

First AID for Area Development



What the Area Improvement District is, how it creates collective value and why it changes the paradigm on urban governance

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Abstract

The conditions that determine when and why individuals can be forced to contribute to collective services are part of an ongoing debate in the spatial planning and urban governance domain. In this thesis the problem of and a solution to free-ridership in area developments with existing property owners alongside incoming real estate developers, where private and societal actors want to invest in adding extra quality to the area through collective services or amenities, is discussed. The goal of the research is to design an instrument that helps private and societal parties in achieving this addition of extra quality, whilst at the same time giving public parties the handles to deal with these processes. This instrument is called the Area Improvement District, or AID. The research consists out of a literature review and case studies. These techniques yield a theoretical framework, empirical insights and legislative proposition. The results have been synthesised in a proposal law for the AID, based on extension of the existing Dutch BIZ law. The instrument now seems predominantly applicable in the exploitation phase, as there is a lack of knowledge with regards to what investments in collective services result in increased real estate value. However, once more knowledge is acquired regarding this, the instrument could add significantly more quality to both new and existing areas.

Key words

Area improvement district, area development, free-rider, collective services, collective amenities, urban planning instrument, urban governance

Colophon

First AID for Area Development

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Preface

This thesis has been written as a part of and an end to my Master of Science in Architecture, Urbanism and Building Sciences programme at Delft University of Technology. I have executed this research under the Urban Development Management section of the track Management in the Built Environment. The thesis has been written over the course of approximately 14 months. Work on this thesis began in September 2019, with the start of topic definition and first forays into literature review, and has ended in October 2020, with the finished product and disseminating presentation.

I have chosen this topic as the result of a job opportunity. The job entailed the support of a research into experimentation with the instrument GebiedsInvesteringsZone, in this thesis translated to Area Improvement District. The topic allowed me to understand more of the relationship between finance, economics, law and governance on an area scale. These are themes which had interested me during the master's programme.

The target groups I have in mind for this thesis are academics, the public sector, the private sector and societal parties. However, this may come across as quite broad: in a sense, these are most of the actors present in the area development arena. This is due to, what I believe, the possible profound nature of the research. Considering possible implementation, the impact the instrument may have on area development could be significant. However, it must be kept in mind that there is much unknown and that this potential does not equate to actual outcome.

Through the course of this research, many conversations have been had regarding the topic and affiliate material. It has been hard to narrow down the focus and remain within the scope of the research, as the topic has clear ties to other fields. Therefore, this thesis could not have been finished without the support of some people. Firstly, there are my parents, who have unwaveringly supported me during this and earlier endeavours. Secondly, there are my university mentors Tom Daamen and Fred Hobma, who I would like to thank for their critical questions, reflections and suggestions regarding the research. I would also like to thank Hans Karssenberg as my graduation internship mentor from STIPO, who has been enthusiastically supporting me regarding the research and has made me feel welcome within the company. I would like to thank Damo Holt and Theo Stauttner, for the moments I had to discuss my research findings and dissemination into a wider audience. Arjen Schep I would like to thank for his contributions on the local taxes part of the thesis and experience with the BIZ. Finally, I would like to thank the interviewees for making the time and putting in the effort to provide their extensive opinion concerning their areas.

Executive summary

The practice of Dutch area development is changing. Conditions, like climate change or the housing crisis, are redefining the goals, like climate adapted areas or more housing, that recalibrate player strategies, like more cooperation with energy companies or renegotiation with public parties for more housing.

In this changing practice, it has become apparent that private and societal parties at times are more ambitious regarding the services provided to an area than public parties. However, in providing these services, the private and societal initiators sometimes encounter resistance in cooperation. Because of this the plan becomes unfeasible. In order to combat this, the idea of the Area Improvement District has emerged. This is a legal instrument that can be used to force some parties to contribute, if certain conditions are met. Examples of these conditions are the percentage of parties in favour for provision of these collective services and limitations to what can be executed using the Area Improvement District. The goal of this research is twofold: on the one hand, it is researched whether there is need for the Area Improvement District and what that need looks like, on the other hand, the Area Improvement District itself is designed. This is embodied in the main research question: “What can the Dutch Area Improvement District look like and how can it work?”. Three research subquestions are posed to formulate parts of the answer to the main research question. These are: “What can the Dutch Area Improvement District look like?”, “Why would private actors be willing to participate in the Dutch Area Improvement District?” and “How can public actors facilitate private actors in the Dutch Area Improvement District?”.

The research is conducted through a literature review and serial case studies. The literature review is the basis of the research and the focus lies on the legal shortcomings, benefits and player behaviour. The serial case studies are conducted by consulting experts to select possible Area Improvement District candidates, doing desk research for background information and interviewing different types of parties in the area. Cases in different locations are investigated as the proposed legal instrument should be nationally applicable. The findings from the literature review and case studies are then compared and used as input to write a proposal for the Area Improvement District legislation.

The proposal has amounted to a modification of an already existing legal instrument, the *BedrijvenInvesteringsZone*. The main differences are made with regards to voting, tariffs, long-term, contribution, pre-financing and fiscal compensation. The basis of the new instrument is that different parties can submit a plan for the collective services to the municipality. If this plan is in accordance with the law, the municipality will then perform a support base measurement. This tests whether the proposed plan has enough support amongst the different types of parties in the area. If the plan passes this test, the area will become an Area Improvement District. The parties will then have to form either a foundation or an association, that will be responsible for the execution of the proposed plan. The main difference between these organisational shapes is decision making, where the decisions of the association have to be ratified by its members. The municipality will then collect an extra levy from all parties in the area and gift this, as a subsidy, to the Area Improvement District organisation to be used for the execution of the plan. If the plan consists out of long-term collective services, the organisation can apply for a loan to the *Bank Nederlandse Gemeenten*. The contribution will then be used to pay back this loan.

Private parties seem to be willing to take part in the AID as there is an investment opportunity, a willingness to invest, a preparedness to organise this and a possibility to advocate favourable policies. However, it is unknown what collective services will result in real estate value and what size this added real estate value is expected to be. This impedes the feasibility of the instrument, especially in the development phase.

Public parties seem to be willing to facilitate the AID as this provides them with the opportunity to have a conversational partner for the area. This allows them to better calibrate public policy. They can take four main roles towards this: facilitating the instatement, connecting interests in the area, showing flexibility with planning documents and steering on cooperation between the private and societal parties.

The Dutch Area Improvement District seems a promising instrument for adding extra quality to areas through the provision of collective services. However, there are a number of caveats that are relevant to mention. There is currently not much knowledge as to what collective services would provide added real estate value and what size this real estate value is. It is also unknown whether area organisations are the right vehicle for organising this value creation. Moreover, the budget (end-)users would be willing to spend towards this extra quality is unknown.

Hence, it is suggested that these affairs are further researched. A mixed-methods study could be conducted to see what locational value factors yield what real estate value increase, by qualitatively defining those factors and quantitatively measuring their impact. A quantitative study can be done to understand whether area organisation enhance real estate value. A mixed-methods study into (end-)users' budget can provide insight into what extra quality they are prepared to pay for, by qualitatively defining those qualities and quantitatively measuring them.

Furthermore, a number of insights came to light in the research. There are differences between the real estate parties. On an intertypological level, real estate parties differ. Some of them are developers, others developing investors or sole investors. This affects their approach to the instrument, as their time horizons differ. Paramount to investing in area quality would be the opportunity to also capitalize on this, for which a longer time horizon generally is more suitable. This poses a problem for developers. On an intratypological level, the objectives of developers can differ: some feel more societal responsibility, others merely aim to achieve a high return for their shareholders. Similar distinctions can be made for the developing investors and sole investors.

Because there is a lack of knowledge regarding what (end-)users may want, it is difficult for developers to take these wishes into account during development. Therefore, it seems that the AID can be applied best in the exploitation phase only at this moment. This has two advantages: experimentation with the instrument can show if it works in this phase and there will be some time to conduct the research needed to make the instrument more feasible in the development phase.

The tariff for contributions is differentiated on the basis of the capacity and profit principles. This is done as the different parties vary in these aspects and it can, therefore, not be expected that they all pay the same. The majority of funds is expected to come from real estate companies, as they stand the most to gain. However, developers will be mostly gone in the exploitation phase, possibly limiting the collectable contributions.

The use of the plinth as a revenue model has become strained. It seems difficult to find suitable tenants to fill the plinth, but good plinths have a distinct positive effect on the area. There are some real estate companies that are now shifting their focus: rather than asking normal rental prices for plinth space, they ask lower prices to fill them with good quality tenants. This has a positive effect on the area and increases value for the offices or residences above. This increase in value may be more profitable than the decrease in rental prices. Further research can indicate whether this holds true.

The time may not be right for implementation of the instrument. It is a complicated niche of the sector. The urgency for implementing it cannot be confirmed for certain, though there are cases where it could come in handy. Also, there are currently other topics that require attention: COVID-19, climate change and housing crises are examples of this. However, experimentation can help develop the instrument. That would make it ready and available when it is needed. Also, the instrument could possibly be used to aid in the aforementioned topics, increasing the likelihood of implementation significantly.

The instrument may be symptomatic to a change in the paradigm of urban governance. Currently, there are three general ways of area development: public-led, private-led or a public-private partnership. The Area Improvement District is different: it is a form of publicly sanctioned, private urban governance. In the concession model, public parties concede parts of their responsibility to private actors. This is different to the sanctioned model, where public parties lend part of the public law possibilities to private actors to provide for services public parties are not responsible for providing. If this indeed is a new form of urban governance, instruments like the BedrijvenInvesteringsZone can be marked as part of this urban governance domain.

In conclusion, it is difficult to claim with certainty that the Area Improvement District has to be implemented. The context of area development and urban governance is changing and the effect of this is difficult to predict. The research has resulted in a number of insights that either negatively or positively affect feasibility of the Area Improvement District. However, it seems that there is need for a new instrument that can help solve the challenges emerging from the context change. Hence, it is recommended to start experimentation with the Area Improvement District for the exploitation phase. In a later stage, this can be expanded to the development phase. The instrument seems to show great promise and the possible upside by either implementation of the instrument itself or further knowledge gained through spin-off insights is too large to not investigate further.

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Glossary

Financial instrument	All stand-alone, specific ways of financing that can be used as a singular intervention in area development (after: Heurkens, 2020)
Financial arrangement	A set of terms and conditions, that functions as an overarching construction, using multiple instruments, often alongside legal, financial and organisational principles (after: Heurkens, 2020)
Public actors	Any governmental organisation, such as municipalities, provinces, or independent institutions
Private actors	Any commercial organisation, such as real estate developers, investors or businesses
Societal actors	Any societal organisation, such as residents, non-profits and social housing associations
Public services	Services provided by public actors that come to the good of the public, such as sewage, street cleaning and maintenance
Collective services	Public services, but provided by private, societal, or private and societal actors
Mono-functional area	Area of which use is predominantly constituted by a certain type or sector, such as a residential neighbourhood, harbour or offices park
Mixed-use area	Area of which use is not dominated by a certain type or sector, but by a mix of several. This can be vertical, such as city centres with shops in the plinths and offices or housing above, but also horizontal, when different functions are spread throughout the area
16H liveliness	Liveliness with which is meant that the area generally functions as a working area during the day and that it has some services or amenities that can be used in the evening, such as a restaurant, but that general liveliness tends to end at approximately 23:00.
24H liveliness	Liveliness with which is meant that the area has the suitable services or amenities to be active during the entire day, starting with work during daytime, leisure during the evening and nightlife amenities during the night.

An aerial photograph of a university campus, showing several large, modern, multi-story buildings with horizontal window patterns. The buildings are interspersed with green spaces, trees, and parking lots. In the background, a city skyline is visible under a clear sky. A large white rectangular box is superimposed over the center of the image, containing the title and introductory text.

1. Introduction

In this part, the research is introduced. Firstly, the context of the research is described. Secondly, the problem statement is elaborated on. Thirdly, the questions are discussed. Fourthly, the relevance of the research is talked over.



