verify it
Score: 0

	Livorno	Gavorrano	Termoli	Bologna
2.7	0,75	0,75	0,5	0,5

There was a 15-50% increase in participation between the first and the last meeting.

2.8 Participation quality

- All the following categories were present: ordinary citizens, representatives of committees/associations/trade unions/other political institutions, experts
Score: 1
- Three of the categories listed above were present Score: 0.66
- Two categories were present Score: 0.33
- Only one category was present or it was not possible to verify the participants' origins Score: 0

	Livorno	Gavorrano	Termoli	Bologna
2.8	1	1	1	1

The following categories were present at the four participatory processes:

- ordinary citizens;
- members of committees/associations/trade unions;
- other political institutions;
- experts.

2.9 Public meetings

- The participants came from the municipalities affected by the project, from other municipalities of the region, from other regions Score: 1
- The participants came from the municipalities affected by the project, from other municipalities of the region Score: 0.66
- The participants came only from the municipalities affected by the project Score: 0.33
- It was not possible to verify the variety of participants Score: 0

	Livorno	Gavorrano	Termoli	Bologna
2.9	0,66	0,66	0,33	0,33

Participants from various places

Citizens from different Municipalities participated in the public debates of Livorno and Gavorrano. Their Municipalities didn't organize the debate,

The first thematic laboratory on the Piattaforma Europa project took place in Livorno on May 5th 2016. On May 23rd, the second thematic laboratory on the new Marine Station project was held. The third thematic laboratory on environmental impacts was on May 25th 2016, while the final meeting was held on June 14th 2016. During the last meeting, citizens received a summary of the contributions collected until then.

The following were the meetings in Gavorrano:

- 27th April 2017: *‘Conosciamo meglio i gessi’*
- 23rd May 2017: *‘Come si ripristina una cava con i gessi’*
- 14th June 2017: *‘Criteri per orientare la scelta del sito’*.

The following meetings took place in Termoli:

- 22nd October 2016 – *‘Il progetto tecnico, aspetti di impatto ambientale, archeologico e geologico’*
- 29th October 2016 – *‘La vita della città durante la fase del cantiere’*
- 12th November 2016 – *‘Il project financing, aspetti economici’*
- 19th November 2016 – *‘Relazione finale del garante del dibattito pubblico’*.

Four meetings were held in Bologna from September 24th to October 15th 2016 to examine in depth the major issues emerged during the public debate's design stage and confirmed over the debate:

- 24th September 2016 – *'Il Passante di Bologna, gli scenari del traffico e della mobilità'*
- 29th September 2016 – *'Il Passante di Bologna, l'ambiente e la salute'*
- 8th October 2016 – *'Il Passante di Bologna, qualità urbana, ambiente e paesaggio'*
- 15th October 2016 – *'Il Passante di Bologna e la gestione dei cantieri'*.

2.11 Methods to guarantee ideas exchange among participants

- The process was mainly organised into small groups of discussion, leveraging on specific techniques of dialogue activation (tables with facilitators) Score: 1
- The process was mainly organised into small groups of discussion, but without relying on specific techniques of dialogue activation Score: 0.50
- It was mainly organised into assemblies Score: 0

	Livorno	Gavorrano	Termoli	Bologna
2.11	1	1	1	1

The meetings in Livorno were based on different involvement methods, using elaboration tools for groups – collective or individual forms, 5-10 people teamwork – and/or direct speech. Institutional actors directly

involved in the debate and its projects – Port Authority, Region, Municipality, Province – sent their representatives to speak and listen to the participants at the starting or final meeting of the debate or at the stakeholders' workshops.

There were five Working Tables during the second public meeting in Gavorrano. The participants evaluated pros and cons of the two possible locations – the quarries of Vallina and Bartolina – helped by a facilitator and some experts on the four thematic areas – environment, mobility, socio-economic aspects, landscape and future uses. This is the method used: after the opening speeches by representatives of the Municipality of Gavorrano – listing the characteristics of the two quarries – and by the two citizens appointed for speaking, the debate started in the five Working Tables moderated by a facilitator and provided with various documents, such as maps, aerial photos on different scales, datasheets on the locations' compatibility, etc. Each table started from a different thematic area helped by an expert and then shifted to other thematic areas. The results of the discussions were communicated in plenary.

A Termoli, during each of the workshops, citizens they had the opportunity to speak with him staff of the public debate (experts of the enterprise and administration), submitting questions related to the project, through the parliamentary technique of the question time.

In Bologna, in order to collect proposals, the process was based on laboratories on the single neighbourhoods: San Donnino, Croce del Biacco, Croce Coperta - Dozza, Pescarola - Marco Polo, Birra - Borgo Panigale.

The participants in the laboratories were appointed by the same citizens during the first five project's presentation meetings. Each Working Table was asked to choose a representative for the following stage of proposal-making process.

Each meeting was divided into three parts:

- 1. Presentation** of the preliminary project;
- 2. Discussion** among citizens at the different Tables;
- 3. Questions** to designers and administrators.

of the meetings, broadening the general outlook and helping sort out possible doubts emerged during discussions. In accordance with the procedures of the regional Council, the experts were chosen for their curriculum, in particular among university teachers willing to speak to the citizens. Public debate's coordinator also required to APP the presence of counter-experts, chosen by the representatives of the interviewed committees.

Nine experts, consultants of the Port Authority, took the floor in Livorno about the projects: they had the technical role to give explanations and answer to the participants' questions during the meetings, with the collaboration of the same public and the staff.

25 experts took part in the meetings in Bologna:

- 7 of them were appointed by the project's proponent to present the issues discussed;
- 5 of them represented public authorities and institutions;
- 13 of them were experts on the various debate's subjects;
- 8 out of the 13 experts were appointed by the committees opposing to the project.

2.13 Final Report

- The Final Report was presented to the citizens before finalising it Score: 1
- The Final Report was presented to the citizens even after their official publication Score: 0.66
- The Final Report was disclosed only by publishing it in the Official Bulletin Score: 0.33
- The Final Report was only uploaded on the website Score: 0

	Livorno	Gavorrano	Termoli	Bologna
2.13	1	0,33	0	0,66

In Livorno, Coordinator Sophie Guillain presented the subjects of the Report even before writing and publishing it, during the public debate's final meeting in Gavorrano.

In Gavorrano, the Final Report was published on BURT – Bollettino Ufficiale della Regione Toscana – Supplement No. 137, II Part, September 27th 2017 edition.

In Termoli, the Final Report was published on the public debate’s website.

In Bologna, the Final Report was presented to the citizens after it was written.

2.14 of Final Report, Presence of disputes

- The presence of disputes was clearly reported by the Coordinator Score: 1
- The presence of disputes was not clearly reported Score: 0

	Livorno	Gavorrano	Termoli	Bologna
2.14	1	1	1	1

No particular disputes emerged in Livorno.

In Gavorrano, a whole chapter of the Final Report was dedicated to disputes, above all about the pollution of the area due to mining activity. In the Final Report they reported the opposition by environmental committees and associations, that for more than twenty years have been promoting the restoration of the area in order to safeguard citizens' health and opposed to the use of both the quarries of Vallina and Bartolina.

Prof. Marco Olivetti, public debate's coordinator in Termoli, wrote in the final report that citizens' Committees opposing to the project decided not to take part in the debate and this was defined 'debate boycott'. Three associations – Cittadini in Rete, Comitato Airino, Università della Terza Età – participated in the debate clearly expressing their opposition and explaining their reasons, among which:

- a) the project's uselessness;
- b) risks to the archaeological heritage.

In Bologna, dr. Andrea Pillon wrote in the Final Report that great importance was given to the opposition, by organising thematic speeches during plenary presentation and follow-up meetings and by involving counter-experts in the debate.

3.1 Did they hold an evaluation public meeting?

- Yes Score: 1
- No Score: 0

	Livorno	Gavorrano	Termoli	Bologna
3.1	0	1	0	0

A final evaluation meeting took place only in Gavorrano. On June 29th, the Authority for Participation held a meeting to allow different actors involved in the debate to evaluate their experience. The meeting was aimed at collecting participants' first opinions on the methods used in the just completed public debate. In particular, some of the key issues emerged during the debate were discussed in detail:

- The environmental impact of *gessi rossi*;
- the understandability of the languages;
- the importance of transparency;
- the role of the experts;
- impartiality.

Participants were helped by two external experts – dr. Andrea Pillon, expert on participated design, and dr. Liliana Cori from the CNR of Pisa – who encouraged them with questions and deliberations.

3.2 Supervising Table

Was there a Supervising Table?

Yes Score 1

No Score 0

	Livorno	Gavorrano	Termoli	Bologna
3.2	1	1	0	1

In Livorno, coordinator Sophie Guillain requested a Supervising Table not required by law. It was held before the debate and in the most important moments of the process, in order to coordinate the major actors, inform them and adapt the debate to the requirements. It included institutional bodies promoters of the project and of the debate – Port Authority of Livorno, Tuscan Authority for Participation, Tuscany – and the representatives of the area, that is to say the Municipality and the Province of Livorno. The Supervising Table led to shared deliberation on the public debate’s development.

Following the example of Livorno, a Supervising Table was held in Gavorrano, aimed at coordinating the involved institutions, informing them and adapting the debate to the requirements. The Table involved the representatives of Tuscan Environment Department; Municipality of Follonica; Municipality of Roccastrada; Municipality of Scarlino; Parco

Nazionale Geominerario delle Colline Metallifere; ARPAT; ASL Grosseto; Tuscan Industry for Reclamation and Waste; Tuscan Industry for Planning and Monitoring of Quarries; Tuscan Industry for Participation Policies; Tuscan Guarantor of Communication and Participation.

In Termoli there was not a Supervising Table.

An Experts' Committee was held in Bologna to supervise the process. It included seven experts: four of them were appointed by local authorities and by the University of Bologna, while three of them were appointed by the opposing committees. The Experts' Committee was held four times: the first technical meeting was aimed at explaining the project and it took place on September 1st, three meetings followed on September 7th and October 3rd and 18th. Counter-experts participated in the last two meetings.

3.3 Assessment Questionnaires

- Yes, at the beginning, during and at the end of the process Score: 1
- Yes, but only in two of these three moments: Score: 0.66
- Yes, but only in one of these three moments Score: 0.33
- No or the website does not show it Score: 0

	Livorno	Gavorrano	Termoli	Bologna
3.3	0,66	0,66	0	0

Assessment Questionnaires were completed only in Livorno and Gavorrano: during and after the process in Livorno; before and after the process in Gavorrano.

3.4 Production of a self-evaluating model of the process

- Yes Score: 1
- No Score: 0

	Livorno	Gavorrano	Termoli	Bologna
3.4	1	0	0	0

Coordinator of the public debate of Livorno Sophie Guillain wrote in the Final Report that a valuation model was produced – and I personally made a contribution to it, having taken part in the production of the final Assessment Questionnaire. The valuation model isn't available to the public, yet, but I had access to it. It is based on the measurement of some public debate's purposes:

- **Inform:** providing proper information on the on-going situation
- **Transparency:** honestly communicating and answering to all the citizens' and stakeholders' questions;
- **Dialogue:** developing constructive and peaceful communication
- **Trust:** producing mutual trust, in order to avoid a situation in which the proponent fears boycotts and the participants are worried about being instrumentalised;

- **Awareness:** spreading awareness on the on-going projects and on the impacts on the area;
- **Participation:** assuring the highest possible level of shared and representative involvement.

4.1 Influence on the proponent

- The public debate was so influential that the proponent accepted more than 75% of the requests contained in the Final Report Score:

1

- It was so influential that the proponent accepted more than 50% of the requests contained in the Final Report Score:

0.66

- It was so influential that the proponent accepted less than 50% of the requests contained in the Final Report Score:

0.33

It was so influential that the proponent accepted more than 25% of the requests contained in the Final Report Score:

0

	Livorno	Gavorrano	Termoli	Bologna
4.1	1	1	1	1

In all the four participatory processes the proponents accepted over 75% of citizens' requests.

4.2. Option Zero

- Option Zero has been taken into account Score: 1
- Option Zero was only mentioned Score: 0.50
- Option Zero was not taken into account Score: 0

	Livorno	Gavorrano	Termoli	Bologna
4.2	0,5	1	0,5	1

In Livorno, Option Zero didn't raise particular interest.

In Gavorrano, participants asked Venator – the company producing *gessi rossi* – and the Municipality of Gavorrano to express their opinion on what would be done if it wasn't possible to restore both the quarries of Gavorrano with *gessi rossi*, due to technical reasons or other impediments.

In Termoli, the Final Reports read that there had been no mention of Option Zero, because its promoters freely – and legitimately – chose not to participate in this democratic experiment.

In Bologna, many citizens – individuals or associations – asked not to build the motorway loop called Passante di Mezzo.

4.3 Ladder issues

- The public debate has brought out issues of European, Italian, regional, and local scale Score: 1
- The process arose issues on a European, Italian, regional and local scale Score: 0.66
- The process arose issues on a regional and local scale Score: 0.33
- The process arose issues on a local scale Score: 0

	Livorno	Gavorrano	Termoli	Bologna
4.3	1	0,33	0	0,66

In Livorno, a working table was dedicated to *Infrastructures and out-of-the-harbour trade*. It included Analysis of the effects on the area and environmental impacts offset, Dialogue on the projects' area, Informing

citizens at a supra-territorial level. During the public debate, Livorno was defined a strategic town in the Mediterranean and since the ships navigating in this sea are huge, building Piattaforma Europa was a way to maintain Livorno among the most important ports of the Mediterranean.

4.4 Supervising meeting after the debate

Was there a Supervising meeting after the debate?

Yes Score 1

No Score 0

	Livorno	Gavorrano	Termoli	Bologna
4.4	1	0	0	0

A meeting to evaluate the projects' progresses took place only in Livorno, in November 2017.

A second annual meeting is expected in Livorno within the end of 2018.

5.1 Proposals on projects

- The public debate brought out 1) design tips on the work 2) tips on context aspects, 3) Risks and opportunities Score: 1
- The public debate brought out 1) design tips on the work, 2) Risks and opportunities Score: 0.66
- The public debate brought out 1) tips only on context aspects, 2) Risks and opportunities Score: 0.33
- It brought out only risks and opportunities of the work Score: 0

	Livorno	Gavorrano	Termoli	Bologna
5.1	1	1	1	1

Final Reports of all the four debates highlighted the fact that proposals emerged not only on the infrastructure project, but also on contest. Moreover, some speeches pointed out infrastructure's risks and opportunities that became subjects of the participatory process.

In Livorno, speaking of the Marine Station, the reports of the public debate include the request for an amendment of the current area's master plan, in order to overcome the separation between the new marine station and the urban area, trying to better balance inclusion and separation of the cruise port facilities and the areas open to the public and combining the surrounding urban fabric with the needs of the inhabitants of Livorno.

In Gavorrano, the citizens' requests concerned various aspects: improving studies on the environmental effects of *gessi rossi* thanks to more complete and diverse analysis methods adopted by independent laboratories; examining possible positive economic effects deriving from a restoration with *gessi rossi* on the Municipality of Gavorrano and the other Municipalities that may be involved; verifying the proponent willingness to find new uses for *gessi rossi* and market niches interested in this kind of product. The citizens also asked to study possible technological solutions to further reduce the use of this material.

In Termoli, the discussion concerned the building of the Tunnel between the port and Lungomare Nord, the multi-story parking, urban traffic management, living and commercial spaces, archaeological aspects, the project's funding. Moreover, the citizens asked for the continuation of the process of information and dialogue through an Urban Centre in Termoli; the design of an Auditorium to improve the cultural offer of the city; guarantee of a building site compliant with the city life.

In Bologna, citizens' requests concerned in particular the following issues:

- landscape inclusion - flyover, soundproof tunnel, noise barriers;
- building of communication routes – bike lanes, restored underpasses;
- frontage roads improvement;
- environmental restoration – urban afforestation of parks, tree belts;
- concern for public health – less traffic, better air quality, noise reduction.

5.2 Changes

- A year later, the public debate led to changes in the organisation of the institutions, in the citizens ' committees, in the proponents Score: 1
- A year later, the public debate led to changes in the organization of only two of these bodies: institutions, citizens' committees, projects' proponents Score: 0.66
- A year later, the public debate led to changes in the organization of only one of these bodies: institutions, citizens' committees, projects' proponents Score: 0.33
- A year later, the public debate led to no changes Score: 0

	Livorno	Gavorrano	Termoli	Bologna
5.2	0,33	0,33	0	0

In Livorno, the port authority has created a permanent structure for dialogue with citizens

In Gavorrano, the two opposing committees joined a super committee

5.3 Transformation of civic participation

- It was possible to verify that the public debate increased participants' self-perception of their participation Score: 1
- It was possible to verify that nothing changed in participants' self-perception of their participation Score: 0.66
- It was possible to verify that the public debate did not increase participants' self-perception of their participation Score: 0.33
- It was not possible to verify the transformation of civic participation Score: 0

	Livorno	Gavorrano	Termoli	Bologna
5.3	1	1	0	0

Assessment Questionnaire were completed only during the two Tuscan debates and, according to them, many participants improved their awareness on the public debates' subject.

5.4 Improvement of participants' learning

- It was possible to verify an increase in the participants' awareness on the debate's subjects Score:
1
- It was possible to verify that nothing changed in the participants' awareness on the debate's subjects Score:
0.66
- It was possible to verify the failure in increasing participants' awareness on the debate's subjects Score: 0.33
- It was not possible to verify this transformation Score: 0

	Livorno	Gavorrano	Termoli	Bologna
5.5	0,66	0,66	0,33	1

A national magazine – L’Internazionale – dedicated three numbers to an inquiry on the participatory process in Bologna. Criticism raised against the process’s management, the appointment of coordinator dr. Andrea Pillon and the deliberative/participatory nature of the meetings.

Following below, a summary of some passages.

Arch. Iolanda Romano, responsible for Avventura Urbana, published a clarifying public notice entirely reported below.

5.6 Dealing with disputes and issues emerged during the public debate

- The Parliament, the Regional Council and the City Council undertook the disputes and issues emerged (parliamentary questions) Score: 1
- The Regional Council and the City Council undertook the disputes and issues emerged Score: 0.66

- The City Council undertook the disputes and issues emerged Score: 0.33

- There is no evidence of parliamentary, regional or municipal questions
Score: 0

	Livorno	Gavorrano	Termoli	Bologna
5.6	1	0,66	1	1

In May 2018, the PD leader at a Regional Council meeting asked the Tuscan Council if it was possible to use gessi rossi as a by-product in the agronomic industry and for environmental restoration. Reported below, some passages of the request:

‘We are moving to a new chapter of gessi rossi disposal. The conclusions reported by the inquiring Commission, revealed in the last few weeks, have been raising legitimate concern and an intervention by Tuscany is essential to clarify gessi rossi chemical composition, in order to verify and quantify

potential damages to health and environment materials, on the basis of the collected data.'

Deposited in Livorno on September 27th 2018 at the House of Representatives by Nicola Fratoianni, National Secretary of Italian Left.

The questioner asked to decide if funds and fundamental projects – such as the dock Darsena Europa – would be managed in accordance with the law in force, respecting safeguard procedures of a public good and of the rights of the people working in the Port of Livorno.

'We know the importance of facilitating development and participation of as many investors as possible, investors believing in the potentialities of a port that consists in the driving force of the city survival. However, transparency and shared purposes are crucial to a positive outcome and they must comply with the laws in force, without stretching them.'

In December 2017, Honourable Tommaso Ginoble, member of the Democratic Party, addressed the Prime Minister, the Minister of Cultural Heritage and Activities and the Minister of the Environment to know 'what initiatives the Government is going to carry out to safeguard the historical, architectural and environmental heritage of Termoli', related to the underground bypass called 'Tunnel'.

In Autumn 2018 in Bologna, Centre-Right and 5 Stelle parliamentarians revealed that they would stop the procedure. Signed Parliamentary Question was announced, it will include the criticism collected by the

Committees of the 'NO' and the statement of the state medical board of Bologna.

With the Topsis method the following results are obtained, giving the same weight to all the five phases (20% to preparation, 20% to development, 20% to self-reflexivity, 20% to outputs, 20% to outcomes).

Relative closeness to the ideal solution

	Ci*	Ranking	Best solution
Livorno	0,863597	1	0,863597
Gavorrano	0,816399	2	0,863597
Termoli	0,738119	4	0,816399
Bologna	0,769805	3	0,769805

With the Topsis method the following results are given the weights elaborated by the experts (25% to preparation; 26% to development, 15% to self-reflexivity, 20% to outputs, 14% to outcomes).

Relative closeness to the ideal solution

	Ci*	Ranking	Best solution
Livorno	0,890326	1	0,890326
Gavorrano	0,830831	2	0,890326
Termoli	0,755454	4	0,830831
Bologna	0,798963	3	0,798963

With the Topsis method the following results are given the weights elaborated by citizens (17% to participation stage, 51% to development stage, 9% to self-reflexivity stage; 7% to output stage; 16% to outcome stage) .

Relative closeness to the ideal solution

	Ci*	Ranking	Best solution
Livorno	0,928896	1	0,928896
Gavorrano	0,897379	2	0,928896
Termoli	0,793299	4	0,897379
Bologna	0,833761	3	0,833761

In all the three cases, Livorno and Termoli were outdone by Bologna and Gavorrano.

INTERPRETATION AND DISCUSSION

We are going to celebrate fifty years of a fundamental essay's publication. It concerns the Ladder of Participation and it was written by Sherry R. Arnstein in 1969. Due to this scholar, a very important line of research with many stimulating consequences on citizens' democratic awareness started. It seems appropriate to begin this chapter on comments by commemorating this anniversary.

The whole Ladder of Participation is reported below:

Ladder of Citizen Participation di Arnstein

DEGREES OF CITIZEN'S POWER
8. Citizen Control
7. Delegated Power
6. Partnership
DEGREES OF TOKENISM

5. Placation
4. Consultation
3. Informing
NON-PARTICIPATION
2. Therapy
1. Manipulation

Gangemi took a census of all the ladders of participation following Arnstein's one. At the beginning of the new millennium, the International Association for Public Participation – IAP² 2000 – proposed a new ladder of participation based on few simple degrees of participation (Gangemi, 2009).

1. Inform
2. Consult
3. Involve
4. Collaborate
5. Empowerment

LEARNING

Public opinion wonders whether a public event was successful or not: 'How many people were there? Was the room full or empty?'. It also wonders whether the number of participants is a primary criterion or not.

PUBLIC DEBATE	LIVORNO	GAVORRANO	BOLOGNA	TERMOLI
Participants in the process	440 people	365 people	700 people	350 people
Inhabitants	158.371 inhabitants	8.535 inhabitants 9.074 inhabitants of the Municipality of Roccastrada 21.000 inhabitants of	388.367 Inhabitants of the Municipality of Bologna, without taking into account the Municipalities forming the metropolis	33.583 inhabitants

		the Municipality of Follonica		
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Compared to the actually potentially interested citizens, the number of participants in the public debates may raise some doubts: there were not even a million citizens in Bologna for the public debate on the '*Passante di Mezzo*', which had a potential supra-municipal impact.

Public debate opens its doors to everybody interested in it. So, by nature, participation needs the presence of many citizens. But this criterion – though important – can't be considered univocal, because the variety of voices, opinions and viewpoints is more important than the number of participants.

International bodies urge the Governments and citizens to concern on the involvement of particular categories of people considered 'weak' or owning less chances to speak in public: elderly people, women, migrants, young people, disabled people.

For example, the four cases didn't register a significant presence of young people and migrants.

Ability to influence the proponent

The four cases analysed registered proponents' great acceptance of citizens' requests collected in the final reports by S.Guillain, C. Pignaris, M.Olivetti, A.Pillon.

