

Metropolises - the contemporary challenge to local governments¹

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Abstract:

Metropolisation is a process that includes the consequences of global phenomena transferred to the level of metropolitan areas, being the result of various legal and social processes, which is best illustrated by the example of French and Polish institutional solutions. France has been chosen to perform the analysis on due to the uniqueness of its legal regulations in the field of the issues covered in the study (e.g. the institution of metropolitan poles [*le pôle métropolitain*]). The possibility of creating a metropolis in its current form has existed in France since 2010, but the legislative bodies are still introducing changes to strengthen the legal position of this institution. The French legal order continues to reinforce the role and importance of the metropolis as a unit of inter-municipal cooperation that can take over the department and region's essential competences to manage the metropolitan area more effectively. In a sense, France is becoming a model of organisation and functioning for contemporary metropolises in Poland, which are beginning to emerge as a certain remedy to the effectiveness issue of performing supra-regional tasks. This article provides an analysis of the law as it stands for legal regulations concerning the organisation and functioning of

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metropolises both in France and Poland in a comparative and legal context, with the aim of making postulates regarding the choice of a right formula for performing tasks in contemporary local governments.

1. Introduction

A local government system is subject to constant evolutionary processes. After almost thirty years of its functioning in Poland, it can be assumed that the major organisational and functional problems have been resolved. However, the issue of the system of a metropolitan area still remains unresolved.

The essential territorial organisation of the state in the Polish legal system includes communes, districts and voivodeships. Although the legislator recognises the need to introduce a metropolitan union into the organisational structure of a local government, they do not make the union a unit of local government. The French legislator, seeing the essence of a metropolis in the performance of tasks within a contemporary local government, creates a socio-normative framework for the functioning of large city agglomerations, which become a certain indicator of an organisational model for the functioning of contemporary self-governing communities. Their goal is to increase the effectiveness of the performance of public service undertakings and tasks as well as to satisfy the needs of the supra-local inhabitants of large agglomerations.

Metropolises constitute a new formula for the performance of tasks in the contemporary local government, which is why the analysis of their organisation and functioning from the comparative law perspective is necessary in the discussion of the developments in the legal status of the Polish metropolitan union.

2. Metropolitan union in the Silesian voivodeship - a normative context

The Act of 9 March 2017 on metropolitan union in the Silesian voivodeship⁵ introduced a new organisational and legal structure aimed at the performance of public service tasks of a supra-local character, the formula of which goes beyond the current essential territorial organisation of the state. The Upper Silesia - Zagłębie Metropolis was created on 1

⁵ See the Act of 9 March 2017 on the metropolitan unions in the Silesian Voivodeship (Journal of Laws of 2017 point 730) - hereinafter the Act on Metropolitan Union.

July 2017 based on the Regulation of the Council of Ministers⁶. Pursuant to Art. 1 of the Act in question, the metropolitan union is an association of communes of the Silesian voivodeship, which are characterised by the existence of strong functional links and advanced urbanisation processes and which are situated in the spatially coherent area inhabited by at least 2,000,000 people. Undoubtedly, the metropolitan union is not a commune union in the meaning of the constitutional acts of local governments. Even the correct application of the regulations on inter-commune, district or commune-district unions is inadmissible in this case. It is, therefore, a new institution in the framework of a local government. The members of a metropolitan union created in the area of the Silesian agglomeration can only be communes.

The metropolitan union in the Silesian Voivodeship is an additional subject, the creation of which does not change the way in which the units of the fundamental territorial organisation in the area of the Upper Silesian agglomeration function. Its role is to carry out new supra-communal tasks that have not been performed to date.

