

Governing large complex city-regions: The adoption of regional special purpose bodies for transportation and transit governance

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Abstract. Continued patterns of urbanization are leading to ever larger and more complex urban regions. Regional institutions have arisen as a governance solution to address the problems of coordination across large, jurisdictionally fragmented urban regions. Regional special purpose bodies (RSPBs) are one such regional institutional arrangement. This paper examines this institutional phenomenon with a particular focus on transportation and transit bodies. It describes the extent of their adoption across Western Europe and North America and contrasts their development in Canada, the United States and the United Kingdom.

Key words: Regional special purpose body; city regions; urban governance; transportation; transit; historical institutionalism

...[S]cale is not a neutral background. Rather, it is a discursive frame used by competing interests to define or redefine the appropriate location of political power and the territorial extent of specific policies and regulation. (McCann 2003: 160)

Introduction

This century, for the first time in history, the world's population will hit a tipping point whereby more people will live in an urban environment than in a rural one. Large metropolises are an increasingly common feature of modern society. A large part of current and projected population and employment growth is taking place in suburban areas, creating pressures to expand jurisdictional boundaries outwards. This has brought the importance of regions and their impact on politics at other scales to the fore (Brenner, 2000, 2004; Jonas & Ward, 2002; Keating, 1997; Kemp, 2003; Norris, 2001b; Orfield, 1997; Sagan & Halker, 2005; Savitch & Vogel, 2006). The adoption of *regional special purpose bodies* (RSPBs) offers one institutional response to the governance of complex, fragmented, metropolitan areas.¹ Such institutions are part of a discernable shift from local *government* toward urban-regional *governance* across North America and Western Europe (Goldsmith, 2005: 243).

RSPBs are being adopted as an institutional response to interjurisdictional collective action problems requiring coordination between diverse actors across a metropolitan region and their constituent political units.² They are bodies that are regional in scope with a narrow policy

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focus. They may be created by local, state/provincial or federal/national governments and may be structured as agencies, boards, commissions, crown corporations, or more informally, as networks. These institutions add another layer of complexity to regional governance and raise issues concerning: the allocation of resources in a city-region; the appropriate political and administrative units for the provision of such services and policy development; and the structure of decision-making and accountability. In short, *scale* and *governance* matter. The adoption of RSPBs can impact who makes decisions, the kinds of decisions that are made, and how they are made.

The number of regional special purpose bodies has increased significantly in the United Kingdom, the United States and Canada in the past two decades (Newton and Van Deth, 2005: 90). In the United States, such entities have now become the most common type of local government body, far surpassing the total number of municipalities.³ Similarly, in Europe there is a “stronger political will and action to regionalization and a shift of responsibilities and obligations for local public transport from the state to the region” (2010). In contrast, the RSPBs in Canada are newer and fewer than those seen in Europe and the United States and they have drawn on the experiences in other regions.

This paper examines the adoption of RSPBs for *transportation and transit governance* in the United States, Canada and the United Kingdom and the differences and commonalities among them. Its purpose is to provide a comparative overview of an increasingly common form of regional governance. Three factors emerge as pivotal to explanations of regional SPB adoption: i) the structure and degree of fragmentation or privatization of the transport sector; ii) the size, scope and functions of local government bodies; and iii) the policy directions of upper level governments (provincial/state and national levels).

This paper proceeds as follows. The theoretical framework and methods are briefly presented followed by an overview and background on regional special purpose bodies and their intended purpose. The third section of the paper delves into the historical development of RSPBs in the United Kingdom, United States and Canada. Finally, conclusions and comparisons between the three countries are offered.

2. Theoretical framework and methods

This work is framed by historical institutionalism (HI). HI is used in this work as the dominant lens with which to structure the research questions (with their focus on institutional context, change over time and how institutional formation impacts upon behaviour and public policy), guide analysis and organize evidence. Its major precepts place a focus on context, history and the temporal sequence of events and interpret preference formation and institutional change as endogenous (March & Olsen 1989, 1995, 2006; Steinmo 2008; Thelen 1999, 2000, 2002, 2003). Importantly, HI highlights the importance of the state and state institutions as pivotal in shaping policy. It also normatively acknowledges the role of government actors and institutions in addressing collective action problems and, borrowing from sociological institutionalism, highlights the relationship between ideas and institutional formation and change.

The methodology has three main components: i) long interviews with key stakeholders; ii) historical methods; and iii) descriptive quantitative analysis of the prevalence of RSPBs. The research was pursued in an inductive manner, with explanations emerging from the data collected. Semi-structured interviews were conducted with 30 officials, politicians and interested parties for both case studies. The distribution of the interviews is as follows: five academics;

three federal officials; six provincial officials; three local government political representatives; six local government officials; five regional special purpose body officials; and five other stakeholders. Historical methods were used to ground the perspectives presented by different interviewees. Specifically, this involved content analysis of primary documents (e.g., Government Acts, policy documents, planning documents, public records of board and council meetings, and Hansard debates) and secondary documents such as government and practitioner studies/reports, academic literature, public histories and a review of media content (including social media blogs). Descriptive statistics were used primarily as a method to count the prevalence of RSPBs.

2. Regional Special Purpose Bodies: Background and Context

There are various ways to deal with the issue of local government fragmentation. One option is amalgamation—the creation of a single, bigger local government structure. However, there are costs to the creation of amalgamated government. Amalgamation can be expensive, disruptive and unpopular (Sancton, 2000). Debates on local government administration have turned to more flexible solutions through the adoption of specialized regional institutions (Vogel, 1997: 141). In this way flexible regionalism is increasingly seen as an institutional solution to the problems of a fragmented metropolis. RSPBs are one such institutional type—they have been adopted in many countries with the greatest prevalence seen in the United States. As a basic institutional form, special purpose bodies have been around for a very long time. For example, as early as 1532 a general law was enacted in England authorizing special purpose bodies under the Statute of Sewers (Webb, 1922: 61). However, the scale, scope, functions and governance of contemporary RSPBs make them a new institutional phenomenon.