This uniformity in the results drives us to seek in other stages more appropriate criteria to evaluate a participatory process result. In fact, the degree of influence on the proponent was considered the major criterion to evaluate a public debate effectiveness, according to the theoretical consideration provided in the first chapter, favourable to a deliberative democracy including individual and associated citizens able to debate and influence public decision-makers and proponents with their active participation in Agora-like moments, designed by the public debate's coordinator.

But now, the preparation stage acquires a leading role, in particular the outreach presence or absence.

After this change of opinion, a step forward may be done by collocating the four cases studied inside the IAP² ladder.

- Gavorrano, Livorno, Bologna at level 3. Involve
- Termoli at level 2. Consult

There is no intention to question the professionalism of the debates' designer and managers. In Termoli, the coordinator was an esteemed professor of Constitutional Law, open minded and careful of the deliberative democracy developments.

At the basis of this choice there's the way in which two key-moments of the public debate were evaluated: the outreach and the production of actors' notebooks.

In Gavorrano, Livorno e Bologna the final reports and the websites' analysis proved special attention to outreach; moreover, there were the actors' notebooks, a tangible way to give space and voice – in this case a *vox scripta* – to the participants.

However, in Termoli there was not an outreach stage: it was substituted by the documented communicative choice to publish – in the debate's following months – some interviews available on Facebook; on-line communication can't equalize a widespread search for interlocution with all the publics potentially interested in participation. Moreover, there were not actors' notebooks.

Disputes

In the first chapter, L. Bobbio's classification of possible explanations of the disputes was reported.

- 7) Particularism
- 8) Fomentation
- 9) Imbalance between costs and benefits
- 10) Risks
- 11) Places vs. flows
- 12) A new development model

By adopting this interpretative model to the four cases studied, the following table may be obtained.

	Livorno	Gavorrano	Termoli	Bologna
Particularism				
Fomentation				
Imbalance costs- benefits				
Risks		Yes		Yes
Places vs. flows				
New development model			Yes	Yes
	No particular disputes			

Both in Bologna and in Termoli citizens criticised the process's design, saying it wasn't adequate for better practices or to satisfy transparency and inclusion needs. In Gavorrano there was no criticism on the process in itself. In Livorno there was not a real dispute, but many people feared the possibility of abandonment of the works on the new infrastructures and its negative consequences on the workers. A further dispute interpretation may be added: the dispute on the design aimed at monitoring disputes.

The following one is a further summary table on disputes:

	Were there disputes preceding the debate?	Did adverse committees take part in the debate?	Did the disputes emerge during the conflict?	Peculiarities	Disputes' development
Gavorrano	Yes	Yes	Yes	There were many workers and trade unions favourable to the use of ' <i>gessi rossi</i> '	<i>No Bartolina</i> and <i>No Vallina</i> Committees may combine The division among trade unions and local committees may become social and political opposition
Livorno	No	No, there weren't	No	Participants and local institutions	If the works are not carried out, trust

		adverse committees		expressed their fear of work abandonment	may turn into deep discomfort
Bologna	Yes	Yes	Yes	At least four positions emerged: no to the ' <i>passante di mezzo</i> ', no to the ' <i>passante Nord</i> ', no to the ' <i>passante Sud</i> ', leave the situation unchanged	Disputes are going to dissipate at least in the short-term due to their variety and internationality
Termini	Yes	No, a boycott was proposed	Partially	None in particular	None. The works were blocked due to a series of inquiries carried out by the Administrative Court

The disputes in Bologna concerned an interesting debate on the nature of the '*Passante di Mezzo*' process: people wondered whether it was actually a public debate or simply a sophisticated DAD practice – Decide-Announce-

Defend – in which the proponent – Autostrade per l'Italia – actually informed citizens on decisions already made.

Given the choice, the *Passante di Mezzo* can be defined an example of public debate. Much energy was spent on outreach stages, active listening methods were used to collect the citizens' opinions, continuous flow of information was provided on the website and the coordinator wrote a final report of the process, followed by the proponent's reply.

However, the peculiar deep harshness of the social dispute on the infrastructure is worthy of notice: it stood strongly against the project's coordinators and designers.

Not without a reason, among the four cases examined, the debate on the '*Passante di Mezzo*' was the only one given attention by the national press – *L'internazionale* – that dedicated to this case three instalments written by Wu Ming, an association of nationally renowned writers famous for 'antagonistic writing'.

- *Il Passante di Bologna, prima puntata: una disavventura urbana*, published on the 3rd December 2016, by Wolf Bukowski, blogger and by Wu Ming, association of writers
- *Il Passante di #Bologna, seconda puntata | Arrivano i facilitatori!*, published on the 10th December 2016
- *Il Passante di Bologna, terza puntata: pettinare il verde, dipingere l'azzurro*, published on the 21st December 2016

In January 2017, architect Aldo Bonomi resumed the debate arguing against some Wu Ming's positions, on Eddyburg website.

(<http://www.eddyburg.it/2017/01/tangenziale-di-bologna-non-sempre-wu.html>)

The debate was so harsh that the consultancy to which belongs the coordinator of the debate in Bologna officially intervened on its Facebook page with the following public notice:

Vale la pena di fare alcune precisazioni (con buona pace di Wu Ming...)

1- il Confronto pubblico non è stato guidato da Autostrade ma da un Comitato di monitoraggio composto da Ministero Infrastrutture, Regione Emilia Romagna, Città metropolitana e Città di Bologna, più Autostrade.

2- È il Comitato che ha scelto Andrea Pillon di Avventura Urbana come coordinatore del Confronto;

3- prima di accettare l'incarico Andrea ha fatto un incontro con i Comitati contrari all'opera dicendo loro che avrebbero potuto rifiutare il suo nome, in tal caso avrebbe rifiutato l'incarico. Non l'hanno fatto.

4- l'opzione del "se" fare il Passante di mezzo non è stata inizialmente proposta nel Confronto perché gli enti pubblici interessati si erano da poco pronunciati in modo molto chiaro sul sì, ed il Sindaco Merola l'aveva anche

messo nel programma elettorale (elezioni vinte poco prima di iniziare il processo)

5- il percorso è stato seguito da un comitato scientifico in cui sono stati inclusi anche componenti indicati dai comitati contrari all'opera

6- sul sito web del Passante e alla info mail è giunta una sola richiesta di integrazione da parte di un cittadino coinvolto, nessuna mail che abbia criticato la relazione conclusiva del Confronto pubblico presentata da Andrea Pillon.

What may be learnt from that? In this case, it is worthy of mention the peculiarity of the Tuscan Law that provided for a regional independent Authority leading and ultimately responsible for the participatory process to the citizens, their committees and other institutions.

In Emilia-Romagna, the absence of such an independent institution was clearly sensed. The scientific Committee which had to guarantee the process's design technical adequacy included deliberative democracy experts, such as the late professor L. Bobbio, coordinator of the 2009 public debate on the 'Gronda' in Genova – *en passant*, who criticized the debate in Bologna paradoxically considered the case of Genova a model. Despite such an expertise, it was not possible to create a channel of dialogue and trust with people opposing to the infrastructure.

From the case of Bologna, we learn that an official supra-local institution guarantor of the process is fundamental.

Public Debate stage

The four public debates took place in the right moment, that is to say while the project was still in progress and not definitely set, giving the citizens the possibility to amend it.

Reported below, a comparison among the public debates and other general issues dealt by the institutions over the last years:

Issue	Stage of institutional intervention	Method	Results
Choosing Scanzano Jonico as the headquarters of Single Dump (November 2003)	In the decision-making stage, without involving the citizens	By Decree-Law	Due to the popular protest, the Government withdrew the proposal
TAV - Torino Lione	Citizens' involvement when the project had already been set	Through a Governamental Observatory	Strong opposition from Val di Susa inhabitants persists
Extension of the port of Livorno; motorway loop in	Citizens involved when the project was still in progress and not definitively set	Through public debate	

Bologna; urban regeneration in Termoli; quarry restoration in Gavorrano			
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SURPRISES

Public debates may also deal with the possibility to leave the '*status quo*' without altering the situation. This is the so-called 'option zero'.

From this viewpoint, there were no surprises from the four debates.

In Livorno, the 'option zero' was not taken into account.

From the final reports of the public debate in Gavorrano, emerged that the proposal of avoiding '*gessi rossi*' both in Vallina and in Bartolina was explicitly expressed only by some citizens during the public meeting on June 14th, while the opposition to '*gessi*' seems not absolute in the actors' notebooks or seems to refer only to one of the two geographical options considered. Alternative possible solutions didn't emerge, except for the general consideration that this problem will be solved thanks to technological innovations reducing the use of '*gessi rossi*' or by investing more funds in researching alternative uses.

Taking note of the criticism about the lack of an Option Zero in the informative brochure, that is to say that withdrawing the project was not considered a possible option by the Administration and the company, and despite the absence of positive feedback, in an interview published by local

press – and approved by the mayor - the Guarantor clarified that the Option Zero was included among the possible results of the debate. Reported below, the passage of the final report of Bologna concerning this issue:

Nel corso del confronto non sono mancate le voci di coloro che hanno proposto di non realizzare l'intervento ma di promuovere forme alternative di mobilità e di offrire percorsi stradali alternativi all'uso della tangenziale. I sostenitori di queste posizioni auspicano che prima di potenziare il sistema tangenziale e autostradale venga incrementato il servizio pubblico locale e completata la viabilità complementare (soprattutto l'Intermedia di Pianura e il terzo lotto del Lungo Savena) e che solo dopo aver verificato gli effetti di questi interventi sul traffico tangenziale si decida se realizzare l'intervento. Rispetto alla opzione zero, il Comune di Bologna (nella persona dell'assessore Irene Priolo) ha più volte ribadito che "nell'ipotesi di una opzione zero, ossia la non realizzazione dell'ampliamento, il potenziamento dei mezzi pubblici non sarebbe in grado di risolvere il congestionamento in tangenziale. I dati dimostrano che l'area metropolitana conta oltre 2 milioni di spostamenti che non potrebbero essere assorbiti da un unico sistema di mobilità.

Level issues

A result of structured participatory processes is the improvement of citizens' awareness on the impact of a large infrastructure: not only the proposal

involves the participants at a limited geographical level, but it often involves them also at wider levels.

In Gavorrano, people were involved at a regional level due to the Venator company impact on workers and on the coil.

In Bologna, people were involved at a metropolitan level, an area inhabited by more than a million people.

In Termoli, the restoration issue involved only the people living in the city.

In Livorno, by working groups emerged the request for provincial or regional-level involvement for issues concerning the infrastructures and out-of-the-port traffic. International involvement was also mentioned, since the extension of the dock '*Darsena Europa*' aimed to face international competition of ports able to accommodate large vessels.

Before concluding the section on level issues, it is important to mention an interesting German participatory process, to resume the issue concerning the use of referendums as the final part of participatory processes or even to substitute the process, referring to direct democracy – seen Chapter I.

In 2010, in Stuttgart an important social dispute emerged against a large infrastructure, *Stuttgart 21* project, concerning the construction of a new high-speed railway between Stuttgart and Ulm. As highlighted by A. Florida – who analysed the case –, the decision on the arrangement had long been made, for about a decade, and the Government of Land Baden-Wurtemberg considered the work legitimate.

The protest made the Government stop the work and accept the institution of a mediation group including 7 bodies favourable and 7 bodies unfavourable to the infrastructure. The bodies were chosen among institutions, companies, environmental associations and the mediation group had been in charge from November 22nd to November 30th 2010. Its motto was *'Die guten Argumente uberwiegen'* – 'Good reasons prevail' and it produced a final report with a series of recommendations and proposed amendments. It was also mandated to do further studies on the simulation of actual improvement in the railway transport amount.

The eminent German philosopher Jurgen Habermas, European father of deliberative democracy, wrote some articles – published in Italy with the title *'La Germania che ha paura di perdere se stessa'*, *La Repubblica*, 30th October 2010 – to criticize the regional Government and the President of the federal Constitutional Court, both favourable to Stuttgart 21 – they asserted that public opinion already expressed a view on the issue years before, so the approval/legitimation of the infrastructure should be taken for granted:

"Ribadire che i cittadini non hanno voce in capitolo in quello che accadrà equivale ad affidarsi ad una comprensione puramente superficiale di democrazia. Un processo democratico è fatto non solo di decisioni formali, ma è costituito dai processi di formazione delle opinioni. Occorre intervenire se si avverte che esiste un deficit di informazione e trasparenza o anche se si produce nella sfera pubblica un movimento di opinione. Una decisione, assunta una tantum, per quanto legittima, non autorizza a ignorare quanto

emerge nella sfera pubblica. La legittimità di quella decisione deve essere messa alla prova”.

In the 2011 elections, the CdU - in charge for 52 years and favourable to the infrastructure – lost. Who won were the Greens and the Social Democrats, unfavourable to the infrastructure. This is considered an exemplar twin-track case: public leanings found an electoral and institutional solution.

So, the new green-red Government decided to hold a referendum: deliberation not always can solve particularly harsh disputes and, in the end, the vote is required. The referendum was held on the 27th November 2011 and involved 7 million Baden-Wurtemberg citizens; the 48,3% of them voted. Unexpectedly, the majority (58,9%) was favourable to the *Stuttgart 21* project; 41% of them are unfavourable to it. The examination of the opponents showed that ‘NOs’ were concentrated above all in big college towns such as Heidelberg, Friburgo and Mannheim where the Greens had many supporters. The rest of the Land, consisting in little cities predominantly following the CdU, voted in favour of the project.

The outcome of the vote was clear and it led to a public debate on the possibility to involve in the decision-making process all the citizens of the Land, even the ones not directly affected by the project. What happened in Germany, highlights the presence of an effective ‘deliberative sector’ made of opinions, disputes, mediations, information and knowledge spread and sharing. Everybody had the opportunity to express his/her opinion, both directly by protesting and indirectly through political representatives.

The following are the questions made by the same A. Florida at the end of his study on Stuttgart's participatory process: if a referendum on the TAV in Val di Susa was held, who would enjoy the right to vote? All people from Piedmont? Only people living in Val di Susa? Only the people living in the province of Turin?

These questions would fit also the cases studied, above all Gavorrano and Bologna, characterized by disputes and a large level of geographical interest – at a metropolitan or regional level.

If referendums were held on the use of '*gessi rossi*' to restore a quarry – La Bartolina, La Vallina or others – or on the '*Passante di Mezzo*' or the options concerning the Northern or Southern motorway loops, who would have the right to vote? At what level?

In any case, despite the fact that I am not particularly interested in direct democracy – because it is limited to a YES or NO answer – the possibility to test referendums with more options may be considered – for example for the cases of Bologna and Gavorrano.

In a referendum, citizens may vote in favour of the Vallina or of the Bartolina quarry, or they may reject the use of '*gessi rossi*' in the area of Grosseto.

In the same way, citizens of Bologna may express their opinion on the 'Passante di Mezzo', the Northern motorway loop, the Southern motorway loop or on the possibility to leave the things unchanged.

Still concerning the connection among representative, deliberative and direct democracy in situations of conflict, I suggest the use of stronger tools of deliberative democracy such as citizens' juries. An example is given by a procedural innovation emerged in France during a public debate: G-400, that is to say the possibility to summon a sample of 400 citizens to Paris to examine thoroughly the subject of the on-going participatory process – the multi-year programme on energy – and later share the results of this deliberation during the *débat public*.

« Dans le cadre du débat public sur la révision de la Programmation Pluriannuelle de l'Énergie, la CNDP a souhaité mettre en place le G400, qui rassemble 400 personnes de la France entière tirées au sort pour s'informer au cours du débat et donner leur avis le 9 juin à Paris sur les différentes questions mises en débat.

En complémentarité avec les autres modalités d'expression proposées au sein du débat, le G400 a pour objectif de donner la parole à des usagers, des consommateurs ou de contribuables, en leur qualité de citoyens, afin de ne pas limiter le débat aux experts des questions énergétiques. Il s'agit de diversifier les voix qui pourront se faire entendre dans ce débat public sur l'avenir de l'énergie en France ».

To summarize:

DAD procedure tends to remove an actual involvement of the citizens.

Referendums are appreciated by opponent committees and direct democracy supporters. My proposal is to combine deliberative democracy – seen public debate – and direct democracy – only when there are more than two options – or to combine it with a more radical public debate method, such as G400 in France.

Participatory processes evaluation may be more effective if carried out with the same participants in the debate, in my opinion. For example, the two public debates in Tuscany raised interest about involving citizens also in the process evaluation, thanks to the Seminar on participated evaluation in Gavorrano – 25th June 2017 – and to a final questionnaire I took part in writing; in Livorno, a local model of self-evaluation was elaborated and it's on the way to being published. The attempt to hand out *ex-ante* questionnaires to the participants in the first meeting of the Gavorrano public debate is also useful to be mentioned. This questionnaire asked the citizens to express their opinion on some characteristics of the public debate they took part in – as mentioned in the chapter on methods. It is the first partial contribution to improve the citizens' role in the evaluation of the democratic processes involving them.

Public debates in Gavorrano and Livorno were *law-based*, with a regional law providing for stages, responsibilities and processes. Moreover, it supervised the Regional Authority for Participation in Tuscany. It is an institution both technical and civic: on the one hand it includes participatory processes and public policies experts, while on the other hand meeting citizens, companies, schools, local authorities and associations is its mission, to become more sympathetic with the real life of the participants – or with citizens who find it difficult to participate – instead of concerning only on the theory.

Public debates in Termoli and Bologna were *law-free*, even though they had been designed by experts on deliberative democracy or constitutional law. More than individual professionalisms, what made a difference was the absence of an independent authority, equidistant or *equi-close* to all the groups giving life to Italian public debate, according to the Prime Minister's Decree of 10th May 2018.

Some scholars see in the institutionalization the acquisition of new decision-making power on the part of the citizens involved (Fung and Wright 2001). Other scholars look with suspicion on the excessive use of norms. For Bobbio : «*le regole devono essere flessibili e condivise dai partecipanti e non imposte dall'alto...reinventate ogni volta ... a seconda della questione che si intende affrontare*» (Bobbio 2006).

With this research we have tried to show how the presence of a legislative framework can offer better conditions for a successful outcome of public debates: the cases of Livorno and Gavorrano (regulated according to the

Tuscan law n. 46 of 2013) obtained a higher score of the Bologna and Termoli cases, managed without a specific law.

Useful for this purpose was the elaboration of an evaluation model, based on the Topsis method, which allowed to analyze the different phases in which the public debates took place.

The possible risk of abstractness could be offset by the desired clarity of reading of a participatory process such as public debate.

Finally, it should be noted that questionnaires were distributed in Livorno and Grosseto. The writer participated in their elaboration. It is perhaps no coincidence that the two public debates regulated by law were receptive to the possibility of administering these questionnaires: this is another difference that is noted here, with the public debates in Bologna and Termoli, organized without a law regional support.

Literature asks what are the groups of people who participate in public debates and, more generally, in structured participatory paths. Are they momentary aggregates or do they have their own consistency? The presence of Tuscan legislation urges us to advance the idea that these groups are legally relevant and may have recognized their own political subjectivity. The jurist U. Allegretti has long included the participatory practices within the rules of the Italian Constitution. Here we also want to add a reflection that starts from the thought of Silvio Trentin as re-proposed by G. Gangemi (Logic, participation and planning) Trentin was a scholar who in the 30s of the twentieth century carried out in-depth studies on federalism,

the organization of the State, the relationship between state and civil society, on civic participation. For Trentin, the state tends to be overly centralized and bureaucratic. It closes with the innovations present in civil society. To reduce this risk, Trentin proposed the Order of Orders, also called the Order of the Autonomies. Autonomy is linked to federalism, democracy and participation: autonomy is characterized by spontaneity, self-organization, informality and therefore is not bureaucratic. Gangemi states that St. Trentin's federalism is not territorial, but anthropological. Gangemi deals with this anthropological federalism in the same essay in which he describes deliberative democracy, in particular the "planungszelle", ie the cells for participatory planning elaborated by the evangelical German theologian Dienel, born in 1923 and died in 2006. Participatory cells are based on the drawing of lots of some citizens, while public debates are open to all interested parties. However, both the "planungszelle" and the public debates are expressions of deliberative democracy. The participants in the public debates in Livorno, Gavorrano, Bologna and Termoli could, in conclusion, be considered as participatory Autonomies, to be recognized, protected, to guarantee equal to the territorial Autonomies. This is a contribution that we hope will be useful for reflecting on new forms of coexistence at the time of globalization.

H. Arendt wrote:

The polis ... is the organization of people as it arises from their acting and speaking together, and its true space is realized among the people who come together for this purpose, regardless of where they are. "Wherever you go, you will be a polis" (Vita Activa, p. 145).

CONCLUSIONS

Direct observation of public debates in Livorno and Gavorrano and observation mediated by the study of public debates in Bologna and Termoli led to the elaboration of a valuation model of public debates, characterised by criteria concerning each stage of this process: Preparation, Development, Auto-reflexivity, Output and Outcome.

The criteria come from empirical observation and the study of respective bibliography, they are given to researchers and experts to be discussed, examined, criticised and, maybe, implemented.

A future concern may be the valuation model's adoption by/adaption to France, home of the *débat public*. It is also important to keep in mind that Tuscan public debates of Livorno and Gavorrano are of primary interest, both for their origin lying in the French *débat public* – S. Guillaud, coordinator of the first public debate, is a French expert on promotion of inclusive participatory processes – and for the socio-cultural system in which they are located, the one of a region owning a law that has promoted participation for a decade, by now, coordinated dozens of local participatory processes and has been promoting participated evaluation of its own inclusive policies, with self-criticism and openness to improvement to generate even more civic involvement.

According to the considerations on the four cases examined, some conclusions resuming the issues presented in the first chapter can be drawn, concerning the improvement of laws on structured participation; the implement of participatory processes in the post-earthquake stages of reconstruction; the way to overcome the current climatic change.

The innovation of Prime Minister's Decree No. 78 of 10th May 2018

Prime Minister's Decree has been in force since 24th August 2018. The state of expectation is due to the guess on what will be the first case of public debate conforming to the new national law. Then, the actual effectiveness of the National Committee for Public Debate will be examined: Tuscan public debates showed the importance of an impartial influential competent authority. In my opinion, the National Committee should supervise the process.

Public debates' design in the first place should guarantee a proper flexibility: too many rules are not good. An informal component is required to fit participatory processes for the context. The institutional system must guarantee that the administrations involved in the public debate explicitly, clearly and punctually answer to the requests emerged during public debate.

It should be designed to induce cognitive trust in citizens. Citizens' common knowledge should be promoted to provide simple and spontaneous solutions when the technicians find it difficult to find them. A proper public

debate collects many viewpoints discussing on the nature and purpose of the project and on the technical method to reduce negative feedback on the infrastructure.

The proponent's view too must be enhanced in order to guarantee the development and improvement of the project. Specific spaces for the promoter should be designed, in order to allow him/her to reconsider his/her projects according to the different points of you emerged.

Going towards an amendment of the Tuscan Law on Participation

Tuscan regional institutions introduced a course of thought to implement and revise the Law No. 46/2013 on public debates and inclusive participatory processes. First of all: does the public debate include tools for an effective, civic and widespread participation? To answer this question, sub-courses should be defined inside public debate to involve – or at least to try to – people usually relegated to the side-lines of debates on public policies. The amendments are aimed at improving civic trust, by bridging the well-known gap between citizens and institutions.