The legislator granted the metropolitan union a legal personality by entrusting to it the performance of public service tasks in its own name and under its own responsibility. It also granted the metropolitan union independence consisting in judicial protection. At the same time, the legislator did not empower the local communities, which is why the metropolitan union in the constitutional sense lacks the subject of local government, i.e. the inhabitants. However, it possesses three other characteristics of a local government - the object, the tasks and the supervisory body (Dolnicki and Marchaj 2017). Granting the attributes of communes, districts and voivodeships to the union attests to the recognition of the union's role in the local government's structure. The union constitutes a vital element which is the expression of the decentralisation of public service tasks (cf. Auber and Cervell 2012:265). It should be noted, however, that the metropolitan union is not a structure in which the communes falling within the subjective scope of that union are independent regarding their participation in that organisational and legal structure. The obligatory membership of the city of Katowice in the union derives directly from the provisions of the Act on Metropolitan Union. The members of the union are specified in the application for the creation of a metropolitan union submitted by the city council of Katowice. The application is addressed to the Minister of public administration through the Silesian voivode. The legislator does not provide for the procedure

⁶ Cf. § 1 of the Regulation of the Council of Ministers on the creation in the Silesian Voivodeship of a metropolitan union under the name 'the Upper Silesia - Zagłębie Metropolis' of 26 June 2017 (Journal of Laws 2017, point 1290).

of leaving the union, but it does regulate the possibility of changing the borders and the area of the metropolis, even though this process concerns admitting new communes to the union.

The system of the metropolitan union is regulated by statutory provisions. The statute of the union and its changes are to be agreed upon with the Prime Minister at the request of the Minister of Public Administration. This agreement constitutes a supervisory element (the judgement of the Regional Administrative Court, with its seat in Gliwice, of 2 March 2009 IV SA/GI 904/08).

The legislator includes two bodies in the union's authorities: the general meeting and the board of the metropolitan union; it is inadmissible to extend this group of bodies. The tasks of the general meeting of the metropolitan union as a decision-making and control body include passing resolutions regarding the matters falling under its exclusive jurisdiction. Pursuant to Art. 23 of the Act on Metropolitan Union, the exclusive jurisdiction of the general meeting includes passing of: the metropolitan union development policies, the union's statute, framework studies of the conditions and directions of the spatial planning of the metropolitan union, and the union's budget. The list of tasks also includes the consideration of the report on the metropolitan union's budget implementation and the financial statements of the union; elections to and dismissals from the board and the determination of the remuneration of the board's chairman, passing the resolution on granting or not granting discharge to the board for the implementation of the union's budget, and passing resolutions regarding the financial matters of the metropolitan union which exceed the limits of the regular management board.

The general meeting supervises the union and the organisational units created by the metropolitan union by means of a review panel. The review panel is an obligatory panel in the union, set up out of at least three members, neither of which is the chairman nor the vice-chairman of the general meeting. Those regulations are in line with the provisions provided in this regard in the constitutional acts of local governments⁷. The tasks of the review panel include assessment of the metropolitan union's budget implementation and requesting the general meeting to grant/not grant discharge to the board. The discharge proposal is subject to the assessment of the Regional Chamber of Audit. Not adopting the resolution regarding the discharge to the board results in the adoption of the resolution not to grant that discharge, which is equivalent to requesting a dismissal of the board, unless at the end of a financial year the board has already been dismissed for another reason.

⁷ This involves three acts: the Act of 8 March 1990 on commune self-government (consolidated text Journal of Laws of 2019, item 506 as amended.); the Act of 5 June 1998 on district self-government (consolidated text Journal of Laws of 2019, item 511 as amended.); the Act of 5 June 1998 on voivodeship self-government (consolidated text Journal of Laws of 2019, item 512 as amended).

The union's general meeting consists of deputies from communes within the metropolitan union - one from each commune. By law, the deputies may be the communes' executive authorities or their proxies. This means that the composition of the meeting will not always be the same, because the local major (wójt) can decide at any time to replace the proxy representing a particular commune on his/her behalf in the union.

In the scope which is not regulated in terms of the functioning and the organisation of the body constituting the union, the legislator requires the application of regulations regarding voivodeship councils⁸.

The union's executive body consists of five members (including the board chairman) who are chosen by the general meeting by secret ballot. The board chairman is chosen as the first one, then the rest of the members are chosen at his/her request. The board members are bound by the citizenship requirement. Moreover, the board membership may not be combined with the membership in a body of a local government unit, being an executive body in a particular commune or its deputy, holding the office of a voivode or vice-voivode or a mandate of a member of parliament or a senator.