RSPBs are seen as offering both a compromise and a potential for regional collective action amongst diverse actors within a particular policy sphere. Because of the way that they engage with various political scales, they occupy a political space between bodies that have separate (and often conflicting) agendas and interests. They are adopted with the express purpose of conceiving of policy issues along regional lines—a perspective that has distributional consequences. As such, these entities arise out of cooperation and conflict amongst a diverse set of actors, where institutional outcomes “may not reflect the goals of any particular group [but may in fact] be the unintended outcome of conflict among groups or the result of ‘ambiguous compromises’ among actors who can coordinate on institutional means even if they differ on substantive goals” (Schickler, 2001 and Palier, 2005, in Mahoney and Thelen, 2010: 8). A major feature of these institutions is that, while they arise as a response to complexity, they also increase the complexity of the governance process whereby more actors are involved, and lines of accountability may become unclear, particularly where major decisions are made by non-elected board members.

There are multiple rationales for the adoption of RSPBs. First, and foremost is that of a functional rationale: cities continue to grow beyond current jurisdictional boundaries requiring some kind of administrative body to operate in certain policy spheres to either provide programs or services and/or planning capacity (Boddy and Parkinson, 2004; Kemp, 2003). RSPBs fill in this gap without requiring formal reorganization of local government. Second, such can be better placed than local government to meet planning or service delivery needs due to their tendency to specialize in a particular policy area (Stephens and Wikstrom, 2000). Third, they have been advocated as important institutional mechanisms to address allocative or redistributive concerns across a regional area (Foster 2000, 2001; Sandler, 1992). Fourth, the creation of such bodies has

been viewed as a solution to the fractious interests and shortsighted planning of ward-centric systems of local government where there are constant jurisdictional negotiations at the community/neighbourhood level (Katz, 2000). RSPBs are advocated as a way to move the level of decision making away from local politics towards a platform where the ‘regional good’ can be considered. In doing so, they are thought to provide a level of coordination and collaboration that would be otherwise difficult to achieve across metro-regions where there are entrenched interests. In this way, they represent a shift towards a form of governance understood as the “public administration of inter-jurisdictional relations and third party policy implementation” (Frederickson, 2008: 132).

While RSPBs are sometimes advocated as a way of moving decision making one tier away from ward-centric and parochial local politics, they can also provide a strong counterweight to planning decisions dominated by business-led regimes, depending on their composition (Stone 1993). Fainstein comments: “movement towards a normative vision of the city requires the development of counter-institutions capable of reframing issues in broad terms and of mobilizing organizational and financial resources to fight for their aims” (1999: 26). In these ways, regional governance structures can be an effective mechanism to address such issues as metropolitan inequalities and environmental preservation because of the joint resources they command and the territory they cover (e.g., Metropolitan Planning Organizations in Oregon, U.S.).

Others have advocated the adoption of such bodies based on the understanding of cities as important nodes in an international system, requiring empowerment to adjust their boundaries and the financial resources to maintain economic competitiveness (Lefebvre, 1998: 22). In recent years the Organization for Economic Cooperation and Development (OECD) has become an influential advocate of this approach, which proposes market-driven processes to achieve public goals, encouraging private sector behaviours in policy and planning—e.g., risk taking, city branding/marketing, and innovation with a profit motivation (Krawchenko, 2009). In the case of transportation and transit provision and land use considerations, RSPBs are advocated as a promising institutional mechanism to reduce urban sprawl, traffic congestion and carbon monoxide emissions – particularly for those that are multimodal in scope. Other aims are to facilitate goods movement and trade, reduce commuting times and create regional transportation linkages. Overall, while there is a growing body of literature on the potential benefits and uses of RSPBs in city-regions, there are far fewer studies that combine an empirical analysis of how they have in fact been adopted and implemented in different contexts.

3.2 RSPBs in the United Kingdom: from light coordination to public authority

Local government in the United Kingdom has been through successive waves of major reform—in 1973, and then partially in 1986 and the 1990s. These reforms have led to local government amalgamations (e.g., the creation of unitary authorities) and an expansion in the types of actors involved in the provision of services and infrastructures at the local level (i.e., a shift towards governance)⁴. Concurrently, certain policy spheres such as transportation have moved from public ownership towards fragmented private service delivery. It is within the context of a fragmented transportation system and its associated problems that RSPBs have emerged in the UK. They have been adopted as a way of creating a cohesive system across disparate parts.

The United Kingdom is a unitary parliamentary democracy with devolved national administration in Scotland, Northern Ireland and Wales. Unlike in Canada and the United States,

there is no provincial or state level of government. The national government plays a stronger role in local affairs than is seen in Canada or the United States and regionalism takes on a specific meaning as a political unit across the United Kingdom. For example, England is divided into nine regions of which some, like London, have an elected political body, while others are governed by appointed board members. The 1973 reforms under the Conservative government of Edward Heath established two-tier metropolitan and non-metropolitan county and district councils in England and Scotland.⁵ The 1973 reforms were driven by ideological, political and practical imperatives. Smaller government (and less government) was favored, meaning that local government units became both larger and fewer in number. Also, the conservatives' main political strength at the time lay "in counties, rather than the cities, and the Act of 1973 reflects this interest by effectively abolishing county borough status" (Robson, 1974: 517)⁶. The existing fragmentation of local government units was deemed duplicative and ineffective.

