

## METROPOLISES - THE CONTEMPORARY CHALLENGE TO LOCAL GOVERNMENTS / Monika Augustyniak

prof. KAAFM dr hab. Monika  
Augustyniak  
Andrzej Frycz Modrzewski Krakow  
University, Faculty of Law  
Gustawa Herlinga-Grudzińskiego 1,  
30-705 Kraków, Poland.  
monikaaugustyniak1@gmail.com  
ORCID: 0000-0001-6196-1989

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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 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.*

**Key words:** *Metropolisation; Metropolitan Governance; Inter-Communal Cooperation; the Draft Metropolitan Coherence Pact; the Metropolitan Area*

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### 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 (Dolnicki, 2014, p. 5). However, the issue of a metropolitan area system remains unresolved.

The essential territorial organisation of the state in the Polish legal system includes communes, districts, and voivodeships (Augustyniak, 2014, p. 16). 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 (Marcovici 2019). 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 (Izdebski, 2021, p. 7), 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 SILESIA VOIVODESHIP: A NORMATIVE CONTEXT

The Act of 9 March 2017 on Metropolitan Union in the Silesian Voivodeship<sup>1</sup> 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 July 2017 based on the Regulation of the Council of Ministers.<sup>2</sup> 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 within the meaning of the constitutional acts of local governments. Even the correct application of the regulations to inter-commune, district, or commune-district unions is inadmissible in this case. Therefore, it is a new institution within 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, p. 265). However, it should be noted 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

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<sup>1</sup> 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".

<sup>2</sup> Cf. § 1 of the Regulation of the Council of Ministers on the Creation of a Metropolitan Union in the Silesian Voivodeship under the name 'The Upper Silesia - Zagłębie Metropolis' of 26 June 2017 (Journal of Laws of 2017, point 1290).

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 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 metropolitan union development policies, the union's statute, framework studies on 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 within the union composed of at least three members, none of whom is the chairman or the vice-chairman of the general meeting. Those regulations are in line with the provisions laid down in this regard in the constitutional acts of local governments.<sup>3</sup> The tasks of the review panel include assessing the implementation of the metropolitan union's budget and requesting the general meeting to either grant or deny discharge to the board. The discharge proposal is subject to the assessment of the Regional Chamber of Audit. Failing to adopt the resolution regarding the discharge to the board results in the adoption of the resolution denying that discharge which is equivalent to requesting a dismissal of the board, unless the board has already been dismissed for another reason at the end of a financial year.

The union's general meeting is composed of deputies from communes within the metropolitan union, one from each commune. By law, the deputies may either be the communes' executive authorities or their proxies. Consequently, the composition of the meeting may vary because the local major (*wójt*) has the authority to replace the proxy representing a particular commune within the union at any time.

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<sup>3</sup> This involves three Acts: the Act of 8 March 1990 on Commune Self-government (consolidated text Journal of Laws of 2023, item 40, as amended); the Act of 5 June 1998 on District Self-government (consolidated text Journal of Laws of 2022, item 1526, as amended); the Act of 5 June 1998 on Voivodeship Self-government (consolidated text Journal of Laws of 2022, item 2094, as amended).

In areas not specifically regulated in terms of the functioning and organisation of the body constituting the union, the legislator requires the application of regulations regarding voivodeship councils.<sup>4</sup>

The union's executive body is composed of five members, including the board chairman, chosen by the general meeting by secret ballot. The board chairman is the first to be chosen, 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 concurrently held with the membership in a body of a local government unit, serving as an executive body in a particular commune or its deputy, holding the office of a voivode or vice-voivode or holding a mandate as a member of parliament or a senator.

The board performs the tasks of a metropolitan union that are not reserved for the general meeting. These tasks include, in particular, 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, makes 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. Resolutions are adopted by open ballot unless the Act states otherwise.

The rules and 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 are specified in organisational rules adopted by the board.

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, consists of satisfying the basic needs of the inhabitants by means of publicly available benefits. The latter, which are performed by the voivodeship, concentrate more on organising and ensuring 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 cause the tasks of particular communes to overlap and form common metropolitan tasks, which should be performed by all the communes (Augustyniak, Dolnicki and Marchaj, 2023).

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, coordinating, integrating, and developing public collective transport, including road, railway, and other rail-guided transport, as well as sustainable urban mobility (Misiejko, 2017);
- metropolitan passenger transport;

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<sup>4</sup> 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 in the Journal of Laws of 2022, item 2094, as amended.).

- cooperating in the determination of national and voivodeship routing in the area of the metropolitan union;
- promoting the metropolitan union and its area. (cf. Art. 12 of the Act on Metropolitan Union).<sup>5</sup>

Moreover, the metropolitan union can perform public service tasks belonging to the scope of local government units' activities, or coordinate the performance of those tasks through an agreement with a local government unit or an association of local government units. This regulation introduces a new formula for union task performance. The legislator also provides for the possibility that public service tasks falling within the scope of state government administration's activities are carried out by the union through an agreement with a state government body.