The board performs the tasks of a metropolitan union which are not reserved for the general meeting. These tasks include especially: implementation of the meeting's resolutions; management of the metropolitan union's property; preparation of the draft budget and implementation of the budget of the metropolitan union; and management, coordination and control of the activities of organisational units of the metropolitan union (including the recruitment and dismissal of their managers). The board - as a collegial body - undertakes decisions in the form of resolutions adopted by a simple majority of votes in the presence of at least half of the statutory composition of the board members. The resolutions are adopted by open ballot, unless the act states otherwise.

The rules and the mode of operation of the board constitute statutory matters of the union. The executive body of the union performs its tasks by means of a metropolitan office as an auxiliary apparatus, the organisation and operational mode of which is specified in organisational rules adopted by the board.

⁸ A voivodeship council is the legislative and controlling body of the voivodeship self-government. The organisation and tasks of this body are regulated by the Act of 5 June 1998 on voivodeship self-government (consolidated text Journal of Laws of 2019, item 512 as amended.).

As far as the organisational structure of the union is concerned, the legislator provides for a secretary and a treasurer who take part in the work of the board. They are also granted powers to take part in the deliberations of the meeting in an advisory capacity.

The three-level system of a local government ultimately formed on 1 January 1999 provides for a dualistic division of tasks of a territorial self-government unit into local and regional. The former, performed by the commune and the district, consist of satisfying the basic needs of the inhabitants by way of publicly available benefits. The latter, which are performed by the voivodeship, concentrate rather on the organisation and assurance of appropriate living conditions. In practice, the above described division of tasks into local and regional is not adapted to the specificities of metropolitan areas. The functional ties between the units of local government causes the tasks of particular communes to overlap and form common metropolitan tasks which should be performed by all the communes (Dolnicki and Marchaj 2017).

In the subjective scope of the metropolitan union, the legislator includes public service tasks concerning:

- shaping the spatial order;
- social and economic development of the area of the metropolitan union;
- planning, coordination, integration and development of public collective transport, including road, railway and other rail guided transport, as well as a sustainable urban mobility (Misiejko 2017);
- metropolitan passenger transport;
- cooperation in the determination of national and voivodeship routing in the area of the metropolitan union;
- promotion of the metropolitan union and its area. (cf. Art. 12 of the Act on Metropolitan Union)⁹.

Moreover, the metropolitan union can perform public service tasks belonging to the activity range of local government units, or coordinate the performance of those tasks based on an agreement with a local government unit or an association of local government units. This regulation creates a new formula for the task performance by the union. The legislator also provides for the possibility that public service tasks belonging to the activity range of state government administration are realised by the union based on an agreement with a state government body.

⁹ Cf. Judgement of the Regional Administrative Court of Gliwice of 13 May 2019, III SA/Gl 226/19, Legalis no. 1943614.

3. Metropolises in France - a normative context

The legal status of self-government communities in France is mostly regulated by the provisions of the Constitution of the French Republic¹⁰ and the General Code of Territorial Communities (*Code général des collectivités territoriales* - CGCT¹¹). Under the CGCT provisions, communes such as Paris, Lyon and Marseille acquired a special legal status. The communes in Paris, Lyon and Marseille are appropriately divided into municipalities (Art. L. 2511-3 CGCT).

The metropolises in the French Republic are created so that the performance of public service tasks by self-government authorities is more effective and coherent, adequate to the current needs of the inhabitants of large urban agglomerations. The actions consisting of research and economic activity support and development of large urban projects which serve the inhabitants of territorial communities allow us to recognise the metropolises as the right formula for the realisation of local government tasks, which provides attractive conditions to live, study and work there. Metropolises offer their inhabitants constant development, including the development of the city area and the possibility to implement projects of a metropolitan character.

Since 2010, in the French Republic, new forms of metropolitan cooperation have emerged, including:

- 1) metropolises: Grand Paris, Aix-Marseille-Provence, Lyon and other metropolises, regulated by common law - *métropoles de droit commun*¹²;
- 2) metropolitan areas - *le pôle métropolitain*;
- 3) territorial and rural balance centres - *pôle d'équilibre territorial et rural* (Luchaire, 2016:11)¹³.