On the 25th September 2018, at a conference in Florence organised by the Tuscan Regional Authority for Participation, Luca Bruni gave specific instructions on the need for a stronger citizens' right to actual participate in the elaboration of regional public policies: a clear series of rules is required. Public debate conforms to the need for 'inclusive and innovative participatory design', but it requires some amendments to improve the legitimacy of participation in a public debate: by law, only people resident in

the municipality affected by the public debate can participate in it, secondarily referring also to people studying or working in the area. Since public debate is based on the principle of maximum inclusiveness, the outreach should be improved by involving people often marginalised – migrants, inexperienced, busy during the debate, etc. – and left out of public processes.

I demand for an intervention on the Article 8 of the Regional Law, excluding private initiative from public debate. Many projects presented by private parties – such as stadiums – have an impact on public policies. Building a football stadium deeply transforms the landscape: the urban change must be approved by a proper municipal council, involving public institutions and both majority and opposition political forces.

The National Law of 2018, following the Tuscan Regional Law of 2013, chose two criteria: the type criterion and the thresholds of economic size criterion. The type criterion should be adopted also by Tuscany.

Citizens often find it difficult to investigate on how the public administration makes a decision, due to the so-called ‘administrative discretion’. Bruni wonders whether administrative discretion is untouchable or it may be affected in some way by public debate.

Article 12 must be revised, too: within the timelines established by law, the proponent must give a feedback to the coordinator’s final report, but according to this article, in order to reject complaints about the expected location of the project, all the public administration has to do is proving before the competent Administrative Courts that the proponent’s

geographical choice was not illogical. As a legal expert, Bruni proposes the following amendment: in order to reject complaints against the expected location, public administration should explain the reasons why the proponent's choice was *logical*, instead of proving that it was *not illogical*. Considering the four cases previously examined, I agree with Bruni.

Moreover, Bruni suggests to better include the public debate's results in the final decision or in the following stages of Evaluation of Environmental Impact. He considers it a consequence of the procedural nature of public debate, legitimated by Tuscan Law with the Regional Law of 2013. Reported below, the Art. 24-bis dedicated to the public inquiry and recently included in Legislative Decree No. 152/2006:

- 1. *The competent authority may arrange for the consultation of the public in Article 24, paragraph 3, the first period, to take place in the form of the public inquiry, with charges against the proposer, in accordance with the maximum period of ninety days. The investigation concludes with a report on the work carried out and an assessment of the results, prepared by the competent authority.*

2. *For the drafts referred to in Annex II, and in the event that the public debate procedure under Article 22 of the Legislative Decree has not been carried out, no. 50, the competent authority is in a reasoned decision, the applicant has heard, if the request for a public inquiry is submitted by the regional council of the region territorially concerned, or by a number of councils. they represent at least fifty thousand residents of the territories*

concerned, i.e. by a number of associations recognized under Article 18 of the Act 8 July 1986, 349, representing at least fifty thousand members..

The proposal is to combine public debates with public inquiries, as is the case in France. However, I have other proposals to implement Tuscan Law on Participation.

Major echo may be given both to the public debate's final report and to the proponent's feedback. For example, the headquarters of the Regional Authority for Participation or – why not? – of the Regional Council may be host public debate's last two stages: the presentation of the final report and the proponent's feedback to it. In this way, the regional representative system – the President of the Regional Council, council members, regional administrative departments dealing with issues similar to the one discussed during the public debate, political majority and political opposition – would be officially invited to the debate.

Una seconda proposta potrebbe essere quella di incentivare gli enti di ricerca e le università che studiano i conflitti socio-ambientali, anche in ricordo delle riflessioni del prof. Luigi Bobbio che sono state ricordate in questa ricerca. In particolare, collegata al tema dei conflitti, è la questione della presenza degli esperti e dei contro-esperti, un campo di riflessione molto stimolante ed ancora da esplorare...

I also suggest to incentivize research institutes and universities studying socio-environmental conflicts, according to L. Bobbio's thought mentioned

in this work. The presence of experts with contrasting opinions is an interesting field concerning conflicts still unexplored.

Another proposal is to combine public debate – a tool of deliberative democracy – with instruments of direct democracy – but only if more than two options emerge from the debate – or better, with more radical tools of deliberative democracy, such as citizens' juries.

It is also important to promote and enhance the stages of preliminary, on-going and subsequent monitoring of public debate, combining the analysis made by the promoters and coordinators of the debate with the scientific and scholastic study on participatory processes. Insofar as I can, I gave a little contribution giving ideas during the evaluation processes of public debates in Livorno and Gavorrano – and this concerns the cooperation with civic society, considered the third mission of Universities.

Participation in post-earthquake reconstruction processes

Seismologist Teresa Crespellani (2013) enunciated a basic principle: 'Citizens' direct participation is the new *norma normans* to deal with' – "la partecipazione diretta del cittadino è la nuova *norma normans* con cui occorre confrontarsi".

So, it cannot be a concession by generous administrations or a luxury only for rich administrations, it must be a structural dimension in the design of the post-disaster procedure. The decisions concerning reconstruction must be made involving the government, the administrations and the citizens, working together and respecting the rules of an ordinary law providing for the safeguard of citizens' dignity through organized forms of participation. Resuming the issue of participated civil protection, classifiable as part of deliberative-participative democracy, professor Crespellani speaks about *the rights of the citizens of the-day-after-the-disaster* and endorses the elaboration of a Chart for the Legal Protection of citizens affected by natural disasters. The 'citizens of the day after the disaster' are people who suddenly find themselves deprived of all their possessions after a natural disaster, they are like shipwreck people without a raft, confused and lost, without laws protecting them, at the mercy of the government in charge, with physical and psychological wounds affecting their dignity. In these hard situations, the facilitators have the important task to support institutions during the stage of 'design and management' of participatory processes and their skills may be useful. They have to guarantee actual citizens' influence

on the choices concerning reconstruction and, in the meantime, they have to improve the quality of dialogue and deliberation; they have to combine the urgent need to rebuild with the necessary waits, instructions, knowledge of the participating community, trying to consider the option of resilience – it could lead to innovative rebuilding methods. Maybe there will be more occasions to originally manage the relation between the so-called experts – town planners, architects, engineers, etc. – and the so-called laymen: the last ones may become experts in some way, because they own the area's '*genius loci*', knowing its social, religious, economic, civic characteristics. There's the risk to 'trap' a complex social reality such as the participation in a public debate of a community affected by an earthquake – maybe public debate is not the best method to overcome such a situation – however, the method must adjust to the actual needs, and not vice versa. It should be useful, instead, to promote methods for a dynamic analysis and investigation, mixed participation, well-structured communication, recognition and esteem of subsidiary processes, types of participated design, acts of empowerment of the communities affected by the earthquake.

Procedures may turn into steel or glass cages, according to Luigi Bobbio – presented in the first chapter – but they may also become bridges, squares and even dances: there are structured methods in which participation among different or even contrary opinions is able to enrich everybody, implementing the social capital of the whole community in which these processes take place. The following guidelines may support well-structured participation in the municipalities affected by the earthquake:

Guidelines: a proposal

Introduction

Referring to the Tuscan good practices based on the Law on Participation No. 46/2013, it is possible to produce the following guidelines:

Article 1

The following Guidelines are inspired by the international principle of participated civil protection – Sendai Framework – and promote structured participation as a method to represent the values of solidarity, esteem of local communities' role and of resilience.

Article 2

Participatory processes must guarantee a stage of structured listening to people, above all of the marginalised groups – disabled, young or elderly people, migrants. Recognized methods are also necessary to promote inclusive dialogical arenas generating supporting and resilient rebuilding. Participatory processes must develop in a fixed period of time and they end with the coordinator's written report.

Mayors must answer in writing to the report within a month from its delivery, helped by civil protection's officials and universities studying natural disasters.

Article 3

The Mayors must appoint a coordinator of the participatory processes, chosen among the members of a proper Register, in order to guarantee the processes' impartiality and inclusiveness. Facilitators will be remunerated from a fund instituted by the municipalities affected by the earthquake, according to a measure of the Special Commissioner.

Article 4

The Special Commissioner may benefit from the advice by the Tuscan Regional Authority for Participation for a proper rebuilding.

The officers from the regions included in the Law on Earthquakes may get in touch with the Tuscan Regional Authority to produce a proper design of participatory processes aimed at rebuilding.

The experts on participatory processes will submit their application for the role of participatory process's coordinator for rebuilding to the Special Commissioner's headquarters.

Self-declarations of experience of at least five years in the field of participatory processes management will be put first.

It will be possible to appeal to the competent judicial authorities, if individual applications are rejected without proper justification.

Finally, about participation in the rebuilding process, it is important to mention the office appointed by the Commissioner Pro Tempore for Rebuilding, Vasco Errani, and by the Mayor of Camerino, Gianluca Pasqui, to Mario Cucinella and to School of Stainability: the elaboration of strategical guidelines to rebuild Camerino. Rebuilding was considered an opportunity for renewal and development, in order to improve the previous city and not only go back to the way it was before. This strategy also sought for the concrete involvement of citizens, involving them in a design process redefining the future of the city. The consultancy for facilitation processes Ascolto Attivo, founded by M. Sclavi worked with the project's team, establishing and coordinating four laboratories that produced in the citizens a vision on the future concerning the concrete consideration of organic measures on the whole city and on specific parts of it – urban units – aimed at creating working groups including inhabitants and technicians, actively committed to carry out the rebuilding project. From 60 to 150 people took part in each laboratory (Ascolto Attivo, 2017).

Successful participatory processes for civil protection in municipalities affected by earthquakes will allow to enter a new stage, that I would call 'participated civil prevention', in accordance with the dictates of Sendai Framework (result of the International Conference for Risk Prevention, 2015). Sendai Framework set the guidelines for risk prevention at a global level and is based on the risk prevention and mitigating. Participatory processes in the areas affected by earthquakes may help achieve one of the actions expected by international consensus: *understanding the risk represented by natural disasters, through a multi-dimensional*

comprehension of vulnerability, capability, people and goods risk exposure, danger and environment's characteristics, in order to use this knowledge to evaluate risk, prevention, mitigating, competence and response. 'Prevent, prevent, prevent' is an indication by the Secretary-General of the UN, Antonio Guterres. The following is one of his first declarations as Secretary-General: 'Preventing a crisis is cleverer than intervene after it and prevention must not be only diplomatic, it also has to create the conditions for the respect of human rights and sustainable development.'

Promoting participatory processes is a resource for the communities in case of crisis, starting from the reconstruction and renewal of the municipalities affected by earthquakes.

Future research may analyse participatory phenomena in the municipalities affected by earthquakes, in order to understand how they had been organised and what results produced.

Participation in the era of climate change

Here is a brief historical line of the cultural paradigm citizen-environment-infrastructures-science over the last decades:

- from the end of World War II to the '70s: development was the predominant paradigm – building a motorway or a nuclear power plant produces jobs and better hopes for the future.
- from the '70s to the first half of the '90s: the new paradigm of ecology was involved – people started concerning about health and environmental risks linked to technology, marking the end of great developmental trends (Lyotard).
- From the '90s until today: in my opinion there are three cultural paradigms helping understand the relation among citizens-environment-infrastructures-science, that is to say the paradigm of risk (U. Beck), the paradigm of complexity (E. Morin) and the paradigm of resilience.

The philosopher Bruno Latour elaborated a new paradigm from the need for awareness on the on-going climate change: the 'Terrestrial's Paradigm'.

His theory is based on the fact that political views that have been adopted for fifty years can't be understood, unless climate change and its denial are given a central position. He asserts that we entered a New Climatic Regimen that is not linked to inequality, deregulation's size, criticism against globalization, longing for a return to the National State.

The following are some important events happened during the New Climatic Regimen. Brexit: the country that created a limitless space for market by land or sea; the country that led the European Union to be nothing else than

a huge supermarket is the same that suddenly decided to quit the globalization game, faced with the intrusion of some ten thousand refugees.

The election of Donald Trump to the Presidency of the USA. 'The country that imposed its model of globalization to the whole world; the country that based its identity on emigration exterminating indigenous people is the same that puts its fate in the hands of a man who promises isolation, doors closed for the refugees, not more help for foreign problems but continuous interference all around the world.' Moreover, the USA decided not to ratify the Agreements emerged during the COP-21 that took place in Paris in 2015.

The resuming, expansion and enlargement of migration.

The previous three events are connected among one another, because they may be due to the on-going climate change.

The New Climatic Regimen is confusing and makes people lose the direction. Reference points are needed, just as much as a map of these historic changes.

Latour proposes to work on two notions: the notion of 'hot spots' and the notion of 'terrestrial'.

The term 'hot spots' is used in geology by researchers to compare a group of sites, above all river basins, by combining results of disciplines that had been working separately so far. The term refers to the way to modify atmosphere and geology.

'Terrestrial' – with capital T – refers to the people and to other living beings living in the hot spot. The Terrestrial is no more a simple frame of human

action, because it participates in it. We are no more speaking of cartography, with latitude and longitude, we are speaking of a history we are participating in, together with others who react to other reactions. This is 'geostory', with a reference to a 2009 article by D. Chakrabarty.

Latour speaks of an initial period of disaggregation to sharpen the representation of areas hosting geo-social conflicts.

Couldn't public debate be a possible embodiment of what Latour defines 'initial period of disaggregation'? In Latour's work the *débat public* is not mentioned, but it is easy to assume that it was the background of his considerations.

During the study on the cases of Livorno, Gavorrano, Bologna and Termoli emerged actions, activities, methods concerning all the issues that can result from a complex project transforming the area: the enlargement of a port, the restoration of a quarry, the transformation of motorway loops, urban regeneration.

Latour proposes to resume grass-roots inquiry.

But can't we consider public debate as a grass-roots inquiry process? Yes, we can.

Latour proposes to write down these representations and the final report of public debates is the best tool for this purpose; he also defines the inhabited lands as what a Terrestrial depends on to survive. A Terrestrial should wonder who are the other Terrestrials depending on the same land.

Latour wonders where his considerations on climatic change are going to land.

In light of this research on four case-studies - Livorno, Gavorrano, Bologna and Termoli –, in my opinion designing, developing and evaluating public debates could be a proper landing field for the previous considerations, a starting point to face future challenges with sympathetic awareness.

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APPENDIX N. 1

**PARLIAMENTARY ACTS AND REGIONAL AND MUNICIPAL
COUNCILS**

ATTI PARLAMENTARI SUL PASSANTE DI MEZZO DI BOLOGNA

Atto Camera

Interpellanza 2-00010

presentato da

BIGNAMI Galeazzo

testo di

Martedì 10 aprile 2018, seduta n. 4

Il sottoscritto chiede di interpellare il Ministro delle infrastrutture e dei trasporti, per sapere – premesso che:

il 5 aprile 2018 la stampa locale del territorio di Bologna riportava la notizia relativa alla richiesta di Anas al Ministero delle infrastrutture e dei trasporti di convocazione della conferenza dei servizi per giungere in tempi rapidi all'avvio del cantiere per la realizzazione del Passante di Bologna (definito anche Passante di Mezzo), verosimilmente per la primavera del 2019;

tale accelerazione appare incomprensibile a parere all'interpellante in una fase transitoria e soprattutto in vista della definizione del nuovo Governo, tanto più che permangono ancora dubbi e perplessità da parte di comitati e cittadini, in merito al fatto che, nel corso dell'iter valutativo, non siano stati eseguiti sufficienti approfondimenti in merito all'impatto sanitario e ambientale dell'infrastruttura;

in questa fase, dunque, sarebbe auspicabile attendere la nomina del nuovo Ministro delle infrastrutture e dei trasporti invece di accelerare su opere tanto strategiche quanto divisive dal punto di vista della discussione sull'impatto sanitario, ambientale e di efficientamento rispetto alla gestione del traffico veicolare –:

se si intenda valutare di sospendere l'iter per la realizzazione del Passante di Mezzo alla luce delle considerazioni di cui in premessa, dando riscontro ad Anas in tal senso.
(2-00010) «Bignami».

Atto Camera

Interpellanza 2-00003

presentato da

BIGNAMI Galeazzo

testo di

Martedì 10 aprile 2018, seduta n. 4

Il sottoscritto chiede di interpellare il Ministro delle infrastrutture e dei trasporti, per sapere – premesso che:

di recente la Regione Emilia-Romagna ha annunciato la partenza dei lavori entro il 2018 per la realizzazione del Passante di mezzo a seguito del parere positivo del Ministero dell'ambiente e della tutela del territorio e del mare alla valutazione di impatto ambientale;

il progetto, che si considera alternativo al Passante nord, prevede – come da avviso pubblico di comunicazione di avvio della valutazione di impatto ambientale – per l'A14 il potenziamento in sede a tre corsie di marcia più emergenza tra la pk 9+100 (interconnessione ramo di Casalecchio) e la pk 22+231 (stazione di BO San Lazzaro) per uno sviluppo complessivo di 13 chilometri circa mentre per la tangenziale si prevede il potenziamento in sede a tre corsie più quella di emergenza dallo svincolo 3 allo svincolo 6 e dallo svincolo 8 allo svincolo 13 e a quattro corsie più quella di emergenza per il tratto che collega lo svincolo 6 allo svincolo 8;

anche a seguito del parere favorevole del Ministero dell'ambiente e della tutela del territorio e del mare e dopo la conclusione del confronto pubblico continuano a permanere dubbi in alcune associazioni di cittadini e comitati che avevano preso parte al percorso partecipativo. Tra i dubbi avanzati, il fatto che il Passante di mezzo possa risultare in realtà un potenziamento di una infrastruttura già esistente e già satura nella sua capacità di assorbimento del traffico veicolare;

nell'intesa generale quadro del 19 dicembre 2003 stipulata tra Ministero e regione si parlava solo in via generica di Passante autostradale senza

ulteriori specifiche: pertanto, non veniva aprioristicamente esclusa nessuna ipotesi e dunque nemmeno quella del Passante sud, la quale sembrava presentare profili di sostenibilità ambientale ed economica più elevata;

sono infatti molteplici i motivi che dovrebbero indurre a considerare il Passante sud come seria alternativa al Passante di mezzo: possibilità di creare un vero e proprio anello intorno alla città, raccordare la viabilità cittadina e la rete nazionale con zone montane ora non direttamente collegate, riduzione della lunghezza del tracciato, minore impatto sulla viabilità;

con la realizzazione del Passante sud si creerebbero 2 strade alternative di fatto perfettamente sostituibili: l'attuale percorso ed il Passante sud. Entrambi i percorsi collegherebbero le tratte Milano-Rimini (A1-A14), Firenze-Rimini (A1-A14), Rimini-Padova (A14- A13), Milano-Padova (A1-A13) e Firenze-Padova (A1-A13). Ciò comporterebbe una invarianza dei flussi diretti a Padova A1-A13 nelle due direttive e A14-A13; per quanto riguarda le altre tratte si potrebbe ipotizzare il transito del flusso veicolare che interessa la tratta Firenze-Rimini (A1-A14) dal Passante sud collegando direttamente le due autostrade. Per quanto concerne invece la percorrenza Milano-Rimini (A1-A14), creandosi due alternative identiche, il traffico potrebbe equamente distribuirsi sui due percorsi, ma si potrebbe anche pensare di mantenere la tratta autostradale solo per andare in direzione Padova da tutte le direzioni, trasformando, di fatto, l'attuale sede autostradale in una sorta di svincolo di collegamento e niente più, trasferendo tutto il traffico della direttrice Milano-Rimini sul Passante sud che, a 3 corsie, potrebbe assorbire tranquillamente l'impatto;

anche le obiezioni sollevate dal punto di vista dell'impatto ambientale per la realizzazione del Passante sud non sembrerebbero ostacoli insuperabili anche in riferimento a interventi di ricucitura urbana, ambientale, territoriale e idrologica, come dimostrato da alcuni professionisti, ingegneri della facoltà di Bologna, che hanno rivisto il progetto a maggio 2016 secondo i criteri e i costi utilizzati per la variante di valico –:

se sia stata approfonditamente analizzata e puntualmente verificata l'alternativa relativa alla realizzazione del Passante sud; in caso negativo, quali ne siano le motivazioni;

se si intenda, visti anche gli esiti del confronto pubblico sull'iter valutativo e i dubbi e le perplessità che ancora permangono, finanziare uno studio di fattibilità per la realizzazione del Passante sud al fine di comparare i due progetti e individuare quello maggiormente sostenibile.
(2-00003) «Bignami».

Atto Camera

Interrogazione a risposta immediata in commissione 5-00810

presentato da

GIACOMETTO Carlo

testo di

Mercoledì 24 ottobre 2018, seduta n. 70

GIACOMETTO, BIGNAMI, CORTELAZZO, CASINO, GAGLIARDI, LABRI

OLA, MAZZETTI e RUFFINO. — *Al Ministro delle infrastrutture e dei trasporti.* — Per sapere – premesso che:

nei mesi scorsi la regione Emilia-Romagna aveva annunciato, a mezzo stampa, la partenza dei lavori, entro il 2018, del Passante di Mezzo, opera sulla quale il dibattito è ancora aperto sotto il profilo della sostenibilità ambientale;

il progetto prevede per l'A14 il potenziamento in sede a tre corsie di marcia più emergenza tra la pk 9+100 (interconnessione ramo di Casalecchio) pk 22+231 (stazione di Bologna San Lazzaro) per uno sviluppo complessivo di 13 chilometri circa, mentre per la tangenziale si prevede il potenziamento in sede a tre corsie più emergenza dallo svincolo 3 allo svincolo 6 e dallo svincolo 8 allo svincolo 13 e a quattro corsie più emergenza per il tratto che collega lo svincolo 6 allo svincolo 8;

tuttavia continuano a permanere dubbi sulla sostenibilità dell'opera: il Passante di Mezzo risulterebbe in realtà un potenziamento di una infrastruttura già esistente, già satura nella sua capacità di assorbimento del traffico veicolare;

nell'intesa generale quadro del 19 dicembre 2003, tra Ministero e regione, si parlava solo genericamente di Passante autostradale senza ulteriori specifiche: pertanto, non veniva aprioristicamente esclusa nessuna ipotesi e dunque nemmeno quella del Passante sud;

con la realizzazione del Passante sud si creerebbero due strade alternative sostituibili. Entrambi i percorsi collegherebbero le tratte Milano-Rimini (A1-A14), Firenze-Rimini (A1-A14), Rimini-Padova (A14-A13), Milano-Padova

(A1-A13) e Firenze-Padova (A1-A13). Ciò comporterebbe una invarianza dei flussi diretti a Padova A1-A13 nelle due direttive e A14-A13; si potrebbe inoltre ipotizzare il transito del flusso veicolare che interessa la tratta Firenze-Rimini (A1-A 14) dal Passante sud collegando direttamente le due autostrade. Per quanto concerne invece la percorrenza Milano-Rimini (A1-A14), creandosi due alternative identiche, il traffico potrebbe equamente distribuirsi sui due percorsi, ma si potrebbe anche pensare di mantenere la tratta autostradale solo in direzione Padova da tutte le direzioni trasformando l'attuale sede autostradale in una sorta di svincolo di collegamento, trasferendo tutto il traffico della direttrice Milano-Rimini sul Passante sud;

anche le obiezioni sollevate circa l'impatto ambientale per la realizzazione del Passante sud non sembrerebbero ostacoli insuperabili anche in riferimento a interventi di ricucitura urbana, ambientale, territoriale e idrologica –:

se si intendano adottare iniziative per finanziare uno studio di fattibilità per la realizzazione del Passante sud al fine di comparare i due progetti e individuare quello maggiormente sostenibile.

