

THE NEO-INSTITUTIONAL FRAMEWORK OF LARGE-SCALE RETAIL SPATIAL POLICY FORMULATION PROCESS IN SERBIA

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Abstract

In this paper, in the theoretical framework of neo-institutional theory, the process of spatial policy formulation related to large-scale retail in Serbia was researched. The basic objective of the research is to explore possible ways of improvement of institutional framework of spatial and urban policy formulation in Serbia in order to make the decision-making process on large-scale retail building more effective and to adequately address the complex problems of this type of building. Since neo-institutional theory considers institutions as series of formal and informal organizations, rules and procedures that build patterns of behavior within organizations, the paper includes the analysis of the efficiency in the existing institutional framework of large-scale retail policy formulation and problems occurring in that process; the actual roles of public, private and civil actors, the content of policies by which large-scale retail building is directed at different levels of spatial organization; the methodological and procedural framework of these policies' formulation. Possible directions for institutional framework redefinition are suggested in order to achieve more effective decision-making on the large-scale retail building in Serbia.

Keywords: neo-institutionalism, institutions, large-scale retail, spatial policy, Serbia.

1. Introduction

The structure of retailing in the Republic of Serbia has significantly changed in the last decade. Participation of modern retail formats in the retail network such as western-style shopping centers, retail parks and hypermarkets has increased significantly, especially in Belgrade as the capital city.

The process of large-scale retail spatial policy formulation is researched in this paper in the theoretical framework of neo-institutional theory. With the new institutionalism as a theoretical framework, governance has become a key interest in the study of urban policy (Stoker, 2000).

The problem of large-scale retail is very complex, especially in relation to decision-making on different levels of government. The framework of neo-institutional theory enables, besides analysis of policy and decision-making problems at different levels of government, an analysis of roles of private and civil sector in this process.

In the developed European countries the problem of large-scale retail policy has been analyzed for several decades and the institutional framework was formulated and changed in this area. During that time, numerous studies have been carried out to analyze environmental, social, as well as economic effects of large-scale retail building. In the beginning most of these studies dealt with economic effects (city centre decay, new employment, reduction of the existing trading area), whereas environmental and social effects (pollution from increased car usage, sustainable development, isolation of disadvantaged shoppers) subsequently gained significance (Ibrahim and McGoldrick, 2003).

The effects of large-scale retail building were researched by Guy (1998, 2007), England (2001), Bromley and Thomas (2003), Timmermans (2004). They found numerous economic, social and environmental consequences of the construction of large retail stores in developed European countries.

According to England, economic impact is concerned fundamentally with the consideration of changes in retail turnover or trading patterns in shopping centers as a result of new shopping development. The trend towards out-of-town retailing has raised concerns about the adverse employment effects of new retail developments (England, 2001).

Guy notes that social impacts relate to efficiency and equity aspects of the developments themselves and their trading impacts. This author notes that there have been unquestionable benefits for consumers from modern retailing, simply from ever-widening the choice of consumer goods available, and the increasing differentiation of both goods and shopping formats by life-cycle and lifestyle. Equity aspects are concerned partly with the loss of retailing from traditional centers, and the impact of this on those who rely particularly on these shopping opportunities (Guy, 1998). Those who do not own cars have become polarized as a disadvantaged groups whose poor mobility constrains their access to urban facilities (Bromley and Thomas, 2003).

According to England, out of town developments are attractive to many retailers and shoppers because of the availability of free car parking and good road access,

while at the same time, impacts relating to traffic generation, congestion and pollution in town centers are becoming much more significant (England, 2001). Traffic impacts in terms of the immediate impact of several hundred vehicles per hour travelling to or from a decentralized store can be unpleasant to the local environment and may necessitate local road improvements (Guy, 1998).

Decentralized retailing has been accused of encouraging private car travel at the expense of walking, cycling and public transport trips, and adding to the overall length of shopping trips by car. The counter argument, that further development of off-center retailing is desirable because it reduces average trip length, has also been debated (Guy, 1998). Already in the 1970s, research has shown that the commercial viability of inner-city shopping street is highly influenced by pedestrian movement and that the impact of new retail development is closely related to the locational patterns of magnet stores and the distribution of the transport termini (Timmermans, 2004).

Guy says that the decentralization of retailing has allowed many town centers retail functions to become established in suburban or edge-of town locations, but in so doing has tended to divorce shopping from its wider business and recreational context. In this sense, shopping has become much more a single-purpose activity. This implied loss of social involvement in the wider community has to some extent been replaced by the involvement of other family members in the shopping trip (Guy, 2007). Also, the physical appearance of off-center retailing has been much criticized (Guy, 1998).

The impact of large-scale retail building on urban environment has been researched in post-socialist countries as well. In relation to motorization policy, the research of Yaakov and Dybicz shows that hypermarkets significantly reduce the number of trips made, but convert them into motorized and longer distance trips. In the extreme case in a motorized country, larger and more appealing retail will draw significant number of people from smaller towns on occasional trips that are hundreds of kilometers in length (Yaakov and Dybicz, 2006).