Commenting on the impact of these reforms, Stoker writes: "Various functions and responsibilities were stripped away from local authorities or organized in a way that obliged local authorities to work in partnership with other public and private agencies in the carrying out of functions" (1995: 1). Hence, a movement towards governance and an increasing array of partnerships at the local level characterized the reforms. Metropolitan county councils were abolished in 1986, and in the 1990s, unitary authorities were adopted in many areas. Local government reforms continue piecemeal—for example, in 2009 a further nine unitary authorities were created. Summarizing the impacts of these successive reforms, Atkinson and Wilks-Heeg write that "elected local government is now just one of a number of actors involved in the shaping and delivery of local services [and that] the involvement of new agencies in service delivery and the development of non-elected local government have given rise to concerns about both democratic accountability and the future of elected government" (2000: 120). The central government has a very strong role in the United Kingdom (collecting and distributing approximately 95 per cent of all public funds), and historically it has taken the lead on policies affecting cities and regions (Berube and Webber, 2008).

Corresponding to the significant local government reforms seen in the 1970s, the Conservative government also ushered in changes to the transportation sector over the 1970s and 1980s—specifically, the privatization of transit operations. Significant pieces of legislation over this time were: the 1980 *Transport Act* that deregulated express coach services and liberalized bus operation; the 1984 *London Regional Transportation Act* that took public transport in London away from local government control and introduced comprehensive tendering; the 1985 *Transport Act* that deregulated the supply of local bus services; the 1993 *Rails Act* that established passenger rail services that were let to the private sector; and the 2000 *Transport Act* that, among other things, provided for some re-regulation in parts of the transport sector and led to the creation of the short-lived Strategic Rail Authority. The 2008 *Local Transport Act* created Integrated Transport Authorities (renamed from Passenger Transport Authorities), strengthening their power to regulate bus services and giving them sole authority over transport planning in their areas. The successive reforms have had lasting repercussions on service delivery and transportation and transit governance. In an assessment of these changes, Young writes that the "privatization led to the fragmentation of public transport undertakings and made it much more difficult to promote integrated investment programs" (1999: 189). Successive Conservative governments between 1979 and 1997 favored private sector delivery of services. It is within the context of fragmented and privatized transport services that regional special purpose bodies have arisen in Britain.

There are two major types of RSPB for transit and transportation functions in the UK—regional transportation authorities (e.g., Integrated Transport Authorities) and joint boards/committees. Joint *committees* are the most informal of all RSPBs in the UK. They are voluntary bodies and are not legal entities. In contrast, joint *boards* are required by law and are legal entities. An example in the area of regional transportation is the Passenger Transport Executives that coordinate public transport by acting in partnership with private operators. These bodies are responsible to Integrated Transport Authorities (formerly known as Passenger Transport Authorities prior to the 2008 *Local Government Act*). Joint boards for transportation tend to have no operational or service responsibilities and are composed of elected representatives and municipal public servants. They are a form of institutionally light/informal coordination. Integrated Transport Authorities provide funding and policy direction. They are also composed of locally elected and then appointed councilors from the respective jurisdictions covered by the body. Local contributions to the funding of transportation objectives (such as the subsidization of routes deemed socially necessary but unprofitable) are negotiated through ITAs. ITAs, together with metropolitan boroughs, have joint responsibility for the adoption of local transport plans.

Transport for London (TfL) is also an example of a transport authority, but it is an outlier in terms of its governance structure. It is a regional, multimodal transport authority for Greater London with a direct line of accountability to the Mayor of London (Greater London) who appoints the entity's board members. The organization made worldwide headlines for the introduction of London's central city congestion charge in 2003, the largest such congestion pricing scheme in the world. All surpluses raised from the congestion pricing must be reinvested by law into transportation infrastructure. This was achieved under the leadership of Mayor Ken Livingstone who was elected under a 'congestion charge' platform, and reelected after its implementation. Hull highlights the effectiveness of the Greater London Authority (GLA) and TfL as examples of entities that have "used their institutional resources and competencies, which have extended well beyond unitary authority boundaries, to hold at bay the disintegration of public transport services in the capital" (ibid). The GLA is a strategic regional authority governing TfL and is composed of the directly elected London Mayor and a 25 member elected assembly. Both ITAs and PTAs have lobbied the government to increase their regulatory capacities along the lines of TfL, particularly with regards to the regulation of busses.

Public accountability and inclusion in planning processes are issues that are continuously raised in discussions of RSPBs, and this is no less the case in the UK. For example, in a review of public involvement in transport planning in the UK, Booth and Richardson find that post-hoc public involvement has become a feature of transport planning, particularly at the regional and corridor levels (2001: 148). They further comment that "it appears that an inverse relationship has been established between the scale and financial and political significance of transport schemes, and the attention and weight given to public involvement, with public attention being focused on micro-level schemes (ibid.: 149). By Booth and Richardson's analysis, RSPBs have the poorest track record for public consultation, particularly when undertaking large-scale projects. However, in the case of RSPBs like TfL there are clear lines of accountability. With TfL specifically, the elected Mayor of Greater London is ultimately accountable for the decisions. The adoption of significantly unpopular policies by TfL would presumably result in election losses, so the public has recourse and policy decisions are not insulated.

A major feature of RSPBs in the UK is the strong role of the national government in their operation and funding as well as in the setting of strategic priorities. For example, although TfL

operates under the governance of the Greater London Authority and the Mayor of London, it is a key component of the national government's transportation strategy.⁷ One way in which this control is expressed is through TfL's heavy reliance on government funding and grants. Transport grants comprised, on average, 41.46 per cent of TfL's total revenues over the four full accounting years from 2001/2002–2004/2005 (Moody's, 2006: 4). One implication of the level of TfL's government support means that it is able to pursue long term investments, not just those that are deemed viable in the present environment. Commenting on this, DiGaetano and Klemanski argue that the strong role of the central state in the UK means that national urban/regional policy also often becomes local policy and also that "local authorities are fiscally far less vulnerable to fluctuations in economic cycles" (1999: 252). They link this analysis to regime theory and argue that because of these features, local authorities in the UK are less reliant on the local business elites and, related to this, the demands of pro-growth governing agendas. Another important difference with local politics in the UK is that there is strong party organization at the local level making political campaign contributions less reliant on business interests (ibid.: 253). DiGaetano and Klemanski present a compelling argument that these factors (centralized state, strong party tradition at local level, and broad powers of local authorities) are a major explanatory factor for the different types of pro-growth politics that are seen in the United Kingdom versus in the United States.