*Chapter 1 Figure: Bijlmermeer, a typical reconstruction area
(Rijksdienst voor het Cultureel Erfgoed)*

1.1 Context

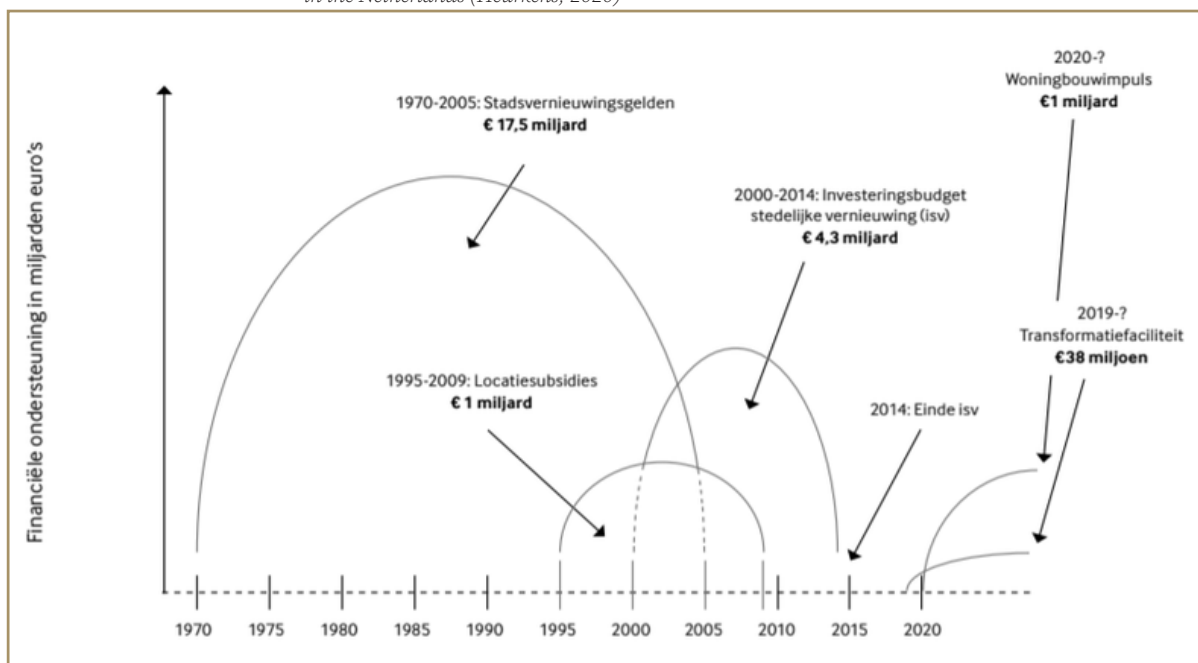
The context of area development can be discussed at different moments in time. For instance, one can argue that the first Woningwet in 1901 could be seen as the beginning of the practice. On the other hand, the waterboards that embarked on what is called the Great Exploitation in the 10th to 13th century can be viewed as the beginning of the practice. During this time, the landscape of the ‘Green Heart’ of the Netherlands was cultivated. However, the context of area development relevant to this research begins shortly after World War 2. A sizeable part of the built environment in the Netherlands was devastated, resulting in housing shortages. To combat this, large scale housing projects were undertaken. The governance from this starting point was predominantly on a national basis. To aid local and provincial authorities in achieving their area development goals, large capital injections were made from the national government. This practice has continued up to now, however, those capital injections have been decreasing in size (Figure 1). This makes new area developments more difficult, as deficits in their business cases could formerly be filled up by national capital injections.

Apart from the resources available for these area developments, attention should also be paid to the change in area development practice over time. This has to do with two aspects: the type of area that is developed and the outcome of area developments.

In earlier days, expansion within municipal boundaries was common. Greenfield development was commonplace (Weeda, 2018). However, this is not only restricted to city expansions, but also to inner-city developments: the general approach was to clean up the area and build completely anew. This approach is now shifting, as attention becomes more focused on inner-city areas in favour of city expansion. Also, there is now more attention to transforming an area in a way that keeps (parts of) the original character of that area. This last point links with the demands for the outcome of area development: whereas areas were developed more mono-functional in earlier days, the goal is now to have more mixed-use areas. The combination of both of these aspects results in areas where only part of the area is developed, but also part remains existing.

One of the issues with these changes is that there is need for financial arrangements and instruments that can be well applied in these new circumstances. With the decrease of national capital injections, the idea came to rise that spatial planning and urban development should become more decentral. However, this poses problems with the way the current financing of area developments is done: local and provincial authorities or waterboards have opportunities to reimburse themselves for costs they make. However, when area development projects are in danger of stalling because investments need to be made, there is little possibility for a national capital injection.

Figure 1: Timeline of public financial support of urban development in the Netherlands (Heurkens, 2020)



Apart from the possibility to use a national capital injection, research by the Centraal Plan Bureau (2019) has also found that these injections are often either too large or too small and make it difficult to adequately weigh costs and gains in area development business cases.

Aside the previous described evolution of area development, the constraints in area development are becoming different. A few examples of these are the current 'nitrogen crisis' as a result from nitrogen regulations (NOS, 2019), the obliged energylabel C in 2023 and A in 2030 for offices (Arnoldussen et al., 2016) and the renewed policy for skyscraper height in Rotterdam (Beerda, 2019). All of these affect the possibilities present in area development projects.

Apart from the changing conditions for area developments, the goals for these developments are also changing. Friso de Zeeuw (2018) mentions these in his book "Zó werkt gebiedsontwikkeling", identifying six themes.

Firstly, there is climate adaptation. On the one hand, urbanisation is calling for densification of area development. On the other hand, climate adaptation calls for more urban greenery. De Zeeuw calls this a value-conflict, indicating the problem of either adding urban greenery or real estate. Another pressing issue is the containment of water in area development (Brown et al., 2009).

Secondly, there is the energy transition. Energy production needs to become more sustainable. Using residual heat from power plants in the form of heat networks to provide the heating demands of homes is increasingly important in trying to combat climate change. Furthermore, electrification of appliances and installations will lead to less dependency on natural resources, but does require the necessary infrastructure. Lastly, one of the biggest challenges is making the existing building stock more sustainable in use.

Thirdly, de Zeeuw discusses the need for adding housing to the existing real estate stock. The Netherlands is currently facing a large challenge: by 2030, 930.000 new homes have to be built (ABF Research, 2019). Considering area development, he points to the organisational and financial challenges. In particular, the business case of some urban area redevelopment projects can, at this moment, not be closed.

The fourth theme is mobility. De Zeeuw states that urbanisation and mobility are not yet integrated enough at this moment. The densification of areas requires new or expanded mobility solutions, such as more or higher frequency modes of public transportation. 'Smart mobility' is a system where emerging technologies, such as automated vehicles, peer-to-peer sharing applications and collective mobility revolutionise individual and collective mobility (Docherty et al, 2018). The effect smart mobility might have on mobility in general is unknown and can also affect the way urbanisation and area development will evolve.

The strengthening of urban economies is the fifth theme de Zeeuw addresses. This has primarily to do with the transformation of inner-city shopping areas, strengthening regional economic clusters and redeveloping mono-functional industrial areas to mixed-use areas.

As the last and sixth theme, de Zeeuw presents the vitality of rural areas. At the moment the country is increasingly sinking due to subsidence. Also, there is need to enforce nature in areas that are under pressure of urbanisation.

Last but not least, the players present in these areas are changing. This has to do with the changing conditions and goals, as strategies for private, as well as public and societal parties are changing to cope with those conditions. This has led to a more proactive attitude of private actors (Nozeman, 2017).

This was also underscored in two expert meetings organised by Stichting Kennis Gebiedsontwikkeling (English: Foundation Knowledge Area Development). In Expertmeeting 2 Erwin Heurkens, associate professor in Urban Development Management at the TU Delft, discussed the changing roles in his presentation concerning the roles of private actors (SKG, 2019b). In Expertmeeting 3 market parties signalled that they also have to proactively deal as more of them is expected because of climate change (SKG, 2019c).

Summarising, the context of area development is marked by three affairs:

1. Changing conditions
2. Changing goals
3. Changing players

These three affairs interrelate, as for instance private actors are changing their attitude to sustainable solutions (changing players) due to climate change (changing conditions) to achieve climate adapted areas (changing goals). The context of area development has been described in this section to better situate the problem that occurs and make it understandable why it is a problem that needs solving.

Turning back to the Dutch area development practice, the above indicates that the practice is currently in transition. There are two ways this transition may go: either the practice reverts back to earlier days, when nationally available budgets could help catalyse area development projects, or new sets of financial instruments and arrangements are added to the toolkit of parties active in area development, that are better adapted to the new situation.

This research explores one of the financial arrangements that follows the second choice, i.e.: a new financial arrangement that should help parties active in area development to achieve their needs in that development. This instrument is named the GebiedsInvesteringsZone in Dutch. The term Area Improvement District is introduced in this thesis as a means to provide an English definition. This financial arrangement should provide parties with a financial, legal and governance framework to achieve their ambitions in. A final comment should be made with regards to the name of the instrument: technically speaking, this arrangement is an Area Development Improvement District (NL: GebiedsontwikkelingsInvesteringsZone), as the idea is that the district will improve the area development. Whenever the term Area Improvement District, GebiedsInvesteringsZone, AID or GIZ is used, this understanding of the financial arrangement is meant.

1.2 Problem statement

This section of the thesis discusses the problem that is addressed in the research. Firstly, an introduction is given to the problem. Secondly, the concurring research is elaborated on. Thirdly, the solution requirements of the problem are defined.

1.2.1 Introduction

The origin of the problem that is discussed in this research starts with the character of the areas available for area development. As stated before, these areas become more and more a mixture of existing property owners alongside the development of new properties by real estate developers (SKG, 2019a). Currently, public parties are able to reclaim costs for area development through contributions of these developing parties. It might be the case that these developing parties want to add extra quality to the area. There sometimes is a large majority of parties in an area or a party that owns the majority of land that would like to add this extra quality, but they do not intend to be the only party or parties paying for this extra quality. Rather, they advocate for a distribution of these costs over all of the parties in the area that benefit. In some cases, the other parties in the area refuse to contribute to these costs.

A good example of this can be found in Expertmeeting 1 by SKG (2019a). One of the attendees discussed the Prodentfactory in Amersfoort. The premises were being redeveloped by Schipper Bosch and at the centre of it was a parking area. Schipper Bosch wanted to transform this parking area into a square, since that would result in an expected increase of real estate value. Another party active in the area had several plots surrounding the parking area, so would also be profiting from this transformation. However, when Schipper Bosch proposed to the other party to divide the costs, the other party refused and in turn Schipper Bosch blew off the plan. When asked later if it would have continued with the transformation if the other party was willing to share in the costs, Schipper Bosch answered affirmatively.

This example illustrates a hurdle that developing parties sometimes encounter when wanting to invest in extra quality for the area. It is known as the free-rider problem, where one or more parties are unwilling to share in the costs of a project but would be profiting from the results. Fear for parties exhibiting free-rider behaviour is preventing other parties to invest in extra quality in the area.

There are no government budgets available to add this extra quality (Daamen, Verheul & Heurkens; 2020). Therefore, governments and market parties are looking for a new instrument to help deal with the above-mentioned problem. One of the possible instruments for this is the GebiedsInvesteringsZone (GIZ), or Area Improvement District (AID) in English.

The AID is an instrument that has as main goal the provision of a system through which both existing property owners and developing parties contribute to the investments made to extra quality in the area. The plan to add this extra quality is initiated by some of the private actors and if the plan meets certain conditions and has enough support in the area, all other parties are obliged to contribute as to prevent free-rider behaviour. This can be done by using the unique power of the government to impose obligatory taxes. In that sense, the instrument is a form of publicly sanctioned private urban governance.

1.2.2 Governmental assignment

As mentioned before, government budgets are not available to add the extra quality desired (Daamen, Verheul & Heurkens 2020). Therefore, authorities are interested in ways to organise the financial means necessary to achieve the extra quality. Because of that, the Ministry of Internal and Royal Affairs has issued an assignment to SKG to supervise a trajectory that leads to experimentation with the Area Improvement District. The author has been involved in a student-assistant capacity to this assignment. The goals for this thesis and the assignment are partly overlapping. Both of them concern the design of the Area Improvement District and its implementation. However, where the governmental assignment has as goal to put that implementation into practice, this thesis is limited to recommendations regarding that implementation.

Figure 2: The Prodentfabriek in Amersfoort



As part of this assignment, the author has been at multiple expert and internal meetings discussing the instrument. The information gathered in those meetings will be used as input for this thesis. The fact that the need for an instrument like the AID is felt so heavily that it has resulted in a governmental assignment, further emphasizes the gap in knowledge surrounding this instrument.

In order to kick the trajectory off, Theo Stauttener (Stadkwadraat) and Damo Holt (Rebel) made a starting note considering the AID. Their perception of the AID was that it could be a vehicle through which investments could be made in an area that would result in value creation, amongst others in real estate value. This would be the reason for parties to participate. The starting note also contained the original idea of the AID as being a combination of ‘kostenverhaal’ and the ‘BIZ’ (BedrijvenInvesteringsZone) (Stauttener & Holt, 2019).

The assignment from the Ministry takes a public perspective towards the AID. However, the goal of this research is to design the instrument and solve a problem without a clear public or private goal in mind. Therefore, the perspective taken for this research is an academic one.