The social impacts have been researched in post-socialist countries as well. The research of Nagy, focused on the transition of the inner spaces of Czech and Hungarian cities that have been accelerated by large-scale retail investments, shows that local society has become strongly differentiated in terms of access to shopping facilities and consumer habits. The location of shopping becomes a marker of social status even in the case of daily consumption goods (Nagy, 2001).

In order to direct large-scale retail building, developed European states have adopted different types of regulation during the period of several decades. Davies says that regulations, which are usually legally enforced documents, can range from zoning maps, which indicate where certain types of retail development may take place in an area, to stipulations about how large new store or shopping center proposals can be in an area (Davies, 2004).

Baar divides West European legislation governing the construction of hypermarkets and large shopping centers into three general categories: laws which require con-

sideration of the impacts of major retail projects on town centers and the environment in the course of reviewing permit applications and mandate that center city preservation has a priority in retail policy; laws which require consideration of the impacts of proposed commercial projects on existing retail shops and laws which prohibit the construction of large retail outlets and shopping centers which are more than a specific size outside of center cities (Baar, 2002).

In developed European countries, linking transport policies with large-scale retail building policies is very important. For example, the key aim of national document Planning Policy Statement 13 (PPS13): Transportation and Land Use, formulated by the Department of Communities and Local Government in England is social involvement and the need to provide that jobs, trade, recreation, and services are available by public transport, by bicycles, and by foot. This document emphasizes travel plans making for particular locations which are submitted with the application for the planning permission, for building projects which are likely to have significant transport implications (Office of the Deputy Prime Minister, 2005).

In their comparative research undertaken in selected countries from Northern, Southern and Eastern Europe, Fernandes and Chamusca concluded that the cultural and socioeconomic specificities of each country (and those of each region, city or urban area) strongly influence the design and elaboration of public policies, plans and programs regarding urban spaces and the urban retail sector and that legal framework, which is established by public authorities, plays a decisive role in the development and location of retail structures (Fernandes and Chamusca, 2014).

Jackson and Watkins say that the nature and scope of retail planning need to be understood in terms of the broad range of activities covered by planning policy guidance. Their analysis suggests separation of local planning policies into several distinct influences (supportive property market context, promotional policies (including town-center management strategies), physical and land constraints (in town center and peripheral locations), and retail-specific policy measures) (Jackson and Watkins, 2005).

Although large-scale retail stores have been built for more than one decade in Serbia, specific attention to this problem has not been directed in spatial planning through policy, regulation, laws, and overall assessment of economic, social and environmental impact of these stores. Spatial plans in Serbia at all levels of spatial organization do not deal with the issue of large-scale retail building (do not elaborate the themes of: large-scale retail distribution; the connection of large-scale retail building to the network structure of settlements; environmental, social and economic impacts of the construction of large retail). In the absence of national, regional and municipal rules in this area, location and rules for large-scale retail building are determined in specific, individual urban plans at the local level.

One reason for not recognizing these theme in Serbia may be found in the fact that, despite the development of a network of hypermarkets and shopping malls in the last decade, the number of large stores built in Serbia significantly lags behind

advanced countries in transition, especially the most developed countries of the European Union, so the effects of building large stores are less pronounced. According to Jones Lang LaSalle Offices data, in 2013, the total modern retail stock in Serbia was estimated at 790,226 m² out of which approximately 44% or 345,300 m² comprises all types of shopping centers. Translated into shopping center density figures, Serbia disposes of 48 m² per 1,000 residents, which ranks it at the very bottom of the European scale (the average density GLA/1,000 inhabitants in Europe is 185 m²) (Jones Lang LaSalle Offices, 2013).

With the introduction of modern shopping formats, retail scheme and the use of existing retail space in Serbia has changed. Commercial spaces in Belgrade and Serbia built twenty or more years ago are now generally weak business (Market Network, 2011). Belgrade downtown remains undersupplied, with less than 30,000 m² of shopping center schemes available for tenants (CBRE, 2013).

High street rents in Belgrade are showing a stable trend, with the main driver of the high street rental trend being the tenant mix and retailers' positioning, visibility, size, layout and shop condition. Over the past few years, demand for retail units on the high street has significantly decreased, mainly because retailers are more interested in space within modern shopping center formats (Jones Lang LaSalle Offices, 2013).

In Belgrade, as the capital city, the total retail stock remains at the level of 230,000 m² of GLA (approximately 66% of total retail space in Serbia), or 140 m² per 1,000 inhabitants. Belgrade has not been developed at the same pace. Location-wise, New Belgrade area holds 60% of the total shopping center stock, amounting to more than 500 m² per 1,000 inhabitants (CBRE, 2013).

Two prime shopping centers in Belgrade (Delta City and Ušće) dominate the market, attracting strong demand and maintaining zero vacancy rates (Research & Forecast Snapshot, 2013). However, the other formats are noting the decline in vacancy levels, such as department stores (CBRE, 2013).

In addition to Belgrade as the capital city, a number of large stores has been built in: Novi Sad (Big Shopping Center, hypermarket centers Rodić, shopping center Mercator), Niš (shopping center Mercator, hypermarket Tempo, hypermarket Dis), Kragujevac (shopping center Plaza, hypermarket Tempo), Indjija (Fashion Park Outlet), Pančevo (Aviv Retail Park), Šabac (Capitol Park).