The idea of a metropolis emerged in France at the beginning of the 1960s, and the normative creation of agglomerative communities took place on the basis of the Act of 31 December 1966, as a herald of the contemporary metropolises¹⁴. The organisation and functioning of the

¹⁰ The Constitution of the French Republic of 4 October 1958 (Constitution du 4 octobre 1958 (JORF n° 0238 du 5 octobre 1958, page 9151).

¹¹ CGCT – source: <https://www.legifrance.gouv.fr>. (access: 13.07.2019).

¹² Among the metropolises two 'euro-metropolises' should be distinguished: the Eurométropole de Strasbourg and the Eurométropole de Lille. They occupy a special place considering their connections to the institution of the European Union (Faure 2014:418).

¹³ The territorial and rural balance centres are tools of collaboration between EPCIs in rural areas outside of the cities. In a certain sense they are the equivalents of metropolitan centres. In accordance with Art. L5741-1 CGCT, they are public institutions created on the basis of an agreement between several EPCIs.

¹⁴ Loi n° 66-1069 du 31 décembre 1966 relative aux communautés urbaines (JORF du 4 janvier 1967 page 99, source: <https://www.legifrance.gouv.fr>, access: 19.08.2019).

metropolises in France were regulated by the Act of 16 December 2010 on the reform of territorial communities (*loi du 16 décembre 2010 de réforme des collectivités territoriales*¹⁵) and the Act of 27 January 2014 on the modernisation of territorial public activities and the affirmation of metropolises/cities (*de modernisation de l'action publique territoriale et d'affirmation des métropoles* - the so-called MAPTAM)¹⁶. In relation to the reforms of the local government, the institution of a metropolis in the French Republic began to experience a renaissance, the result of which is the constantly increasing number of metropolises and metropolitan areas performing supra-local tasks. In accordance with Art. L5217-1 CGCT, a metropolis is a public institution of intracommunal cooperation (*établissement public de coopération intercommunale*, EPCI) which groups several communes "in one piece and without an enclave" to form a space of solidarity in order to devise a common project for development as well as a project for economy, ecology, education, culture and social matters on their territory which would serve to improve the competitiveness and coherence in the functioning of the collaborating communes.

Metropolises aim at strengthening the Republic's territories through actions in support of the economic revival of the state. Since January 2019, the French Republic has 21 metropolises. La Métropole de Nice Côte d'Azur was the first metropolis established in France in December 2011, currently encompassing 49 communes (around 544,977 inhabitants).

Considering the special legal status of the metropolises of Lyon, Marseille and Grand Paris, this article will mention only the constitutional and legal elements of these three metropolises.

The Lyon Metropolis

Among French metropolises, the Lyon Metropolis (Métropole de Lyon) should be distinguished, which is a territorial community within the meaning of Art. 72 of the Constitution of the French Republic. This community was created on 11 January 2015 based on Art. 26 of the Act of 27 January 2014 - MAPTAM). The Lyon Metropolis was established

¹⁵ LOI n° 2010-1563 du 16 décembre 2010 de réforme des collectivités territoriales (JORF n° 0292 du 17 décembre 2010 page 22146, texte n° 1, access:19.08.2019).

¹⁶ The Act no. 2014-58 of 27.01.2014 on the modernisation of territorial public activities and the affirmation of metropolises (cities) (*de modernisation de l'action publique territoriale et d'affirmation des métropoles*) (JORF n° 0023 du 28 janvier 2014 page 1562 texte n° 3; source: <https://www.legifrance.gouv.fr>, access: 19.08.2019). The Act of 27.01.2014 (La loi MAPTAM du 27 janvier 2014) accentuated the role of the city as the leader in matters concerning the conditions for the collaboration of local governments and their public institutions in terms of exercising their powers regarding sustainable mobility, organisation of local public services, as well as spatial planning and local development. (To learn more on this subject c.f. Aubert and Cervell 2015:47).

to replace the Lyon urban community (Grand Lyon), within its territorial borders, and the department of Rhône (Augustyniak 2017:76).