Overall, two models generally characterize RSPBs in the United Kingdom. Dominant city regions have adopted stronger institutional models (regional transportation authorities) with TfL and its political direction from the GLA having the strongest powers of any such authority (granted under the 1999 *Greater London Authority Act* and the 1999 *Greater London Transport Act*). The predominant models found across the UK are a form of institutionally light collaboration through either informal joint committees or more formal joint boards. Both types of structure have been adopted in the wake of privatized passenger rail and bus services stemming from the reforms of the 1980s. They arose as a policy response to system fragmentation. As a unitary parliamentary democracy, national level policies have been particularly strong in setting the policy direction for transportation initiatives. While local actors have adopted informal joint cooperative models, the national government has exerted influence on the adoption of RSPBs through the creation of ITAs and their subordinates. It has been particularly instrumental in granting strong powers and authority over transportation governance in Greater London. A major feature of RSPBs in the UK is that they are of the more *public* variety, having local government representation on their boards. This is in contrast to the corporate board membership models seen in the United States and Canada.

3.3 RSPBs in the United States: local government fragmentation and an abundance of regional institutional responses

As with the United Kingdom, fragmented government at the local level also characterizes the United States, though comparatively much more so. Local government amalgamations of the type seen in parts of the UK and in Canada are far less common in the United States and the degree of local government fragmentation in the US is on the rise (Rothblatt, 1994: 518). Further, similar to the British experience, the United States has had a strong reliance on private sector delivery of transportation and transit services (Glaister, 2006: 246). This being the case, it is unsurprising that RSPBs are so common in the United States. A major distinction in the US compared to the UK experience is that local government (under the 10th amendment of the US

Constitution) falls under the purview of state rather than federal law. Under what is known as Dillion's Rule, state governments determine municipal government powers, akin to the role of provinces in determining municipal powers in Canada. In part because of this, there is a wide variety of RSPBs across the United States—from those that are more public to those that are more private and everything in between. As noted previously, there are three major types of RSPB in the US: i) federally mandated Metropolitan Planning Organizations, ii) special purpose districts for transportation and iii) regional transportation authorities. Each is discussed here in turn.

Metropolitan Planning Organizations (MPOs) are an interesting form of regional SPB in that they are a federal creation. In 1962, the US Congress passed legislation requiring the creation of a Metropolitan Planning Organization (MPO) for any urbanized area with a population greater than 50,000. MPOs were adopted to ensure that federal transportation resources were put to appropriate use in a strategic manner—conforming to a regional strategic vision. They also serve to facilitate intergovernmental collaboration and cooperation within the transportation sector and engagement with the broader public. This process is referred to as the 3Cs—a 'continuing, comprehensive and cooperative planning process'.

These bodies have a long history—they can trace their roots to the Progressive Era of planning, 1900-1920s (Solof ,2010). It was during this period that the need for regional scope and coordination among planning processes was recognized and an increased role for the federal government in this area was advocated. Some of the first regional special purpose authorities were adopted during this time, such as the Port Authority of New York and New Jersey (1921). The Great Depression of the 1930s saw a heightened level of federal involvement in regional transportation planning, in line with national priorities. Later, the post war boom would usher in another era of such investment and the formation of Councils of Government was promoted to collaborate on regional plans. By the 1950s, federal funding was focused greatly on highway expansion. The increased levels of federal funding over this time and into the 1960s provided a major rationale for the 1962 legislation that mandated the creation of MPOs.

By the 1970s, there was increasing pressure for MPOs to address environmental concerns (the first wave of environmentalism) and it was during this time that their focus became increasingly multimodal. This was also an era that saw a democratization of MPOs with the stipulation added in 1975 that they must include representation from 'principle elected officials'. The politics of regionalism in the United States took shape against the backdrop of an urban/suburban divide characterized by social, economic and racial inequalities. Urban and regional policies within this context have focused on income distributional effects of service provision and on establishing a role for the federal government in economic and infrastructure development. Many urban studies of this time, such as Danielson's *The Politics of Exclusion* (1976), focused on the spatial nature of these divisions. The 1980s saw a strong reversal in federal involvement in regional transportation planning. The Reagan administration abolished 38 of the 39 federal programs that underwrote regional planning for transportation. While the requirement for MPOs was sustained, it was subsequently left up to each state to define its role. As a consequence, the functions of MPOs differ vastly from state to state to this day.

In the 1990s, the enactment of the 1991 Intermodal Surface Transportation Efficiency Act (ISTEA) expanded the mandate, authority and funding of MPOs. This was an ambitious Act, meant to shift responsibility for transportation investment decisions towards the regional and local levels, "where—it was argued—decisions could be made by those whose interests were most directly affected" (Goldman and Deakin, 2000: 47). With the expansion of the ISTEA,

MPOs came to focus on sustainable development and regional governance. Significantly, the Association of MPOs writes that the enactment of the ISTEA “encouraged movement away from modal parochialism toward integrated, modally mixed strategies for greater system efficiency, mobility and access” (2010). Federal MPO funding was also significantly increased after the adoption of the ISTEA. However, this shift was not without its challenges. In some states, this devolved approach to transportation planning was heavily contested and the regional agencies’ legitimacy and competence were called into question (Goldman and Deakin, 2000: 47).