Retail parks that are traditionally occupied by mid to low-market brands are becoming an acceptable alternative to shopping centers outside Belgrade, due to the lower purchasing power and lack of modern schemes. The total retail park stock in Serbia increased to 64,126 m² delivered over the past three years (Jones Lang LaSalle Offices, 2013).

As influx of large-scale retail building is expected in Serbia, Serbia has a chance to learn on the examples of other developed European countries and post-socialist countries, and to establish adequate institutional framework in order to diminish the negative consequences other countries experienced. This paper has the aim to research institutional framework of formulation of spatial and urban policy related to

large-scale retail building in Serbia, to note possible problems and constraints in this process, and to point out to possible improvement of this process in order to support market efficiently, but also to protect public interest.

2. Neoinstitutional theory as the theoretical framework of the research

The theoretical framework of this research is neo-institutionalism. Neo-institutional theory is selected as the theoretical framework, because of its dynamic approach and the possibility of policy and decision-making problems analysis at different levels of government.

By the 1950s, institutionalism was political science. Since the 1980s, changes in the structure of local government encouraged critical analysis of institutions (Lowndes, 2009). In urban planning, the planning activities were associated with broader governance context in which they take place. Attention shifts from specific projects and outcomes to interventions in the institutional infrastructure, which provides the framework of project ideas, how to evaluate and who participates in the governance process through which governance methods (Healey, 2006).

Institutions form the central part in neo-institutional theory. The term 'institution' in neo-institutional theory does not apply only to formal organizations, but includes a wide range of formal and informal organizations and the rules and procedures that build patterns of behavior within organizations.

Reimer points out that the neo-institutional shift in planning sciences, emphasizing the 'hidden' institutional patterns that determine spatial planning behavior under the surface of its more formal dimensions (planning laws and administrative organization, procedures and instruments) helps to shed light on planning cultures as an analytical concept (and not as a normative paradigm in theory and practice) (Reimer, 2013). When analyzing a planning system, it is important to understand the interaction between formal and informal institutions as continuous reinterpretation: reinterpretation of the place, their strength, compatibility, meaning (Van Assche, Beunen and Duineveld, 2012).

New institutionalists pay attention to the way in which institutions embody values and power relationships; and they study not just the impact of institutions upon behavior, but the interaction between individuals and institutions (Lowndes, 2001). They locate the interplay of specific actors in social processes in the context of the ensemble of norms and discourses which shape the interests actors have, their conceptions of their strategies and their repertoires of action. Institutionalists focus on interactions, not decisions (Coaffee and Healey, 2003).

Since recognition of the problems of large-scale retail building in Serbia significantly differs from the developed European countries, and also varies in different areas in Serbia, the local aspect is of great importance in our research. Local aspect in neo-institutional approach in spatial planning is recognized by a number of authors (Healey, 1997; Lowndes, 2009; Lang, 2011).

Healey recognizes that actual practices are deeply influenced by local histories and geographies, by the specific way in which broader forces impact particular places,

and by the capabilities of the actors involved (Healey, 1997). Lowndes states that local governance is embedded in locally specific institutional frameworks of both political and non-political nature (Lowndes, 2009). Place and time-specific institutional environments function as a strong frame of reference and are created as a result of earlier experiences and help structure the local decision-making process (Lang, 2011).

With the new institutionalism as a theoretical framework, governance has become a key interest in the study of urban policy (Stoker, 2000). Knill underlines that the definition of 'governance' varies from case to case because of its highly vague and open nature that account for its rapid international diffusion (Knill, 2004). Drechsler induces this concept as a neutral concept that focuses on steering mechanisms in a certain political unit, emphasizing the interaction of State, Business and Society players (Drechsler, 2004). As the term 'governance' is used in this paper in the sense of a set of mechanisms that shape social action, whether by government, private sector or civil society associations (Healey, 2006), the paper considers the 'social' modes of coordination in the process of spatial policies formulation related to large-scale retail building.

Salet and Thornley identify three overlapping dimensions in shift occurred in the position of national governments in Europe from the early 1980s: a reduction in the government's proactive role in the economy and society, the rescaling and restructuring of intergovernmental relationships and the diversification of decision-making throughout a wide range of governmental and nongovernmental organizations. These authors say that the third dimension of institutional change is linked to the reduction of government and has given rise to a proliferation of ad hoc bodies and appointed organizations, or quangos: quasi-autonomous nongovernmental organizations and that these practices can take many forms (Salet and Thornley, 2007).

In governance models, the interaction between multiple actors is regulated through a broad set of 'social' ways of coordination, rather than through a limited set of hierarchically defined organizational procedures. Public and private actors form social ways of coordination in governance processes, through the establishment of partnerships, participation, and others (ESPON 2.3.2., 2007). Governance approaches effectively put much more emphasis on dimensions, such as the multiplicity of players or stakeholders, the boom in partnerships between government institutions or players and private players, companies, and 'partners' ('public-private partnerships'), the increasing complexity of political action, and especially of decision-making, the coordination problems to which this gives rise, questions linked to the imputation of the decision and thus accountability (Damay and Delmotte, 2010).