It should be emphasised that, despite its name, it does not constitute a typical metropolis in the meaning of the Act of 16.12.2010 and 27.01.2014, and it does not belong to the public units of intercommunal cooperation (EPCIs). Except for this metropolitan area, the department still makes use of its competences. This community encompasses 59 communes and has about 1.3 million inhabitants. Its basic activities include the promotion of innovation and strengthening of economic dynamics in the area of the Metropolis, undertaking actions in support of sustainable development of the community and improvement of the life quality of its inhabitants. The Metropolis aims at ensuring conditions for economic, social and environmental growth by means of metropolitan infrastructure (Art. L3611-2 CGCT). The competences of the Lyon Metropolis are broader than those of other French metropolises (Luchaire 2016:28).

The specificity of the Lyon Metropolis is based on the fact that, in the context of a delegation of powers, it can replace the region and the state in the performance of some tasks. The region may transfer some of its powers to the Metropolis based on an agreement. The scope of the competences of the Lyon Metropolis encompasses the following activity areas: economic, social and cultural development, planning of the metropolitan area; local housing policy; urban policy; management of public services; protection and improvement of the natural environment and the environment protection policy (Art. L. 3641-1 CGCT).

The bodies of the Lyon Metropolis include: the Metropolis Council (*Le Conseil de la Métropole*) and its chairman (*Le président du conseil*). The council is the decision-making body and the chairman is the executive body of the metropolis. The Metropolis Council includes members elected by direct universal suffrage on the basis of the provisions of the Electoral Code - *Code électoral* (Cauchois 2014). The Metropolis Council adopts resolutions in the matters for which it is competent. It includes 165 members, representing 59 communes from the area of the Lyon Metropolis, and is convened by the chairman not less frequently than once every quarter. The council's chairman is elected by secret ballot by an absolute majority of the members of the Metropolis Council. His/her tasks include the organisation of the council's work and conducting of the meetings, implementation of the council's resolutions and the resolutions of the standing committee (*commission permanente*), expenditure management and budget implementation.

Within the structure of the Lyon Metropolis, nine Territorial Conferences of Mayors (*Les conférences territoriales des maires*) are active, which play a consultative role. They

group several communes which serve as a consultation and discussion place for matters of a metropolitan nature and their opinion is shared with the decision-making body of the metropolis. The rules for the organisation and functioning of these bodies are specified in the internal regulation of the Metropolis Council.

Pursuant to Art. L3633-2 CGCT, the Metropolitan Conference (*La conférence métropolitaine*) is appointed in the Lyon Metropolis as a consultative and coordinating body in matters of importance to the metropolis. This body consists of mayors of the communes, and it is the body for the cooperation between the Metropolis Council and the communes which are included in the Lyon Metropolis. By law, this body is chaired by the chairman of the Metropolis Council. The main tasks of the Metropolitan Conference include the creation of the Metropolitan Cohesion Pact project (*le projet de pacte de cohérence métropolitain*) between the metropolis and the communes of its area. It is a framework document regarding the coordination of metropolitan actions, specifying the strategy for the transfer of powers of the Lyon Metropolis to the communes localised in its territory, based on the provisions of Art. 1111-8 CGCT. Under the same conditions, the strategy for the delegation of particular competences of the communes to the Lyon Metropolis is proposed. The Metropolitan Cohesion Pact is subsequently adopted by the council of the Lyon Metropolis after obligatory consultations with councils of the communes belonging to the Metropolis.

Within the Lyon Metropolis, a Metropolitan Area (*Le Pôle Métropolitain*) is active, which - as a special form of collaboration - is made up of the areas: Métropole de Lyon, the urban community of Saint-Etienne, ViennAgglo, CAPI Porte de l'Isère, and since 2016, the agglomeration community of Villefranche (CAVBS) and the inhabitants of the communes of eastern Lyon (CBEC). In accordance with Art. L5731-1 CGCT, the metropolitan area is a public institution created on the basis of an understanding of public institutions of intracommunal cooperation with their own taxation and, in appropriate cases, the Lyon Metropolis. The goal of this institution is the performance of tasks of metropolitan importance in order to promote the management model, sustainable development and territorial solidarity.

The metropolitan area is a form of collaboration which enables the pooling of resources in order to facilitate the development of common projects, initiated by the founding agglomerations. It provides for the agglomerations to associate with due regard for each agglomeration's autonomy and decision-making (Verpeaux, Janicot 2015:430).