MPOs are allocated federal and state funding (e.g., through matching grants) and typically do not have the authority to raise their own funds. The majority of MPOs are governed by a policy committee which includes elected or appointed officials from local government, representatives of different transit modes, state agency officials and non voting members and staff advisors (where locally-elected officials are appointed to the MPO, not directly elected to it). One of the few exceptions to this is Portland’s Metropolitan Planning Organization, which is the only directly elected MPO in the United States. In some cases, existing organizations such as counties, councils of governments, independent government organizations or regional governments have come to function as MPOs. For Portland, Metro (the regional government) is the MPO, while in Minneapolis-St. Paul, Minnesota metropolitan area, the Metropolitan Council is the MPO. Both of these MPOs are considered amongst the most enabled (in terms of authority and scope) to pursue regional planning. Notably, both agencies administer urban growth boundaries for their respective regions. There is a growing body of literature that seeks to assess the nature of partnerships between MPOs, different levels of government, the private and non profit sectors and citizens, as well as to evaluate the circumstances under which they are perceived as working effectively or not (Goldman and Deakin, 2000). The outcomes of such assessments have been mixed. This is not altogether surprising given the diversity of institutional forms.

MPOs are a very interesting institutional phenomenon. From their early inception they have shifted according to external conditions and emerging priorities. In some cases they have evolved to be hugely influential public bodies. In other cases, they have expanded little beyond their initial mandates. Local and state support and coalitions of interests have certainly played a strong role in these divergent outcomes. In certain states the powers of RSPBs have been greatly expanded, with many of them taking on expressly multi modal and environmentally sustainable approaches to planning. Metro in Portland is perhaps the best example of this. It has the most comprehensive range of functions as well as directly elected representatives. Metro is often showcased as a region with exemplary, environmentally progressive urban planning programmes (Irazabal, 2005). Not surprisingly, as Metro’s roles and functions have expanded, so too has its capacity and diversity of revenue sources; a sizable portion of Metro’s budget comes from property and excise taxes (Portland Metro, 2011). Metro’s diversification of revenue means that it is less reliant on grants from different levels of government (although these still form a portion of its budget). Comparisons between Portland and Vancouver are often made because of their perceived progressive planning practices (Punter 2003: 147-148). Excerpts from legislative debates in BC illustrate this. NDP Member of the Legislative Assembly (MLA) Rob Fleming holds up Metro Portland as an ideal model, calling it “one of the greenest, most advanced public transit systems in North America,” arguing that the entity’s effectiveness stems from its “ambition, power and authority being *local*” (my emphasis 2007: 9230).

A review of MPOs by Goldman and Deakin (2000) finds that there has been a general reluctance by many states to expand the powers of regional agencies. They argue that, in the

absence of political will by state governments, regional agencies will gain their power through “an incremental process of establishing legitimacy and building capacity” (ibid.: 52). Here, consensus and partnership building have been highlighted as key factors for the successful expansion of capacities and responsibilities. The Metropolitan Council of Minneapolis/St. Paul is an often-cited example of this incremental and partnership-driven approach.

Regional special purpose districts present yet another type of regional SPB. In order to be counted as a special district government (rather than be classified as an agency for a county, municipality, town/township or state government) an entity must have the following attributes: existence as an organized entity, governmental character and substantial autonomy (US Census Bureau 2002a: vii). For example, the Metropolitan Transportation Authority (MTA) of New York—the largest public transportation provider in the Western Hemisphere—is classed as a public benefit corporation but is also a transportation district. The New York MPO for this area is a separate entity—the New York Metropolitan Transportation Council. The MTA has a 17 member corporate board. Board members are nominated by the subjurisdictions covered by the Authority and are then confirmed by the New York State Senate. In contrast, other notable transportation district entities such as the Central Puget Sound Regional Transit Authority (Sound Transit) in Greater Seattle and the Los Angeles County Metropolitan Transit Authority have board membership composed of local mayors and city and county council members.

The proliferation of regional special purpose districts for transportation and transit are important institutional phenomena. Such entities often have distinct taxation powers granted through state statutes and have widely differing accountability structures. A review of these entities in Washington State found that “the number of special purposes districts that are formed, become inactive, dissolve or merge changes yearly [and that] no one knows exactly how many districts are active at any given time, even though the statutes set up a centralized reporting mechanism” (Municipal Research and Services Center, 2003: 37). Further, there is no single, uniform definition of these entities and their powers; financial autonomy and governance differ greatly. The Washington Local Governance Study Commission has observed that:

little consistency exists in the laws granting similar powers to different special districts. The inconsistencies are historical products whose elimination would require major time investment by legislative staff and committees. But they are unjustifiable and confusing to all.... When time permits, a systematic recodification of these statutes should be conducted. (quoted in Municipal Research and Services Center, 2003: 37)

As the study highlights, these entities are taking on increasingly important roles for the delivery of programs and services to citizens and yet they are extremely difficult to track, categorize and study/evaluate. Needless to say, the huge diversity of practices and poor tracking create a major problem for the conduct of research on RSPBs in the United States.

The final types of RSPB are regional transportation authorities that are classed under the Census of local governments as subordinate agencies of a government. The regulation of these entities, again, differs considerably by state. In some cases—e.g., Idaho—such entities can be established by a city, county or highway district subject to voter approval (US Census Bureau, 2002b: 75). In other cases—e.g., Arizona—such entities can only be adopted if the governing body constitutes 51 per cent of the population of the county (or counties) and where a policy board is elected (ibid.:14). In the cases of Arizona and Michigan, such entities are given the

financial powers to issue bonds, levy a metropolitan public transit authority property tax and fix fares and other charges.