ESPON project 2.3.2. 'Governance of Territorial and Urban Policies from EU to Local Level' holds an important position in the definition and elaboration of a common ground for investigating the institutional and instrumental aspects of implementation of territorial and urban policies in Europe. An analysis based on a comparative review of the instruments used, and stakeholders involved in various policy areas, is being undertaken to draw some valuable conclusions of practical relevance on governance (ESPON, 2014).

ESPON project 2.3.2. emphasizes the importance of vertical coordination, horizontal coordination and participation in the governance processes. In territorial governance vertical coordination refers to actors and policies and is mainly related to public actors. It is associated with the principle of reorganization and redefinition of territorial levels involved in territorial transformation and government levels associated with them. In terms of governance as horizontal coordination, there are two aspects. One is governance as interaction between actors and policies on any given territory – coordination among multiple actors and across sectors. The second relates to the territorial integration – coordination of policies and actors in different territories (ESPON 2.3.2. 2007).

Lowndes emphasizes the importance of interaction ‘top-down’ and ‘bottom-up’ institutional influences and focuses new institutional perspective on urban policy analysis at multiple levels (Lowndes, 2009). The extent of local distinctiveness in governance arrangements is related to the degree of autonomy and diversity that higher levels of government will tolerate and at the same time, the impact of higher-level regulation or influence is mediated by the strength of local institutional commitments (Lowndes and Wilson, 2003). Crescenzi and Rodríguez-Pose also recognize making coordination between different policy actions and the reconciliation of top-down and bottom-up development policies as increasingly relevant and necessary (Crescenzi and Rodríguez-Pose, 2011).

UN Habitat states that participation in urban planning can appear in different forms and at different levels. It can be initiated by various actors, including government agencies, politicians, community and others. It appears in various stages in the planning process (identification of needs, preparation of plans and policy formulation, implementation and evaluation). It refers to the various processes of planning and decision-making, including the formulation of broad vision, plans or policies, proposals for specific activities or areas, or periodic allocation of resources through the budget process (UN Habitat, 2009).

According to Lowndes and Wilson, for local authorities, participation initiatives may be managerial (to seek ‘customer’ information), instrumental (to meet statutory requirements), tokenistic (‘window dressing’), or even cynical (to legitimize decisions already taken or divert responsibility for unpopular policies). For citizens participation may relate to the defense (or pursuit) of individual or sectional interests, and may be divisive to the local community as a whole (Lowndes and Wilson, 2001).

Bryson *et al.* point out that participation is sometimes mandated; sometimes it is not mandated and is more bottom-up in nature; sometimes it is a combination of the two. These authors declare that in general, participation should be sought when it is required or when it is the only or most efficacious way of gaining one or more of the following: needed information, political support, legitimacy, or citizenship development (Bryson *et al.*, 2013).

The governance processes differ in the developed European countries and post-socialist countries. Increased accumulation of capital brought new groups of actors into urban development in post-socialist countries. The number of institutions and their

tendency towards networking is growing, but the private investors are the most active. The number of non-governmental organizations, interest groups, social movements is also rising, but with limited role in decision-making on urban policy, planning, development and governance (Taşan-Kok, 2006).

The civil sector in post-socialist countries is often presented in the form of non-governmental organizations (mostly funded by Western countries). Hirt and Stanilov state that the mere presence of such groups does not always reflect a strong civil society (Hirt and Stanilov, 2009).

Nedović-Budić, Tsenkova and Marcuse note that although central governments in post-socialist countries continue to be stakeholders intervening directly, usually to facilitate or obstruct large-scale projects and often with a rigid managerial attitude preserved from the socialist past, such interventions have become scarce. Contrary to state intervention, the local planning regulations became less strict, ad-hoc, driven by the opportunities and corrective mechanisms (Nedović-Budić, Tsenkova and Marcuse, 2006).

3. Objective and methods of research

The basic objective of the research is to explore possible ways of improvement of institutional framework of spatial and urban policy formulation in Serbia in order to make the decision-making process on large-scale retail building more effective and to adequately address the complex problems of this type of building. As neo-institutionalism, which considers institutions as series of formal and informal organizations, rules and procedures that build patterns of behavior within organizations, is the basic theoretical framework of the research, the paper includes the analysis of actors' behavior, rules and procedures.

Methods of research included:

- a. institutional analysis of the current roles of actors in the process of policies formulation related to large scale retail building in Serbia and the problems encountered in the process;
- b. the analysis of policies content (plans, regulations) at different levels of spatial organization that directs the development of large retail stores in Serbia;
- c. the analysis of relationships between different levels of government in decision-making process on large-scale retail building in Serbia, the autonomy of lower levels, horizontal and vertical coordination, procedural problems in the process of policy formulation and large-scale retail building.