1.2.3 Solution definition

Using the case of the introduction, a comprehensive definition is formulated of the instrument that is needed:

“The AID is a publicly sanctioned privately governed organization which is intended for mixed-use areas that have or will be developed, consisting out of existing real estate owners and incoming real estate developers who want to develop (long-term) collective services surpassing the level provided by the government, where there is no unanimous consent concerning these plans.”

Analysing this definition, it is possible to list the different characteristics this instrument comprises of:

- The organisation is publicly sanctioned
- The organisation is privately governed
- The area is mixed-use
- The area is possibly not in development yet
- The area is possibly already developed
- The area comprises of both existing real estate owners, as well as incoming real estate developers
- The organisation is intent on developing collective services
- These collective services surpass the level of public services
- The plan for these collective services is not unanimously supported but can still follow through

These characteristics can be used to assess different existing instruments and the solution with.

1.3 Objectives

This part discusses the objectives of the research. Firstly, the aim of the research is introduced. Secondly, the research questions are introduced.

1.3.1 Aim

The aim of this research is the design of and give recommendations regarding the implementation of the Area Improvement District. This instrument allows for the addition of extra quality in area development. The basic idea is that public actors sanction private and societal actors investing in collective services. Collective services here are similar to public services, however, where public services are provided by public actors, collective services are public services provided by private and societal actors.

1.3.2 Research questions

Following the aim of the research, the main research question is formulated as:

“What can the Dutch Area Improvement District look like and how can it work?”

In order to answer the main research question, the following research questions are formulated:

1. “What can the Dutch Area Improvement District look like?”
2. “Why would private actors be willing to participate in the Dutch Area Improvement District?”
3. “How can public actors facilitate private actors in the Dutch Area Improvement District?”

Research question 1 refers to the ‘what is the Area Improvement District’ part of the main research question, since it is not yet entirely clear what the AID is. From the problem statement, one can derive a number of conditions the design of the new instrument has to fulfil. The following conditions have been derived:

1. The goal is to establish an AID, with the following characteristics:
 1. It comprises a specifically designated area (as in the BIZ)
 2. It provides extra quality, in the shape of collective services (as in the BIZ)
 3. It is self-financing (as in the BIZ)
 4. Its target area consists of existing property owners alongside incoming real estate developers (as in the problem statement)
5. It has a definitive runtime, of which prolongation and termination are defined (as in the BIZ)
6. Private actors take initiative in the lead-up to the AID and propose a plan for the AID (as in the problem statement and the BIZ)
7. Public parties are provided with a framework to assess the proposed plan of the private and societal actors (as in the BIZ)
8. The free-rider problem is solved, assuring the participating parties that contributions to their

plan will be made, provided the plan meets the assessment framework conditions (as in the BIZ)

9. There is an organisation governing the AID (as in the BIZ)
10. This organisation has a certain shape, like a foundation or an association. (as in the BIZ)
11. The instrument is anchored in Dutch national law. (as in the BIZ)

Research questions 2 and 3 refer to the two main groups of actors involved in the instrument, namely the private and public actors. This predominantly refers to the ‘how does it work’ part of the main research question. The answers to the three research questions provide the knowledge to answer the main research question.

However, it should be noted that there is a third category of parties active in these areas: societal actors. The reason that these actors are not part of the research question is linked to the scope of the research: the initiative in the problem statement comes from private actors. In general, there are initiatives by societal actors, but the main problem there is that there is a lack of funding. As, in general, the biggest contributors to area development are public and private actors, the focus of this research is on their motivation to contribute to the AID. However, this does mean that the societal actors will be discussed and that their interest will be guarded in the eventual design of the AID.

1.4 Relevance

The relevance of the research subject is discussed in this part. Firstly, its relation to that of the Master of Science Management in the Built Environment is explained. Secondly, the scientific relevance is elaborated on. Thirdly, the societal relevance is talked over.

The subject is typical for the section Urban Development Management in the Management in the Built Environment department of the Faculty of Architecture at the TU Delft. The subject falls within two themes of the current research topics of UDM. The first is urban redevelopment strategies where the focus lies, amongst other things, on applied research questions about instruments for sustainable area transformations. In this regard, the subject contributes in the design of a new instrument that can add extra quality to area development, mostly applicable to areas with existing property owners and incoming real estate developers.

The second theme of current research is new planning instruments for urban development. The focus of this theme is how new instruments affect public and private actors alike. Concerning this, the subject contributes in the design of a new instrument that is based on a theoretical framework, explaining both public and private actor roles. The subject will, in that aspect, add to the possible tools public and private actors can use in area development processes.

The research into the Area Improvement District can have a number of benefits to society. Firstly, the AID can be used for investments in the area that are superior to the level provided by the public actors. These chiefly benefits the users of the area, but also society in general. Secondly, by involving both existing property owners and developing parties in an area, the area can be developed without the character of the area necessarily disappearing. This could be a way of inclusive area development and as such can prevent or combat the negative effects of gentrification.

Scientifically speaking, the main reason the research is relevant is due to its novelty: as of the time that this thesis has been written, there is not yet an instrument like the AID present in Dutch legislature, let alone the rest of the world. The results of this thesis will provide the outline of the AID and this will be compared to instruments currently present in the Netherlands to determine what the differences are.

Apart from the novelty on a policy dimension, the research also might add to the expansion of the body of knowledge for area development. As the context is also changing with regards to the budgetary constraints of traditional welfare states, the model might provide a good solution to combine the traditional welfare state services and privately added collective services.

Lastly, the research may possibly indicate a new field of urban governance: that of publicly sanctioned private urban governance. Possibly, existing instruments like the BID and BIZ are already part of this field.

An aerial photograph of a large-scale construction project. The site is divided into several sections. In the upper portion, there are several small, single-story buildings, some of which appear to be under construction or recently completed. A road runs along the left side of the site. The central and lower portions of the image show a large, open area with a grid of dirt paths, suggesting a planned layout for a larger building or complex. There are various pieces of construction equipment, including cranes and trucks, scattered throughout the site. The surrounding area is mostly green, indicating a rural or undeveloped location.

2. Methodology

In this part, the methodology used for this research is discussed. Firstly, the research design is talked over. Secondly, the research techniques are elaborated on. Thirdly, the data analysis is explained. Fourthly, the conceptual model is discussed. Fifthly, the output is described. Sixthly, the plan for the research is explained.



Chapter 2 Figure: Oosterwold, an ongoing area development
(Ben te Raa)

2.1 Research design

The aim of this research is twofold: on the one hand, it is executed to understand whether there is need for this instrument and what that need is like. On the other hand, it is done to formulate a solution to the needs posited. The part considering the exploration of the needs is based on theory and compared with findings from the empirical part, the part that is written about the formulation of the solution is based on both theoretical and empirical findings. These two parts interlink: findings from the empirical part can help emulate the theoretical part.

The theoretical part starts in chapter 3 with a literature review, as to further shape the solution and better understand why current instruments are not fulfilling the need. After that, the theoretical part will continue in chapter 5, where the proposed solution is elaborated on. This solution will be based on the findings from the literature review, which will then be nuanced, expanded or narrowed down by findings in the empirical part.

The empirical part starts in chapter 4 with a series of case studies. The choice for this method of empirical evidence gathering follows from the need to both explore whether there is need for the instrument, but also what that need is like. From the outset, a different method was selected. The idea was to have a mixed-methods research, where there would be an open call for practitioners to submit areas that qualified for the research, as well as case studies of approximately 3 areas to understand the needs more in-depth. Hence, the mixed-method: quantitative open call, qualitative case studies.

However, the open call did not yield many responses, disqualifying its quantitative nature. This posed a problem: how to determine the ubiquity of need for the instrument, if there are not enough responses? To solve this, a new method was formulated: conducting a series of case studies, less in depth, but more aimed at understanding the commonalities and differences between the cases across different cases.

To ratify this, Flyvbjerg (2006) is referred to. In his paper, he discusses 5 common mistakes regarding the case study methodology. One of these concerns the generalizability of findings from case studies. He argues that well-chosen, individual case studies can form a basis for generalization. To aid with this, he provided the table in Figure 3 that shows the different types of selections for cases.

Figure 3: Different strategies for selecting samples and cases (Flyvbjerg, 2006)

Type of Selection	Purpose
A. Random selection	To avoid systematic biases in the sample. The sample's size is decisive for generalization.
1. Random sample	To achieve a representative sample that allows for generalization for the entire population.
2. Stratified sample	To generalize for specially selected subgroups within the population.
B. Information-oriented selection	To maximize the utility of information from small samples and single cases. Cases are selected on the basis of expectations about their information content.
1. Extreme/deviant cases	To obtain information on unusual cases, which can be especially problematic or especially good in a more closely defined sense.
2. Maximum variation cases	To obtain information about the significance of various circumstances for case process and outcome (e.g., three to four cases that are very different on one dimension: size, form of organization, location, budget).
3. Critical cases	To achieve information that permits logical deductions of the type, "If this is (not) valid for this case, then it applies to all (no) cases."
4. Paradigmatic cases	To develop a metaphor or establish a school for the domain that the case concerns.

Two are specifically interesting for this research, B2 and B4. B4 forms the basis for this research, in understanding that the fundamental effort behind this research is whether there is a basis for publicly sanctioned, privately governed mixed-use areas. This, possibly, is part of a new domain in the field of area development, mentioned in 1.4 as the domain of publicly sanctioned private urban governance. Hence, generalizability can be accomplished because of the paradigmatic nature of the research.

B2 then is relevant, as there are multiple cases researched to establish whether the location of the case matters. The goal here is to show that the problems faced are mentioned in the problem statement all across the Netherlands and hence, we are not only dealing with a new domain that is specific to a limited number of situations, but that this domain is actually describing a trend or new circumstance that is ubiquitous in nature. This also validates the paradigmatic nature; in that it is generally occurring.

Combined, the theoretical and empirical parts provide an answer to the aim of the research. The use of different research techniques results in triangulation, which minimises bias caused by the use of one specific technique (Yin, 2009 in: Dankert, 2011).

Figure 4: Design of the research



2.2 Research techniques

In this part, the separate research techniques are discussed more in-depth. Firstly, the literature review is elaborated on. Secondly, the serial case studies are talked over.

2.2.1 Literature review

The use of a literature review is based on the need for the development of a theoretical framework. Since the aim of the research is to design a new instrument, it is relevant to be able to understand the linkages between different principles that provide the lead-up for the instrument. Also, it is mentioned that the instrument is based on two different instruments that are already in place. To better understand how this instrument differs from those already in place, it is necessary to investigate the instruments already in place.

Furthermore, it is also relevant to understand what has already been mentioned in literature as possible benefits of these types of instruments. Hailing from the objectives of the research, it is also required to understand why public and private parties would take part in the instrument. Therefore, further investigation of the roles they fulfill is necessary to form a line of reasoning.

2.2.2 Serial case studies

Since the study has a qualitative approach and discusses the design of an instrument, it is relevant to see how the instrument can be applied in different scenarios. As Heurkens (2012) mentions “Case study methodology is mainly used to collect, analyse, compare and draw lessons from research data and is a form of qualitative research. Especially used in academic field of urban planning and management to examine contemporary real-life situations and provide the basis for the application of ideas”. This justifies the use of the technique.

Among other choices that need to be made, there are two possibilities for the location selection of the cases:

- Use international cases of similar instruments that have been implemented
- Use national cases of areas where the AID could be implemented

The latter has the preference, due to three reasons. Firstly, as Hans Karssenberg mentioned, there is a large number of areas that are possibly suitable for the AID, which could make selecting the right cases feasible (SKG, 2019a). Secondly, there are already two areas designated as ‘pilot’ areas for implementation of the AID (SKG, 2019a; SKG 2019b). Thirdly, the goal of the research is to design the instrument. Therefore, analysing areas for which the AID is meant to be used would be more valuable, as possible obstacles can be identified.

The cases have been selected by using two criteria. Firstly, it should be known that there is need for collective services in the area. Secondly, there should be one or more instances of free-rider behaviour that is actually preventing parties to provide these collective services.

As is mentioned by Flyvbjerg (2006), paradigmatic cases can come forward out of intuition of practitioners. As Flyvbjerg states "... those intuitive decisions [for a case study, red.] are accountable, in the sense of being sensible to other practitioners or often explicable if not immediately sensible." Hence, to find these cases, experts are consulted to inquire whether they know of cases that fit these criteria. On the basis of their response, cases are examined. However, it should be noted that it is not possible to determine in advance whether a given case is paradigmatic. Therefore, all submitted cases are investigated, meaning there will also be need to reflect on the case studies conducted and determine whether they are actually suitable for the AID. As it is unsure what the results of the case studies will be, there is not yet any framework or set of criteria that can accurately determine the paradigmatic value of a case. However, it is expected this will emerge later on.