In a comparison of the three major types of RSPB, one can generalize that MPOs tend to function at the strategic planning level, while districts and authorities tend to focus more on tactical and operational capacities. Further, districts tend to denote a geographic boundary area, while authorities may not have such boundaries. However, across states, the meaning of any such typology becomes blurred as there are many exceptions across cases. Entities that have revenue-generating authority tend to have greater political representation or linkages to political accountability (i.e., locally elected representatives appointed to their boards).

In the US, the high degree of local government fragmentation has led to the widespread adoption of RSPBs in various forms. At the federal level, there has been increasing support for regionally-scaled planning practices that go beyond the early imperatives for regional highway systems and move toward more multimodal mandates. Successive pieces of legislation at the federal level have increased the scope of responsibilities of MPOs in certain policy areas—e.g. monitoring of air quality. With this impetus, some MPOs have evolved to be extremely influential regional institutions. Their ability to do so is determined by the coalition of interests at the state and local levels. Aside from federal influences, there has been a growth of special district and authority type governments to deal with regional transportation and transit planning in the United States. The increasing desire to raise revenues where they are spent through the use of user fees, polls, local taxes and the like has raised the profile of these entities and problematised how demands for increasing revenue generation of these entities can be balanced with political accountability. The structure of governance amidst these pressures is a major issue that will influence the scope, roles and authority of these institutions in the coming years. While there is a growth of regional institutions such as the three types reviewed here, the capacities of such regional institutions in the United States has in many cases been hampered by a lack of state, local government and public support. The adoption of these entities requires good faith and collective action at multiple scales. In many cases, it requires that other levels of government cede some control. These tensions and their implications for political accountability are issues that arise time and again in considerations of these entities.

3.4 Regional Special Purpose Bodies in Canada

While local governance in the United States and to a lesser extent in the United Kingdom is characterized by fragmentation, private transit operation and national level direction and funding, this is much less the case in Canada. Many cities across Canada have experienced amalgamation, expanding their jurisdictional boundaries. Canada never experienced the levels of transit privatization seen in the UK and US and has not seen the level of national involvement in urban affairs characterized by the United Kingdom and to a lesser extent, the United States. Because of this, RSPBs in Canada have arisen in very different contexts than their counterparts in the US and UK. This section will present specific examples of Canadian RSPBs—of which there are relatively few.

In Canada, local administration constitutionally falls under the purview of provincial governments and, because of this, local government can differ considerably by province. The most common class of local government is the municipality with a directly elected council.⁸ In the 1940s and 50s, post war urban growth in Canada began to necessitate some form of metropolitan regional planning. Entities such as Manitoba's Metropolitan Planning Commission of Greater Winnipeg, British Columbia's Lower Mainland Regional Planning Board, Victoria's

Capital Regional Planning Board and Edmonton and Calgary's planning commissions were created over this period (Hooze and Robinson, 2001: 233). By the 1980s most of these structures either changed significantly in form or were abolished (*ibid.*). There were also post war local government reforms, led by Ontario, which created two-tier metropolitan government. Two-tier government, where constituent municipalities elect or appoint representatives to a regional body, are now less common in Canada. Many were abolished through a host of municipal amalgamations to a one-tier system in the 1990s and 2000s. There are exceptions to this—for example in British Columbia, where regional districts remain as a form of two-tier local government.

The large-scale amalgamations seen in many cities across Canada in the 1990s and later were an attempt to deal with service delivery and coordination across city regions. These amalgamations have resulted in municipalities of vastly different sizes. Canada's biggest city, Toronto, experienced amalgamation a number of times throughout its history—most recently in 1998. Despite this 'upscaling', jurisdictional boundaries do not entirely match the functional geography. Expressing this view, Le Blanc writes, "Toronto has failed so far to meet the challenges posed by governance on a broader regional scale in line with the boundaries of an extended regional economy" (2006: 582). Given this, it is unsurprising that a regional, multimodal special purpose authority—Metrolinx—has been adopted for the Greater Toronto and Hamilton Area (GTHA). It is an agency of the Provincial government. Similarly, the Montreal region has functionally extended beyond its jurisdictional boundaries and the Quebec government has also created a provincial agency—Agence Métropolitaine de Transport (AMT)—for regional transportation. AMT encompasses 83 municipalities and the Kahnawake Mohawk Reserve. It has the least comprehensive mandate of the three Canadian examples and it is for this reason that it has not been included as a major case study. AMT is looking with interest to Translink and Metrolinx. However, for the time being, it is largely focused on delivering inter-regional rail.

In contrast, British Columbia's municipalities, which did not experience amalgamations of the type seen in much of the rest of Canada, have a regional district system of government with appointed-elected representatives of local governments forming the upper tier. In some cases, such as in Greater Vancouver, transportation and transit functions have been made the purview of a regional special purpose authority. Whereas finance and land use functions for AMT and Metrolinx require the approval of the Provincial Ministries of Transportation under whose authority they fall, in Translink's case budgetary decisions fall to the authority of the Mayor's Council, albeit the role of the Province remains strong.⁹

Local government-provincial relations have been described as "hyper-factionalized quazi-subordination" in the case of Ontario (Dupre, 1968), and as "gentle imposition" in the case of British Columbia (Tennant & Zirnhelt, 1973). This characterization serves to explain the differences between how regional SPBs have evolved in both provinces. In the case of Ontario, Dupre's point about "hyper factionalization" refers to the multiplicity of bodies involved in urban governance. Further, Dupre's use of the term "quazi-subordination" implies limits to provincial authorities. Dupre was writing in 1968—long before the province of Ontario's forced amalgamations and its increasing role in land use and transportation planning (including transit). In contrast, British Columbia's RSPB for transportation and transit is governed by a council of locally-elected representatives, but with a corporate board. In terms of planning functions, British Columbia has devolved authority in this policy sphere more than any other provincial government across Canada. Artibise, Cameron and Seelig note that in the case of Translink and

the GVRD, "...the mandate to plan is less important than the will to plan" (in Phares eds., 2004: 209). Legal status over certain functions certainly aids and facilitates local influence. However, it is by no means the only way for an entity to exert such influence. The political-historical dynamics in British Columbia serve to illustrate this point.