4. Analysis of institutional framework in Serbia

4.1. Actors

The planning system in Serbia is set hierarchically. The basic legislation in the field of planning and building in Serbia – Law on Planning and Construction of 2009 states in article 33 that documents of spatial and urban planning must be harmonized so that the document of narrower area must be in accordance with the document of wider

area. Planning documents must be in accordance with the Spatial Plan of Republic of Serbia, and urban plans must be consistent with spatial plans (Zakon o planiranju i izgradnji, 2009).

Given that the planning system in Serbia is set hierarchically, the content of planning policies at lower levels is limited by the content of planning policies at higher levels. Lower levels autonomy in decision-making process is completely restricted by the content of higher levels policies.

But in terms of large-scale retail building and policies related to this area, the planning system in Serbia has certain peculiarities. National policies do not particularly consider large-scale retail building. Although some guidance important for directing large-scale retail building can be found in the Spatial Plan of the Republic of Serbia from 2010 to 2020 (Zakon o prostornom planu Republike Srbije od 2010. do 2020. godine), in different areas (direction of investments within existing urban areas, urban renewal, activation of brownfield sites), there are no clearly defined rules and criteria for large-scale retail building at the national level, and regional and municipal spatial plans in Serbia are not required to develop this theme.

Aside from the lack of rules for large-scale retail building direction at the national level, this theme is not developed at the regional level of planning in Serbia either. The regional level of government in Serbia has not been established, but there is a regional planning level at which the regional spatial plans are prepared. As there is no regional administration, the holder of their preparation is the Republic Agency for Spatial Planning (actor at the national level) and the Provincial Secretariat for Urban Planning, Construction and Environmental Protection (for the autonomous province of Vojvodina, which has some mid-level government responsibilities).

Regional spatial plans in Serbia are made for larger spatial units of administrative, functional, geographical or statistical character, which are directed toward common goals and projects of regional development. These are the documents, taking into account the specific needs arising from regional specificities, that develop goals of spatial order and determine the rational use of space, in accordance with neighboring regions and municipalities (Zakon o planiranju i izgradnji, 2009). Serbia should be covered with 10 regional plans.

Based on the definition established by the Law on Planning and Construction, the regional spatial plans in Serbia could establish guidelines, rules and policies for large-scale retail building, especially considering the neighboring municipalities and regions. However, this is not the practice in Serbia. This is concluded by the analysis of all adopted regional plans in Serbia: The Regional Spatial Plan for the municipalities of South Pomoravlje (*Regionalni prostorni plan opština Južnog pomoravlja*), The Regional Spatial Plan for the administrative districts of Nišava, Toplica and Pirot (*Regionalni prostorni plan za područje Nišavskog, Topličkog i Pirotskog upravnog okruga*), Regional Spatial Plan of the Administrative Area of the City of Belgrade (*Regionalni prostorni plan administrativnog područja grada Beograda*), The Regional Spatial Plan for Zlatibor and Morava administrative districts (*Regionalni prostorni plan Zlatiborskog i Moravičkog*

upravnog okruga), The Regional Spatial Plan for Timočka krajina (*Regionalni prostorni plan Timočke krajine*), The Regional Spatial Plan for the Autonomous Province of Vojvodina (*Regionalni prostorni plan autonomne pokrajine Vojvodine*). None of the analyzed plans contains guidelines for the construction of large trades.

A similar situation is happening at the local level of spatial organization in Serbia as well. The law specifies that the spatial plan of the unit of local self-government that is adopted for the territory of the local self-government sets guidelines for development of activities and land use, and the conditions for sustainable and balanced development for the territory of local self-government (*Zakon o planiranju i izgradnji*, 2009). Spatial plans of the units of local self-government by Law definition could develop guidelines for the construction of large retail stores. However, as in the case of regional spatial plans, this is not the practice in Serbia.

Therefore, the processes of large-scale retail spatial policy formulation and the processes of decision-making on the construction of large retail stores in Serbia, take place at the local level. Policies are defined in general urban plans and plans for the general regulation. Therefore, the key actors involved in the processes of their formulation are the actors involved in the formulation and adoption of these planning documents. So, in contrast to hierarchical tradition of Serbia it can be concluded that there is a high degree of autonomy of local level in the process of formulating policies and decision-making in this area.

The actors involved in retail policy formulation are the authorities responsible for the adoption of the local plan (municipal assembly, the assembly of the city), and local authorities responsible for spatial and urban planning (administration, services, secretariats), public companies or other organizations established by local self-governments to perform spatial and urban planning, as well as other companies that perform these tasks.

The Planning Commission is included to perform professional duties in the process of formulation and implementation of planning documents. The Planning Commission provides expert supervision of the plan concept and the draft plan before exposing it to the public. After public inspection, competent authority or the Planning Commission makes a report with data on public release with all the comments and decisions for each objection (*Zakon o planiranju i izgradnji*, 2009).

Agencies, organizations and public enterprises, which are authorized to establish specific requirements for the protection and physical planning and construction of facilities are included in the plan formulation process (Institute for Cultural Heritage Preservation, Office for Environmental Protection, Public Utilities *et al.*). These actors are formally included in the spatial planning process. They should, upon request of the holder of the plan within 30 days, submit the requested information, without compensation (*Zakon o planiranju i izgradnji*, 2009).