2.2.2.1 Expert consultation

The first part of the case studies consists out of expert consultation, meaning the opinion of experts regarding the suitability of a case to be studied. This gives a list of cases that possibly apply to the criteria. Examination of these cases will yield whether they are suitable for the research.

2.2.2.2 Desk research

The second part of the case studies consists out of desk research, meaning the gathering of information needed to further 'complete the picture'. This includes information like details of the location, planning documents, vision documents, any news articles or other publications that provide relative background information. This helps put the case and subsequent findings in context. Though this is here mentioned as the second part, it continues during the entirety of the research, as findings from both the theoretical part or the empirical part may warrant the addition of other relevant information.

2.2.2.3 Semi-structured interviews

The third part of the case studies consist out of semi-structured interviews, meaning interviews with the different actors active in the area. There is an interview protocol to guide the interview and discuss certain necessary topics, but also enough space for both the interviewer and interviewee to venture more in-depth with regards to a specific topic. Also, it allows for interviewees to add information regarding the research that they may find relative.

The interviewees are divided in three categories: public, private and societal. This has been done on the basis of the model as seen in Heurkens' (2012) dissertation (See also: Definitions, 3.3.3).

2.3 Data analysis

The data obtained from the literature review is ordered and structured, in order to form a theoretical framework. This theoretical framework provides an answer to the main research question and research questions.

The data obtained from the interviews is analysed using the sensitizing concepts method (Seidel & Kelle, 1995). The aim of the interviews is to verify the theoretical framework, but also to better understand the perspectives of the interviewees. Understanding the perspective of interviewees is needed to gain insight in unknowns, like what collective services private actors would be willing to invest in. This is difficult to predict a priori, as the instrument is new.

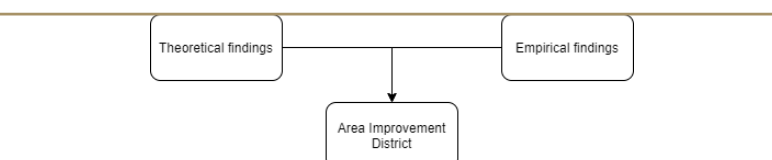
After this, the data is analysed in two ways: firstly, all findings are compared to what has been found in literature, to find out which theory findings are supported by empirical findings and add possible emergent empirical additions. Secondly, the cases are all compared to a to be defined set of criteria that further assesses their suitability to the instrument.

The data obtained through this research is archived in the TU Delft Education Repository as part of this master’s thesis. The data can solely be used for research and educative purposes. The FAIR guiding principles will be applied. The researcher furthermore complies to TU Delft rules and regulations considering data use.

2.4 Conceptual model

Now that the aim, research questions and methodology have been determined, a conceptual model can be made to give insight into the structure of the research. This is explained in the model below.

Figure 5: Conceptual model of the research



2.5 Output

The following section will describe the output of the research. This is done by considering the different elements of the research, their deliverables and the output they will yield. Firstly, the output of the different techniques used are discussed. Secondly, the output of the aim of the research is elaborated on. Thirdly, the dissemination is talked over.

Table 1: Elements of the research, their deliverables and their output

Technique	Deliverables	Output
Literature review	Theoretical framework	Insight into the scientific basis of the instrument
Case studies 1. Expert consultation 2. Desk research 3. Semi-structured interviews	Cases 1. Suitable cases list 2. Relevant background information per case 3. Insights of actors	Insight into the use of the instrument for practitioners
Case analysis	Case comparison	Insight into the commonalities and differences in use of the instrument for practitioners
Aim	Design of the Area Improvement District	Synthesis of the elements above, where the theoretical part is compared to the empirical part to determine what the instrument should look like and write the proposal

2.5.1 Research techniques output

To start off, the literature review will examine the shortcomings on a legal basis. This can be considered as an examination of the current legal conditions that inhibit the AID from coming to be. This legal examination will be executed using an assessment framework, that systematically grades the instruments on criteria relevant to the AID. This will help in pinpointing what specifically is currently lacking to solve the issues and, subsequently, what the AID needs to cover.

The second part of the literature review will examine the benefits, which can be considered as the current goals suggested by literature that an AID would suffice in. This provides the added benefit of being able to compare the goals emerging from the empirical research with what is suggested as goals in literature. Possibly, this will sharpen the set of benefits relevant to the AID and similar instruments.

The third part of the literature review discusses player behaviour and can, as such, be seen as describing the ‘changing players’. This part focuses specifically on why private and public actors would want this instrument. A line of reasoning for their motives is developed using the literature available.

In summary, the literature review will provide an overview of the changing conditions, goals and players as is known in literature and relevant to this research. These findings will be used as a basis for the empirical part and, in a later stage, for comparison with empirical findings.

For the interviews conducted in the empirical part, the interview protocol questions are based on the findings from the literature review. As the conditions that the area development are in can, predominantly, be found by conducting desk research, the interview will focus on the goals and the implementation of the instrument.

Player behaviour is accounted for by the set-up of the interviews, meaning that, because the interviews are conducted with a public, private and societal actor, their behaviour is expected to be embedded in their answers. Elaborating questions will be answered to further understanding of their reasoning for an answer.

The findings from the case studies will, firstly, all findings are compared to what has been found in literature, to find out which theory findings are supported by empirical findings and add possible emergent empirical additions. Secondly, the cases are all compared to a to be defined set of criteria that further assesses their suitability to the instrument.

There may also be findings that are not related to the AID, but do provide more insight into the academic field. This can be the case due to the paradigmatic nature of the case study selection. Any such findings will be included in the reflection.

2.5.2 Aim output

Using the deliverables and output of the research techniques, the aim of the research can be achieved. A comparison of the theoretical part to the findings in the empirical part determines the design of the instrument and how it works. In doing that, the answer to the main research question is provided.

2.5.3 Dissemination

The general audience for this thesis is most likely divided in four categories. Firstly, the academics will be interested in the result as it might yield more knowledge about area development. Secondly, private actors will be interested as they can either be participants in Area Improvement Districts or advise on them. Thirdly, public actors will be interested as policy makers on different levels of government can use the results to shape their urban planning strategies. Fourthly, societal actors may be interested as the instrument provides a way for them to advocate for their interests in the area.

2.6 Plan

This section of the research discusses the plan of the research. Firstly, the tasks, milestones and their interdependency are talked over. Secondly, the research planning is discussed.

2.6.1 Tasks and milestones

The table below lists the tasks, their main milestones and the interdependency with other tasks.

Table 2: Main research tasks, main research milestones and interdependencies

Main task	Main milestone	Interdependency
Literature review	Theoretical framework	The theoretical framework provides the basis for the interview questions. It is also used for comparison with the case analysis
Case studies 1. Selecting cases 2. Performing background research 3. Conducting interviews	Case studies	The interview questions are based on the theoretical framework. The interview series data is used to perform the case analysis
Case analysis 1. Ordering interview data 2. Determining commonalities and differences	Case comparison	The data needed for the case comparison is retrieved from the interview series. This case analysis is then used for comparison with the theoretical findings
AID design	AID design	To obtain the AID design, the theoretical framework is compared to the case comparison

2.6.2 Planning

The planning for this research is discussed by means of the mandatory presentation moments for the research, P1 through P4. These P-moments are deadlines for which parts of the research should be finished. At P1, the topic choice and problem definition should be as good as finished. Also, first steps to research questions and research methodology should have been taken. At P2, the research proposal should be finished. This means that problem statement, research questions, methodology and literature review should have been executed. By P3, most of the empirical research should be done and the findings should already be analysed in order to draw preliminary conclusions. This means that the case studies should be done by then.

By P4, the research should be finished. This means that the findings from the interviews should be analysed and that the results of that have been compared to the theoretical framework. This, then, yields the design of the AID. Apart from this, the reflection should be written. The table below gives an overview of the P-moments, months they occur in and what should have been done by then.

Table 3: Planning of the research, ordered in P-moments, months and tasks

P-moment	Months	Task
P1	September October	<ul style="list-style-type: none"> • Topic choice is decided on • Problem definition is done • Research questions and methodology are roughly chosen
P2	November December January	<ul style="list-style-type: none"> • Problem statement, research questions, methodology and literature review have been executed
P3	February March	<ul style="list-style-type: none"> • Case studies are being conducted • Case analyses has been initiated, yielding first insights
P4	April May June July August September	<ul style="list-style-type: none"> • Findings of the interviews have been analysed • Theory and empiry have been compared • Design of the AID is done • Conclusion and reflection have been written

3. Literature review

In this section, the literature relating to the problem is researched. The goal is to understand what knowledge is already existing in relation to the problem. This can be used in a later stage to design the AID. Firstly, the current Dutch and international legal context is examined to understand what is lacking in the existing to deal with the problems. Secondly, the benefits the instrument may have are researched in order to explicate the possible goal of establishing an AID. Thirdly, player behaviour is elaborated on to understand the motivation of the actors participating in the instrument.





Chapter 3 Figure: Bryant Park, a succesful BID
(Bryant Park Corporation)

3.1 Instrument assessment

In this section, the current legal shortcomings with regards to solving the problem as mentioned in the problem statement are elaborated on. Analysing instruments suggested by the documents of the problem statement, it is made discernible what is currently lacking from a legal perspective for dealing with this problem. The following Dutch instruments are assessed:

- BedrijvenInvesteringsZone
- Kostenverhaal
- Park Management
- Gebiedscoöperatie

The BedrijvenInvesteringsZone and Kostenverhaal were mentioned in the document by Stauttner and Holt (2019) as potential instruments. Park Management has been suggested by the second mentor, Fred Hobma, as a possibility and elaborated on using the book of Van Velten (2015). The Gebiedscoöperatie has been a relatively recent development and was included on the suggestion of the internship company mentor, Hans Karssenbergh. Also, in this section, an international assessment is made to develop an understanding how the problem is dealt with in other parts of the world. For this, four types of instrument will be compared. These are:

- Improvement Districts
- Enterprise Zones
- Urban Development Trusts
- Community Associations

The selection of these instruments has been based on two sources. The Improvement Districts, Enterprise Zones and Urban Development Trusts are based on the report of Daamen, Verheul and Heurkens (2020), as they have been mentioned there as interesting candidates for comparison. The Community Associations has been included on the basis of the book 'Privaatrechtelijke aspecten van Onroerend Goed' by Van Velten (2015), as it is singled out there as a possible alternative to Park Management.

3.1.1 Assessment framework

To assess the instruments, the characteristics of the solution that is sought can be formulated into questions which should be answered positively in order for the instrument to be applicable. The solution sought is defined as following:

“The AID is a publicly sanctioned privately initiated organization which is intended for mixed-use areas that have or will be developed, consisting out of existing real estate owners and incoming real estate developers who want to develop (long-term) collective services surpassing the level provided by the government, where there is no unanimous consent concerning these plans.”

Analysing this definition, it is possible to list the different characteristics this instrument comprises of:

- The organisation is publicly sanctioned
- The organisation is privately governed
- The area is mixed-use
- The area is possibly not in development yet
- The area is possibly already developed
- The area comprises of both existing real estate owners, as well as incoming real estate developers
- The organisation is intent on developing collective services
- These collective services surpass the level of public services
- The plan for these collective services is not unanimously supported but can still follow through

Table 4: Assessment framework for the Dutch legal instruments

Characteristic	Question	Bedrijven	InvesteringsZone	Kostenverhaal	Park Management	Gebiedscoöperatie
The organisation is publicly sanctioned	Are the organisations using this instrument publicly sanctioned?					
The organisation is privately governed	Are the organisations using this instrument privately governed?					
The area is mixed-use	Is the instrument applicable for areas that have mixed-use?					
The area is possibly not in development yet	Is the instrument applicable for areas that are possibly not in development yet?					
The area is possibly already developed	Is the instrument applicable for areas that are already developed?					
The area comprises of both existing real estate owners, as well as incoming real estate developers	Is the instrument applicable for areas where both existing real estate owners and incoming real estate developers are to be assessed?					
The organisation is intent on developing collective services	Is the instrument applicable for organisations with the ambition to develop collective services?					
These collective services surpass the level of public services	Is the instrument applicable for organisations intent on catering services that surpass the level of public services?					
The plan for these collective services is not unanimously supported but can still follow through	Is the instrument applicable for organisations where the plan for collective services is not unanimously supported but will still follow through?					

Using this approach, the following list of questions follows:

- Are the organisations using this instrument publicly sanctioned?
- Are the organisations using this instrument privately governed?
- Is the instrument applicable for areas that have mixed-use?
- Is the instrument applicable for areas that are not in development yet?
- Is the instrument applicable for areas that are already developed?
- Is the instrument applicable for areas where both existing real estate owners and incoming real estate developers are to be assessed?
- Is the instrument applicable for organisations with the ambition to develop collective services?
- Is the instrument applicable for organisations intent on catering services that surpass the level of public services?
- Is the instrument applicable for organisations where the plan for collective services is not unanimously supported but will still follow through?