Both RSPBs for transportation and transit in BC and Ontario have gone through two major restructurings of their governance models. Currently, the board members of the entities are all appointed members of the community, such as business interests and academics.¹⁰ In the case of Metrolinx (in the GTHA) the Province appoints the Board, while in the case of Translink (Greater Vancouver), the Board is appointed by the Mayor's Council from a short list provided by the Province. Quebec's approach in the case of AMT differs in that the Province appoints half of the board members, while the local governments appoint the other half. Aside from determining formal chains of authority (e.g., budgetary approval processes from the Ministers of Transport in the cases of AMT and Metrolinx and the Mayor's Council in the case of Translink), board composition is an important factor in the broad understanding of public accountability.

Greater Calgary has an RSPB of a very different type. Calgary Regional Partnerships (CRPs) was established in 2004. It is a local collaborative model of regional governance akin to the local boards seen in the UK. It is composed of fifteen communities in the Calgary area and covers 1.2 million residents. Currently, each of the fifteen municipalities in the partnership appoints three representatives to the General Assemble of CRP. This group meets twice a year on high level issues such as the business plan and major policy decisions. There is an executive group with members from the Assembly that meets on a monthly basis to guide the work of the partnership. Coleen Sheppard explains:

We aren't trying to create a constraining legal system. We are finding that if it's less rigid we can do more with it. Because our communities are each implementing pieces of the regional transit plan on their own – and they hold the capital assets. It's not like the Calgary regional Transit authority is going to hold the capital assets – but we are going to brand it as a regional system. But the model is going to be one of community participation. (Personal interview, Coleen Sheppard, Aug 7th, 2010)

As with other systems across Canada, sustainable funding and particularly the use of economic incentives to fund transit initiatives (particularly on the operational side) are being considered, but at the present time there is little political or public support: "there is a need of a culture shift" (Personal interview, Coleen Sheppard, Aug 7th, 2010). The experiences of CRP are interesting in that an incremental, consensus-oriented, non-binding model has been employed. Given central-city dominance in many of Canada's urban regions, CRP offers an example of how RSPBs might evolve in other places.

Writing in 2003 on the implications of increasing urbanization in Canada, Bourne and Simmons argue that:

Virtually none of the emerging metropolitan regions has anything approaching an effective government agency or elected public authority that is seriously attempting to manage growth. Most are dependent on the whims of provincial governments that are often mesmerized by other priorities, and on individual departments that typically act as if they operate in silos. No one, it seems, is taking collective responsibility for our urban future. (2003: 31)

RSPBs have arisen as one response to this issue. Their adoption in some of Canada's largest metropolitan regions suggests an important governance innovation. The involvement of respective levels of government with RSPBs cannot be considered to follow a linear trajectory. For example, while the Province of Ontario has strongly controlled Metrolinx's developments to date (particularly as it is currently funded solely through general taxation), this is likely to change as the organization works to implement its own funding models. While the cases of RSPBs for transportation and transit planning that have been explored here have been closer to the public side of the spectrum (with a mixture of tax funded and other instruments), the levels of government involvement and the nature of the relationship between the constituent municipalities and that of the regional bodies differ greatly. Further, while the federal government's policies towards the urban realm in Canada are less articulated than those seen in the United Kingdom and the United States, *de facto* policies do exist, particularly in the areas of transportation and transit through various infrastructure projects and funding programs. The federal government role in Canadian urban affairs has tended to go through periods of engagement and extrication, depending on the politics and fiscal environment of the day.

4. Comparisons and conclusions

Of the three countries examined here, the United States has the greatest number of RSPBs with the greatest variation amongst institutional types. The United Kingdom has two general types of RSPB with the majority being joint boards—bodies arising from local government collaboration. Canada's experiences with RSPBs for transportation and transit suggest a mixed approach. Greater Montréal and Greater Toronto have provincially-led regional transportation bodies. In the case of Metrolinx (Toronto) there is no elected representation on the board, while in the case of AMT (Montreal) there is a mixture of local and provincial representation through non-elected appointees). Greater Vancouver is an example of a local government driven RSPB. However, like Metrolinx, it has a corporate style board with non-elected representatives. Overall, provincial involvement is very strong in the three Canadian cases.

Given the history of local government reform in the three countries examined, it is not surprising that the United States would have the most fragmentation and institutional complexity. Both Canada and the UK have had successive pieces of legislation that resulted in consolidated government for many urban areas. In this way, the problem of coordination across urban regions was mitigated by the presence of a local government body covering the functional area. Goldberg and Mercer (1986) argue that "the high degree of American metropolitan political fragmentation reflects the more individualistic market orientation of the American political ethos and makes centralized metropolitan planning and management more difficult in the United States than in Canada, where more value is placed on collective and government action" (cited in Rothblatt, 1994: 517). Golberg and Mercer's argument is based on a cultural analysis. However, there are also historical-institutional reasons why this is the case. For example, in contrasting early municipal development in Canada and the United States, Imbroscio and Garber note "... whereas the nineteenth-century US municipal corporation reflected pressures from below for political openness, in Canada the municipal corporation reflected pressures from above for political-administrative control" (1996: 601). The size of many amalgamated municipal governments in Canada can put them at odds with their surrounding regions. Collaborations between large amalgamated central cities and smaller surrounding ones necessarily occur on an

unequal basis. However, as the example of Calgary's Regional Partnerships shows, a strong show of good faith on behalf of such central city regions can overcome this imbalance. The table below summarizes some of the major characteristics discussed for RSBPs across each country of interest.