Although large-scale retail policies are formulated at the local level, there is control of higher levels of government. Actors from the higher levels involved in the process of local level plans formulation are the Minister in charge for spatial planning and ur-

ban development, or the competent authority of the Autonomous Province for plans for the territory of the autonomous region, because the general urban plan and the plan for general regulation of the seat of local self-government after public review shall obtain the approval in respect of compliance of these plans with planning documents of the wider area, the Law on Planning and Construction and relevant regulations (Zakon o planiranju i izgradnji, 2009).

Therefore, inclusion of public sector actors in large-scale formulation process is of a rather formal nature. In terms of private sector inclusion, in large-scale retail spatial policy formulation process, there is a lack of active involvement of private sector actors (small retailers, associations, investors, etc.) who can be particularly affected by the construction of large retail stores. Instead, investors are engaged individually in the building process, trying to actualize their building rights and using a legal vacuum in the process of institutional reorganization (Maksić, 2012).

In addition, the role of civil society is very weak in large-scale retail spatial policy formulation process. Citizens are involved in the planning process in the period of public insight. This type of participation is initiated by public governments to meet the legal requirements and is defined by law. There is a lack of their active participation in the process of formulation of spatial and urban policy.

The process of decision-making on large-scale retail building is insufficiently transparent in Serbia. There are examples where citizens protested because of the building in their environment, but these had no effect. Common reason for the citizens' protests was the change of urban plans due to the construction of large retail store, by which the construction of facilities in the public interest had originally been planned (schools, green areas, sports facilities, parking space).

So the inhabitants of the settlement 'Centralna radionica' in the city of Kragujevac have protested two months during the summer of 2009 because of the hyper-market 'Dis commerce' built in the field of residential construction, where according to the General Urban Plan for City of Kragujevac valid until 2015 a school was planned to be built on the part of the site (Kartalović, 2009). A similar example is the example of the construction of the hyper-market 'Super Vero' in Belgrade when several hundred occupants of two skyscrapers in the street 'Vojvode Stepe 251' protested because of change of use of space and the loss of parking spaces for vehicles and green areas due to the planned construction of the mega-market (Lucić, 2008). In both cases, the ability of citizens to influence the decision-making process was limited, and both cases ended with large-scale retail building.

4.2. Rules

In neo-institutional theory, the institutions do not include organizations only, but also the rules, norms and procedures. It is, therefore, very important, in addition to researching the role and relationships among actors, to research the content of policies and the procedures.

We concluded in the previous chapter that spatial policy formulation related to large-scale retail takes place at local level in general urban plans and plans of general

regulation. By the analysis of general urban plans of three biggest towns in Serbia: Belgrade, Niš and Novi Sad, we researched how this issue was developed in Serbia, in what areas the construction of large stores was planned, which locations priority were given to.

According to the General Urban Plan of Belgrade 2021, the construction of large retail stores is allowed in two areas: 'economic activities and economic zones' (which include a wide range of activities such as industry, storage and trade) and 'commercial areas and city centers' (within the zone entrance routes into the city and areas of special business complexes) (Generalni plan Beograda 2021), while in the General Plan of Novi Sad valid until 2021, large-scale retail building is possible in 'business zones' in general city centers, the entry routes into the city and within the work zone (zone for the development of secondary and tertiary activities and mixed-use zone) (Generalni Plan Novog Sada do 2021. godine). According to the General Urban Plan of Niš, the construction of large retail trade is possible within the 'business and working' zone. Within this zone, multiple purposes are given, including the possible development of large stores as predominant use in the following zones: 'business-production-trading' zone and 'business-trading' zone (Generalni urbanistički plan Niša 2025).

While all three plans emphasize the importance of forming retail activity along the transportation corridors of the entrance routes into the city and within work zones, we can notice a great methodological diversity in defining purpose, location and construction criteria for large stores. The reason for this is the lack of rules at national level in this area, which would establish a framework for lower levels of planning (first the regional and then the local level).

The unique methodology and directions from the higher levels would allow mutual comparison of plans during the formation of a unified information base in Serbia. Also, the investment process would be facilitated, as the investors could compare retail sites in different cities by clearly and uniquely defined zones. Guidelines from the higher levels could define commercial infrastructure facilities that would suit a certain range center, as well as directions for location of retail with respect to certain defined parameters (transport accessibility, visual identification, access to less mobile social groups, etc.).

4.3. Procedures

In order to realize large-scale retail investment, the land is the key and initial factor for construction. One of the main problems related to construction in Serbia are complex problems of solving property rights of land. In particular, the process of resolving property issues can last a long time. This process is difficult because of poor records in the land registry (if any) and cadastral, primarily because of the lack of citizens who did not report changes, so it often happens that the property is registered to the ancestors. It happened that the land owners often changed and factual possessors could not be registered as owners or users of the city construction land, because transactions of this land were not permitted.