(5-00810)

Atto Camera

Interrogazione a risposta orale 3-00141

presentato da

DE MARIA Andrea

testo di

Martedì 4 settembre 2018, seduta n. 41

DE MARIA e BENAMATI. — *Al Presidente del Consiglio dei ministri, al Ministro delle infrastrutture e dei trasporti.* — Per sapere – premesso che:

Società Autostrade sta già operando per il ripristino del raccordo autostradale fra la A1 e la A14 nell'area di Borgo Panigale, Bologna, fortemente danneggiato dopo il tragico incidente del 6 agosto 2018;

Società Autostrade, a seguito di accordo con il Governo, la regione Emilia-Romagna, la città metropolitana di Bologna e il comune di Bologna sta finanziando e dovrà realizzare il cosiddetto Passante di mezzo, opera fondamentale e prioritaria per una migliore e più sicura viabilità del nodo di Bologna e, in quanto tale, priorità per il Paese;

per quanto riguarda il Passante di mezzo è già convocata la conferenza di servizi per le attività di sua competenza;

in questa fase dichiarazioni di esponenti del Governo e politici locali hanno fatto riferimento a possibili modifiche e revisioni del progetto, cosa che, giunti a questo stadio dell'opera, potrebbero mettere in discussione il finanziamento e la realizzazione dell'infrastruttura stessa;

il Governo ha recentemente annunciato l'avvio di una procedura per la revoca totale della concessione a Società Autostrade –:

come il Governo intenda garantire che non vi siano ritardi nelle attività di ripristino della viabilità sul raccordo autostradale interessato dall'incidente sopra menzionato e come intenda assicurare le risorse finanziarie necessarie all'intervento di ripristino, così come quelle relative alla realizzazione del Passante di mezzo.

(3-00141)

Atto Camera

Interrogazione a risposta scritta 4-00024

presentato da

BIGNAMI Galeazzo

testo di

Martedì 10 aprile 2018, seduta n. 4

BIGNAMI. — *Al Ministro dell'ambiente e della tutela del territorio e del mare, al Ministro della salute.* — Per sapere – premesso che:

di recente la regione Emilia-Romagna ha annunciato la partenza dei lavori entro il 2018 per la realizzazione del Passante di mezzo a seguito del parere positivo del Ministero dell'ambiente e della tutela del territorio e del mare alla valutazione di impatto ambientale;

il progetto, che si considera alternativo al Passante nord, prevede – come da avviso pubblico di comunicazione di avvio della valutazione di impatto ambientale – per l'A14 il potenziamento in sede a tre corsie di marcia più emergenza tra la pk 9+100 (interconnessione ramo di Casalecchio) e la pk 22+231 (stazione di BO San Lazzaro) per uno sviluppo complessivo di 13 chilometri circa, mentre per la tangenziale si prevede il potenziamento in sede a tre corsie più quella di emergenza dallo svincolo 3 allo svincolo 6 e dallo svincolo 8 allo svincolo 13 e a quattro corsie più quella di emergenza per il tratto che collega lo svincolo 6 allo svincolo 8;

anche a seguito del parere favorevole del Ministero dell'ambiente e della tutela del territorio e del mare, continuano a permanere dubbi e perplessità

in alcune associazioni di cittadini e comitati che avevano preso parte al percorso partecipativo. Tra i dubbi avanzati, c'è quello legato al fatto che il Passante di mezzo possa risultare in realtà un potenziamento di una infrastruttura già esistente e già satura nella sua capacità di assorbimento del traffico veicolare: attualmente, i flussi di traffico vengono scaricati su radiali cittadine che si intrecciano con il contesto urbano, creando criticità sul fronte dell'inquinamento acustico e atmosferico;

solo in anni relativamente recenti si è presa coscienza delle gravi correlazioni che esistono tra inquinamento atmosferico e acustico e salute: i dati emersi da tali correlazioni meriterebbero un approfondimento all'interno dell'*iter* valutativo del Passante di mezzo per il quale andrebbe svolta, in modo compiuto, anche una valutazione di impatto sanitario;

nel marzo 2017 l'Ordine dei medici di Bologna aveva chiesto, con una lettera inviata al Ministero dell'ambiente e della tutela del territorio e del mare, una moratoria di almeno 12 mesi prima dell'apertura dei cantieri, suggerendo il collocamento di centraline di rilevamento per la valutazione degli inquinanti provenienti dagli scarichi dei veicoli in transito. La pianura Padana è «uno dei siti più inquinati del pianeta – scriveva l'Ordine dei medici – e ciò non può che suggerire quanto proposto ai fini di una corretta valutazione dell'impatto sanitario dell'opera proposta in oggetto con le conseguenti incidenze epidemiologiche sulla collettività esposta»;

in altre parole, l'Ordine dei medici prendeva posizione a favore dei cittadini preoccupati per l'impatto sanitario derivante dall'allargamento in sede di autostrada e tangenziale e che potrebbe portare a un incremento di circa

25.000 veicoli al giorno, ossia più di 9.000.000 di veicoli all'anno, a meno di tre chilometri dal centro di Bologna –:

se sia a conoscenza dei fatti esposti in premessa;

se l'*iter* valutativo e approvativo dell'opera «Passante di mezzo» abbia previsto, per quanto di competenza, un'approfondita valutazione di impatto sanitario volta a indagare anche eventuali incrementi di patologie respiratorie o altre problematiche correlate all'inquinamento acustico e atmosferico nella zona che risulterà coinvolta dalla presenza del cantiere e successivamente della nuova infrastruttura;

in caso affermativo, come si sia svolta la valutazione di impatto sanitario e quali siano stati i relativi risultati; in caso negativo, quali siano i motivi per i quali si sia ritenuto di non dover prevedere una valutazione di impatto sanitario all'interno dell'*iter* valutativo;

quali siano stati gli atti e i documenti presi in esame nel corso dell'*iter* valutativo attestanti l'effettiva sostenibilità ambientale in termini di impatto sanitario del Passante di mezzo;

se e in che modo sia stato dato seguito alle sollecitazioni dell'Ordine dei medici relativamente alla richiesta di moratoria e al collocamento di centraline di rilevamento per la valutazione degli inquinanti provenienti dai veicoli in transito.

(4-00024)

Atto Senato

Mozione 1-00001

presentata da

LUCIA BORGONZONI

venerdì 23 marzo 2018, seduta n.001

BORGONZONI, CENTINAIO, ARRIGONI, AUGUSSORI, BAGNAI, BARBARO, BERGESIO, BONFRISCO, BONGIORNO, BORGHESI, Simone BOSSI, Umberto BOSSI, BRIZIARELLI, BRUZZONE, CALDEROLI, CAMPARI, CANDIANI, CANDURA, CANTU', CASOLATI, DE VECCHIS, FAGGI, FERRERO, FREGOLENT, FUSCO, IWOBI, MARIN, MARTI, MONTANI, NISINI, OSTELLARI, PAZZAGLINI, Marco PELLEGRINI, PEPE, PERGREFFI, PIANASSO, PILLON, PIROVANO, Pietro PISANI, PITTONI, PIZZOL, PUCCIARELLI, RIPAMONTI, RIVOLTA, ROMEO, RUFA, SALVINI, SAPONARA, SAVIANE, SBRANA, SIRI, SOLINAS, STEFANI, TESEI, TOSATO, VALLARDI, VESCOVI, ZULIANI -
Il Senato,

premessi che:

da diversi anni, nell'ambito delle sedi istituzionali e dei *media*, si discute sulla necessità del potenziamento del sistema autostradale e tangenziale di Bologna, in considerazione degli ingenti volumi di traffico, autostradale e non, che attraversano la città e rendono inadeguato l'attuale sistema viario, specialmente nelle ore di punta e nei periodi di esodo per le festività;

nel tempo sono state avanzate diverse ipotesi di soluzione, tra passante nord, passante sud e passante di mezzo, con sopraelevazioni, interramenti e allargamenti; la soluzione del "passante autostradale nord Bologna, potenziamento tangenziali e opere stradali connesse" è stata anche inserita nel 1° allegato Infrastrutture al Documento di economia e finanza (DEF) 2013, approvato dal CIPE con delibera n. 26/2014, ma il procedimento amministrativo relativo al progetto non ha avuto seguito, anche perché è stato fortemente contestato dalla popolazione;

attualmente, risulta in avanzato stato di approvazione il progetto presentato da Autostrade per l'Italia SpA con il titolo "Autostrada A14 - tratto Bologna Borgo Panigale - Bologna San Lazzaro - Potenziamento in sede del sistema autostradale e tangenziale di Bologna", meglio conosciuto come "passante di Bologna" o "passante di mezzo";

tale progetto prevede il potenziamento in sede a tre corsie più emergenza dal chilometro 9+100 al chilometro 22+231 dell'autostrada A14 e l'ampliamento a tre corsie più emergenza e a 4 corsie più emergenza nel tratto dallo svincolo di Castel Maggiore allo svincolo di Bologna Fiera della tangenziale di Bologna;

come risulta dal sito del Ministero dell'ambiente e della tutela del territorio e del mare, la commissione VIA e VAS ha emesso il parere n. 2560 del 24 novembre 2017, sulla compatibilità ambientale del progetto definitivo, positivo con una serie di prescrizioni e raccomandazioni, che ha seguito il parere favorevole con prescrizioni e raccomandazioni della Regione Emilia-Romagna espresso con delibera n. 1202 del 2 agosto 2017;

dalla stampa si apprende che anche il Ministero dei beni e delle attività culturali e del turismo ha formulato un parere favorevole con prescrizioni e che si è ora in attesa dell'imminente emanazione del decreto di valutazione di impatto ambientale (VIA), congiunto tra i due Ministeri, che darebbe il via libera per l'approvazione definitiva dell'opera in sede di conferenza dei servizi;

tuttavia, il progetto risulta fortemente contestato dalla popolazione locale, come evidenziato anche dal numero cospicuo di osservazioni del pubblico inviate in sede di procedimento di VIA;

tale progetto sarebbe in contrasto con i vigenti strumenti di pianificazione territoriale, regionale, provinciale e comunale e, per dichiarazione degli stessi enti firmatari dell'accordo preliminare, rappresenta un potenziamento non ritenuto necessario da parte di tutti e da tanti ritenuto inadeguato e inutile ai fini della risoluzione dei problemi della congestione del traffico;

i cittadini temono, soprattutto, l'inevitabile ulteriore aumento del traffico veicolare privato transitante nell'agglomerato di Bologna, che incrementerebbe gli impatti ambientali da inquinamento, avvicinandosi ancora di più alle abitazioni, e pregiudicherebbe la già precaria qualità dell'aria nella città con gravi conseguenze negative per la salute pubblica;

la popolazione locale ritiene opportuna un'indagine epidemiologica, per conoscere la situazione delle patologie dovute all'inquinamento atmosferico nelle zone adiacenti all'attuale infrastruttura e poter così realmente giudicare eventuali aumenti futuri di tali patologie nello scenario *post operam*;

inoltre, i cittadini bolognesi lamentano la mancata applicazione della Convenzione di Aarhus, in merito ai diritti di accesso alle informazioni e di partecipazione del pubblico ai processi decisionali e alla giustizia in materia ambientale, denunciando una palese forzatura sul metodo con cui si è pervenuti alla decisione e sui tempi di approvazione del progetto: in particolare, mentre per il progetto del "passante nord" si è discusso giustamente per anni, sviscerando la questione in ogni minimo dettaglio prima di abbandonare il progetto, per il progetto del "passante di mezzo" non sono state date le stesse opportunità, magari contingentando meglio i tempi; anzi, il progetto è stato presentato alla cittadinanza già definito, permettendo limitate discussioni sulle alberature o sulle barriere antirumore;

si riporta il comma 4 dell'articolo 4 della Convenzione di Aarhus che recita: "Ciascuna parte provvede affinché la partecipazione del pubblico avvenga in una fase iniziale, quando tutte le alternative sono ancora praticabili e tale partecipazione può avere un'influenza effettiva"; sulla base di tale comma, i comitati dei cittadini interessati hanno chiesto, purtroppo senza effettive risposte da parte delle competenti autorità, la revisione e l'aggiornamento degli atti di pianificazione, la riapertura del processo di partecipazione pubblica sul PRIT 2025 da parte della Regione, la predisposizione di un programma di monitoraggio della qualità dell'aria lungo l'intero asse autostradale e tangenziale, volto a verificare il reale stato dei superamenti giornalieri dei limiti massimi consentiti per gli inquinanti PM10, PM2,5, biossido di azoto e ozono;

il comitato dei cittadini bolognesi ha denunciato un'assoluta strumentalità del percorso del "confronto pubblico" svolto, nonché la sua inutilità ai fini

partecipativi, poiché tale processo non ha potuto esercitare alcuna influenza significativa sul progetto e sulla valutazione delle alternative progettuali;

risulta presentata al Parlamento europeo una petizione (n. 1432/2016) sulla realizzazione del progetto denominato "passante di Bologna"; la petizione è stata discussa presso la Commissione petizioni del Parlamento europeo l'11 luglio 2017; durante la discussione, la Commissione europea ha dichiarato che non intende intraprendere alcuna azione supplementare nel caso, alla luce del fatto che la maggioranza delle questioni sollevate rientrano nelle competenze delle autorità nazionali; contro il parere della Commissione europea sono state depositate controdeduzioni, e la petizione risulta tuttora aperta presso la Commissione petizioni del Parlamento europeo;

tra le questioni sollevate rientra quella dei contrasti tra la normativa nazionale su appalti e concessioni e l'accordo politico del 15 aprile 2016, firmato per il potenziamento del nodo tangenziale-A14 di Bologna, tra il Presidente del Consiglio dei ministri *pro tempore*, il Ministro delle infrastrutture e dei trasporti, il sindaco di Bologna, il presidente della Regione, il consigliere delegato alle infrastrutture, mobilità e viabilità della Città metropolitana di Bologna e la società Autostrade;

la petizione evidenzia che, ai sensi dell'accordo del 15 aprile 2016, Autostrade per l'Italia SpA, concessionaria della A14, "affiderà la realizzazione delle corsie supplementari a una delle sue controllate senza indire alcuna gara ad evidenza pubblica per la selezione dei costruttori";

la Commissione europea osserva che la direttiva 2014/23/UE, sulle concessioni, "non contiene alcuna disposizione specifica che sancisce che il concessionario che non è stato selezionato mediante procedura di evidenza pubblica (mancanza di concorrenza a monte) sia obbligato a garantire la concorrenza a valle. Tuttavia, tale obbligo è previsto dalla legislazione italiana (...) Pertanto, se l'accordo del 15 aprile 2016 di cui sopra prevedeva disposizioni in violazione dell'articolo 177 del Codice, tale violazione potrebbe e dovrebbe essere sanata dalle autorità amministrative e giudiziarie competenti in Italia";

infatti, l'articolo 177 del decreto legislativo 18 aprile 2016, n. 50, recante il codice dei contratti pubblici, prevede che i titolari di concessioni autostradali, già in essere alla data di entrata in vigore del codice, non affidate con la formula della finanza di progetto, ovvero con procedure di gara ad evidenza pubblica secondo il diritto dell'Unione europea, sono obbligati ad affidare una quota pari al 60 per cento dei contratti di lavori, servizi e forniture relativi alle concessioni di importo pari o superiore a 150.000 euro e relativi alle concessioni, mediante procedura ad evidenza pubblica;

pertanto, in ordine all'eventuale futura realizzazione dell'opera, occorre verificare, da parte delle autorità competenti, l'applicazione della citata disposizione e la legittimità di eventuali accordi dal contenuto diverso;

inoltre, i lavori di cantiere per l'ampliamento in sede dell'autostrada e tangenziale creerebbero gravi disagi alla circolazione dei veicoli in autostrada e sulle complanari, per un periodo estremamente lungo

inizialmente stimato in 5-8 anni; per tutti questi anni saranno inevitabili i danni alla salute dei residenti, per polveri, sostanze inquinanti e rumore, nonché agli edifici circostanti per vibrazioni da cantiere e per incremento dei fenomeni di subsidenza in una zona già soggetta a questi fenomeni;

il sistema autostrada-complanari rappresenta una barriera per le comunicazioni e per lo sviluppo delle aree poste a nord, crea interferenze negative reciproche con la viabilità ordinaria e provoca pericolose interferenze in caso di incidenti, in particolare per la mancanza delle vie di fuga in un'area densamente abitata;

urbanisti di valore concordano nel ritenere che la scelta del "passante di mezzo" rappresenti un grave errore urbanistico e costituisca una grave ferita nel tessuto urbano della città di Bologna;

si tratta pertanto di un'opera giudicata "inaccettabile" dal territorio, che nasce a giudizio dei proponenti del presente atto di indirizzo con gravi e riconosciuti difetti e sulla base di scelte politiche arbitrarie e imposte senza essere precedute da confronti pubblici effettivi con i cittadini interessati,

impegna il Governo, stante l'approssimarsi della fine del proprio mandato, a non procedere all'ulteriore corso del procedimento amministrativo di approvazione del "passante di mezzo", evitando di assumere decisioni di estrema importanza per la città di Bologna, come appunto la realizzazione di una tale opera fortemente contestata dalla popolazione locale.

(1-00001)

Atto Camera

Risposta scritta pubblicata Giovedì 25 ottobre 2018 nell'allegato al bollettino in Commissione VIII (Ambiente)

5-00810

Come è noto, la ricerca di una soluzione per il nodo di Bologna ha una lunga storia. Già dal 1986 si è aperto un dibattito al fine di individuare un progetto tale da consentire di fluidificare e alleggerire il traffico sul sistema autostradale e tangenziale.

Negli anni sono state studiate diverse soluzioni accolte anche negli strumenti di pianificazione territoriale, tra i quali il Piano Territoriale di Coordinamento della Provincia di Bologna, approvato nel 2004, che indica quale soluzione il Passante Nord. A seguito del dibattito e dei relativi approfondimenti sono stati firmati diversi accordi tra il Ministero delle infrastrutture e dei trasporti, l'ANAS, gli enti territoriali e il concessionario autostradale, accordi che però non hanno portato all'individuazione di una soluzione condivisa.

A conclusione di una complessa opera di concertazione, si è individuato nell'ampliamento in sede del sistema tangenziale esistente – mediante la realizzazione di una piattaforma a 3 corsie più emergenza per senso di marcia sia sull'A14 che sulle complanari – la miglior soluzione per decongestionare il tratto bolognese. L'intervento prevede nella soluzione complessiva anche una serie di interventi volti a migliorare la viabilità di adduzione al sistema autostradale/tangenziale, nonché interventi di riqualificazione urbana e ambientale.

Il 15 aprile 2016 è stato sottoscritto un nuovo accordo tra Ministero delle infrastrutture e dei trasporti, regione Emilia-Romagna, comune di Bologna, Città Metropolitana di Bologna e Autostrade per l'Italia che si pone come obiettivo la definizione di un progetto che, a partire dall'analisi del contesto insediativo esistente, sviluppi il tema del potenziamento in sede con un approccio che vede nell'infrastruttura anche l'opportunità di riorganizzare lo spazio e il territorio adiacente, già fortemente urbanizzato, in un'ottica di minor occupazione di suolo, con particolare attenzione alla mitigazione e all'inserimento ambientale, nonché al miglioramento delle infrastrutture di adduzione al sistema autostradale/tangenziale.

L'accordo si pone quindi l'obiettivo di risolvere una criticità trasportistica di livello nazionale e di migliorare l'accessibilità viaria di livello metropolitano stabilendo le condizioni e gli impegni delle parti per:

- la realizzazione del potenziamento in sede a tre corsie per senso di marcia più emergenza dell'A14;
- la realizzazione del potenziamento in sede a tre corsie per senso di marcia più emergenza sulle complanari, prevedendo dei tratti a quattro corsie per ogni senso di marcia più emergenza;
- una rigeometrizzazione degli svincoli delle complanari;
- l'individuazione delle opere finalizzate al miglioramento dell'adduzione al sistema autostradale/tangenziale.

Proprio per il suo connotato di infrastruttura nevralgica per il Paese e l'alta antropizzazione della zona interessata dall'infrastruttura sono state studiate importanti soluzioni di mitigazione ambientale e di miglioramento dell'inserimento territoriale e paesaggistico.

Il progetto preliminare dell'intervento sviluppato dalla società concessionaria è stato ampiamente condiviso con gli enti e i cittadini nell'ambito di uno specifico confronto pubblico svolto tra luglio e novembre 2016.

Gli esiti e le risultanze del dibattito pubblico sono confluiti all'interno del verbale conclusivo sottoscritto tra il Ministero delle infrastrutture e dei trasporti, gli enti e la società Autostrade per l'Italia nel dicembre 2016, in base al quale è stato poi sviluppato il progetto definitivo del Passante di Bologna.

Il Progetto del potenziamento in sede dell'autostrada A14 e delle complanari è stato sottoposto a procedura di valutazione di impatto ambientale che si è conclusa il 30 marzo 2018 con parere positivo con prescrizioni.

La soluzione Passante Sud, proposta dagli Onorevoli interroganti, è stata studiata durante le attività del dibattito pubblico nell'ambito dell'analisi delle diverse soluzioni del Nodo di Bologna. La soluzione analizzata prevedeva un nuovo tracciato in galleria di 19 chilometri con piattaforma di due corsie per senso di marcia più emergenza, oltre a due svincoli intermedi e due punti di scambio rispettivamente con l'autostrada A14 e con l'autostrada A1.

Dalla comparazione delle soluzioni progettuali è risultato che il Passante Sud era meno competitivo rispetto agli altri itinerari.

E infatti, come evidenziato dal Ministero dell'ambiente nello Studio di Impatto Ambientale (SIA) presentato dal proponente, è presente una analisi delle tre alternative: Passante Nord con la banalizzazione del tracciato autostradale esistente, Passante Sud e ampliamento del sistema tangenziale e Passante di Bologna e relative opere di adduzione.

Le criticità evidenziate risultano in sintesi le seguenti: aspetti di criticità

idrogeologica e geologica nella realizzazione dello scavo in galleria, occupazione di oltre 50 ettari di territorio, necessità di ingenti interventi di ricucitura urbana, ambientale, territoriale e idrogeologica; ingenti volumi di terra da movimentare, espropri di 25 edifici; importanti interferenze in fase di cantiere sulle matrici ambientali e sociali correlate alla durata complessiva dei lavori del Passante, stimata in 5 anni.

Dal citato parere della Commissione Tecnica VIA e VAS del 24 novembre 2017 emerge che sono state considerate e valutate le tre alternative principali e che il confronto consente di effettuare alcune considerazioni di carattere sia trasportistico che ambientale;

dal punto di vista trasportistico: i passanti nord e sud non risolverebbero le criticità che oggi risultano maggiori, ossia quelle legate al traffico cittadino che si muove sulle complanari;

in questi casi, inoltre, non vi sarebbero miglioramenti della connettività fra sistema tangenziale e autostradale e tantomeno miglioramenti della viabilità locale; un eventuale incremento del traffico autostradale potrebbe essere sostenuto solamente dal passante di mezzo (progetto in esame) e dal passante nord;

dal punto di vista ambientale: per quanto riguarda clima acustico e qualità dell'aria i passanti nord e sud consentirebbero di migliorare la situazione attuale nell'area metropolitana, ma genererebbero rumore ed emissioni laddove oggi non ve ne sono; diversamente, il progetto in esame (...) consentirà di migliorare anche esso la situazione attuale, ma senza peggiorare altri contesti territoriali.