Table 1. Comparison of RSBPs

	Local government fragmentation	Prevalence of RSBPs	Institutional composition	Government funding	RSPB independent taxation powers
Canada	Low	Low	Formal legal bodies: e.g., Metrolinx and Translink.	Subnational (provincial) and some federal.	None to limited.
US	High	High	Highly mixed: e.g., presence of federally mandated Metropolitan Planning Organizations, ii) special purpose districts for transportation and iii) regional transportation authorities.	Federal and subnational (state)	Mixed.
UK	Medium	High	Mixed: e.g., presence of integrated transport authorities with legal status and voluntary joint boards/committees.	National and subnational	Mixed.

In a comparison of the Canadian and U.S. planning systems and RSBPs, several authors have concluded that planning in Canadian urban regions has a tendency to be more economically and fiscally robust due to the level of involvement of provincial governments in contrast to their American counterparts (Goldberg and Mercer, 1986; Artibise, 1988; Rothblatt, 1994). However, the literature in this area would suggest that there is a tradeoff between the regional impacts of these institutions and political representativeness. While a provincial government may be able to achieve a great deal when it strongly controls a regional SPB through political imperative and funding capacities, it is less attuned and responsive to local issues. Here, the internal organization of the entity is an important consideration. The corporate-style boards governing Metrolinx (GTHA) and Translink (GVRD) insulate decision-making from local politics and board meetings are held in camera.

Portland's Metro in the United States and London's TfL are often held up as entities that have forwarded progressive and environmentally sustainable policies and practices. Both have elected representation at the local level and a strong political voice driving policy decisions. Also, both have expanded their revenue sources to rely less heavily on government grants and programmes and have broadened their responsibilities to include a multimodal focus. Entities

with jurisdiction over the greatest number of functions have also tended to have more public representation and follow more a more public model (with elected local representation).

The presence of RSPBs can raise new problems for transportation/transit coordination and service delivery—just at a different scale. For many SPBs, the issues of technical and jurisdictional representation have been very difficult to resolve (DeSalvo, 1973: 306). Furthermore, the incorporation of citizen interests has been problematic. Commenting on this, DeSalvo writes that this often results from the “insistence on judgments based upon the demand for system continuity for the whole metropolitan area—that analytically convenient but invisible region which corresponds to no one’s personal interest” (ibid.). Depending on the scale at which the body operates, rural, suburban and urban interests often collide. Given this, some fragmentation may also be necessary or desirable. As an institutional solution to fragmented transportation and transit planning, RSPBs will not necessarily resolve underlying divisions across an urban region—they may instead lead to the creation of new ones. The variation across regional SPB typologies is indicative that political and historical context plays an important role in shaping these entities. For some, RSPBs that combine strategic, tactical and operational capacities would be politically undesirable and extremely divisive.

The increasing adoption of RSPBs in the three countries examined represents an important governance trend—and one that will undoubtedly have lasting impacts across city regions. The rate at which such entities are being adopted and the ongoing changes to their governance frameworks make this a constantly changing field of study and one that merits increasing attention—particularly in the case of Canada where such entities are relatively new. In the words of Foster, special purpose governance bodies “are not policy neutral substitutes for general purpose governance – [i]nstitutional choices matter” (1999: 22). As urbanization continues and coordination and service delivery across large city-regions becomes increasingly problematic, undoubtedly these types of entities will continue to be adopted—meriting an examination of a governance approach that will be subjected to increasing public and political scrutiny.

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Endnotes

¹ The term ‘special purpose body’ is used here in a manner that is purposefully broad in scope. It can encompass institutions along the public/private spectrum with a host of different functions (e.g. agencies, boards commissions). At the most basic level, it implies an entity with a specialized policy focus that operates at a regional scale.

² The term ‘special purpose body’ is broad and can imply governance at different geographic scales and with differing institutional composition and policy or service delivery focus. The term ‘bodies’ is used throughout the paper to be inclusive of the various institutional types (e.g., agencies, boards, commissions).

³ Figures from 1992 show 31,555 special districts or regional governance authorities in the United States. This figure surpasses the second most common government type—municipalities—by over 12,000 units (data from U.S. Bureau of the Census 1992, cited in Foster 1997: 2). These are also commonly referred to as special purpose districts in the United States.

⁴ For example, Lowndes and Squelcher (1998) discusses the trend towards governance and specifically, offer a delineation between networked modes of governance and multi organizational partnerships that have become prevalent in the United Kingdom, particularly in the areas of urban regeneration and land use.

⁵ In Scotland a separate Act was adopted that effectively regionalized local government (Local Government (Scotland) Act 1973).

⁶ In England, counties generally form the top level in a two-tier system of administration. The Local Government Act of 1888 created boroughs some of which were entirely self-governing and independent from county council administration (comparable to urban districts).

⁷ TfL’s legal status is that of a local authority and as such it is subject to those acts and regulations—e.g., borrowing limits, legal obligation to set a balanced budget annually, annual external audits.

⁸ There are different classes of municipality with a major distinction between the functions of rural and municipal types where rural classes (e.g., townships) generally have far fewer responsibilities and are focused more on physical investments and less on a broad range of service delivery. Urban municipal governments can be considered general purpose – they are meant to oversee a wide range of issues.

⁹ E.g., Metrolinx and AMT submit their budgets to their respective Ministries for approval, while Translink submit its budgets for approval to the Mayor’s Council that is composed of the 22 mayor’s of the region. Prior to the 2007 changes to the Act creating Translink, the budgetary approval fell under the purview of the GVRD.

¹⁰ Metrolinx is now in its second iteration of board governance, having moved from a board constituting the elected representatives of the local governments of the region towards a corporate board appointed by the Provincial government, while Translink is in its fifth board iteration with a corporate board appointed by the GVRD.