The d'Aix-Marseille Provence Metropolis

The d'Aix-Marseille Provence Metropolis (*la métropole d'Aix-Marseille Provence*) in accordance with Art. L5218-1 CGCT encompasses all communes included in the urban agglomeration Marseille Provence Métropole and the agglomeration community of Pays d'Aix-en-Provence.

Pursuant to Art. L5218-9 CGCT in the area of the Aix-Marseille-Provence Metropolis, a Metropolitan Conference of Mayors is held, the opinion of which is taken into account by the council of the Aix-Marseille-Provence Metropolis during the development and implementation of the metropolitan policy. The conference is convened by the chairman of the council of the Aix-Marseille-Provence Metropolis who, by law, is also the chairman of the conference. The mode and the rules for the work of this body are specified in the internal regulation of the council of the d'Aix-Marseille-Provence metropolis. The metropolis bodies are the council and the chairman of the metropolis. The council meets in plenary session several times a year in the Pharo Chamber in Marseille. The Metropolis Council includes 240 members who represent the interests of the communes - the territories with which they are connected - with due regard for the demographical diversity of those areas. The council elects its chairman, who also leads the office of 33 members. The chairman is supported by two consultative bodies: the Metropolitan Conference of Mayors and the Development Council. The Development Council includes representatives from the economic, social, cultural and association sectors of the Aix-Marseille-Provence Metropolis. The tasks performed by this body are of a consultative nature and regard the main directions of activities of the Aix-Marseille-Provence Metropolis, the perspective and planning documents, design and assessment of local policies promoting sustainable development of the metropolitan territory. Moreover, the council may issue opinions on every matter which falls within the scope of its competences. The yearly report on the council's activities is prepared and presented to the metropolis council (cf. L5218-10 CGCT). The number of the competences of the Aix-Marseille-Provence Metropolis is significantly broader than that of the other French metropolises (Faure 2016:423).

The Grand Paris Metropolis

The Grand Paris Metropolis (La Métropole du Grand Paris) was created pursuant to Art. L5219-1 CGCT in order to define and perform the metropolitan activities aiming at the improvement of the life environment of its inhabitants, the reduction of inequalities between

the territories it incorporates, and development of a sustainable urban model in terms of social and economic resources, which would be more attractive and competitive for the benefit of the whole state. It has been functioning since 1 January 2016 and encompasses 131 communes. This Metropolis performs, among others, the following tasks and competences on behalf of and in favour of its communes in terms of:

- planning of the metropolitan area;
- local housing policy (housing policy; financial aid regarding social housing; activities in support of social housing; and activities in support of housing for disadvantaged persons);
- economic, social and cultural development and planning (the creation, development and management of industrial, commercial, tourist, port and airport areas of metropolitan importance; activities in support of metropolitan economic growth; construction, placing, maintenance and exploitation of main cultural and sport facilities of an international or national character; and participation in the preparation of applications for large international cultural, artistic and sporting events which take place within its territory);
- protection and improvement of the environment and the life environment policy (among others, combatting air pollution, monitoring pollution and noise; development and adoption of a climate-air-territorial planning in accordance with Art. L. 229-26 du code de l'environnement (Environmental Code), management of the water environment, and flood prevention - Auber, Cerveille 2015:79).

The Grand Paris Metropolis has two consultative bodies appointed to debate, provide information on and assess projects. The first consultative body includes 131 mayors of the Metropolis, and the second has 104 members - the inhabitants of the Paris Metropolis and qualified persons from economic, social, environmental and cultural communities. The cooperation bodies promoting the dialogue between the partners and the Metropolis include:

- The Territorial Conference of Chairmen as a coordination body including the Metropolis Chairman, the Chairman of Paris and 11 Chairmen of Territories (areas) making up the Metropolis. This body is the place for exchanging views and a platform for dialogue. It especially enables the involvement of areas belonging to the Metropolis in the preparation of strategic documents and specification of procedures for the exercising of powers in accordance with the principle of subsidiarity between the metropolitan area and particular metropolitan areas.
- The Conference of the Chairmen of the neighbouring EPCIs, whose aim is to respond to the challenges related to the development of large suburban areas. The Grand Paris

Metropolis cooperates with all neighbouring areas and to this end it may enter into metropolitan cooperation agreements.