ATTI PARLAMENTARI SUL PORTO DI LIVORNO

Atto Camera

Ordine del Giorno 9/00583-A/003

presentato da

DONZELLI Giovanni

testo di

Giovedì 14 giugno 2018, seduta n. 15

La Camera,
premessò che:
con decreto ministeriale del 7 agosto 2015 Livorno è stata riconosciuta
come area di crisi industriale complessa, con una fortissima percentuale di
cittadini disoccupati;
nel porto di Livorno vi è una tra le più importanti infrastrutture italiane per la
riparazione navale, in quanto vi è presente un bacino di carenaggio in
muratura lungo;
lo *shipping* internazionale ha aumentato enormemente il mercato delle
riparazioni navali in funzione della lenta ripresa economica che spinge a

diminuire i livelli della demolizione e ad aumentare il numero delle navi più vecchie in circolo, le quali saranno soggette a controlli ordinari più frequenti e a trasformazioni per dotarsi di tecnologie di rispetto ambientale adeguate ai nuovi *standard*;

il numero dei bacini disponibili a livello mondiale è limitato ad appena centosessanta cantieri che avrebbero i bacini di carenaggio in grado di gestire navi di capacità superiore alle Panamax, vale a dire con una grandezza superiore ai 294 metri;

il bacino di carenaggio in muratura di Livorno potrebbe accogliere le grandi navi che circolano nel Mediterraneo, permettendo quindi a Livorno di diventare un porto strategico d'approdo, punto di riferimento per molti armatori;

il predetto bacino in muratura è necessario alla sicurezza del *terminal* OLT di rigassificazione posizionato a largo delle coste livornesi;

il 26 marzo 2015 è stato emesso dall'Autorità portuale un bando di gara comprendente sia il bacino in muratura sia il bacino galleggiante; nell'agosto del 2015, tuttavia, il bando è stato sospeso a causa del sequestro penale seguito a un grave incidente che ha causato il decesso di un lavoratore mentre era in corso una riparazione navale all'interno del bacino galleggiante, e, pertanto, si trova ancora nella fase iniziale in cui non sono state aperte le offerte delle società che si sono presentate,

impegna il Governo:

ad assumere le opportune iniziative, per quanto di competenza, affinché possa essere ripresa la procedura di gara di cui in premessa, al fine di affidare nel più breve tempo possibile tali infrastrutture strategiche per

l'economia marittima italiana;
ad adottare gli opportuni provvedimenti volti a sostenere lo sviluppo del
porto di Livorno.
9/583-A/3. Donzelli, Deidda, Zucconi.

Atto Camera

Interrogazione a risposta scritta 4-01227

presentato da

FRATOIANNI Nicola

testo di

Giovedì 27 settembre 2018, seduta n. 51

FRATOIANNI. — *Al Ministro delle infrastrutture e dei trasporti.* — Per sapere – premesso che:

Porto Livorno 2000 è una società a partecipazione pubblica con l'esclusiva gestione della stazione marittima e competenza quasi esclusiva sulla gestione del traffico passeggeri, crociere e traghetti, con un flusso annuo sui tre milioni di turisti. Da luglio il 66 per cento è stato ceduto alle compagnie armatoriali Moby e Msc, diventando così un soggetto con prevalenza di capitale privato;

vi sono stati una lunga serie di errori, attese e rinvii incomprensibili sul bando di gara che hanno depotenziato la forza propulsiva di un'operazione fondamentale per il porto e la città di Livorno;

il presidente di Porto Livorno 2000, Luciano Guerrieri, ha denunciato l'incompatibilità di quanto accaduto attraverso la manovra di cessione delle quote societarie esercitata dall'AdSP. L'ipotesi paventata sarebbe la creazione di un monopolio fra privati a discapito del servizio pubblico, affidando ai privati la totale competenza del traffico passeggeri, svuotando le competenze di Porto Livorno 2000 e rischiando di determinare anche un danno erariale;

tacitamente vengono concesse aree ad altri operatori privati senza possesso di titoli o competenze, ad avviso dell'interrogante creando così ulteriore danno erariale, come nel caso della tensostruttura costruita in Darsena Toscana nell'area data in concessione alla Grimaldi, ora posta sotto sequestro dalla capitaneria di porto di Livorno, perché in difformità con il piano regolatore portuale;

il segretario generale di AdSP ha definito il sequestro «un intoppo burocratico», minimizzando l'accaduto. Di fatto quell'area data in concessione pare impedisca il corretto utilizzo dell'antistante approdo pubblico;

le scelte e le procedure di AdSP appaiono non consone a rendere il porto motore di sviluppo fondamentale per la città e il lavoro, in ottemperanza anche a quanto contenuto nel regolamento (UE) 2017/352 del Parlamento europeo e del Consiglio del 15 febbraio 2017 che istituisce un quadro normativo per la fornitura di servizi portuali e norme comuni in materia di trasparenza finanziaria dei porti e che entrerà in vigore dal 24 marzo 2019;

recentemente ci sono state dubbie interpretazioni della legge n. 84 del 1994 sulle concessioni alle imprese (spesso senza corrispondenza al loro piano di impresa) nonché una sovrapposizione continua fra articolo 16 e articolo 17 ALP da parte di AdSP che pregiudica la rispondenza ai criteri di legge sulle regole del lavoro portuale;

ogni scelta strategica riguardo al porto di Livorno deve essere vagliata attentamente e rispettare le regole, soprattutto dopo le dichiarazioni del procuratore nazionale antimafia De Raho che indica nel porto di Livorno il terzo approdo italiano per il traffico di droga dopo Gioia Tauro. Oggetto delle indagini sono alcune cooperative che operano all'interno del porto con uomini legati alla 'ndrangheta che gestiscono traffico di droga e riciclaggio;

occorre garantire la legalità e chiarire quegli aspetti che si potrebbero configurare come un sopruso e un danno ai lavoratori, alle imprese e a chi opera nel porto per mantenere un servizio pubblico –:

quali iniziative, per quanto di competenza, intenda adottare per verificare se le scelte adottate da AdSP possano causare un danno sul piano finanziario, se vi sia un vizio nelle attività e nelle scelte anche rispetto alle norme contenute nel regolamento (UE) 2017/352 del Parlamento europeo e del Consiglio del 15 febbraio 2017 che istituisce un quadro normativo per la fornitura di servizi portuali e norme comuni in materia di trasparenza finanziaria dei porti e che entrerà in vigore dal 24 marzo 2019;

se l'interpretazione di AdSP di cui in premessa sia conforme alla legge n. 84 del 1994;

se intenda promuovere, per quanto di competenza, una verifica ispettiva urgente sulle concessioni in essere all'interno del porto di Livorno, controllando la rispondenza ai criteri di assegnazione relativamente a ogni società e azienda che vi opera, per escludere ricadute su sicurezza e indice di legalità diffusa sulla città di Livorno.
(4-01227)

ATTI DEL CONSIGLIO REGIONALE DELLA TOSCANA SU GAVORRANO

Comunicati stampa gruppi politici

Fratelli d'Italia - AN - Liste civiche per Giorgia Meloni - 5 ottobre 2017

RIFIUTI, FDI: "REGIONE RISPETTI ACCORDI SU GESSI ROSSI IN
MAREMMA"

Mozione di Donzelli in Consiglio regionale: "Pericoloso smaltirli alla Bartolina, il Pd e Marras non rinuncino a salvaguardare il territorio"

La Regione Toscana si impegni a far rispettare l'accordo che ha sottoscritto con gli enti locali, l'azienda e i sindacati sullo smaltimento dei Gessi rossi in Maremma". A chiederlo in una mozione che sarà presentata nelle prossime ore è stato oggi a Grosseto il capogruppo di Fratelli d'Italia in Consiglio regionale della Toscana Giovanni Donzelli nel corso di una conferenza stampa alla quale hanno partecipato anche Fabrizio Rossi, portavoce provinciale Fratelli d'Italia e assessore al Comune di Grosseto, Simonetta Baccetti, consigliere comunale "Insieme per Roccastrada", Moreno Bellettini, coordinatore comitato civico "Insieme per Roccastrada".

"Chiederemo che la questione venga affrontata già nel prossimo Consiglio regionale in programma martedì prossimo - sottolinea Donzelli - vogliamo che sia rispettato l'intesa messa nero su bianco nel 2004 che prevede, tra le altre cose, di indicare le modalità di analisi ambientali e il rispetto dei protocolli di monitoraggio Arpat. Inoltre chiediamo che la Regione riferisca al Consiglio entro 60 giorni sullo stato di attuazione e chiederemo alla stessa Arpat informazioni su modalità e risultati delle rilevazioni. Mi auguro che il capogruppo in Regione del Partito democratico Leonardo Marras, che conosce bene il territorio, non voglia far mancare il suo voto per la salvaguardia della sicurezza ambientale nella zona. Da parte nostra - conclude Donzelli - non possiamo che sostenere le posizioni del comitato civico 'Insieme per Roccastrada' e le loro battaglie dentro e fuori dalle istituzioni per contrastare un pericoloso smaltimento di quei rifiuti nella cava della Bartolina".

Regione Toscana Atti Consiliari X LEGISLATURA - RESOCONTI

INTEGRALI - SEDUTA N. 141/P DEL 22 MAGGIO 2018

Mozione dei consiglieri Donzelli, Marcheschi, in merito allo stoccaggio dei "gessi rossi" in provincia di Grosseto (Mozione n. 1000) PRESIDENTE:

Passiamo alla mozione 1000, in merito allo stoccaggio dei gessi rossi in provincia di Grosseto. Proponente il consigliere Marcheschi.

MARCHESCHI: Grazie, Presidente. La Commissione ha espresso un parere contrario a questa mozione. Mi dispiace perché era stata fatta dal collega Donzelli con l'intento ovviamente di fare esprimere tutto il Consiglio in un senso che a noi oggettivamente ci sembrava naturale: quello di

Mozione dei consiglieri Donzelli, Marcheschi, in merito allo stoccaggio dei "gessi rossi" in provincia di Grosseto (Mozione n. 1000)

PRESIDENTE: Passiamo alla mozione 1000, in merito allo stoccaggio dei gessi rossi in provincia di Grosseto. Proponente il consigliere Marcheschi.

MARCHESCHI: Grazie, Presidente. La Commissione ha espresso un parere contrario a questa mozione. Mi dispiace perché era stata fatta dal collega Donzelli con l'intento ovviamente di fare esprimere tutto il Consiglio in un senso che a noi oggettivamente ci sembrava naturale: quello di cercare di fare un po' di chiarezza sulla destinazione finale dei gessi rossi.

Chiediamo una campionatura doppia di ARPAT anche perché la recente relazione conclusiva della Commissione inchiesta sui rifiuti getta molte ombre sul sistema dei controlli e anche sulla destinazione finale dei gessi rossi. Certo la Procura farà il suo percorso e vedremo se il sistema dei

controlli è stato adeguato, se quello che ha messo nero su bianco il Nucleo operativo ecologico dei Carabinieri, il NOE, verrà confermato. Ovviamente non si parla più di dove mettere i gessi rossi, che non si possono più mettere in cava e invece devono andare in discarica. Questo potrebbe stravolgere tutti gli accordi fatti negli anni. Però questi accordi, finché sono in essere, visto che sono tra i rarissimi accordi che hanno messo d'accordo tutte le amministrazioni locali, che, con le associazioni ambientaliste hanno firmato l'accordo del 2004, individuano la cava della Bartolina, che è citata in mozione, come destinazione finale ad invaso idrico. Questa cava quindi avrebbe delle gravi difficoltà strutturali a recepire i gessi rossi dato che il luogo è stato individuato dalle amministrazioni locali per un invaso. Queste ultime hanno addirittura messo nero su banco l'autorizzazione a fare l'invaso, definendolo come una delle opere fondamentali per tutta la zona. Opera fondamentale intanto perché è a uso pubblico e non a uso privato, perché ovviamente la zona ha tantissime coltivazioni agricole, ci sono dei prodotti caratteristici di qualità, quindi ha un uso irriguo per l'attività agricola ma anche per uso civico, soprattutto perché dovrebbe servire un bacino che d'estate vede quasi la presenza di un milione di turisti sulla costa. Quindi l'invaso idrico metterebbe al riparo dalla siccità, che ormai non è più una emergenza estiva, ma quasi un problema cronico nella zona del grossetano. L'idea contenuta nella mozione è abbastanza semplice, se non quella di confermare gli accordi che le amministrazioni locali e le associazioni tutte, trasversalmente, hanno preso negli anni: si pone appunto una limitazione all'uso della cava della Bartolina perché a nostro parere ha criticità ambientali già scritte da periti e da relazioni che sono state condivise con le amministrazioni locali e per noi è incompatibile avere un uso

differente da quello che gli è stato dato. Quindi rafforzare il monitoraggio che ARPAT in teoria, diciamo dall'accordo, avrebbe dovuto fare e che sembra però essere smentito da dati contrastanti che emergono dalla relazione del NOE, che ci preoccupano non poco. Come dicevo prima, i piani li vogliamo ottenere in modo differente, non perché non li vediamo, tanto è vero che ho chiesto alla Commissione del presidente Baccelli di occuparcene il prima possibile, magari con audizione dell'assessore Fratoni perché ovviamente vogliamo seguire da vicino quelli che sono gli esiti delle analisi su questi gessi, che non sembrerebbero più assimilabili a rifiuti da conferire in cava bensì in discarica. Questo, come ho detto prima, cambierebbe tutto lo scenario non solo dal punto di vista ambientale, ma anche dal punto di vista del costo economico.

PRESIDENTE: Presidente Giannarelli.

GIANNARELLI: Noi, come abbiamo fatto in Commissione, voteremo a favore di questo atto. Oggi vi chiedo qual è la scelta peggiore che può fare la politica per quel territorio in merito a questo caso specifico della gestione dei gessi rossi e dell'invaso Bartolina. La scelta peggiore che la politica oggi può fare è quella di scegliere di conferire dentro un'ex cava, cava Bartolina, definita da un accordo del territorio del comune di Gavorrano nel 2010 come un'opera strategica per mitigare, eliminare il rischio idrico al quale, tra l'altro, con grande difficoltà la Regione sta dando delle risposte. Proprio nell'ultima stagione estiva abbiamo visto i danni provocati dalla siccità in tutta quell'area all'agricoltura e in un vaso individuato come bacino idrico ci si vogliono portare dei rifiuti che sappiamo con certezza, visto che abbiamo letto con attenzione la relazione della Commissione d'inchiesta

parlamentare sul ciclo dei rifiuti, che sono rifiuti pericolosi, che vanno gestiti come tali e quindi conferiti in siti idonei. Ecco, la peggiore scelta che oggi la politica può prendere è quella di bocciare quest'atto, che chiede una cosa molto lineare, di rispettare la volontà dei territori cioè del Comune di Gavorrano, così come espresso nel 2010: la cava Bartolina deve diventare un vaso per eliminare il rischio idrico e chiede tra l'altro di gestire i rifiuti dei gessi rossi come rifiuti pericolosi, così come è indicato dalla Commissione d'inchiesta parlamentare. Bene, in modo inspiegabile, il Partito Democratico boccia questa mozione di puro buon senso, che non è né di destra né di sinistra. Qua si sta parlando veramente di buon senso. Io non ho capito, Presidente, e spero che il PD intervenga. Ho difficoltà a capire la logica del PD, le argomentazioni che stanno dietro la bocciatura di una mozione così lineare, di buon senso, che rispetta la volontà dei territori.

PRESIDENTE: Presidente Fattori.

FATTORI: Grazie, Presidente. Anche il nostro è un voto a favore della mozione. Si tratta, appunto, come è stato correttamente detto, di confermare l'accordo preso a suo tempo dalle amministrazioni locali. È evidente che il nodo è il futuro della Cava Bartolina, che è destinata, mi vien da dire in maniera naturale, ad accogliere un vaso che può avere funzioni rilevanti non solo per contrastare i problemi che sono legati ai cambiamenti climatici e quindi ad alimentare l'agricoltura dell'area, ma può essere utilizzato anche per le emergenze incendio nelle fasi più calde delle nostre estati. Quindi è evidente che questa è la destinazione più razionale della cava. All'interno della cava sappiamo anche che vi sono delle rocce fessurate, c'è acqua che fuoriesce da alcune fratture in diretto collegamento

con le falde del Fiume Bruna, come hanno mostrato gli studi che sono stati fatti da geologi e c'è dell'acqua che scorre all'interno della cava. Poi ricordo anche un paio di sentenze, una del TAR della Regione Toscana e una del Consiglio di Stato, che conferma la sentenza del TAR, che dice, in maniera chiara, che lì con si può mettere alcun rifiuto proprio perché vi è una struttura fatturata, c'è ingresso di acqua, come confermano appunto le relazioni fatte dai geologi. Sappiamo bene che i gessi rossi hanno già inquinato le falde. Siccome qui stiamo parlando di una zona che produce acqua per un territorio molto ampio, perché arriva giù in pianura fino all'area di Grosseto ed è utilizzata dalle aziende agricole che stanno in tutta l'area a valle, è evidente che insistere nel pensare che quella cava possa essere utilizzata per ospitare i gessi rossi, non farebbe altro che aggravare la situazione complicata della qualità delle acque a valle. Sto pensando alle alte concentrazioni di arsenico. Ora, per quanto riguarda i gessi rossi naturalmente si parla del manganese e anche qui la Tioxide sarebbe stata già chiamata a bonificare la falda inquinata dal manganese già da svariati anni, almeno per quello che lessi sulla materia tempo fa. Comunque è evidente che il vero nodo è in che direzione intendiamo andare. La direzione più ragionevole e razionale da prendere sarebbe quella di destinare la cava ad un vaso utile per le funzioni che sappiamo. Insistere nell'altra direzione porterebbe ad un forte inquinamento da manganese non solo della falda del Bruna ma su tutta un'ampia zona a valle. Parenteticamente l'acquedotto del Fiora ha alcuni pozzi che a loro volta si alimentano in collegamento con il Fiume Bruna; sottoterra c'è, come sempre, un certo movimento di acque tra falde. E' evidente quindi che questo oltre che incidere sulla produzione

agricola e quindi sull'uso irriguo delle acque, potrebbe potenzialmente andare a toccare anche la qualità dell'acqua a uso umano.

PRESIDENTE: Presidente Marras.

MARRAS: Grazie. Capisco l'imbarazzo dei colleghi a dover riferire in aula cose ascoltate da altri e magari non avere avuto la possibilità di aggiornarsi sugli atti degli ultimi anni. L'accordo del 2015 verteva soprattutto sulla regimazione delle acque a Montioni. Un accordo che fu approvato da tutti i gruppi consiliari di Follonica, Cinque Stelle, sinistra, Forza Italia, tutte le forze politiche presenti in quel consiglio comunale. Molte cose che ho ascoltato sono state superate. La vera novità è la relazione finale della Commissione parlamentare d'inchiesta, che descrive i gessi rossi, la composizione chimica del gesso rosso, in un modo diverso da quello che è stato sempre raccontato dagli atti degli ultimi 30 anni, e questo risulterebbe agli atti dell' ARPAT e quindi anche della Regione per quanto riguarda i regimi autorizzativi. Che cosa è il gesso rosso? È un gesso chimico ricco di ferro e di altri metalli pesanti, come il cromo, ad esempio, il cromo 3 e il cromo 6. Il cromo 6, si legge negli atti a nostra disposizione, da sempre è in tracce sotto la significatività strumentale. Cioè non esiste lo strumento che possa misurarlo. Questo gesso, aggiungo, si ottiene grazie alla inertizzazione dell'acido, il refluo acido che si produce nell'impianto di biossido di titanio di Scarlino grazie all'uso della marmettola, che è la causa del danno ambientale che si crea a Massa, a Carrara per le cave di marmo. Oggi è l'unica applicazione utile che eviti lo sversamento di questo materiale nei torrenti di Carrara. Questa è la descrizione finora. Quella relazione invece dice che il cromo esavalente, che è riconosciuto essere una

sostanza cancerogena, ha concentrazioni significative e dannose alla salute per cui la relazione conclude dicendo che a quel punto non si tratta di un rifiuto speciale non pericoloso ed essendo un rifiuto pericoloso deve essere smaltito in discarica. Questo però non porta alla conclusione che i camion, da oggi in poi, debbano prendere un'altra via. Questo significa chiudere tutto. Io mi aspetto, se questo è vero, che dobbiamo chiudere tutto e dobbiamo chiudere tutto alla svelta, smontare tutto quello che è stato fatto negli ultimi 30 anni, perché se quello è il riferimento non c'è discussione che tenga, non c'è discussione che tenga. Ecco perché io stamani ho depositato un'interrogazione all'assessore Fratoni, dove vorrei che almeno sul punto della composizione chimica si facesse chiarezza. L'ultimo dato a cui noi possiamo fare riferimento è ciò che è stato presentato dai tecnici presenti al dibattito pubblico a Gavorrano. Invito tutti i colleghi a leggere i quaderni del dibattito pubblico e la conclusione del dibattito pubblico, perché lì troveranno tante informazioni che forse non sono loro disponibili in questo momento, perché è evidente che ciò che viene descritto non può essere trattato in altro modo. Allora, se siamo sempre nella prima ipotesi, cioè quella che per 30 anni è stata rilevata dalle analisi, che ci dice che siamo davanti ad un composto anziché un altro, un rifiuto speciale non pericoloso può essere trattato, come è stato trattato nella cava di Montioni, con il ripristino delle cave, tranquillamente. Dal comune di Gavorrano è partita la richiesta alla Regione Toscana, finanziata dal Consiglio regionale, di un dibattito pubblico per contribuire a risolvere il problema della messa dimora dei gessi rossi nel territorio, scegliendo tra Cava della Vallina e Cava della Bartolina. Se fosse vero quello che è stato detto non ci sarebbe stata questa opzione, cioè se ci fosse un atto del Comune di Gavorrano che già dice:

“No, noi non lo vogliamo”, non vedo perché abbiano dovuto chiedere alla Regione di espletare, davanti ad una partecipazione importante, il dibattito pubblico. Il dibattito pubblico ha concluso che ci sono delle criticità alla Vallina e delle criticità alla Bartolina. Noi siamo qui, ed è corretta la mozione che è stata presentata fino al punto da essere, però, nell’ultima fase, quella che tratta della Bartolina, semplicemente arbitraria. Noi abbiamo proposto in Commissione una modifica, perché se la criticità che c’è alla Bartolina e non vorrei escludere nemmeno la Vallina, cioè due cave che hanno criticità diverse, una ha il sollevamento delle acque di falda che arrivano fino alla base della cava finora utilizzata e quella è l’unica cava dismessa perché non ha più l’operatore esercente, anche se ha ancora un’autorizzazione residua. Mentre la Cava della Bartolina è ancora in esercizio, non è una cava dismessa, è ancora in esercizio, ha l’autorizzazione fino al 2021, e gli attuali proprietari vorranno sicuramente proseguire nella coltivazione di quella cava. Questa situazione vede delle criticità. Alla Bartolina sono giustamente riferite criticità rispetto alla fratturazione del masso, che potrebbe mettere in contatto la falda del Bruna; è evidente che su questo occorre un’indagine preventiva. Allora, esiste la possibilità di realizzare un’opera infrastrutturale che sia compatibile perché possa essere possibile la valutazione di quel sito? Esiste la possibilità di valutare la Vallina per quanto riguarda la sistemazione in via preliminare di quella criticità? Noi abbiamo chiesto di inserire uno studio di fattibilità che metta anche l’impresa nella condizione di non spendere a vanvera i propri soldi per fare studi di impatto ambientale e obbligatori. Siccome c’è stato risposto di no, noi voteremo contro questa mozione, sapendo bene però che quelle cose vanno risolte con grande rigore, così come si è agito sempre in tutta

quell'area a partire dal 2004, come ricordava giustamente nella mozione il collega, con l'accordo volontario, che credo sia l'occasione di ripetere in questo frangente.

Presidenza del Presidente Eugenio Giani PRESIDENTE: Marco Casucci.