According to the report 'Doing Business 2013,' made by the International Bank for Reconstruction and Development and The World Bank, which included an analysis of 185 countries in the world, as far as the issuance of construction permits is concerned, Serbia takes the 179th place. To measure the ease of dealing with construction permits, 'Doing Business' records the procedures, time and cost required for a small to medium-size business to obtain all the necessary approvals to build a simple commercial warehouse and connect it to water, sewerage and a fixed telephone line. The case study includes all types of inspections and certificates needed before, during and after the construction of the warehouse (The International Bank for Reconstruction and Development and The World Bank, 2013).

Foreign Investors Council claims that the process of issuing construction permits in Serbia is still not sufficiently transparent, it is lengthy and heavily burdened with bureaucracy. The major problem with respect to the procedure for issuing construction permits is still the fact that the major part of construction land is not covered by a relevant planning document, which is a precondition for the issuing of the location and construction permits. Poor infrastructure and bureaucratic procedures in public utility companies involved in this process are still major problems in construction (Foreign Investors Council, 2013).

In the process of spatial policy formulation, which is considered in the theoretical framework of neo-institutional theory, relationship between different levels of government is very important. In this theory it is considered that the policies are not only formulated by a single actor or activities that are imposed 'from above', but also that interaction between different actors at different levels is very important for their formulation. It is, therefore, very important to research the roles of lower levels and to determine their degree of autonomy in making decisions about retail development.

Considering the content of the rules and policies that direct the development of large stores in Serbia, we concluded that at the national level there are no clearly defined rules and criteria for the construction of large stores, and that regional and municipal spatial plans do not develop this theme. Locations and rules for the construction of large stores are determined at the local level, in general urban plans and plans for the general regulation, so there is a high degree of autonomy of local levels in the process of formulating policies and making decisions in this area.

In the governance processes, horizontal and vertical coordination of policies and actors at different levels is very important (ESPON 2.3.2., 2007). In terms of horizontal and vertical coordination in the processes of governance of spatial development, the Spatial Development Strategy of the Republic of Serbia from 2009 classified Serbia as a country with an insufficient degree of horizontal and vertical coordination (Ministarstvo životne sredine i prostornog planiranja i Republička agencija za prostorno planiranje, 2009).

Law on Planning and Construction from 2009 recognizes the importance of vertical coordination, but it defines it in a 'top-down' one-way. Vertical coordination involves the establishment of links between all levels of spatial and urban planning and

spatial development, from national across regional to local level (Zakon o planiranju i izgradnji, 2009). Although a relationship 'bottom-up' is not formally defined in legislation, there is a practice in Serbia, that lower levels of planning provide input to higher levels of planning in the preparation of plans (examples of making Spatial Plan of the Republic of Serbia, regional spatial plans, spatial plans for special purposes). Especially in the field of large-scale retail building, as national level framework has not been formulated and regional spatial plans do not develop this theme, vertical coordination is not established.

In terms of connecting spatial policy related to large-scale retail in Serbia with relevant sector policy, we considered connection with transport policy and environmental policy. Since the construction of large retail stores attracts large number of customers and produces increased traffic, the issue of connection between large-scale retail policy and transport policy is very important. This is achieved in Serbia through spatial planning system. Spatial planning is institutionalized at the national, regional and local level with binding effects of higher levels to lower levels of spatial development and transport policies are integrated into spatial plans at all levels. Vertical connection of transport policy with spatial policy from national to local level is achieved in this way. Nevertheless, for individual large-scale retail building proposals which generate large amounts of traffic, there are no obligations defined by law for investors to make traffic impact assessment studies, so it is not the practice in Serbia for such studies to be formulated.

Environmental policies are very important in directing the construction of large retail stores. Serbia is required, in accordance to the Environmental Impact Assessment (EIA Directive) and Strategic Environmental Assessment (SEA Directive), to consider impacts of certain construction projects (plans and programs respectively) on the environment. Environmental policies have been integrated into the process of formulating plans in Serbia. Strategic assessment is carried out for plans, programs and strategies in spatial and urban planning (Zakon o strateškoj proceni uticaja na životnu sredinu, 2004).

In the assessment of environmental impact of individual construction projects, retail projects belong to List II – list of projects for which the impact assessment may be required. If the total floor area is between 1.000 m² and 4.000 m², possible impact of project construction is estimated, and if the total usable area of 4,000 m² or more significant impact is estimated (Uredba o utvrđivanju Liste projekata za koje je potrebna procena uticaja i Liste projekata za koje se može zahtevati procena uticaja, 2005).

So, environmental impact assessment is not obligatory for retail projects in Serbia, regardless of their size. Cities, in order to attract investments, usually do not estimate environmental impacts of this type of activity.

We evaluate horizontal coordination in spatial policy formulation process and decision making related to the construction of large stores in Serbia as very low. The construction of large retail stores in Serbia takes place within the administrative boundaries, without assessing the impact these facilities could have on neighboring municipi-

palties (especially if they are building near their administrative boundaries). Also, the impacts of the construction of such facilities could have on neighboring settlements within the same administrative boundaries (municipalities, cities) are not estimated.

5. Results summary

The basic objective of the research was to explore possible ways of improvement of institutional framework of spatial and urban policy formulation in Serbia in order to make the decision-making process on large-scale retail building more effective and to adequately address the complex problems of this type of building. As neo-institutionalism, which considers institutions as series of formal and informal organizations, rules and procedures that build patterns of behavior within organizations, is the basic theoretical framework of the research, the paper included the analysis of actors' behavior, rules and procedures.