### 3. METROPOLISES IN FRANCE: A NORMATIVE CONTEXT

The legal status of self-government communities in France is primarily regulated by the provisions of the Constitution of the French Republic<sup>6</sup> and the General Code of Territorial Communities (*Code général des collectivités territoriales* - CGCT<sup>7</sup>). 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, involving 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 carrying out 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*<sup>8</sup>;
2. metropolitan areas - *le pôle métropolitain*;
3. territorial and rural balance centres - *pôle d'équilibre territorial et rural* (Luchoire, 2016, p. 11).<sup>9</sup>

The idea of a metropolis emerged in France at the beginning of the 1960s, and the normative establishment of agglomerative communities took place on the basis of the

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<sup>5</sup> Cf. Judgement of the Regional Administrative Court of Gliwice of 13 May 2019, III SA/GI 226/19, Legalis no. 1943614.

<sup>6</sup> The Constitution of the French Republic of 4 October 1958 (Constitution du 4 octobre 1958 (JORF n° 0238 du 5 octobre 1958, page 9151)).

<sup>7</sup> CGCT – source: <https://www.legifrance.gouv.fr>. (accessed on 03.07.2021).

<sup>8</sup> Among the metropolises, two 'euro-metropolises' stand out: 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, p. 418).

<sup>9</sup> The territorial and rural balance centres are tools of collaboration between EPCs 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 through an agreement between several EPCs.

Act of 31 December 1966, as a herald of contemporary metropolises.<sup>10</sup> The organisation and functioning of 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*<sup>11</sup>) 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).<sup>12</sup> In relation to the reforms of the local government, the institution of a metropolis in the French Republic began to experience a renaissance, resulting in a constantly increasing number of metropolises and metropolitan areas performing supra-local tasks. According to 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 to strengthen the Republic's territories through actions supporting the economic revival of the state. Since January 2019, the French Republic has established 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 Lyon, Marseille, and Grand Paris metropolises, this article will only discuss the constitutional and legal elements of these three metropolises.

### 3.1 The Lyon Metropolis

Among the French metropolises, the Lyon Metropolis (Métropole de Lyon) stands out as 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 to replace the Lyon urban community (Grand Lyon), within its territorial borders, and the department of Rhône (Augustyniak, 2017, p. 76).

It should be emphasised that, despite its name, it does not constitute a typical metropolis within the meaning of the Act of 16.12.2010 and 27.01.2014, and it does not fall under the public units of intercommunal cooperation (EPCIs). Except for this metropolitan area, the department continues to exercise its competences. This community encompasses 59 communes and has about 1.3 million inhabitants. Its basic activities include promoting innovation and strengthening economic dynamics in the area of the Metropolis, undertaking actions supporting sustainable development of the

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<sup>10</sup> 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>, accessed on 09.06.2023).

<sup>11</sup> 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, accessed on 09.06.2023).

<sup>12</sup> 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>, accessed on 09.06.2023).

The Act of 27.01.2014 (La loi MAPTAM du 27 janvier 2014) accentuated the role of the city as the leader in facilitating collaboration among 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 see Auber and Cervell, 2015, p. 47).

community and improving the quality of life of its inhabitants. The Metropolis aims to ensure 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, p. 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 through 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 is composed of 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 on the matters within its competence. It is composed of 165 members, representing 59 communes within the Lyon Metropolis, and is convened by the chairman no less frequently than once every quarter. The council's chairman is elected by secret ballot requiring an absolute majority vote from the members of the Metropolis Council. His/her tasks include organising the council's work and conducting meetings, implementing the council's resolutions and those of the standing committee (*commission permanente*), managing expenditures and implementing the budget.

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 serves as the body for the cooperation between the Metropolis Council and the communes within 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 within its area. It is a framework document regarding the coordination of metropolitan actions, specifying the strategy for transferring powers from the Lyon Metropolis to the communes within its territory, based on the provisions of Art. 1111-8 CGCT. Under the same conditions, the strategy for delegating particular competences from the communes to the Lyon Metropolis is proposed. The Metropolitan Cohesion Pact is subsequently adopted by the Council of the Lyon Metropolis following 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 following 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, a

metropolitan area is established as a public institution through an agreement among public institutions engaged in 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 that enables the pooling of resources in order to facilitate the development of common projects, initiated by the founding agglomerations. It allows these agglomerations to associate with due regard for each agglomeration's autonomy and decision-making (Verpeaux and Janicot, 2015, p. 430).

### 3.2 *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 rules for the functioning 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 presides over 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 pertain to 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 any matter that 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 range of competences of the Aix-Marseille-Provence Metropolis is significantly broader than that of the other French metropolises (Faure, 2016, p. 423).

### 3.3 *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 aimed at improving the living environment of its inhabitants, reducing inequalities among the territories it incorporates, and developing 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, placement, maintenance, and exploitation of main cultural and sports facilities of international or national significance; 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 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 and Cerville, 2015, p. 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 exercising 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 address 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, air quality improvement, 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 is appointed per commune. 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 board meetings, establishing the order of business and implementing the Council's resolutions. Additionally, 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*), responsible for specifying strategies and main directions for the metropolis. It is a body that deliberates on matters assigned to it by the Council. The Office is made up of the Metropolis Chairman, who leads its activities, and 20 vice-chairmen and 10 deputy members representing all the political parties. The tasks of the Office include preparing the agenda for the Metropolis Council meeting and its projects to be voted upon.

#### 4. CONCLUSION

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

Metropolitan areas create a highly complex structure that 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 'densification' of the central area as a result of increasing economic turnover and the number of jobs. The scale and significance 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 structure of its kind in France. It could become a model for the territorial organisation of 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 were 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 aimed to create 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.

The 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-governing 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 functional level, because they are self-governing

structures that respond to the expectations of the inhabitants of contemporary self-governing communities.

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