CASUCCI: Grazie, Presidente. Quindi torna a essere discussa la questione dei gessi rossi. Mi ricordo quando verso la fine di ottobre dello scorso anno, venne presentata una mozione dall'ex collega Donzelli e, praticamente nello stesso periodo, un'interrogazione. Noi avevamo scelto di procedere con un'interrogazione per sapere come stavano oggettivamente le cose, proprio perché volevamo avere chiarezza del quadro. Sì, il Comune di Gavorrano ha partecipato al processo partecipativo; questo va detto e anche le carte lo dicono. Così come non risulta ancora attivata una richiesta di un cambiamento per la destinazione della Cava Bartolina, che fino al 2021 rimarrà in quel modo. E deve rimanere in quel modo perché chi conosce il territorio della Maremma sa quanto può essere pericoloso l'inquinamento dell'alveo del Fiume Bruna. Un altro utilizzo deve essere escluso a priori. Io mi stupisco quando sento parlare che vogliamo avere il rigore e poi non si escludono soluzioni critiche in modo preventivo. Sappiamo bene che c'è un progetto per l'utilizzazione di un invaso idrico, sappiamo bene quanto è importante per la Maremma avere acqua, sappiamo bene quanto è grave il fenomeno della siccità e quanto sono stati veramente molto pericolosi per il territorio gli incendi dell'ultimo anno. Io mi stupisco della posizione del Partito Democratico su questo argomento. Noi siamo e resteremo a favore di questa mozione perché sostanzialmente è anche nello spirito del nostro atto. Grazie Presidente.

PRESIDENTE: Grazie a lei. Ci sarebbe Giannarelli ma ha già parlato. Consigliere, potrà intervenire dopo per dichiarazione di voto. Serena Spinelli, prego.

SPINELLI: Grazie, Presidente. Questa mozione arriva piuttosto in ritardo rispetto alle novità che potrebbero modificare completamente il nostro approccio rispetto a questi gessi. Noi abbiamo un accordo del 2015 che dice che questi gessi possono essere stoccati in cava. Se così non fosse la nostra discussione sarebbe già esaurita di per sé e dovremmo affrontarne un'altra. Tuttavia il mio voto a questa mozione sarà favorevole, pur apprezzando quanto il Partito Democratico, nelle parole del suo presidente, ha detto, perché credo che indipendentemente dal non collocare lì i gessi rossi ci sia da definire un luogo che a mio avviso non è nemmeno la Cava Vallina. Da quello che ho potuto leggere e studiare in queste settimane, da quando la mozione è stata presentata, mozione che sicuramente è deficitaria delle informazioni in possesso del presidente Marras, che proviene da quel territorio, oltre alla previsione di invaso idrico per la Cava Bartolina, che è una necessità per quel territorio, ci siano una serie di rilevazioni geologiche che dicono come questo sia un sito difficile da utilizzare in quel senso lì. C'è inoltre il problema della raggiungibilità di questa cava. C'è anche da considerare un tema legato alla Cava Vallina: non mi pare che il territorio senta questo un luogo di stoccaggio adeguato. Quindi il mio voto a questa mozione sarà favorevole. Spero che potremo ridiscutere insieme al gruppo del Partito Democratico come collocare i gessi rossi, dopo un'analisi, come proponeva il presidente Marras, attenta e precisa di quel territorio, sempre sperando di non dover riaprire una

discussione molto più complessa su questi gessi, anche perché abbiamo il dovere, come Consiglio regionale, di tenere presente che nell'azienda coinvolta ci sono persone che lavorano. e che svolgono un'attività. Comunque saremo chiamati a dare soluzione, in un senso o nell'altro, allo stoccaggio dei gessi. Questo lo dico perché quando siamo qui dentro se tocchiamo un tema che ha una complessità, come quello ambientale, abbiamo il dovere di non distanziarci dal fatto che la produzione dei gessi rossi non avviene spontaneamente, ma è frutto di un'attività lavorativa. Per questo abbiamo il dovere di trovare le soluzioni per tutelare l'ambiente ma anche per consentire a chi lavora di proseguire la sua attività. L'azienda in questione ha un notevole numero di dipendenti e per quanto mi riguarda anche un certo numero di indotto. Quindi invito il Consiglio non solo a dire che il sito per lo stoccaggio non è adeguato per tutta una serie di situazioni, ma anche ad avere un atteggiamento consapevole e corretto rispetto al fatto che una soluzione ai gessi poi andrà trovata. Grazie.

PRESIDENTE: Giannarelli. Facciamo che aveva parlato quattro minuti e trenta, quindi ha trenta secondi.

GIANNARELLI: Una dichiarazione di voto, Presidente, velocissima, trenta secondi. Raccoglio l'invito ad affrontare le criticità anche con aspetto propositivo e risolutivo. Spero di ottenere questi piccoli risultati nella Commissione d'inchiesta sui rifiuti che a breve partirà e devo dire spero di trovare in quella Commissione anche il collega Marras, che si distinse, ma lo rivedo, concedimi la battuta, in formissima negli interventi a gamba tesa, dove tenta in qualche modo di ribaltare, con un gioco sofisticato, la realtà dei fatti. Io mi limito a riportare e a condividere con i colleghi la lettura della

relazione della Commissione di inchiesta parlamentare, che sarà oggetto comunque della Commissione regionale di inchiesta sui rifiuti. In questa relazione c'è un passaggio veramente molto stimolante, ma io, ripeto, non sono un esperto e il tema è estremamente delicato, ci vuole buon senso, umiltà e anche studio delle carte. Riporto questo passaggio: “A fronte di questi rilievi il NOE ha ricostruito anche i volumi della movimentazione di questo materiale, che, essendo ingenti, potrebbero configurare la fattispecie del reato di attività organizzata per la gestione illecita dei rifiuti. Il problema nasce dal fatto che lo scarto di produzione della Tioxide non possiede le qualità per essere ritenuto materia prima secondaria, ma è soltanto un rifiuto che avrebbe dovuto avere come destinazione la discarica. Il mancato invio in discarica dei gessi rossi, nelle quantità sopraindicate, ha determinato per la società un notevole risparmio di spesa per decine di milioni di euro”. Il passaggio interessante arriva ora. “Tuttavia, come si è detto, accade che i gessi rossi vengono ancora oggi conferiti in ripristino ambientale nell'ex cava di quarzite di Montioni a Follonica, che però avrà capacità di riceverli ancora per due anni, tanto che è già stato avviato un progetto per la individuazione di un nuovo sito di conferimento. Si sta attualmente parlando di altre due cave nel territorio del comune di Gavorrano, cioè Cava Vallina e Cava Bartolini”. Sentite questo passaggio: “Questa prima fase viene gestita dalla Regione Toscana che sta tentando un cosiddetto dibattito pubblico con una serie di incontri...”, eccetera, eccetera”. Chiudo con questo passaggio, veramente interessante: “In realtà - osserva la Commissione di inchiesta - se la marmettola è un rifiuto che viene conferito normalmente in discarica non si comprende la ragione per cui tale rifiuto miscelato con gli scarti di produzione di biossido di titanio, che

sono anch'essi rifiuti, possa essere destinato al ripristino ambientale per il recupero morfologico di ex cave o aree degradate o possa addirittura divenire un sottoprodotto per l'agricoltura". Questo lo dice la Commissione d'inchiesta parlamentare, quindi di rifiuti stiamo parlando e in quel sito non ci possono andare.

PRESIDENTE: Marcheschi è il promotore quindi ha diritto.

MARCHESCHI: Non ho capito se l'emendamento è stato riproposto in aula o no? Volevo capire se l'emendamento di cui avete parlato, che ho visto in commissione, lo avete riproposto ora in aula o no? Se lo proponete vi dico se l'accetto o no. Come dicevo in commissione, l'emendamento per me è accettabile, non sostitutivo al punto due, come mi pareva fosse stato chiesto in commissione, ma aggiuntivo, quindi procedere a tutti i tipi di possibili analisi delle altre cave è estensivo rispetto a quello che di ciamo noi. Ovviamente non vogliamo eliminare il punto due, il fattore escludente sulla Cava Bartolina. Ma, per fare capire al collega Marras e PD quanto ci teniamo ad avere l'unanimità, arrivo a dire, mi allargo, che se vogliamo escludere la Cava Vallina, visto che è stata citata da diversi colleghi, sono disponibile a scrivere che escludiamo anche la Vallina. Quindi se volete formalizzarlo come emendamento, noi oltre alla Cava Bartolina ci mettiamo anche la Cava Vallina, perché, come è stato ricordato da più colleghi qua, se la volontà è questa noi siamo disponibili. Noi, a maggior ragione, diciamo che si può votare.

PRESIDENTE: Casucci ha già parlato. Pecori ha già parlato? Va bene, ormai ho fatto quella deroga. Casucci però 30 secondi veramente

. CASUCCI: Sarò molto veloce nel dire che condivido quanto è stato detto, che in ogni caso anche per le esigenze di chi lavora in quella fabbrica, occorre affrontare seriamente il problema dello stoccaggio dei gessi rossi. E su questo c'è da aprire un serio ragionamento perché è di vitale importanza proprio per chi lavora per quella importante azienda. Grazie, Presidente.

PRESIDENTE: A te. Monica Pecori.

PECORI: Io sono favorevole alla mozione. Il lavoro della Commissione d'inchiesta, a mio avviso, dovrebbe essere preso come bibbia d'ora in avanti, perché quello che è uscito da quella Commissione apre molte, è mia opinione, molte considerazioni rispetto alla realtà della gestione dei rifiuti in Toscana. Non ho avuto la possibilità di conoscere l'emendamento e quindi mi riservo di accoglierlo. Però, per quanto riguarda la mozione sono d'accordo.

PRESIDENTE: Marras. MARRAS: Grazie, Presidente. Anche io ho letto la relazione della Commissione parlamentare e condivido ciò che ha detto Giannarelli. Se quello che è scritto lì corrisponde a verità, è evidente che devono attuarsi una serie di contromisure immediate, precauzionali, perché quel gesso possa essere invece trattato in altro modo. Lo dico perché non metto in discussione la "bibbia", come è stata definita la relazione della Commissione, ma appartengo a quelli che hanno memoria di avere visto atti fatti da altri professionisti che in questo momento potrebbero addirittura essere messi in qualche modo sotto accusa rispetto all'aver descritto con le loro analisi questo prodotto in altro modo. Perché se la composizione chimica del gesso rosso è altro, non c'è opinione politica o personale che

tenga, è una composizione con una presenza e una concentrazione di composti inquinati tot, che se supera un certo limite deve essere trattata in un modo, altrimenti può essere trattata in un altro. Noi abbiamo sempre ipotizzato e vediamo se questo è vero, che potesse essere trattata in altro modo perché classificata, grazie agli esami ed alla definizione del composto, come un rifiuto speciale non pericoloso e quindi anche usabile come materia prima seconda. D'altra parte il Ministero delle politiche agricole aveva approvato il brevetto di Agriges che si fa proprio con i gessi rossi. E una volta autorizzato alla commercializzazione come ammendante in agricoltura, è evidente che le istituzioni pubbliche hanno preso una strada che deriva dall'aver visto una serie di analisi che hanno definito quel composto in un certo modo, con quelle caratteristiche e quella composizione chimica al suo interno. La vicenda delle due cave del comune di Gavorrano è la vicenda proprio di chi pensa di doversi mettere a disposizione per l'esigenza che richiamava in modo preciso, e non ci ritorno sopra, la collega Spinelli, cioè la necessità di dare risposta a un'attività produttiva importante, che naturalmente non deve creare danno ambientale o alla salute, che può quindi fare anche altrove ciò che sta facendo a Montione, sito che si esaurirà tra un paio di anni. Noi imponiamo quegli emendamenti perché sia possibile valutare in via preventiva la fattibilità dell'intervento su Bartolina o su Vallina. Perché? Perché ci sono geologi che dicono che è infattibile e ci sono altri geologi che dicono che è fattibile, cioè che siano possibili o meno interventi per evitare che la fratturazione della Bartolina metta in contatto la falda del Bruna con l'eventuale acqua che viene messa. Io francamente non sono sicuro, come è sicura la consigliera Pecori, nel prendere uno scritto come bibbia. Ho, diciamo, una

sufficiente capacità critica per dire vediamo le carte e analizziamo che cosa è possibile fare, perché se da un'analisi di fattibilità preventiva, l'origine di quell'emendamento, viene fuori che per mettere e saldare e rendere incomunicanti l'area della cava con la falda del Bruna è impossibile perché questo comporta un investimento infattibile, io direi alla società: non perdetevi tempo, non spendete soldi per fare studi ambientali perché questo non è fattibile. Ma ad oggi nessuno lo sa. La stessa cosa vale per la Vallina. Siccome qui invece mi sembra che ci siano tutte queste certezze, perché corroborate dall'aver raccolto sul territorio dati che io francamente non conosco, evidentemente a me pare come soluzione del tutto arbitraria, fonte del fatto che magari qualcuno, che ne so, a Sassofortino, che non è Gavorrano, magari militando nello stesso partito, abbia suggerito in questo caso al consigliere Marcheschi di presentare la mozione. Ora, se questo è il livello della rappresentanza acritica che deve essere svolta qui dentro, io mi castro. Non è questo quello che dovrebbe essere il nostro modo di comportarsi. Allora accettate il nostro emendamento che sottopone a una valutazione preventiva l'esame della fattibilità, invece di dire in maniera arbitraria "no" a priori. PRESIDENTE: Il dibattito si è snodato sull'emendamento, ma questo emendamento materialmente non c'è. Quindi la risultante è che l'emendamento fantasma in realtà non lo scoprirà nessuno e con questo spirito metto in voto la mozione. Chi è favorevole alla mozione presentata da Paolo Marcheschi? Ho detto e ripeto che questo emendamento così desiderato, bramato, voluto, non c'è. Vi è la richiesta del voto elettronico, legittima, quindi si vota con sistema elettronico. Sospendo un attimo la votazione perché sta emergendo dalle nebbie il fantasma emendamento. Marcheschi ha letto l'emendamento? Quindi non è accettato

l'emendamento? Prego. MARCHESCHI: Se l'emendamento è quello che è stato presentato in Commissione, qui si va un pochino a fiuto, sono disponibile ad accettarlo ma non in modo sostitutivo. Se è aggiuntivo lo accetto perché il principio generale mi soddisfa. Non posso accertarlo qualora fosse presentato come sostitutivo del punto 2 come almeno in Commissione mi era stato detto. Quindi, se voi ribadite ancora che è sostitutivo, io non posso accertarlo. Del resto basta leggere; chi ha letto la mozione capisce benissimo che non posso neanche accettare le obiezioni, quelle del capogruppo Marras, sulla superficialità della mozione perché penso che sia una mozione, come è stato riconosciuto in commissione, molto dettagliata e precisa, che cita degli atti autorizzativi certi, che cita le adesioni di tutte le associazioni ambientaliste e non ambientaliste del territorio e quindi ha una sua valenza, supportata anche da dati tecnici. Quindi lascio il Presidente Marras a tastarsi, non so dove, ma ovviamente non accettiamo questo emendamento.

PRESIDENTE: Di fronte alla formale presa di posizione, procediamo al voto dell'atto come è stato presentato, quindi mettiamo in votazione la mozione, sullo stoccaggio dei gessi rossi in provincia di Grosseto, con voto elettronico. Procediamo (Si procede alla votazione con sistema elettronico

PRESIDENTE: Chiusa la votazione. I presenti sono 37, i votanti sono 37, i favorevoli 15, i contrari indicati dal tabellone con il colore rosso 22. –

Il Consiglio non approva -

ATTI DEL CONSIGLIO REGIONALE DEL MOLISE SU TERMOLI

Consiglio regionale Molise

Il Consiglio regionale, presieduto dal Presidente Salvatore Micone, ha tenuto oggi una seduta monotematica per discutere dell'argomento relativo alla "variante al PRG del Comune di Termoli, propedeutica alla realizzazione di un "sistema integrato per la viabilità e mobilità sostenibile" comprendente un "tunnel di raccordo stradale tra il porto e il lungomare nord con parcheggio multipiano interrato al di sotto di piazza Sant'Antonio e recupero funzionale dell'adiacente parcheggio multipiano area denominata Pozzo Dolce (Deliberazione del Consiglio comunale di Termoli n. 29 del 27 luglio 2018)".

La richiesta di convocazione di una riunione dell'Assemblea su questo specifico argomento era giunta, a norma dell'art. 28 dello statuto regionale, al Presidente Micone dai Consiglieri Greco, Manzo, Fontana, De Chirico, Primiani e Nola.

Il Consigliere Fontana ha introdotto l'argomento, spiegando anche le motivazioni della richiesta di una seduta monotematica dell'Assemblea legislativa regionale su un tema ritenuto di particolare rilevanza sociale per la città di Termoli.

Nell'ampio dibattito ingenerato sono intervenuti per esprimere la loro posizione in merito i Consiglieri Romagnuolo A., Calenda, Romagnuolo

N.E., Greco, Iorio, De Chirico, Tedeschi, Cefaratti, Manzo, Facciolla, il Sottosegretario Pallante e il Presidente della Giunta Donato Toma.

Sono stati quindi presentati due atti di indirizzo, uno a firma dei Gruppi della Maggioranza (un ordine del giorno sottoscritto da Toma, Cefaratti, Romagnuolo N. E., Romagnuolo A., Calenda, Matteo, Pallante, Iorio, Micone, Scarabeo) e l'altro a firma dei Consiglieri del Gruppo del Movimento 5 Stelle (una mozione da Fontana, Primiani, De Chirico, Nola e Greco).

Si sono quindi sospesi i lavori per cercare una possibile intesa al fine della sottoposizione all'Aula di un atto di indirizzo ampiamente condivisibile.

Alla ripresa della seduta, all'ordine del giorno della maggioranza è stato presentato un emendamento integrativo del dispositivo. L'emendamento, originariamente sottoscritto dagli stessi Consiglieri di maggioranza, è stato successivamente sottoscritto anche dai Consiglieri De Chirico, Nola, Greco, Fontana, Manzo e Primiani. Questi ultimi, a loro volta, in un secondo tempo, hanno presentato per proprio conto un altro emendamento abrogativo di parte del dispositivo dell'odg. I due emendamenti sono stati posti a votazione: quello abrogativo è stato respinto, mentre quello integrativo del dispositivo è stato approvato a maggioranza.

Il testo dell'ordine del giorno, così come emendato, è stato approvato con 16 voti favorevoli, contrari i Consiglieri Facciolla e Fanelli.

La mozione concorrente presentata dal gruppo M5S è stata quindi ritirata.

In particolare con l'ordine del giorno approvato il Consiglio Regionale "per quanto di competenza, rinnova l'opportunità affinché l'Amministrazione Comunale di Termoli valuti il ricorso allo strumento referendario, per registrare appieno il sentimento dei cittadini sulla realizzazione dell'opera

denominata “Tunnel di raccordo stradale tra il Porto ed il Lungomare Nord con parcheggio multipiano interrato al disotto di Piazza Sant’Antonio e recupero funzionale dell’adiacente parcheggio multipiano area denominata Pozzo Dolce (DCC di Termoli n.29 del 27 luglio 2018)”.

Un diverso avviso sull’utilizzo dello strumento referendario determina un’assoluta contrarietà da parte del Consiglio Regionale alla realizzazione dell’opera”.

Il Consiglio impegna poi la III Commissione consiliare permanente a volgere una indagine conoscitiva con riguardo al procedimento riguardante l’opera e a riferire in Aula sulle informazioni acquisite e le conclusioni raggiunte.

a cura dell'Ufficio Comunicazione pubblica del Consiglio Regionale del Molise

Il Comitato e Coordinamento No Tunnel a Termoli

TERMOLI - Niente di nuovo sotto il sole. L’esperienza degli Urban Center ha lontane origini americane. Si costituiscono, sotto forma di organizzazioni no profit, quali “aree neutrali” volte ad informare e coinvolgere i cittadini su progetti di trasformazione del proprio territorio. In realtà, nella maggior parte delle esperienze americane, in

questi strumenti emerge il ruolo preponderante delle lobby, portatrici di interessi particolari.

Nel contesto europeo e italiano, gli Urban Center nascono a partire dalla seconda metà degli anni novanta, su iniziativa prevalente dei Comuni, da soli o in partenariato con altri enti, quale luogo di confronto pubblico sulla città. Esperienze caratterizzate per lo più da limiti evidenti, come la prevalenza di informative unidirezionali e il fungere da “valvola di sfogo” per decomprimere i conflitti che spesso nascono di fronte a progetti imposti dall’alto o invisibili ai cittadini.

Le esperienze virtuose di Urban Center in Italia si possono contare sulle dita di una mano e tra queste vale la pena citare quelle di Bologna, Brescia, Torino e Siracusa, tutte accomunate da due caratteristiche principali: quella di costituire una struttura di accompagnamento del Piano Urbanistico (Piano Regolatore Generale, Piano di Governo del Territorio, Piano Strategico della Città) e quella di rendere effettiva la partecipazione dei cittadini facendoli contare realmente nelle scelte riguardanti i loro territori. Per la maggior parte dei casi si assiste, invece, al proliferare di Urban Center che sono autentiche scatole vuote e di cui non si intravede alcuna reale utilità. Non è certo un caso che più si abbandona la strada virtuosa della buona pianificazione urbanistica, più aumenta il numero di strumenti inutili e sterili.

L’Urban Center di Termoli si colloca certamente tra i più bizzarri in Italia, superato solo dall’Urban Center di Rivarolo - un vero e proprio centro commerciale - e forse da qualche altro. E’ vero che ci sono anche Urban Center che sono emanazione di soggetti privati, ma che a farsi promotore della creazione di un tale strumento sia la stessa impresa di

costruzioni che ha ottenuto l'aggiudicazione provvisoria (si badi bene, solo provvisoria) per realizzare quello che è da tutti conosciuto come il "Grande Scempio" di Termoli, vale a dire la costruzione del tunnel e della devastante speculazione edilizia di Piazza S. Antonio e Pozzo Dolce, è un fatto che non ha eguali.

In un sol colpo si intende spazzare via storia, patrimonio archeologico, paesaggio, rapporto identitario tra i termolesi e quello che è uno dei luoghi più significativi della città.

La De Francesco Costruzioni, del resto, non è nuova ad operazioni di pura propaganda come la fuorviante simulazione tridimensionale del progetto, la distribuzione capillare in tutta la città di un ammaliante opuscolo a colori, la gita "scolastica" che ha visto Sindaco, Assessori e Consiglieri di maggioranza andare a studiare il parcheggio interrato nella piazza di Atesa (opera della stessa De Francesco), la farsa del Dibattito Pubblico, i parchetti giochi per i bambini fino ad arrivare all'Urban Center. **Tutte iniziative pagate profumatamente dall'impresa.**

Quello che invece ci riesce difficile capire è come mai il Sindaco Sbrocca e l'intera Amministrazione Comunale si siano letteralmente consegnati in ostaggio a questa ditta, che ha preso saldamente in mano le redini dell'operazione.

Nel presentare l'Urban Center di Termoli, il Sindaco ha detto esplicitamente che questo "arriva a completamento del percorso del Dibattito Pubblico" di cui si fa vanto e che invece, occorre ribadirlo, è stata una vera e propria "presa per i fondelli" poiché, come bene ha evidenziato il Sottosegretario ai Beni Culturali, l'Onorevole Dorina

Bianchi, in risposta ad un'interrogazione parlamentare nell'Aula del Senato, il Dibattito Pubblico doveva essere fatto prima dell'aggiudicazione provvisoria del progetto. Senza parlare poi della mancanza della cosiddetta "Opzione Zero" (la rinuncia a realizzare il progetto) e della stravagante trovata che a decidere su eventuali modifiche proposte sia la sola ditta De Francesco e non l'amministrazione comunale. Peraltro, questa iniziativa è stato un clamoroso fallimento, come testimoniano impietosamente le immagini che vedono ai tavoli tematici poche persone, per lo più Consiglieri e Funzionari Comunali.