Combining the characteristics, questions and instruments, the assessment frameworks on the following pages have been made for the Dutch and international instrument assessment.

Table 5: Assessment framework for the international legal instruments

Characteristic	Question	Improvement District	Enterprise Zone	Urban Development Trust	Community Association
The organisation is publicly sanctioned	Are the organisations using this instrument publicly sanctioned?				
The organisation is privately governed	Are the organisations using this instrument privately governed?				
The area is mixed-use	Is the instrument applicable for areas that have mixed-use?				
The area is possibly not in development yet	Is the instrument applicable for areas that are possibly not in development yet?				
The area is possibly already developed	Is the instrument applicable for areas that are already developed?				
The area comprises of both existing real estate owners, as well as incoming real estate developers	Is the instrument applicable for areas where both existing real estate owners and incoming real estate developers are to be assessed?				
The organisation is intent on developing collective services	Is the instrument applicable for organisations with the ambition to develop collective services?				
These collective services surpass the level of public services	Is the instrument applicable for organisations intent on catering services that surpass the level of public services?				
The plan for these collective services is not unanimously supported but can still follow through	Is the instrument applicable for organisations where the plan for collective services is not unanimously supported but will still follow through?				

3.1.2 Dutch instruments

The following sections introduce the different instruments that are compared. After that, the assessment framework is filled in and an accompanying summary elaborates on the applicability of the instruments.

3.1.2.1 *BedrijvenInvesteringsZone*

The *BedrijvenInvesteringsZone* (BIZ) was first developed through an experimental law in 2009. From 2015 onwards, the experimental law has been formally recognised as a regular law (VNG, n.d.). For the BIZ, public sanctioning is explicitly part of the instatement process for the instrument. Public actors have the power to revise the plan of the initiators of the BIZ. Instatement of the BIZ is in first instance dependent on private initiative. This initiative can come from a group of property owners, property users or a combination of the former.

The BIZ poses a difficulty when considering its application to mixed-use areas. The ‘Wet op de *BedrijvenInvesteringsZone*’ article 1.1 states that the instrument cannot be applied to residential properties. This has further implications when considering article 5.1, where it is stated that the voting is done by the contributors. This means that the interests of residents in the area cannot be represented through their own votes, making it unsuitable for mixed-use areas. The instrument can be applied to areas that are not in development yet, if there is existing real estate there. Article 1.1 states that the BIZ can be applied to areas where owners or users of real estate are in favour to perform activities that contribute to the public space. This does mean that, if the area is entirely not in development yet, there is no real estate and as such no legal basis to apply a BIZ.

As the area considers existing owners and incoming real estate developers, this poses a challenge regarding the involvement of the incoming real estate developers, who do not have real estate objects in the area and can then not be part of the BIZ.

However, there are situations thinkable where, for instance, properties are transformed. In that case it would be possible to use the BIZ. In practice, this rarely occurs. As such, the applicability of the instrument is limited. However, once the area has been developed, the instrument is suitable to instate an organisation that can provide collective services.

The development of collective services by the private actors is something the BIZ is partly suitable for. This has to do with the temporal character, as it can be upended yearly if there are enough votes to do so. This is mentioned in article 6.2, taking into regard the stipulations of article 6.3, stating that the request to upend the BIZ cannot be done either within one year after the enabling of the instrument or within one year after a vote has been issued. This means that, if the collective services are not services of a physical character that have a payback time, the BIZ is able to provide for this. However, this means that it possibly may not be able to provide all collective services wanted, as some of these may be physical and have a payback time.

The instrument is specifically meant to organise the provision of services that exceed the level of public services. Article 1.2 states that the activities of the BIZ are aimed at “combatting costs that are connected to activities in the public realm as well as the internet, that are targeted at the amelioration of the liveability or the safety in the BedrijvenInvesteringsZone or the spatial quality or the economic development of the BedrijvenInvesteringsZone.” The instrument does not rely on a unanimous vote, but a supermajor one. This is described in article 5.1 and 5.3. Article 5.1 treats the conditions for a BIZ that consists out of either users or owners of real estate, whereas article 5.3 states the terms for a BIZ that consists out of both users and owners of real estate. Article 5.1 states that the BIZ will be applied if at

least two thirds of the voters, who must represent at least half of all eligible to vote, vote in favour and the cumulative sum of real estate belonging to those in favour of the BIZ outweighs that of those in opposition to the BIZ. Article 5.3 states that at least half of all users and half of all owners eligible to vote have to cast a vote and that at least half of the users voting as well as half of the owners voting should vote in favour.

3.1.2.2 *Kostenverhaal*

Kostenverhaal was originally also applied, but became more clearly defined after the ‘Grondexploitatiewet’ of 2008 and the subsequent amendments through the ‘Crisis- en Herstelwet’ and ‘Wet algemene bepalingen omgevingsrecht’ in 2010. Kostenverhaal is a public instrument, meaning that it can only be applied by public actors. Therefore, there is no explicit public sanctioning, but the instrument is part of the public actor toolkit. In that sense, it can be considered as public sanctioned. As it is a public instrument, it cannot be considered as privately initiated, but rather as part of public land policy. It is not dependent on the type of area, but can be applied to every area in development. The condition for application of this is that a government makes costs that are reimbursable.

The process for this is described in the ‘Wet ruimtelijke ordening’ articles 6.12 to 6.25, where it is listed when the costs can be reimbursed, what costs can be reimbursed and how this can be done. It can be used for areas that are not in development yet, by drafting a so-called ‘Exploitatieplan’. This is applied when the government exercises its right to draft up a plan that, amongst other conditions, reimburses that government for costs it makes. The conditions for this plan are further described in article 6.13 of the ‘Wet ruimtelijke ordening’. However, once the area has been developed, Kostenverhaal is not useable anymore. The assessment (levy) required for Kostenverhaal cannot be equitably distributed: only incoming real estate developers can contribute. Hence, the instrument is not suitable for assessing all participants.

Kostenverhaal is a public right, meaning that it can only be exercised by a government. This means it cannot be used by private parties. It is meant to exactly not supersede the level of services provided by the government, as this instrument allows governments to reimburse costs that they make for, in this case, area development. It is exercised by public actors and as such, does not involve the private parties in some kind of voting setting.

3.1.2.3 Park Management

Park Management (PM) is a widely applied instrument for monofunctional industrial areas in the Netherlands. The instrument is not explicitly dependent on public sanctioning, but is inherently sanctioned as it is instated using existing laws. It is privately initiated. In contrast to the Vereniging van Eigenaren (Dutch comparable to the Home Owners' Association), which is obliged in apartment complexes, Park Management is dependent on private individuals taking voluntary extra steps to organise the instrument. It is applicable to all types of areas, since it uses the 'Appartementsrecht'. This law can be applied to both commercial structures as well as residential or recreational complexes and is documented in the Dutch Civil Code Book 5 under Title 9. However, it can hardly be used in cases where the area will be developed.

The future architectural situation should be known to apply the instrument. This will then offer the possibility to draw up the split drawing ('splitsingstekening') and the regulations for the Owner's Association. Because of this, it is not a generally applicable instrument in this case. However, when the area has already been developed, the instrument can be applied, making it suitable for the management phase of the area development. If the future architectural situation is known, the instrument provides a tool through which all (future) owners of real estate can be assessed. It offers the possibility for private parties to take initiative in the development of collective services. Even more so, it can be used to develop services private to those who are part of the PM organisation. This includes multiyear investments.

PM has a similar character as the BIZ, as it is also used to provide or develop services that the government does not. In comparison to the BIZ, PM can even exceed the services provided. PM is generally based on 'Appartementsrecht', where the organisational part is shaped as an Owner's Association that is mandatory to instate. This Owner's Association already has a voting threshold of 70%, meaning that there is no need for unanimous consent. This makes the instrument suitable for the decision making.

3.1.2.4 Gebiedscoöperatie

The Gebiedscoöperatie (GC) can be regarded as publicly sanctioned, as it is based on existing laws. This means that, like some other instruments, it can be considered as inherently public sanctioned. It can be a mix of BIZ and PM, as it can be instated by both commercial, as well as residential property owners or users. Its origins can therefore vary, but are definitely privately initiated. It can be applied in all types of areas. The best-known example of this, Club Rhijnhuizen, is located in an area that is mixed-use, but with a stronger focus on residential properties.

The GC can be used during both the development and the management phase of the area development. The possibility to become a member or leave the GC facilitates this. The only problem with this is that land or property owners in the area cannot be forced to become part of the organisation. Hence, when parties disagree with the outcome of decisions, they can easily leave the organisation, possibly rendering the decision effectively void. The instrument can be used in any area and can assess all types of different participants, as it is free to draft its own regulations regarding this. Club Rhijnhuizen has experimented with this, by assessing both property owners like residents as well as incoming real estate developers. This was changed after a while to only assess commercial parties, such as real estate developers, as this was more reasonable.

Table 6: Assessment of Dutch legal instruments

Characteristic	Question	BedrijvenInvesteringsZone	Kostenverhaal	Park Management	Gebiedscoöperatie
The organisation is publicly sanctioned	Are the organisations using this instrument publicly sanctioned?	Yes, for the imposition of a BedrijvenInvesteringsZone the sanctioning of public actors is a requirement.	Yes, since Kostenverhaal is a public instrument	Yes, but not through explicit sanctioning, but rather because the instrument is part of existing legislature	Possible, but not necessary. Similar to Park Management, the Gebiedscoöperatie is based on existing legislature
The organisation is privately governed	Are the organisations using this instrument privately governed?	Yes, the initiative stems from parties in the area that are intent on heightening the level of service provision	No, since Kostenverhaal is a public instrument	Yes, as it is formed by property owners in the area	Yes, the Gebiedscoöperatie is set up by property owners in the area
The area is mixed-use	Is the instrument applicable for areas that have mixed-use?	No, as only those can vote, that contribute to the BedrijvenInvesteringsZone. As this can, by definition, not apply to residents of the area, the instrument is not applicable.	Yes, kostenverhaal is applicable in all types of areas where a government makes costs that are reimbursable on private actors.	Yes, park management is applicable to all types of areas.	Yes, as the Gebiedscoöperatie is not limited to a specific function.
The area is possibly not in development yet	Is the instrument applicable for areas that are possibly not in development yet?	Yes, it is possible to apply the BedrijvenInvesteringsZone to areas that are not yet in development.	Yes, kostenverhaal can be used in the shape of an anterior agreement, where the municipality and developers agree beforehand on the contribution of the developers.	No, park management cannot be used for areas that are not yet in development. This has to do with the need for knowledge of the future architectural situation, which is not known in this case.	Yes, the Gebiedscoöperatie can be used during both the development and management phase of the area.
The area is possibly already developed	Is the instrument applicable for areas that are already developed?	Yes and it is generally used in areas that have already been developed.	Kostenverhaal can only be used to retrieve costs the municipality makes for development of the area. If the area is already developed, it cannot be used for this.	Park Management can solely be applied to areas of which have been developed or of which the future architectural situation is known	Yes, the Gebiedscoöperatie can be used during both the development and management phase of the area.
The area comprises of both existing real estate owners, as well as incoming real estate developers	Is the instrument applicable for areas where both existing real estate owners and incoming real estate developers are to be assessed?	Yes, the BedrijvenInvesteringsZone can be used for both users (tenants) and owners of real estate, separately or combined, as long as this considers non-residents.	No, kostenverhaal as a practice can only be applied on the incoming real estate developers.	Yes, park management can be used for both parties. However, emphasising the previous aspect, this can only be done in case the future architectural situation is known.	Yes, the Gebiedscoöperatie provides a successful means to do this as the inclusion and exclusion criteria for membership can be drafted by the organisation itself.
The organisation is intent on developing collective services	Is the instrument applicable for organisations with the ambition to develop collective services?	Not in particular, as the BedrijvenInvesteringsZone can be upended yearly. This means that services that are not developed within a year may become troubling. Similarly, ownership if upended of these services would become difficult.	No, kostenverhaal can only be used by governments. Therefore, initiatives incepted by private parties cannot be reimbursed by use of this instrument. It does offer the possibility to develop multiyear services.	Yes, park management is suited for the development of collective services. Park management even offers the possibility that these services are not necessarily publicly accessible, but private to those part of the park management agreement.	Yes, the Gebiedscoöperatie has as a general goal to enhance quality in the area through collective services.
These collective services surpass the level of public services	Is the instrument applicable for organisations intent on catering services that surpass the level of public services?	Yes, the BedrijvenInvesteringsZone can only be applied to situations where users or owners of real estate want to establish services that surpass the level as delivered by the government.	No, kostenverhaal is used to reimburse a government precisely for those services the government provides.	Yes, park management is used for collective services that are not provided by the municipality.	Yes, the Gebiedscoöperatie is used, amongst other things, to provide collective services surpassing the level as provided by public actors.
The plan for these collective services is not unanimously supported but can still follow through	Is the instrument applicable for organisations where the plan for collective services is not unanimously supported but will still follow through?	Yes, the plan is approved if two thirds of the voters are in favour. This means that the BedrijvenInvesteringsZone is not reliant on a unanimous, but supermajority vote.	Not applicable, as this considers a government using its authority to develop the services. There is no form of consent, as these services fall within the governmental mandate of development.	No, park management requires unanimous consent in order to make decisions.	Yes, however, participation in the Gebiedscoöperatie is on a voluntary basis and therefore, whenever parties encounter decisions they do not agree with, they can step out of the organisation. Decisions are made during the shareholders meeting of the co-operation

Also, the voluntary basis made it difficult to achieve a predictable and consistent revenue stream, as real estate developers that were done with their development stepped out and the real estate investors buying the property did not necessarily step in, preventing cash flow consistency.