The analysis of institutional framework showed that institutional arrangements in this area are underdeveloped. In terms of public sector's actor participation in the process of developing these policies, actors from the local level are included, because the policies related to large-scale retail building are formulated in local plans. The inclusion of public sector at the regional level of government is missing (regional authorities, regional planning agencies), since this level of government is not formed in Serbia. In addition, there is a lack of active involvement of private sector actors (retailers, associations, investors, etc.) who can be particularly affected by the construction of large stores. In particular, the role of civil society is very weak in this process. The citizens are involved in the planning process in the period of public insight and there is a lack of their active participation. Even in the cases when citizens had the initiatives, their ability to influence the decision-making process was limited.

The analysis of legislative framework in Serbia showed the lack of national policies in this area, criteria and rules for the location and construction of large retail stores. Some directions through the Spatial Plan of Republic of Serbia in other areas do not bound the regional spatial plans and spatial plans of units of local self-governments to develop policies for large-scale retail. Locations and rules for large-scale retail building in Serbia are determined on the local level in general urban plans and plans of the general regulation. These plans do not consider the impacts of building large retail stores on neighboring towns and neighboring municipalities, and they are very different from each other, in terms of defining zones and rules for large-scale retail, because there are no defined rules at the national level.

The analysis of procedural framework in Serbia showed insufficient degree of horizontal and vertical coordination of different levels and policies in Serbia. In the field of large-scale retail building, as national level framework has not been formulated and regional spatial plans do not develop this theme, vertical coordination is not established. Horizontal coordination is evaluated as very low. The construction of large stores in Serbia takes place within the administrative boundaries, without assessing the impacts these facilities could have on neighboring municipalities (especially if

they are building near their administrative boundaries). Also, possible impacts of the construction of such facilities on neighboring settlements within the same administrative boundaries (municipalities, cities) are not estimated.

6. Conclusions

The analysis of the process of formulation of spatial and urban policy related to large-scale retail building in Serbia showed that the system has not proven effective in addressing the problem of building large retail stores. Underdeveloped institutional arrangements in this area, the lack of active participation of stakeholders, especially civil society in addressing the problem of building large stores, the lack of national policies in this area and the criteria for the location of large stores, nonexistence of vertical and weak horizontal coordination in governance processes related to large-scale retail spatial policy formulation have shown that there are possibilities for improvement of the institutional framework of spatial and urban policy formulation in Serbia.

Since the decision-making process of large-scale retail building is complex and related with different problems of economic, environmental and social nature, in order to build a more efficient decision-making and policy formulation in this area it is necessary to actively involve all relevant actors from public, private and civil sectors.

This could be achieved in Serbia by establishing various institutional arrangements in this area, both formal and informal. It is possible to create different advisory agencies, the agencies for discussion, to deal with security of consensus between different interests. Forums, conferences involving different stakeholders (investors, experts) in which problems would be discussed, as well as locations for large-scale retail shops, could be organized. Since large-scale retail produces significant effects, sometimes to neighboring municipalities, it is necessary to encourage inter-municipal cooperation in this field.

The location of large retail stores, given the numerous and complex effects in the urban structure, cannot be left to specific, individual plans at the local level (as is the case in Serbia nowadays), but it is necessary to develop different aspects of the problem at different levels of spatial organization under various laws, regulations, policies and measures. In order to adequately address the complex problems of large retail building, it is necessary to develop precise regulation and different aspects of this problem at all levels of spatial organization. The national level should play a key role in this process by setting the framework of laws, regulations, policies and measures and definition of general criteria for the planning and construction of large retail stores. Also, it is necessary to develop regional instruments for large-scale retail direction. Through the regional planning level, these policies could be implemented at the local level.

In addition to precise elaboration of policies at all levels of spatial organization, it is also necessary to specify sector policies. In the environmental protection policy area we propose a detailed analysis of this type of construction on the environment and the introduction of mandatory assessment of environmental impacts if construction

projects area exceeds a certain number. In terms of transport policy, we propose the introduction of law obligation for formulation of traffic and transport study, when issuing a permit for individual retail construction projects whose area exceeds a certain number.

The strength of existing institutional framework in Serbia is legal framework and institutionalized spatial planning at all levels of spatial organization. The existing legislative framework (Law on Planning and Construction, regulations), as well as spatial plans at all levels of spatial organization, can be used to elaborate large-scale retail building policies. Furthermore, the existing institutional arrangements can be used for direction of this type of construction.

On the other hand, threats in the institutional reform related to large-scale retail building process could be: the unfinished land reform process, the lack of market of construction land, incomplete information base about space, the time consuming process of issuing building permits, complex problem of solving property issues of land and frequent changes in planning legislation. As Lazarević Bajec points out in order to connect the changes of planning system of Serbia to the basic characteristics of the market-oriented and democratic system at all, it is first of all primarily necessary to define the basic institutions of that system: the market, the private ownership and the rule of law (Lazarević Bajec, 2009).

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