Su questa scia nasce, dunque, l'Urban Center di Termoli, uno strumento senza alcuna vera funzione di confronto e di crescita culturale ma che in sostanza non è altro che un "ufficio vendite" della De Francesco, in cui fanno bella mostra i pannelli illustrativi della "fantomatica" riqualificazione di S. Antonio e Pozzo Dolce.

La strada perseguita dall'Amministrazione Comunale è quella dell'antiurbanistica che intende intervenire sul territorio comunale procedendo caso per caso, secondo priorità e convenienze ambigue o particolaristiche. La strada delle "mani libere" che consente di operare al di fuori di ogni scelta di programmazione e di pianificazione del territorio, che trasferisce di fatto i poteri urbanistici alle imprese immobiliari.

L'Urbanistica è la disciplina che studia l'organizzazione e la pianificazione del territorio che in concreto significa decidere cosa si può fare in un dato territorio, dove farlo, come farlo e con quali vantaggi per la collettività. Da qui l'obbligo di pianificare il territorio e redigere il Piano Regolatore

Generale, che rimane lo strumento fondamentale per una adeguata politica urbana che sia rispondente alle trasformazioni attuali e future.

Se c'è una città che ha particolarmente bisogno di un Piano Regolatore, quella è Termoli. Una città slabbrata, disarticolata, che sta perdendo la sua vecchia identità senza trovarne una nuova, una città con problemi urbanistici enormi (primi fra tutti, i grossi tagli artificiali del centro abitato provocati da ferrovia, autostrada, tangenziale e la crescita a “salto di canguro” che ha portato alla creazione di agglomerati distinti e distanti dal centro abitato), una città che sta perdendo in maniera sempre più accelerata i suoi peculiari connotati paesaggistici, una città che non riesce a trovare la sua via allo sviluppo perdendo sempre più il suo rapporto con il mare. Uno sviluppo che faccia leva sul patrimonio territoriale, abbracci l'intero territorio basso-molisano e coinvolga la società locale in tutte le sue articolazioni.

Occorre un Piano Regolatore che non sia, però, generico, ovvero una banale e semplice razionalizzazione dell'esistente, ma una pianificazione di alto profilo, ambiziosa e a “consumo di suolo zero”. Un Piano che può nascere solo dalla combinazione di tre fattori fondamentali: una forte volontà politica, l'apporto illuminato di urbanisti di valore e la partecipazione necessaria dei cittadini. Un compito al quale i prossimi Amministratori non potranno sottrarsi.

Fortunatamente l'Amministrazione Sbrocca è agli sgoccioli e, nel periodo che manca alla fine del mandato, bisognerà soltanto impedire che compia altri “delitti urbanistici” (quale, ad esempio, la lottizzazione Andreoli). Quanto al “Progetto Tunnel”, confidiamo nella non approvazione della Variante

Parziale al PRG da parte del consiglio regionale, visto che i motivi per bocciarla sono molteplici, circostanziati e sostanziosi.

A conti fatti, una ricandidatura del Sindaco Sbrocca sarebbe del tutto improponibile: il popolo termolese lo ha già giudicato. Infatti, stando a quanto si sente insistentemente e diffusamente nelle strade e nei luoghi d'incontro della città, parrebbe destinato a essere ricordato come il peggior sindaco che Termoli ricordi. Vox populi...

Il Comitato e Coordinamento No Tunnel

ATTI PARLAMENTARI SU TERMOLI

Atto n. 3-04012 (*con carattere d'urgenza*)

Publicato il 27 settembre 2017, nella seduta n. 885

Svolto nella seduta n. 903 dell'Assemblea (19/10/2017)

CASTALDI , DONNO , ENDRIZZI , GIARRUSSO , GIROTTO , MONTEVE
CCHI , MORONESE , NUGNES , PUGLIA , SANTANGELO , SERRA , TA
VERNA , PAGLINI - Al Ministro dei beni e delle attività culturali e del

turismo. -

Premesso che, a quanto risulta agli interroganti:

la Giunta regionale del Molise, con la delibera n. 712 del 30 dicembre 2014 (integrata e rettificata dalla delibera di Giunta n. 76 del 17 febbraio 2015) ha ammesso al finanziamento pubblico la realizzazione di un "tunnel di raccordo stradale tra il porto di Termoli ed il lungomare Cristoforo Colombo", per un importo di 5.000.000 euro, a valere sulle risorse del FSC (fondo per lo sviluppo e la coesione) 2007-2013;

il 25 giugno 2015, con deliberazione n. 161, la Giunta comunale di Termoli ha approvato il progetto preliminare per la realizzazione di un "tunnel di raccordo stradale tra il porto di Termoli ed il lungomare Cristoforo Colombo", quantificandone i costi in 11.125.094 euro, di cui 5.000.000 coperti dai fondi FSC 2007-2013 e i restanti 6.125.094 a carico del Comune di Termoli;

il 27 luglio 2015, con deliberazione n. 196, la Giunta comunale di Termoli ha formulato una "Proposta rimodulazione intervento per realizzazione di un tunnel di raccordo stradale tra il porto di Termoli e il Lungomare Nord con parcheggio multipiano interrato al di sotto di piazza Sant'Antonio e recupero funzionale dell'adiacente parcheggio multipiano area Pozzo Dolce", da realizzare tramite finanza di progetto, "ritenendo le due opere (tunnel e parcheggi) complementari e strategiche per il miglioramento delle mobilità urbana";

la Giunta regionale del Molise, previo parere favorevole del direttore del servizio viabilità della Direzione Area IV, espresso con nota del 30 luglio 2015, protocollo interno n. 86481/2015, ha approvato la suddetta proposta di rimodulazione con la deliberazione n. 417 del 3 agosto 2015, "per un valore complessivo di euro 14.967.400 di cui euro 5.000.000 a valere sulle risorse del FSC 2007/2013 ed euro 9.967.400, da acquisire mediante finanza privata di progetto";

considerato che:

con determina dirigenziale n. 976 del 7 agosto 2015, il Comune di Termoli ha approvato il nuovo schema di avviso pubblico esplorativo per la scelta del promotore nell'ambito della procedura di affidamento in finanza di progetto, ponendo a base di gara il progetto preliminare del *tunnel*, approvato con deliberazione di Giunta comunale n. 161 del 25 giugno 2015, e acquisendo in gara il progetto preliminare integrato comprensivo di entrambi gli interventi (*tunnel* e parcheggio Sant'Antonio con il recupero di "Pozzo Dolce");

la Giunta comunale, con deliberazione n. 291 del 5 novembre 2015, ha proposto di procedere alla dichiarazione di pubblico interesse dell'unica proposta pervenuta in data 29 settembre 2015 da parte della ditta "De Francesco Costruzioni sas" per la realizzazione di un *tunnel* di raccordo stradale tra il porto di Termoli ed il lungomare nord, con parcheggio multipiano al di sotto di piazza Sant'Antonio e recupero funzionale dell'adiacente parcheggio multipiano area "Pozzo Dolce", per un valore complessivo di 19.000.000 euro; progetto dal quale, tra l'altro, non si evince in modo esplicito che oltre a *tunnel* e parcheggio verranno realizzati immobili (negozi e appartamenti) che andranno in totale disponibilità del privato costruttore, realizzando così una colossale speculazione edilizia;

il Consiglio comunale di Termoli con delibera n. 10 dell'11 febbraio 2014 ha approvato il "Regolamento partecipazione dei cittadini" che al capitolo III (articoli dall'11 al 37) regola l'attuazione del *referendum* consultivo comunale;

il comitato referendario denominato "Termoli Decide" ha depositato la richiesta di *referendum* sul *tunnel* di cui al citato progetto preliminare integrato comprensivo di entrambi gli interventi (*tunnel* e parcheggio Sant'Antonio con il recupero di "Pozzo Dolce") il 29 luglio 2016;

l'apposita commissione del Comune prevista dal regolamento di partecipazione dei cittadini, in data 30 giugno 2016, ha dichiarato non ammissibile il quesito del *referendum*; non ammissibilità confermata dal Consiglio comunale in data 22 settembre 2016, la cui decisione è stata oggetto di diffida da parte del Comitato "Termoli Decide";

il 16 febbraio 2017 il comitato referendario "Termoli No Tunnel" ha depositato tre nuovi quesiti concernenti la revoca della delibera di Giunta municipale n. 291 del 5 novembre 2015, con la quale si prevede: la realizzazione del progetto per la mobilità sostenibile urbana comprendente il *tunnel* (collegamento sotterraneo tra il porto e il lungomare Cristoforo Colombo), il parcheggio multipiano e le opere annesse; la trasformazione del costone di piazza Sant'Antonio, attualmente destinato a verde pubblico e sottoposto a vincolo paesaggistico, in immobili di proprietà privata a destinazione ricettiva e commerciale; la realizzazione di un parcheggio sotterraneo in piazza Sant'Antonio;

considerato inoltre che:

il progetto interessa una zona sottoposta a vincolo paesaggistico, dichiarata "area di notevole interesse pubblico", che tocca il centro storico di Termoli, nello specifico la Torretta Belvedere, le antiche mura perimetrali del centro storico e il castello di epoca federiciana, tutti beni culturali e paesaggistici sottoposti a vincolo archeologico e tutelati;

il *tunnel* e le opere annesse verranno a creare una nuova cesura tra il lungomare e altre zone centrali della città cancellando il rapporto storico e identitario tra la città vecchia e il borgo, mentre la percezione e l'identità dei luoghi verranno irrimediabilmente alterati, in contraddizione ai principi espressi dal codice di tutela del paesaggio (di cui al decreto legislativo n. 42 del 2004);

l'impatto visivo di questo progetto è a parere degli interroganti devastante, in quanto la scarpata verde sotto piazza S. Antonio, oggi ben visibile dal lato del castello Svevo e della passeggiata lungo le mura del centro storico, e riconosciuta come elemento fondante del paesaggio, in quanto ultimo esemplare di falesia naturale rimasto in zona, scomparirà totalmente e verrà sostituita con due muraglioni in calcestruzzo armato con griglie d'acciaio;

il colle di Pozzo Dolce e la scarpata di piazza S. Antonio, pur rientrando in un'area sottoposta a vincolo paesaggistico e dichiarati "di notevole interesse pubblico" con decreto ministeriale 2 febbraio 1970, spariranno totalmente sotto una gettata di cemento;

l'area dove si dovrebbe procedere con i lavori è a forte rischio archeologico con il sovrappiù che non è stata effettuata alcuna valutazione dei possibili danni alle antiche e fragili strutture del centro storico, che il *tunnel* potrebbe arrecare in fase di esercizio, a causa della propagazione delle vibrazioni prodotte dal passaggio di autovetture e mezzi di trasporto pubblico;

in data 28 luglio 2016 il comitato referendario Termoli No Tunnel ha inviato un atto di significazione e diffida a ben 14 destinatari istituzionali, tra i quali il Ministero dei beni e delle attività culturali e del turismo e l'Anac (Autorità

nazionale anticorruzione), perché vigilassero e intervenissero, ciascuno nel proprio ambito di azione;

con comunicazione dell'Anac, "Gara a procedura aperta con lo strumento della finanza di progetto per realizzare un sistema integrato per la viabilità e mobilità sostenibile con diritto di prelazione da parte del promotore ai sensi dell'art. 153, comma 19, del d.lgs. 163/2006" (prot n. 0065310 del 10 maggio 2017), si invitava la Procura del Tribunale di Larino ad approfondire e sorvegliare;

il comitato referendario ha presentato dettagliate osservazioni in sede di conferenza dei servizi decisoria, iniziata nell'agosto 2017, concernenti le innumerevoli irritalità e illegittimità riscontrate nel corso dell'*iter* del progetto;

considerato altresì che:

con nota del 12 giugno 2017 il Ministero chiedeva alla Soprintendenza per l'archeologia, le belle arti e il paesaggio di Campobasso di fornire notizie al Ministero stesso, su segnalazione dell'assemblea dei comitati referendari di Termoli;

nella conferenza dei servizi decisoria per la "Realizzazione di un sistema integrato per la viabilità e mobilità sostenibile del Comune di Termoli", svoltasi il 10 agosto presso la sala Giunta della Regione Molise, è stato formalizzato il parere negativo sul progetto della Soprintendenza ai beni paesaggistici e culturali del Molise e il parere contrario espresso nella medesima conferenza decisoria dal dirigente del Servizio pianificazione e gestione territoriale della Regione Molise;

a giudizio degli interroganti, vi è la necessità di iniziative urgenti da intraprendere, visto lo stadio di avanzamento del progetto e la decisa opposizione di buona parte della cittadinanza, che paventa la distruzione del proprio patrimonio storico, paesaggistico e archeologico in conseguenza degli interventi previsti; opposizione ampiamente testimoniata, tra l'altro, dalle circa 3.000 firme della petizione popolare (disciplinata anch'essa dal "Regolamento partecipazione dei cittadini" del Comune), con la quale si chiedeva al sindaco di sospendere l'*iter* procedurale del progetto *tunnel* in attesa dello svolgimento del *referendum* consultivo (petizione che, tra l'altro, non ha ricevuto alcuna risposta da parte del sindaco);

su tutta la area di intervento, nonché sulla Torre Belvedere e l'ex cinema Adriatico sono apposti vincoli paesistici, archeologici, architettonici che richiedono anche le necessarie autorizzazioni paesaggistiche ai sensi del decreto ministeriale 2 febbraio 1970, Dichiarazione di notevole interesse pubblico P.T.P.A.A.V (piano territoriale paesistico-ambientale di Area Vasta) n. 1 "Basso Molise" approvato con delibera del Consiglio regionale n. 253 del 1° ottobre 1997, della legge regionale n. 24 del 1989, del decreto legislativo n. 42 del 2004, art. 1,0 e del decreto legislativo n. 163 del 2006, della delibera del dirigente regionale n. 12 del 27 settembre 2004,

si chiede di sapere:

se il Ministro in indirizzo sia a conoscenza dei fatti esposti;

se intenda attivarsi, anche alla luce della richiesta oggetto della citata nota del 12 giugno 2017, con urgenti iniziative di competenza, affinché venga confermato il parere negativo, motivato in modo dettagliato e ineludibile,

espresso dalla Soprintendenza archeologia, belle arti e paesaggio del Molise, pronunciato anche per l'ambito relativo alla tutela archeologica in sede di conferenza dei servizi decisoria del 10 agosto 2017.

SENATO DELLA REPUBBLICA

----- XVII LEGISLATURA -----

903^a SEDUTA PUBBLICA

RESOCONTO STENOGRAFICO

GIOVEDÌ 19 OTTOBRE 2017

BIANCHI, *sottosegretario di Stato per i beni e le attività culturali e per il turismo*. Signora Presidente, premetto che questo Ministero attraverso i suoi uffici territoriali, segue, con attenzione e da diversi anni questo progetto e che rispondo secondo gli elementi forniti dalla Soprintendenza archeologia, belle arti e paesaggio del Molise.

Come correttamente rammentato dai senatori interroganti, il Comune di Termoli ha approvato il progetto preliminare il 25 giugno del 2015 con una delibera di Giunta comunale ed in assenza di un parere del Ministero.

Il successivo 7 agosto, il Comune ha proceduto all'approvazione dello schema di avviso pubblico di *project financing* per la progettazione, costruzione e gestione di un parcheggio interrato multipiano in Piazza Sant'Antonio, integrato con il progetto preliminare del tunnel stesso.

Il 5 novembre 2015, la Giunta comunale ha dichiarato di pubblico interesse l'unica proposta pervenuta da parte della ditta De Francesco costruzioni, che ha assunto la veste di promotore.

Il successivo 27 maggio 2016 il Comune ha indetto la conferenza di servizi istruttoria, in relazione alla quale la Soprintendenza archeologica, belle arti e paesaggio del Molise ha trasmesso, il successivo 1° giugno, la nota n. 3905, con la quale si chiedeva la documentazione progettuale cartacea, non pervenuta, e si precisava che il parere unico per la tutela paesaggistica e archeologica spettava al segretariato regionale del Ministero dei beni e delle attività culturali e del turismo per il Molise.

Secondo notizie fornite dalla stessa Soprintendenza, nei mesi successivi, sono seguite riunioni e incontri tecnici, nel corso dei quali il segretario regionale del Molise *pro tempore* e la Soprintendenza hanno chiesto di effettuare sondaggi e saggi di scavo nelle aree di intervento.

Soltanto il 14 luglio di quest'anno, la ditta De Francesco ha trasmesso una relazione archeologica relativa alla sola esecuzione di carotaggi, che la Soprintendenza ha però ritenuto non esaustivi per la verifica dell'impatto archeologico.

Il 10 agosto scorso si è svolta presso la Regione Molise la prima seduta della conferenza di servizi decisoria, il cui verbale è verosimilmente noto ai senatori interroganti, in relazione alla quale la Soprintendenza archeologia, belle arti e paesaggio del Molise ha espresso e depositato, in pari data, il negativo parere di competenza, fornendo dettagliate motivazioni in ordine alla tutela paesaggistica, archeologica e monumentale.

In particolare, nella nota depositata, è stato ribadito che le aree interessate sono sottoposte a vincolo paesaggistico e a tutela architettonica in relazione al Castello Svevo della città vecchia e all'ex cinema Adriatico; inoltre, l'area di Piazza Sant'Antonio è stata in passato oggetto di rinvenimenti relativi a sepolture antiche.

Lo scorso 13 settembre, su richiesta del Comune di Termoli, si è svolto presso la sede della Soprintendenza archeologia, belle arti e paesaggio, un incontro al quale hanno partecipato l'attuale soprintendente, il segretario regionale del Molise del Ministero dei beni e delle attività culturali e del turismo, l'architetto funzionario di zona e un referente della ditta. Nel corso della riunione, della quale l'architetto competente ha redatto un verbale di sintesi, la Soprintendenza ha proposto di verificare la possibilità di una modifica del progetto, nella parte in cui esso - attraverso il tunnel - intercetta gli spazi aperti e anche ipogei relazionati con il borgo medievale, segnalando altresì delle preoccupazioni e delle criticità.

La Soprintendenza riferisce che il sindaco di Termoli ha rappresentato che nessuna sostanziale modifica sarebbe possibile, in quanto il progetto, essendo il risultato di un processo concorsuale oggetto di pubblica gara, non sarebbe emendabile. La Soprintendenza, nel prendere atto di ciò, comunica di aver rilevato che il progetto avrebbe dovuto essere sottoposto

al parere preventivo del Ministero prima dell'avvio delle procedure di gara e di aver segnalato che, in mancanza di fatti nuovi, ossia di previsioni progettuali diverse che facciano superare le criticità emerse in relazione al patrimonio storico e paesaggistico della città, proprio nel luogo più rappresentativo e identitario dell'intero territorio cittadino, non emergono elementi di fatto che consentano di riconsiderare il parere reso in senso negativo.

CASTALDI (M5S). Domando di parlare.

PRESIDENTE. Ne ha facoltà.

CASTALDI (M5S). Signora Presidente, è con immenso piacere, pur facendo parte di una forza di opposizione, che mi dichiaro soddisfatto, anzi soddisfattissimo, della risposta dell'onorevole Dorina Bianchi (che ringrazio), insieme alla quale, in Commissione industria, commercio, turismo, abbiamo cercato di dare il nostro contributo all'ottimo lavoro - per quanto migliorabile - del codice del turismo.

Ho notato dunque la medesima attenzione anche per ciò che riguarda la problematica specifica attinente al Comune di Termoli. Mi fa piacere sapere che il Ministero segue da anni con attenzione questa problematica e ho quindi certezza che, al momento opportuno, quindi entro dieci giorni dalla conclusione della conferenza dei servizi, la Soprintendenza riproporrà il parere negativo, senza lasciare alcuna possibilità o cavillo a chi vuole fare uno scempio di questa città.

Posso definirmi un "cugino" di questa città, perché sono originario di Vasto: sono due cittadine che hanno anche una rivalità turistica, ma i cittadini di entrambe le località godono di queste due stupende città. Voglio dunque

evidenziare che la lotta che hanno ingaggiato i comitati e i cittadini, studiando le carte e dedicando tempo, telefonate, viaggi, facendo visite in Soprintendenze e qui in Senato, con i parlamentari, e al Ministero, è stata premiata e la serietà del Ministero dei beni e delle attività culturali e del turismo blocca, di fatto, con questa risposta qualsiasi velleità di speculazione edilizia, che farebbe scempio della stupenda città di Termoli.

APPENDIX 2

DPCM 10 MAGGIO 2018, N. 76

DECRETO DEL PRESIDENTE DEL CONSIGLIO DEI MINISTRI 10

maggio 2018, n. 76

Regolamento recante modalita' di svolgimento, tipologie e soglie dimensionali delle opere sottoposte a dibattito pubblico.

(GU n.145 del 25-6-2018)

IL PRESIDENTE
DEL CONSIGLIO DEI MINISTRI

Visto l'articolo 17, comma 3, della legge 23 agosto 1988, n. 400, recante disciplina dell'attivita' di Governo e ordinamento della Presidenza del Consiglio dei ministri;

Visto il decreto legislativo 18 aprile 2016, n. 50, recante codice dei contratti pubblici, come modificato ed integrato dal decreto legislativo 19 aprile 2017, n. 56, recante disposizioni integrative e correttive al decreto legislativo 18 aprile 2016, n. 50;

Visto l'articolo 22, comma 2, del predetto codice che stabilisce che con decreto del Presidente del Consiglio dei ministri, su proposta del Ministro

delle infrastrutture e dei trasporti, sentiti il Ministro dell'ambiente e della tutela del territorio e del mare e

il Ministro dei beni e delle attività culturali e del turismo, previo parere delle Commissioni parlamentari competenti, in relazione ai nuovi interventi avviati dopo la data di entrata in vigore del medesimo decreto, sono fissati i criteri per l'individuazione delle opere di cui al comma 1, distinte per tipologia e soglie dimensionali, per le quali è obbligatorio il ricorso alla procedura di dibattito pubblico, e sono altresì definiti le modalità di svolgimento e il termine di conclusione della medesima procedura;

Considerato che il richiamato articolo 22, comma 2, prevede che con il medesimo decreto sono, altresì, stabilite le modalità di monitoraggio sull'applicazione dell'istituto del dibattito pubblico e che a tal fine è istituita, senza oneri a carico della finanza pubblica, una commissione presso il Ministero delle infrastrutture e dei trasporti, con il compito di raccogliere e pubblicare informazioni sui dibattiti pubblici in corso di svolgimento o conclusi e di proporre raccomandazioni per lo svolgimento del dibattito pubblico sulla base dell'esperienza maturata;

Visto il decreto legislativo 3 aprile 2006, n. 152, recante norme in materia ambientale, ed in particolare l'articolo 23;

Visto il decreto legislativo 29 dicembre 2011, n. 228, recante attuazione dell'articolo 30, comma 9, lettere a), b), c) e d), della legge 31 dicembre 2009, n. 196, in materia di valutazione degli investimenti relativi ad opere pubbliche, ed in particolare l'articolo 8;

Acquisito il parere della Conferenza unificata, di cui all'articolo 8 del decreto legislativo 28 agosto 1997, n. 281, espresso nelle sedute del 14 dicembre 2017 e del 21 dicembre 2017;

Udito il parere del Consiglio di Stato espresso dalla Commissione speciale, nell'adunanza del 7 febbraio 2018;

Acquisito il parere della competente commissione della Camera dei deputati;

Considerato che la competente commissione del Senato della Repubblica non ha espresso parere nel termine prescritto;

Sulla proposta del Ministro delle infrastrutture e dei trasporti, sentiti il Ministro dell'ambiente e della tutela del territorio e del mare e il Ministro dei beni e delle attività culturali e del turismo;

Adotta

il seguente regolamento:

Art. 1

Oggetto

1. I progetti di fattibilità, ovvero i documenti di fattibilità delle alternative progettuali delle opere, di cui all'Allegato 1, che costituisce parte integrante del presente decreto, sono sottoposti, nei casi individuati dal presente decreto, a dibattito pubblico.