The GC is specifically meant for the provision of collective services. These can vary from activities like place-making, to the formation of collective strategies for the area transition. The collective services of these organisations are generally of a higher level than provided by public actors, as they aim to achieve higher goals considering aspects such as cleanliness.

Decision-making is based on the model of the generic cooperation and as such is executed via a shareholders' meeting. During this meeting, plans are presented and decisions are voted on regarding these plans.

3.1.2.5 Summary

As the different characteristics of the instruments have been described, these can now be incorporated in the assessment framework. Table 6 shows the assessment framework, where the characteristics are filled in per instrument. The BIZ is interesting as it already has some elements that can be used to provide collective services. However, it is lacking in its applicability for mixed-use areas and is not well applicable during all phases of the area development, as well as not providing a solid framework for longer term investments in an area.

Kostenverhaal is only limitedly applicable, as it is not suitable in all phases of development, cannot be used by private actors and cannot assess all actors in the area. In that sense, the instrument represents strong public actor power to divide costs for area development, but does not suit the rest of requirements for applicability.

Contrastingly, the Gebiedscoöperatie is an example of weak private actor power. Though, when looking at the answers, one can discern that all questions are answered positively, the practical workability of the instrument is severely impaired because of the voluntary basis it is founded upon. Lastly, Park Management can, in some sense, be seen as a combination of the both and forms a stronger publicly sanctioned privately initiated organisation. However, it is not applicable in all situations and cannot be used in all situations as it requires unanimous consent.

In conclusion, it is deducible that none of the currently available legal instruments in the Netherlands matches the solution definition entirely. Hence, the need for instatement of a new legal instrument, the AID, is proven.

3.1.3 International instruments

The following sections introduce the different instruments that are compared. After that, the assessment framework is filled in and an accompanying summary elaborates on the applicability of the instruments.

3.1.3.1 Improvement District

The Improvement District (ID) typology can be considered as the precursor to the BIZ, which has been discussed in the section about the legal aspects. The systematic is the same, where privately initiated organisations are subject to public sanctioning. The extent and conditions differ per context, as the ID typology is a global phenomenon. Examples are the Business Improvement District (BID) originating from Canada (Hoyt, 2004), the City Improvement District (CID) in South Africa (Peyrault, 2006) and the Neighbourhood Improvement District (NID) as seen in Germany (Friesecke & Lockemann, 2008).

ID's are the result of private parties, like property owners, taking action to revitalize their areas. In that sense, the very existence of

the ID typology is dependent on its private party initiation. ID's can be applied to mixed-use areas. However, the property owners participating in the organisation can vary depending on context. Some are genuine examples of mixed-use organisations for mixed-use areas, others are either predominantly commercially or residentially organised.

The rationale behind ID's is property owners taking matters into their own hands by organising themselves and working together with public actors to establish an ID. This cannot be done in areas that are yet non-existent, in other words: there should be existing owners that aim for improvement. Hence, the instrument is not applicable to areas that have not yet been developed. However, once the area has been developed and the level of services provided is not high enough, the ID can be a suitable tool to enhance the area.

The ID can be applied to both existing property owners as well as incoming real estate developers. This is dependent on the context and differs mostly on the residential assessment. Sometimes only commercial property owners are assessed, other times also residential property owners, yet some types like social housing are exempt. The services provided may vary in context, as the challenges faced can be local. In any case, the goal is to provide services that surpass the level traditionally provided by public actors. Voting in ID's varies per context. For instance, in New York an opt-out system was applied, where the instatement was only stopped if 51% was against it. However, in Canada 67% has to be in favour of instatement. Though percentages differ, the main requirement is that a majority of the votes is in favour of the plan.

3.1.3.2 Enterprise Zone

Enterprise Zones (EZ) are a form of Special Economic Zones and form a way for public actors to incentivize private investment in derelict areas. This is done by providing fiscal incentives or loosening regulatory requirements, thereby lowering the threshold for the establishment of businesses. These businesses bring jobs to the area.

Important to note is that the Enterprise Zone is not necessarily a separate organisation, but rather a policy enacted by public actors. Therefore, private parties do not play an initiative role in these zones. EZ's can also be applied to mixed-use areas, however the instrument does not focus specifically on that.

The main objective is to revitalize the urban economy in the zone. If there is not an area, it cannot become derelict and cannot be labelled as an EZ. However, the instrument can be used when the area has been developed and can be an effective tool to revitalize the area's economy. The EZ is not used to assess either existing property owners or incoming real estate developers. The goal of public authorities with the EZ is not necessarily to heighten the level of public services. Therefore, the EZ is not an applicable instrument to provide collective services, also not of a level surpassing that provided by the public actors. The instatement of an EZ is the result of public policy, hence there is no private party voting involved.

3.1.3.3 Urban Development Trust

The Urban Development Trust (UDT) is primarily a private instrument and is not necessarily subject to public sanctioning. The UDT is generally formed by local private investors with a long-term focus and that are aligned in their goals. These investors then combine their land and real estate positions in a trust to facilitate integral area development and management. Public actors generally are only involved in setting spatial constrictions to the development, which can sometimes include the public space (Stumpel, 2014). UDT's can be applied in mixed-use areas, but this is not necessarily true. A lauded example of a UDT is Chiswick Park, which consists predominantly out of offices. There are other functions in the area, such as a day-care centre, however these are developed for the office park.

Another important aspect to consider is that UDT's tend to be successful when the investors are aligned, meaning that they have the same vision for their investments. Mixed-use area development can on the one hand be an opportunity, as mixed-use areas can achieve higher value, but can also be a risk, as the investors may differ in their vision of the area. Also, it should be noted that setting up a UDT and maintaining it is rather cumbersome (Heurkens & Stumpel, 2014). Adding extra complexity to the instrument due to the area being mixed-use may make it unworkable. The UDT is quite special in that it functions as a suitable vehicle to connect all phases of the area. When it has not been developed yet, it can be used to collectively devise a plan for the area. As ownership remains in the same hands, the future management of the area can be taken into account.

The UDT forms one trust including all owners of land and real estate positions and therefore, all parties are required to contribute. However, the amount can vary depending on their share of the trust and the means they bring into the trust. It can form an effective vehicle for the provision of collective services to the area. However, experience from practice shows that these services often have a strict return on investment requirement.

For the UDT voting is dependent on the organisational shape: investors could have the right to veto decisions, which would then make the instrument difficult to use. However, decision-making could also be externalized to the daily UDT management or depend on a majority vote.

3.1.3.4 Community Association

Community Associations are used in American practice to add a property owners' association to newly developed neighbourhoods. The Community Association (CA) is generally the result of negotiations between developers and the local public authority, where the provision of services is allocated to the CA. The CA then also has the possibility to heighten the level of these services. In that sense, public sanctioning consists of the reaching of a contractual agreement between the local public authority and the CA. The CA is dependent on private actor initiation.

Table 7: Assessment of international legal instruments

Characteristic	Question	Improvement District	Enterprise Zone	Urban Development Trust	Community Association
The organisation is publicly sanctioned	Are the organisations using this instrument publicly sanctioned?	By definition, the ID typology is a publicly sanctioned privately initiated organisation.	Public actors impose these zones in areas where there is need for urban revitalization.	The role of the government is relatively limited in this format, as it only poses spatial constrictions to the development.	The CA is the result of negotiations between government and private parties (as the CA cannot be retroactively instated as of yet, these private parties are often the developers).
The organisation is privately governed	Are the organisations using this instrument privately governed?	By definition, the ID typology is a publicly sanctioned privately initiated organisation.	The organisation is not privately initiated. It is part of government policy and can, as such, not be seen as a separate organisation.	Private parties bundle their land and real estate positions in a fund, where they add capital to that is allocated by the fund. Management companies then manage and program the area.	The CA can drive up value for developers, as the CA allows property owners to have more power in deciding what their surroundings look like.
The area is mixed-use	Is the instrument applicable for areas that have mixed-use?	Possible, with the side note that participants in the organisation can vary dependant on context.	Possible. The EZ focuses on fiscal advantages and loosen regulations, offering more space for urban revitalization. The main objective is urban revitalization through creation of new businesses and adhering jobs.	Possible, but not necessary true. Chiswick Park, a lauded example, consists predominantly out of offices. It should also be noted that investor alignment is an important aspect of a UDT.	Possible, yet not often encountered. This is mostly due to the impossibility of imposing the CA retroactively, resulting in application to mostly greenfield residential areas. There are, however, arguments made for the broadening to be able to retroactively instate CAs through a supermajor affirmative vote.
The area is possibly not in development yet	Is the instrument applicable for areas that are possibly not in development yet?	This is not the case, as the underlying principle of the ID is that private actors initiate urban regeneration in their area. Hence, areas that are not yet occupied by owners will not begin an ID.	The EZ is used as a policy instrument to revitalize derelict urban areas. Hence, one cannot revitalize that which is non-existent.	Possible, though there is not yet a known example of this.	CAs are mostly applied to greenfield residential developments.
The area is possibly already developed	Is the instrument applicable for areas that are already developed?	ID's are specifically used to revitalize areas that have been developed.	EZ's are instated to facilitate urban revitalization through fiscal and regulatory incentives	Possible, as it could be that owners of land and real estate positions decide to unite in a trust and further develop the area using that vehicle.	Possible, however, practice shows that this hardly happens due to the unanimous vote requirement.
The area comprises of both existing real estate owners, as well as incoming real estate developers	Is the instrument applicable for areas where both existing real estate owners and incoming real estate developers are to be assessed?	Possible, but can vary dependant on context. For instance, in New York the BID only assesses social housing for a symbolic \$1. However, CID's in Johannesburg, South Africa, can assess both commercial as well as residential property owners.	The EZ is explicitly used to attract new businesses to derelict areas. Hence, the development of new property or redevelopment of existing property is needed. However, there is no notion of special assessment on these parties. Special meaning assessment for the particular goal of the EZ.	All of the means in the area are bundled in the trust, meaning that it is possible for both existing real estate owners and incoming real estate developers can allot their land and real estate positions to the fund. However, as mentioned, investor alignment is important for the UDT. The process for setting up a UDT with a few private investors versus a large number of differing actors can be different and the latter may not be workable.	Possible, however it is required to achieve unanimous vote in favour of instatement of a CA in order to proceed with the instatement. Experience yields that this is hardly ever the case.
The organisation is intent on developing collective services	Is the instrument applicable for organisations with the ambition to develop collective services?	By definition, the underlying principle of the ID is that property owners in the area are not satisfied with its current status and intend to develop collective services to enhance it.	The goal of public authorities with this policy instrument is not necessarily to heighten the level of public services, rather the stimulation of an area economy.	The UDT forms an effective vehicle for the provision of collective services to the area. However, experience from practice shows that these services often have a strict return on investment requirement.	The CA is specifically meant for the provision of collective services and often instated so that the participants can heighten the level of service provision to their area.
These collective services surpass the level of public services	Is the instrument applicable for organisations intent on catering services that surpass the level of public services?	ID's generally pop up in areas that have a low level of public service provision. The ID is initiated to provide the missing level of services.	As the goal of the EZ is not the provision of collective services, this is not applicable.	The UDT can be used to provide a higher level of services. The big advantage the UDT provides is the coupling of development and management, therefore resulting in a more integrally functioning area.	The CA is specifically meant for the provision of collective services and often instated so that the participants can heighten the level of service provision to their area.
The plan for these collective services is not unanimously supported but can still follow through	Is the instrument applicable for organisations where the plan for collective services is not unanimously supported but will still follow through?	Voting in ID's varies per context. For instance, in New York an opt-out system was applied, where the instatement was only stopped if 51% was against it. However, in Canada 67% has to be in favour. Though percentages differ, the main requirement is majority.	The instrument is public policy, hence there is no private party voting involved.	Possible, however dependent on the organisational shape of the UDT: investors could have the right to veto decisions, which would then make the instrument non-applicable. However, decision-making could also be externalized to the daily UDT management or depend on a majority vote.	As mentioned before, the instatement of a CA is dependent on unanimous voting in favour of that instatement.