- The Conference of the Chairmen of Grand Paris urban public services. The Metropolis cooperates with urban public services, especially in the context of energy management, improvement of air quality, circular economy, and the introduction of large metropolises to climate change adaptation.

The Grand Paris Metropolis has a decision-making body – the Metropolis Council – made up of 209 metropolitan members appointed by the city councils of 131 member communes, in accordance with the provisions of Art. L. 5211-6-1 CGCT. At least one representative per commune is appointed. The second body of an executive character is the Metropolis Chairman, who is elected by the metropolitan members by secret ballot by an absolute majority of the members. His/her tasks include calling a board meeting, establishing the order of business and implementing the Council's resolution and he/she is also responsible for the implementation of the budget. Moreover, the structure of the Grand Paris Metropolis includes a Metropolitan Office (*Le Bureau*), the tasks of which include the specification of strategies and main directions for the metropolis. It is a body which deliberates on matters assigned to it by the Council. The Office is made up of the Metropolis Chairman, who leads the activities in the Office, and 20 vice-chairmen and 10 deputy members representing all the political parties. The tasks of the Office include preparation of the agenda of the Metropolis Council meeting and its projects for voting upon.

4. Conclusions

The beneficiaries of the actions of large urban agglomerations are the inhabitants of particular territorial communities. The metropolises in the French Republic constitute formalised forms of supra-local cooperation, as is the case with the Lyon Metropolis which is a territorial community of a special legal status. In contrast, the legislator has so far created only one metropolitan union in the Polish legal order. New projects are constantly emerging with regards to the creation of metropolitan unions in Poland; however, to date they have not gained support from the legislator.

Metropolitan areas create a highly complex structure which encompasses many territorial communities (communes, cities, districts) and many subjects of self-government and state government. According to Dolnicki and Marchaj (2017), "Their development consists of functional integration of new areas and the 'densing' of the central area as a result

of increasing economic turnover and the number of jobs. The scale and the meaning of these phenomena for the state calls for the application of appropriate methods for the integration of agglomeration management". That is why it is of significant importance to indicate an appropriate model for the functioning of metropolises in the Polish legal order, even if it would lead to a potential debate on the changes to the basic territorial division of the state so that some of the metropolitan areas could function as units of local government, such as the Lyon Metropolis. Currently, the Lyon Metropolis is the only one such structure in France. It could become the model of territorial organisation for urban areas. This construction constitutes an interesting normative novelty which – in the authors' opinion - could be the answer to the needs of large Polish cities if this institution was to be reproduced in the Polish legal order, of course under an appropriate act. It forms a certain alternative to metropolitan institutions or a metropolitan union.

The introduction of new legal instruments to the Polish local government, such as the Metropolitan Area (*Le Pôle Métropolitain*), which is a form of cooperation aiming at the creation of metropolitan dynamics in large urban agglomerations (through pooling of resources of the communes in order to facilitate the implementation of common projects initiated by the founding agglomeration), constitutes an interesting normative proposition.

Metropolitan areas existing in the French Republic constitute new institutional tools for the development of a partnership between communities, which are increasingly attracting considerable interest from urban agglomerations and the inhabitants of self-government communities. The dynamics of the projects and the cooperation networks they create seem to be the best way to ensure that the needs of the inhabitants of large cities are satisfied - also in the Polish legal order. A metropolitan area - as a formula which enables the pooling of resources in order to facilitate the implementation of common projects proposed by the founding agglomerations - is an interesting option for the functioning of a similar formula of metropolitan cooperation in large agglomerations in the Polish legal order. The French models are worth reproducing both at a constitutional as well as the functional level because they are self-government structures that respond to the expectations of the inhabitants of contemporary self-government communities.

Key words: metropolisation, metropolitan governance, inter-communal cooperation, the draft Metropolitan Coherence Pact (*le projet de pacte de cohérence métropolitain*), the Metropolitan Area (*Le Pôle Métropolitain*)

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