Art. 2

Definizioni

1. Ai fini del presente decreto, si intende per:

a) dibattito pubblico: il processo di informazione, partecipazione e confronto pubblico sull'opportunità, sulle soluzioni progettuali di opere, su progetti o interventi di cui all'Allegato 1;

b) codice: il decreto legislativo 18 aprile 2016, n. 50, e successive modificazioni, recante codice dei contratti pubblici.

Art. 3

Ambito di applicazione

1. Sono soggette a dibattito pubblico, ai sensi dell'articolo 22, comma 1, del codice, le opere rientranti nelle tipologie di cui all'Allegato 1.

2. I parametri di riferimento delle soglie dimensionali delle opere inserite nell'Allegato 1 sono ridotti del cinquanta per cento se si tratta, con riferimento a particolari esigenze di salvaguardia, di interventi ricadenti, anche in parte:

a) su beni del patrimonio culturale e naturale iscritti nella Lista del Patrimonio Mondiale dell'UNESCO, ai sensi della Conferenza sul Patrimonio Mondiale del 1977;

b) nella zona tampone come definita nelle Linee Guida Operative emanate dell'UNESCO;

c) nei parchi nazionali e regionali e nelle aree marine protette.

3. Per le opere di cui all'Allegato 1, di importo compreso tra la soglia ivi indicata e due terzi della medesima, l'amministrazione aggiudicatrice o l'ente aggiudicatore indice il dibattito pubblico Su richiesta:

a) della Presidenza del Consiglio dei ministri o dei Ministeri direttamente interessati alla realizzazione dell'opera;

b) di un Consiglio regionale o di una Provincia o di una Città metropolitana o di un comune capoluogo di provincia territorialmente interessati dall'intervento;

c) di uno o piu' consigli comunali o di unioni di comuni territorialmente interessati dall'intervento, se complessivamente rappresentativi di almeno 100.000 abitanti;

d) di almeno 50.000 cittadini elettori nei territori in cui e' previsto l'intervento;

e) di almeno un terzo dei cittadini elettori per gli interventi che interessano le isole con non piu' di 100.000 abitanti e per il territorio di comuni di montagna.

4. L'amministrazione aggiudicatrice o l'ente aggiudicatore puo' indire su propria iniziativa il dibattito pubblico quando ne rileva l'opportunita'.

5. Non si effettua il dibattito pubblico:

a) per le opere realizzate con le procedure previste dagli articoli 159 e 163 del codice e per quelle di difesa nazionale di cui all'articolo 233 del decreto legislativo 15 marzo 2010, n. 66;

b) per interventi di manutenzione ordinaria e straordinaria, restauri, adeguamenti tecnologici e completamenti;

c) per le opere già sottoposte a procedure preliminari di consultazione pubblica sulla base del regolamento (UE) n. 347 del 17 aprile 2013, ovvero di altra norma europea.

Art. 4

Commissione nazionale per il dibattito pubblico

1. Ai sensi dell'articolo 22, comma 2, del codice, con decreto del Ministro delle infrastrutture e dei trasporti da emanarsi entro quindici giorni dalla data di entrata in vigore del presente decreto, è istituita presso il Ministero delle infrastrutture e dei trasporti la Commissione nazionale per il dibattito pubblico, di seguito denominata Commissione, così composta:

a) due rappresentanti, di cui uno con funzioni di Presidente, designati dal Ministro delle infrastrutture e dei trasporti;

b) tre rappresentanti designati dal Presidente del Consiglio dei ministri;

c) cinque rappresentanti ciascuno designato, rispettivamente, dal Ministro dell'ambiente e della tutela del territorio e del mare, dal Ministro dello sviluppo economico, dal Ministro dei beni e delle attività culturali e del turismo, dal Ministro della giustizia e dal Ministro della salute;

d) cinque rappresentanti nominati dalla Conferenza Unificata, di cui due in rappresentanza delle regioni, uno dall'Unione delle Province d'Italia e due dall'Associazione Nazionale dei Comuni Italiani.

2. Il Ministro delle infrastrutture e dei trasporti può nominare, su proposta della Commissione, sino a tre esperti competenti in materia di mediazione dei conflitti, progettazione partecipata e dibattito pubblico,

che prendono parte ai lavori della Commissione senza diritto di voto. La Commissione può avvalersi, senza alcun onere di qualsiasi natura, del supporto dei dipartimenti, della Struttura tecnica di missione e delle società in house del Ministero delle infrastrutture e dei trasporti.

3. L'incarico dei componenti della Commissione ha durata quinquennale, e' rinnovabile una sola volta e decade, comunque, decorso il quinto anno dal primo insediamento della Commissione medesima.

4. Ai sensi di quanto previsto dall'articolo 22, comma 2, del codice, per la partecipazione alle attività della Commissione, senza distinzione per provenienza dei partecipanti, non sono dovuti compensi, gettoni, emolumenti, indennità o rimborsi di spese comunque denominati.

5. La Commissione, con proprio regolamento interno, stabilisce le proprie modalità di funzionamento, nonché le modalità di collaborazione per lo svolgimento delle attività di cui ai commi 7 e 8, entro e non oltre trenta giorni decorrenti dalla data della sua istituzione.

6. La Commissione in particolare:

a) monitora il corretto svolgimento della procedura di dibattito pubblico e il rispetto della partecipazione del pubblico, nonché la necessaria informazione durante la procedura;

b) propone raccomandazioni di carattere generale o metodologico per il corretto svolgimento del dibattito pubblico;

c) garantisce che sia data idonea e tempestiva pubblicità ed informazione, anche attraverso la pubblicazione su apposita sezione del sito internet del Ministero delle infrastrutture e dei trasporti, in ordine alle determinazioni adottate per il funzionamento della Commissione, alle

modalita' della procedura del dibattito pubblico, ai pareri resi, alla documentazione tecnica riguardante l'intervento oggetto del dibattito pubblico nonche' ai risultati delle consultazioni in corso o concluse;

d) organizza le attivita' di cui alle lettere a) e c) a livello territoriale, con il coinvolgimento attivo degli enti territoriali interessati dalla realizzazione dell'opera che segnalano alla Commissione eventuali criticita' relative alle modalita' operative e tecniche di svolgimento del dibattito pubblico e collaborano al fine di individuare le soluzioni migliori per le comunita' locali;

e) presenta al Governo e alle Camere, entro il 30 giugno con cadenza biennale, una relazione sulle risultanze delle attivita' di monitoraggio svolte nel biennio precedente, evidenziando le criticita' emerse nel corso delle procedure di dibattito svolte, suggerendo, altresì, soluzioni finalizzate ad eliminare eventuali squilibri nella partecipazione nonche' a promuovere forme di contraddittorio quali momenti di interazione costruttiva.

7. Per le attivita' istruttorie, nel caso di opere di interesse nazionale o sovra regionale, la Commissione si avvale del supporto tecnico-amministrativo delle strutture dell'amministrazione centrale competente nella materia oggetto dell'intervento. Il personale coinvolto mantiene la dipendenza funzionale dall'amministrazione di appartenenza.

8. Per le attivita' istruttorie, nel caso di opere di interesse regionale, la Commissione si avvale del supporto tecnico-amministrativo degli uffici regionali allo specifico scopo individuati.

Art. 5

Indizione del dibattito pubblico

1. L'amministrazione aggiudicatrice o l'ente aggiudicatore individua, secondo i propri ordinamenti, il soggetto titolare del potere di indire il dibattito pubblico che si svolge nelle fasi iniziali di elaborazione di un progetto di un'opera o di un intervento, in relazione ai contenuti del progetto di fattibilità ovvero del documento di fattibilità delle alternative progettuali.

Esso non può svolgersi, nei casi di cui all'articolo 3, commi 3 e 4, oltre l'avvio della progettazione definitiva.

2. Il dibattito pubblico ha una durata massima di quattro mesi a decorrere dalla pubblicazione del dossier di progetto, di cui all'articolo 7, comma 1, lettera a). Su proposta del coordinatore del dibattito pubblico, di cui all'articolo 6, il titolare del potere di indire il dibattito pubblico può prorogarne la durata di ulteriori due mesi in caso di comprovata necessità.

3. Ai fini di cui al comma 1, l'amministrazione aggiudicatrice o l'ente aggiudicatore provvede a trasmettere alla Commissione una comunicazione, con allegato il progetto di fattibilità ovvero il documento di fattibilità delle alternative progettuali, che:

a) contiene l'intenzione di avviare la procedura, la descrizione degli obiettivi e le caratteristiche del progetto adottate in coerenza con le indicazioni delle linee guida per la valutazione degli investimenti pubblici emanate dal Ministero delle infrastrutture e dei trasporti o dai Ministeri competenti, ai sensi dell'articolo 8 del decreto legislativo 29 dicembre 2011, n. 228;

b) indica uno o piu' soggetti che la rappresenti in tutte le fasi del procedimento di dibattito pubblico.

4. L'amministrazione aggiudicatrice o l'ente aggiudicatore comunicano alla Commissione e alle amministrazioni territoriali interessate l'indizione del procedimento del dibattito pubblico per la tempestiva pubblicazione, da effettuarsi entro e non oltre sette giorni dalla richiesta, sul sito internet della Commissione di cui all'articolo 4, comma 6, lettera c), nonche' sui siti delle amministrazioni locali interessate dall'intervento.

5. L'amministrazione aggiudicatrice o l'ente aggiudicatore entro novanta giorni dalla comunicazione di cui al comma 3, e' tenuta a pubblicare, sui siti di cui al comma 4, il dossier di progetto di cui all'articolo 7, comma 1, lettera a).

Art. 6

Coordinatore del dibattito pubblico e relativi compiti

1. L'amministrazione aggiudicatrice o l'ente aggiudicatore si avvale, per la progettazione e la gestione del dibattito pubblico, della collaborazione del coordinatore del dibattito pubblico.

2. Il coordinatore del dibattito pubblico svolge le attivita' affidategli con responsabilita' e autonomia professionale.

3. Il coordinatore del dibattito pubblico e' individuato, su richiesta dell'amministrazione aggiudicatrice o dell'ente aggiudicatore, dal

Ministero competente per materia tra i suoi dirigenti. Se l'amministrazione aggiudicatrice o l'ente aggiudicatore è un Ministero, il coordinatore è designato dalla Presidenza del Consiglio dei ministri tra i dirigenti delle pubbliche amministrazioni estranei al Ministero interessato. In assenza di dirigenti pubblici in possesso dei requisiti di cui al comma 4, il coordinatore può essere individuato dall'amministrazione aggiudicatrice o dall'ente aggiudicatore mediante procedura di cui al codice, configurandosi come appalto di servizi.

4. Il coordinatore del dibattito pubblico è individuato tra soggetti di comprovata esperienza e competenza nella gestione di processi partecipativi, ovvero nella gestione ed esecuzione di attività di programmazione e pianificazione in materia infrastrutturale, urbanistica, territoriale e socio-economica.

5. Non possono assumere l'incarico di coordinatore del dibattito pubblico i soggetti residenti o domiciliati nel territorio di una Provincia o di una Città metropolitana ove la stessa opera è localizzata.

6. Il coordinatore del dibattito pubblico:

a) progetta le modalità di svolgimento del dibattito pubblico ed elabora, entro un mese dal conferimento dell'incarico, il documento di progetto del dibattito pubblico, stabilendo i temi di discussione, il calendario degli incontri e le modalità di partecipazione e comunicazione al pubblico;

b) valuta, ed eventualmente richiede, per una sola volta ed entro quindici giorni dalla sua ricezione, integrazioni e modifiche al dossier di progetto di cui all'articolo 7, comma 1, lettera a);

c) favorisce il confronto tra tutti i partecipanti al dibattito e fa emergere le posizioni in campo, anche attraverso il contributo di esperti, evitando che ci siano posizioni non rappresentate;

d) in modo oggettivo e trasparente, definisce e attua il piano di comunicazione e informazione al pubblico ed e' responsabile dell'organizzazione e degli aggiornamenti del sito internet del dibattito pubblico;

e) segnala alla Commissione, di cui all'articolo 4, eventuali anomalie nello svolgimento del dibattito pubblico e sensibilizza l'amministrazione aggiudicatrice o l'ente aggiudicatore al rispetto dei tempi di svolgimento della procedura;

f) redige la relazione conclusiva del dibattito pubblico di cui all'articolo 9, comma 1.

Art. 7

Funzioni e compiti dell'amministrazione aggiudicatrice o dell'ente aggiudicatore

1. L'amministrazione aggiudicatrice o l'ente aggiudicatore provvede

a:

a) elaborare il dossier di progetto dell'opera, scritto in linguaggio chiaro e comprensibile, in cui e' motivata l'opportunita' dell'intervento e sono descritte le soluzioni progettuali proposte, comprensive delle valutazioni degli impatti sociali, ambientali ed economici, in coerenza con

le linee guida di cui all'articolo 8 del decreto legislativo del 29 dicembre 2011, n. 228;

b) fornire le informazioni sull'intervento e, ove significativo, sulle alternative progettuali esaminate nella prima fase del progetto di fattibilità;

c) partecipare in modo attivo agli incontri e alle attività previste dal dibattito pubblico e fornire il supporto necessario per rispondere ai quesiti emersi nel corso del dibattito pubblico;

d) valutare i risultati e le proposte emersi nel corso del dibattito pubblico e redigere un dossier conclusivo in cui si evidenzia la volontà o meno di realizzare l'intervento, le eventuali modifiche da apportare al progetto e le ragioni che hanno condotto a non accogliere eventuali proposte;

e) sostenere i costi relativi allo svolgimento del dibattito pubblico, previsti negli oneri della progettazione dell'intervento di cui all'articolo 23, comma 11, del codice.

Art. 8

Svolgimento del dibattito pubblico

1. Il dibattito pubblico si avvia con la presentazione e la contestuale pubblicazione sul sito dell'amministrazione aggiudicatrice o dell'ente aggiudicatore del dossier di progetto dell'opera, di cui all'articolo 7, comma 1, lettera a). Da tale

momento decorrono i termini previsti dall'articolo 5, comma 2. L'avvio del dibattito pubblico e' pubblicato contestualmente sul sito internet della Commissione di cui all'articolo 4, comma 6, lettera c), sul sito del dibattito pubblico di cui all'articolo 6, comma 6, lettera d), nonche' sui siti delle amministrazioni locali interessate dall'intervento.

2. Il dibattito pubblico, organizzato e gestito in relazione alle caratteristiche dell'intervento e alle peculiarita' del contesto sociale e territoriale di riferimento, consiste in incontri di informazione, approfondimento, discussione e gestione dei conflitti, in particolare nei territori direttamente interessati, e nella raccolta di proposte e posizioni da parte di cittadini, associazioni, istituzioni.

Art. 9

Conclusione del dibattito pubblico

1. Nei trenta giorni successivi alla scadenza del termine di cui all'articolo 5, comma 2, il coordinatore del dibattito pubblico presenta all'amministrazione aggiudicatrice o all'ente aggiudicatore, nonche' alla Commissione di cui all'articolo 4, una relazione conclusiva sull'andamento dell'intera procedura che contiene:

a) la descrizione delle attivita' svolte nel corso del dibattito pubblico, comprensiva delle indicazioni circa il numero degli incontri e dei partecipanti, le modalita' di gestione e l'andamento degli incontri, gli

strumenti di comunicazione utilizzati, le statistiche di accesso e consultazione del sito internet del dibattito pubblico;

b) la sintesi dei temi, in modo imparziale, trasparente e oggettivo, delle posizioni e delle proposte emerse nel corso del dibattito;

c) la descrizione delle questioni aperte e maggiormente problematiche rispetto alle quali si chiede all'amministrazione aggiudicatrice o all'ente aggiudicatore di prendere posizione nel dossier conclusivo, di cui all'articolo 7, comma 1, lettera d).

2. L'amministrazione aggiudicatrice o l'ente aggiudicatore, entro due mesi successivi dalla ricezione della relazione di cui al comma 1, presenta il proprio dossier conclusivo, di cui all'articolo 7, comma 1, lettera d), anche ai fini di cui all'articolo 22, comma 4, del codice. Il dibattito pubblico si conclude con la presentazione del dossier conclusivo da parte dell'amministrazione aggiudicatrice o dell'ente aggiudicatore.

3. La relazione conclusiva del coordinatore del dibattito pubblico e' allegata al dossier conclusivo dell'amministrazione aggiudicatrice o dell'ente aggiudicatore di cui costituisce parte integrante.

4. L'amministrazione aggiudicatrice o l'ente aggiudicatore tengono conto del dossier conclusivo nelle successive fasi e procedure di cui all'articolo 22, comma 4, del codice.

5. I risultati delle consultazioni svolte nell'ambito del dibattito pubblico sono pubblicati sul sito della amministrazione aggiudicatrice o dell'ente aggiudicatore, sul sito della Commissione di cui all'articolo 4, nonche' sui siti delle amministrazioni locali interessate dall'intervento.

6. Ai sensi dell'articolo 23, comma 1, lettera g), del decreto legislativo 3 aprile 2006, n. 152, e successive modificazioni, i risultati di cui al

comma 5 sono trasmessi dall'amministrazione aggiudicatrice o dall'ente aggiudicatore all'autorita' competente per la presentazione dell'istanza di valutazione di impatto ambientale.

Art. 10

Disposizioni transitorie e finali

1. Il presente decreto si applica alle opere di cui all'Allegato 1 per le quali il provvedimento, o la determina a contrarre, dell'affidamento dell'incarico di redazione del progetto di fattibilita' tecnico-economica e' stato adottato successivamente alla data della sua entrata in vigore. Se il provvedimento, o la determina a contrarre, sono adottati prima della data di entrata in vigore del presente decreto, e' consentita l'indizione volontaria del dibattito pubblico, di cui all'articolo 3, comma 4.

2. Nelle more dell'entrata in vigore del decreto del Ministro delle infrastrutture e dei trasporti di cui all'articolo 23, comma 3, del codice, il dibattito pubblico si svolge, in relazione alle opere per cui non sia stato predisposto il documento di fattibilita' delle alternative progettuali, con riferimento al progetto di fattibilita' ovvero al progetto preliminare.

3. Il presente decreto entra in vigore decorsi sessanta giorni dalla sua pubblicazione nella Gazzetta Ufficiale della Repubblica italiana.

4. Entro due anni dalla data di entrata in vigore del presente decreto la Commissione di cui all'articolo 4, a seguito dell'attivita' di monitoraggio previste all'articolo 4, comma 6, lettere a) ed e), propone al Ministro delle

infrastrutture e dei trasporti disposizioni integrative e correttive del presente decreto da adottarsi con le procedure previste dall'articolo 22, comma 2, del codice.

Il presente decreto, munito del sigillo dello Stato, sarà inserito nella Raccolta ufficiale degli atti normativi della Repubblica italiana. È fatto obbligo a chiunque spetti di osservarlo e di farlo osservare.

Roma, 10 maggio 2018

p. Il Presidente
del Consiglio dei ministri

Boschi

Il Ministro delle infrastrutture
e dei trasporti

Delrio

Visto, il Guardasigilli: Orlando

Registrato alla Corte dei conti il 4 giugno 2018

Ufficio controllo atti Ministero delle infrastrutture e dei trasporti
e del Ministero dell'ambiente, della tutela del territorio e del

mare, reg. n. 1, foglio n. 1824

Allegato 1

(articolo 1, comma 1)

=====

=====

| TIPOLOGIE DI OPERE | SOGLIE DIMENSIONALI |

+=====+

=====+

| | Opere che comportano una |

| | lunghezza del tracciato |

| Autostrade e strade extraurbane | superiore a 15 km e comunque |

| principali. Strade extraurbane a | con un valore di investimento |

| quattro o piu' corsie o adeguamento | pari o superiore a 500 milioni |

| di strade extraurbane esistenti a | di euro al netto di IVA del |

| due corsie per renderle a quattro o | complesso dei contratti |

| piu' corsie. | previsti. |

+-----+

| | Opere che comportano una |

| | lunghezza del tracciato |

| | superiore a 30 km e comunque |

| | con un valore di investimento |

| | superiore a 500 milioni di |

| | euro al netto di IVA del |

| Tronchi ferroviari per il traffico a | complesso dei contratti |

| grande distanza. | previsti. |

+-----+-----+

	Opere che riguardano nuovi
	terminali passeggeri o merci,
	o nuove piste di atterraggio e
	decollo superiori ai 1.500
	metri di lunghezza e comunque
	con un valore di investimento
	complessivo superiore a 200
	milioni di euro al netto di
	IVA del complesso dei
Aeroporti.	contratti previsti.

+-----+-----+

Porti marittimi commerciali, nonche'	
vie navigabili e porti per la	
navigazione interna accessibili a	
navi di stazza superiore a 1.350	
tonnellate. Terminali marittimi, da	
intendersi quali moli, pontili, boe	Opere che comportano una
galleggianti, isole a mare per il	superficie interessata
carico e lo scarico dei prodotti	dall'intervento superiore a
collegati con la terraferma e	150 ha e comunque con un
l'esterno dei porti, che possono	valore di investimento
accogliere navi di stazza superiore	complessivo superiore a 200
a 1.350 tonnellate, comprese le	milioni di euro al netto di
attrezzature e le opere	IVA del complesso dei
funzionalmente connesse.	contratti previsti.

+-----+
	Opere che comportano un valore
	di investimento complessivo
	superiore ai 50 milioni di
Interventi per la difesa del mare e	euro del complesso dei
delle coste.	contratti previsti.

+-----+
	Opere off-shore che comportano
	un valore di investimento
	complessivo superiore ai 150
Piattaforme di lavaggio delle acque	milioni di euro del complesso
di zavorra delle navi.	dei contratti previsti.

+-----+
Interporti finalizzati al trasporto	
merci e in favore	
dell'intermodalita' di cui alla	
legge 4 agosto 1990, n. 240 e	
successive modifiche, comunque	Opere che comportano costi
comprendenti uno scalo ferroviario	degli stabilimenti e delle
idoneo a formare o ricevere treni	infrastrutture superiori ai
completi e in collegamento con	300 milioni di euro al netto
porti, aeroporti e viabilita' di	di IVA del complesso dei
grande comunicazione.	contratti previsti.

+-----+
| | Linee elettriche aeree di |
| | tensione pari o superiore a |

| | 380 kV e con tracciato di |

| Elettrodotti aerei. | lunghezza superiore a 40 km. |

+-----+

| |Impianti con altezza superiore|

| Impianti destinati a trattenere, | a 30 metri o che determinano |

| regolare o accumulare le acque in |un volume di invaso superiore |

| modo durevole. | a 40 milioni di metri cubi. |

+-----+

| Opere che prevedano o possano | |

|prevedere trasferimento d'acqua tra | |

|regioni diverse e cio' travalichi i | |

| comprensori di riferimento dei | Opere che prevedono |

|bacini idrografici istituiti a norma| trasferimenti di portata |

|della legge 18 maggio 1989, n. 183. | uguale o superiore a 4 m³/s. |

+-----+

| | Opere e infrastrutture che |

| | comportano investimenti |

| | complessivi superiori a 300 |

| Infrastrutture ad uso sociale, | milioni di euro al netto di |

| culturale, sportivo, scientifico o | IVA, del complesso dei |

| turistico. | contratti previsti. |

+-----+

| | Opere che comportano |

| | investimenti complessivi |

| | superiori ai 300 milioni di |

| | euro al netto di IVA del |

|Impianti insediamenti industriali e | complesso dei contratti |

| infrastrutture energetiche. | previsti. |

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APPENDIX 3

TOPSIS