Generally, since the CA practically cannot be retroactively applied (Nelson, 2006), the instrument is used by real estate developers. A CA gives property owners more decision-making power in the area, leading to higher valued areas and hence, higher real estate value.

CAs can be applied in mixed-use areas, but this is not often the case. The CA can be used both when the area is not in development yet, as well as when it has been developed. However, in practice, the instatement of a CA proves difficult in already developed areas as the CA requires a unanimous vote to be instated.

The CA assesses all of its members on the basis of the property value for the services provided. As it proves practically impossible to retroactively instate a CA, most of the CAs are instated in greenfield residential developments.

The CA is specifically meant for the provision of collective services that maximize total investment value, often the value of the homes in the association. It does this by regulating the quality of the neighbourhood environment and the provision of common services. It can do so by imposing levies, which the members of the association have to pay.

3.1.3.5 Summary

Table 7 shows the outcome of the comparison between the different international instruments. Per instrument and per criterion, the colour of the narrow box denotes the answer to the question. Green indicates a positive and red a negative answer. The broader box adjacent to the narrow box is used to add extra information considering the answer.

At first, the UDT seems to be a candidate for transference to Dutch practice. It answers all questions positively and can, therefore, be regarded as a suitable candidate to use for the purpose of the AID. However, there is a significant downside to the UDT: it is a rather cumbersome instrument. In their research, using Chiswick Park as a case study, Heurkens and Stumpel (2014) identified that for this area development project the organisation was already complex. This project can be characterized as relatively 'simple', when compared to situations where an AID is existing of multiple, differently interested stakeholders.

Both the ID and CA instruments seem better suited to the complexity of the situation. Considering their differences, the ID seems to be chiefly used to combat urban degeneration, while the CA seems more focused on investment in urban areas. The main blockage to use this instrument is its difficulty considering instatement in already developed areas and its decision-making mechanism, which both require unanimous vote. Hence, adaptation of the CA, where decision-making is based on a major vote rather than a unanimous vote seems suitable. Since the CA is not prevalent in mixed-use areas, the contributions of commercial parties in relation to residential parties and the power they hold in the decision-making process are relatively unknown. As the AID is intended for mixed-use areas, it is interesting to consider how this composition would affect the instrument.

The EZ seems to be the odd one out in the comparison. It can be used as an effective tool for urban revitalization, but is primarily focused on the business side and would, therefore, directly yield revitalization of urban area economies.

Though this may be a stimulating condition and possibly a prerequisite for development in certain areas, the EZ seems to be more a tool usable by public actors in the event the AID in itself is not strong enough and requires a catalysing policy. It seems, therefore, better to separate the AID from the EZ and only use the two in tandem if the area is, for instance, a derelict and predominantly residential area which is intended to be transformed to a more mixed-use area.

3.2 Benefits

In this section, the collective services, for which the AID may be used for, are further examined. This gives an understanding of the goals this instrument could be used for. It was described in the design conditions that the instrument should provide extra quality. Extra quality is here defined as programs for place-making, upgrading the physical character of public spaces, programs to make the new and existing building stock of the area more sustainable, shared mobility, new ways of storing or producing energy on an area level or other collective services that supersede the standard level of public services. As such, extra quality is in this perspective regarded as collective services.

3.2.1 Improvement District

Hoyt (2004) conducted a survey amongst ID-organisations across the world. This was done to expand the work of Mitchell (1999), who had done this in the United States exclusively. To make sure that the results were comparable, the same categories of services were used. These categories are:

- Capital Improvements - Funding and supervising the installation of street lighting, sidewalks, curbing, bus shelters, street trees, trash receptacles, bicycle racks and signage.
- Consumer Marketing - Hosting special events and devising formal marketing campaigns to attract customers (visitors, residents and investors).
- Economic Development - Offering incentives such as tax abatements or loans to new and expanding businesses.
- Maintenance - Providing or coordinating garbage, snow, and graffiti removal as well as sidewalk sweeping and landscape maintenance activities.
- Policy Advocacy - Lobbying government bodies and advocating policies intended to benefit commercial interests.

- Security - Paying for security guard patrols, installing electronic security systems, working in tandem with local police departments, and helping business owners prevent crime.
- Social Services - Supporting job training, homeless outreach, and youth services.
- Transportation - Financing and operating parking garages, parking lots and shuttle buses to relieve parking pressures.

The research was also conducted with responses from the Netherlands, but it is not expressed whether she investigated BIZ and the answers were bundled in a category labelled 'Continental Europe'. However, it is interesting to consider the first and the last category. Both of these describe services that are already provided by the municipality in the Netherlands. It was mentioned in Expertmeeting 1 by SKG (2019a) that the BIZ in the Netherlands exclusively focus on the so-called 'software', meaning activities like 2, 4, 5, 6 and 7. It was mentioned that these organisations were interested in becoming a heavier organisation (SKG, 2019a), but it is unknown whether this would include investing in the physical character of the area.

3.2.2 Community Association

As can be deduced from the former section, the CA seems to be specifically interesting to consider as a potential candidate to base the AID on. However, these associations currently require unanimous consent to be founded. As such, the benefits these Community Associations can provide are not available in most of the downtown areas of American cities. Therefore, Nelson (2006) argued that the extensive benefits Community Associations provide justify the modification of legislation that would allow the retroactive imposition of such an association in an established neighbourhood of existing property owners in the case of a supermajority vote of approval. Plainly said, he argues for conditions similar to what is looked for in the AID. As mentioned before, Nelson justifies the modification from unanimous to a supermajority vote with the benefits of the Community Association.

The first benefit Nelson indicates is that of More Complete Control. He uses a quote of Korngold (2001), who states that Community Associations: “can modify covenants more quickly and cheaply than public government can amend zoning, resulting in lowered transaction costs and efficiencies for the community. Moreover, governing boards of homeowners’ associations can develop an extensive regulatory scheme and system of rules, providing for a more controlled, and desirable from the owner’s perspective, living environment”. In other words, Community Associations can provide better suited living environments quicker than conventional public authorities.

The second benefit Nelson introduces is called Neighbourhood Self-Determination. This refers to the idea that, especially in big cities, municipalities sometimes take decisions or make policies that are negatively affecting the living environment of certain neighbourhoods. These neighbourhoods feel underrepresented and not included in the decision-making process, while having to deal with the (often negatively perceived) outcome of these decisions. Handing some of the authority for decision-making over to a Community Association could then ensure that decisions made better reflect residents’ interest and lead to better living environments.

The third benefit is, when put in Dutch perspective, a more dubious one. Nelson states that, if the Community Association would have the right to determine the zoning plan, they would have the zoning rights to the area. He calls this the Private Sales of Rights. This could then entitle them to the sale of these rights to private developers. If they sell part of the rights, they could use the profit to invest in the area. They could also sell the entire area and move to another part of the city. If there are no conditions to this sale, it could lead to, regarded from a wider municipal viewpoint, unwanted developments. In this sense, this benefit could also possibly be one to be enjoyed in the Netherlands, yet it might be necessary to attach conditions to it in the Dutch context.

The fourth benefit Nelson introduces is the Better Provision of Common Services. He uses an example of Linda Morrison, a former top official in the Philadelphia government, to demonstrate how Community Associations can also serve as a vehicle for more effective and efficient provision of neighbourhood services. By contracting out a limited number of “targeted services” to the private sector, as Morrison (2002) reported, “hundreds of millions were saved on these few targeted services since 1993. The savings ranged from 28 percent for the city’s warehouse operation to 53 percent for the Philadelphia Nursing Home to 46 percent for turf maintenance in parks. In every case, service was improved.” These savings can then be used by the municipality to invest in other parts of the city or its services. However, due to pressure from labour unions, the Philadelphia program was cancelled. This could also form a potential problem in the Netherlands, that is traditionally a more social-democratic country.

The fifth benefit Nelson introduces is the development of Neighbourhood Social Capital. The creation of a Community Association can promote and sustain a sense of community and identity. This can lead to residents becoming more involved in their community, hence resulting in social capital. Quoting Jason Mazzone (2002): “a large body of research in the social sciences demonstrates that the ability of high social capital groups to choose their own members, free of any compulsion, is often a vital condition for the cohesiveness, and effectiveness, of the groups, as well as for the commitment of members to a group and their trust in each other.” This benefit may well serve as a tool for “contragentrification”, whereby the creation of social capital through the sense of community and identity prevents neighbourhoods from losing their character.

The sixth benefit is named Local Constitutional Experimentation. This refers to the relative flexibility Community Associations would have to design their constitutions, making them “laboratories of democracy”. Though an interesting concept, one can wonder in what capacity the Netherlands is looking for this. Generally speaking, a lot of services, rules and regulations are provided by the municipality and there is not necessarily any indication that municipalities are inadequate at this task.

The seventh benefit is, however, more interesting to the Dutch context. Nelson here describes Real Decentralization, where he aims at the way in which responsibilities are taken away from municipalities, local government, to Community Associations, sub-local governments. At this moment, the Dutch government has been trying to implement a more decentralized structure to government. The Community Association, or in the Dutch case the AID, could aid in achieving this decentralization.

The eight and last benefit is named the Market Economic Coordination. This describes the idea that a private Community Association, that has the real estate market as a higher authority, will be primarily governed through the market system. As mentioned before, the Dutch social-democratic tradition is not suited for a model where the market system is the leading cause for the association’s behaviour.

Table 8: The benefits of Nelson (2006), categorized in suitability for transference to Dutch context

Less suitable	Suitable	Very suitable
Private sale of rights	More complete control	Neighbourhood social capital
Better provision of services	Neighbourhood self-determination	Real decentralization
Local constitutional experimentation		
Market economic coordination		

The proposed process for the inception of these retroactive community associations is similar to that of the ‘Improvement District’ typology, yet there are some differences. Nelson divides this up into 6 steps:

- A Petition Request: the petitions should include a description of the boundaries of the proposed community association, the instruments of collective private governance, the common services expected to be performed and the monthly assessments required. The petitioning owners should comprise of more than 40 per cent of the neighbourhood property owners and represent at least 60 per cent of the total value of existing neighbourhood properties.
- State Review: the State would then certify that certain standards of reasonableness are met, such as contiguous area; boundaries of a regular shape; an appropriate relationship to major streets, streams, valleys and other geographic features.
- Municipal-Neighbourhood Negotiations: this step discusses transferring ownership of public spaces within the Community Association boundary, as well as how services are provided and how they are paid for.
- A Neighbourhood Vote: no less than a year after receiving state certification and a municipal transfer agreement, the founding documents, municipal transfer agreement, estimates of assessment burdens, a comprehensive appraisal of individual neighbourhood property values and other relevant information will be sent out by the state to inform property owners, to facilitate public discussion and public debate considering the founding of a Community Association.
- Required Percentages of Voter Approval: the founding of a Community Association, of which all property owners are obliged to join, will proceed if 70 per cent or more of the individual unit owners in the neighbourhood, representing 80 per cent or more of the total value of neighbourhood property, vote affirmatively
- A New Private Right: according to the founding documents and the municipal transfer agreement, the lands and rights will be transferred to the Community Association

As can be deduced, these steps differ on some points with the ‘Improvement District’ typology. However, the same general principle is underlying to these instruments: a public sanctioned, privately governed area. Important to remark is that Nelson states that, though the above may give the impression otherwise, he does believe that property rights still have to be defined by governments.

3.2.3 Gebiedscoöperatie

The gebiedscoöperatie is the same as a normal cooperation, but in this case is dedicated specifically to an area. In that sense, participation is on a voluntary basis. The gebiedscoöperatie model, as introduced by STIPO, has generated international interest. This has led to evaluation of the possible benefits that these organisations can provide. The following table lists the different possible benefits their gebiedscoöperatie gives:

3.2.4 Plinth Management

Apart from the general benefits an area organisation might provide, there are two specific organisations that STIPO also focusses on. These elaborate on parts of the Gebiedscoöperatie benefits as described in Table 9. The first of these is a ground floor organisation, that manages the so-called ‘plinths’ of the area. The following list denotes the benefits this organisation may have:

- Establish a lively area that provides quality at eye level and provides the opportunity to densify
- Transforming temporary quality of certain plinths to permanent quality
- Counter market failure due to a mismatch in offer and demand of plinth spaces
- Take away risk for property owners or developers
- Provide protection from competition
- Prevent start vacancy in plinths
- Manage the area applying market knowledge and networks to the plinths

Table 9: Overview of the benefits a Gebiedscoöperatie may yield

Benefit	Aspect
Spark	<ul style="list-style-type: none"> • Bring new energy to the initiative • Build a network of initiators
Community	<ul style="list-style-type: none"> • Provide a platform for all interests in the area to meet and exchange thoughts • Building partnerships and communities, including the existing ones • Develop public-private partnerships • Host regular meetings • Including new property owners or users in the area and community, for example, through a welcoming package • Focus on capacity building through the community • Focus on self-organisation • Breed a culture of place-making, caretaking and place-based development • Promote inclusivity through the celebration of those that work and live in the area
Hub	<ul style="list-style-type: none"> • Develop a 24-hour active area: <ul style="list-style-type: none"> • During the day by enhancing the area economy and subsequent activity through work activity • During the night and weekends by providing public spaces that can be actively used by residents
Branding	<ul style="list-style-type: none"> • Branding, positioning and marketing umbrella for individual initiatives • Communication about new development plans • Organise area identity through, for instance, a website, newsletter or social media presence • Community centre showcasing and providing information considering the area • Joint collection and sharing of marketing data
Place-making	<ul style="list-style-type: none"> • Place-making through temporary activation, place creation, events, daily use programming for play, arts, sports, food and entertainment • Creating destinations that also attract new audiences to the area • Focus on temporary use of vacant buildings and lots through, for example, contests for ideas to use these places • Create room for experimentation • Help the government develop plans for public spaces, parks etc. • Establish permanent place management • Plinth management by permanent shared ground floor units portfolio management using an inclusive and social pricing strategy
Transition	<ul style="list-style-type: none"> • Develop a transitory strategy regarding parking, mobility and public transit • Minimizing impact of construction and focus on wellbeing of the area during construction • Transition of residents • Transition of the public realm
Economy	<ul style="list-style-type: none"> • Branding the current and future area economy • Represent the interests of businesses in the area • Provide the opportunity to organise economic innovation through, for instance, incubator spaces, start-up or scale-up strategies and innovation programming • Matchmaking economic activity through the acquisition of new business contacts to seduce to settle in the area
Collective	<ul style="list-style-type: none"> • Develop a collective approach to sustainable challenges • Develop a collective approach to circularity and re-use • Develop a collective approach to green mobility or mobility-as-a-service • Develop a collective approach to climate adaptation and flooding
Culture	<ul style="list-style-type: none"> • Promote the area's social, cultural, environmental and physical heritage • Share the heritage through storytelling • Develop a collective strategy for public arts and cultural events
Policy advocacy	<ul style="list-style-type: none"> • Lobby for amenities, such as a tram connection or supermarket • Lobby for development of play, sports, arts, food and entertainment facilities • Lobby for spatial and architectural quality • Lobby for social innovation and sustainability programs
Governance	<ul style="list-style-type: none"> • Establish an authorising environment with aspect such as a culture of saying yes • Measure the impact of the organisation

- Create long-term real estate value
- Create space for affordable plinth functions with, for instance, societal or creative occupants
- Better distribute the costs and benefits

3.2.5 Place-making

The second organisation STIPO focusses on is a place-making organisation. This organisation focuses on place-making activities in the area and in doing so, creates societal and real estate value, amongst other benefits. The following list comprises the benefits this organisation may have:

- Activate the area from the start, using temporary functions as an opportunity to establish the area image and spread it
- Follow up on temporary functions with permanent functions that are of high quality and remain that way through adequate programming
- Create a community with a sense of shared ownership
- Develop the quality of the area from liveable to genuinely lovely
- Manage the content of the area, through
 - Creating an inclusive area that is not dominant by one type of users
 - Focus on physical and mental health through walking, cycling, playing, greenery and social facilities
 - Creating an innovation-economy
 - Creating facilities that can be used by all ages, such as children, teenagers, adolescents, parents and elderly
 - Developing a resilient area by applying measures for climate adaptation, such as urban greenery, the city as a sponge principle and providing a comfortable environment in a heated, windy or rainy climate
- Increase the pace of development in the area
- Increase the ability to sale or lease property in the area enhanced in attractiveness due to increased quality of the area
- Create long-term real estate value

3.2.6 Summary

The following sections have listed numerous benefits different types of instruments can yield. Not all of these might be applicable to the AID. Some of these have been left out, having been deemed unsuitable. In order to assess the specific use of the AID, the benefits listed before are combined and ordered in categories to give an overview of the possible benefits the AID might provide.

As can be seen in Table 10, there is a relatively large amount of possible benefits. These range from products, which can be ‘hardware’ such as better designed public spaces or ‘software’ such as collective strategies, and processes, such as the self-organisation or the promotion of area heritage.

It can be observed that the main benefits of instatement of an AID could be on a level of governance, as the AID provides an organisation that can be used for all kinds of decision-making processes. The self-organising aspect of the area can make the AID an area owned institution.

Economically, there are interesting possibilities in increasing real estate value through better area management. Also, the attraction of new business or the retention of existing business can be collectively organised, enhancing the understanding and management of the area economy.

The quality of the area can be improved if the organisation can effectively lobby for certain architectural or spatial quality requirements. Similarly, the organisation of a 24-hour active area can be collectively undertaken, which can possibly be combined with a place-making and plinth organisation, resulting in a lively and high valued area. This can, in turn, create both societal and real estate value.

The instrument can aid in the development of a sense of community in the area. This could result in the development of social capital and give communities more and complete control over their surroundings. Also, the area can become more social and safer by enhancing security and social services in the area, positively affecting the community.

Table 10: Overview of the possible benefits the AID may provide

Governance	Economy	Quality	Community	Advocacy	Branding
Establish a place-making organisation that enhances the quality of the area through branding, creation of a community and enhanced liveability	Establish a place-making organisation that enhances the quality of the area through branding, creation of a community and enhanced liveability	Establish a place-making organisation that enhances the quality of the area through branding, creation of a community and enhanced liveability	Establish a place-making organisation that enhances the quality of the area through branding, creation of a community and enhanced liveability	Lobby for amenities, such as a tram connection or supermarket	Establish a place-making organisation that enhances the quality of the area through branding, creation of a community and enhanced liveability
Represent the interests of businesses in the area	Represent the interests of businesses in the area	Lobby for spatial and architectural quality	Bring energy to a network of initiators	Lobby for spatial and architectural quality	Branding the current and future area economy
Establish a plinth management organisation that enhances the quality of the area through active management of plinths that reduces vacancy and creates societal as well as real estate value	Provide the opportunity to organise economic innovation through, for instance, incubator spaces, start-up or scale-up strategies and innovation programming	Establish a plinth management organisation that enhances the quality of the area through active management of plinths that reduces vacancy and creates societal as well as real estate value	Develop a platform for all interests in the area to meet and exchange their thoughts	Lobby for development of play, sports, arts, food and entertainment facilities	Promote the area's social, cultural, environmental and physical heritage
Develop a collective approach to challenges considering sustainability, circularity, mobility and climate adaptation	Matchmaking economic activity through the acquisition of new business contacts to seduce to settle in the area	Develop a 24-hour active area due to the mix of functions and the provision of public spaces in the area that can be actively used	Using the community to focus on capacity building and self-organisation, such as neighbourhood self-determination and in so encourage the development of real decentralization	Lobby for social innovation and sustainability programs	Share the heritage through storytelling
Using the community to focus on capacity building and self-organisation, such as neighbourhood self-determination and in so encourage the development of real decentralization	Establish a plinth management organisation that enhances the quality of the area through active management of plinths that reduces vacancy and creates societal as well as real estate value	Facilitate the establishment of capital improvements to the area or transportation improvements	Giving communities more complete control over their surroundings	Represent the interests of businesses in the area	Branding the area through the development of an area identity that is communicated to the outside via media
Develop collective transition strategies	Branding the current and future area economy		Develop community social capital		
Establish an authorising environment with aspects such as a culture of saying yes			Develop a safer and more social environment by enhancing security and social services in the area		
Develop a collective strategy for public arts and cultural events					
Measure the impact of the organisation					
Giving communities more complete control over their surroundings					

The instrument may also be an effective tool for policy advocacy, as it organises the different individuals in the area and can, as such, create momentum. This can result in more or new amenities, specific facilities, heightening of spatial and architectural quality or social programs for the area. Also, local business interests can be more strongly represented towards authorities or competitors.

Lastly, establishing an area organisation through the instrument can catalyse the branding of the area. This can promote the area's heritage and share it via media, enhancing its identity. Also, the economic activities in the area can be promoted, possibly attracting new customers for local businesses.

3.3 Player behaviour

As the BIZ law states, private actors can only use it for services that are considered public (Schep, 2014). This poses the question why a private party would want to invest in public services. This question will be answered in three parts. Firstly, the connection between land value and public services will be examined. Secondly, the shifting role of private actors will be discussed. Thirdly, the initiative for self-organisation of private actors will be elaborated on. At the end of this section, a summarising reasoning will be given for why private actors are willing to invest in public services and why they are willing to self-organise to do so.

3.3.1 Private actor motivation

The underlying connection between land value and investment in public services was first discussed by Henry George in 1879. In his book 'Progress and Poverty', George argues that, under certain conditions, the cost for public services will increase aggregate rent based on land value more than that amount (George, 1879).

In 1977 Joseph Stiglitz showed that, under certain conditions, the costs for public services will increase the land value by at least as much as the investment. This was then named the 'Henry George Theorem' (Stiglitz, 1977). The conditions were strictly theoretical, but studies have shown that the conditions in reality approximate the theoretical conditions close enough to make the principle generally true. The studies even indicate that the theorem holds when relaxing the assumptions (Behrens et al., 2010).

Adding to this, the Rule of Paul Samuelson indicates that public parties are willing to invest in public services to maximise land value. More importantly, the Centraal Plan Bureau indicates that, because of the presence of specific public services, consumers are prepared to pay more for real estate in cities (CPB, 2010).

Summarising, the Henry George Theorem (Stiglitz, 1977; George, 1879) in combination with the Rule of Paul Samuelson and the preparedness of consumers to pay more for real estate with a higher level of or specific public services (CPB, 2010) means that, if the maximum of public services is not yet achieved, providing these public services can actually be a worthwhile investment as the costs for them are, at least, covered.

Having established the above, it is now discussed how the role of private actors is shifting towards a role in which they are willing to provide more public services. As Heurkens (2016) stated in his abstract for the session 'A changing role for Dutch real estate developers?' on the ERES conference in Regensburg, it seems necessary for Dutch real estate developers to invest in innovation to remain key players due to societal market trends (Heurkens, 2013). This shift in innovation of, amongst other affairs, the services and business models of Dutch real estate developers is already being witnessed (Haak & Heurkens, 2015).

One of the issues that is currently inhibiting innovation for Dutch real estate developers is the time horizon they use for their projects. Noordanus and Kuipers (2010) indicate that the short time horizon of Dutch real estate developers is negatively affecting their cooperation in area development. Heurkens (2013) is comparing the Dutch 'developmentperspective' to the English 'investmentperspective', identifying that the English approach achieves better returns. Part of the difference between these perspectives is that the 'investmentperspective' takes on a long-time horizon, versus the short time horizon of the 'developmentperspective'.

In that same comparison he mentions that English real estate developers sometimes maintain public spaces (within municipal conditions) so that they can steer on value creation and risk reduction. This coincides with the worldwide shift of real estate developers to long-term investments and commitment to demand-driven (societal) development. One of the reasons for this is the stalling of public investments (Heurkens, 2013). Bogers (2015) indicates that there is already a shift to more market-driven development.

Summarising, the role of private actors is changing due to societal market trends, where it is discernible that it is moving towards more long-term investments and commitment to demand-driven (societal) development (Heurkens, 2013) and since the current time horizon of real estate developers is short (Noordanus & Kuipers, 2010), shifting from a ‘developmentperspective’ to an ‘investmentperspective’ could lead to better returns, as public investments are stalling (Daamen, Heurkens & Verheul; 2020) and maintenance of public spaces by private actors can lead to value creation and risk reduction (Heurkens, 2013).

Since it is now evident that there is an investment opportunity for private actors in providing public services and that private actors are shifting to take on a more societal role, which can mean the provision of public services, it is now relevant to introduce the background for these private actors organizing themselves. To start off, a developer’s business case in area development consists according to Van der Cammen (2006) out of three elements:

1. Plan, design or area vision
2. Budget
3. Cooperation contract

In Expertmeeting 3, where private actors were present, one of the real estate developers indicated that one of the primary reasons for them to invest in services for that area is that it fits their vision and they believe to be able to make a profit from it in the end (SKG, 2019c). This would be the first reason why self-organization of the private parties would be plausible.

It is interesting to understand the reason why private parties want to self-organize. Considering the Improvement District typology, Houstoun (2003) mentions three economic theories for the development of Improvement Districts:

- Municipal socialism is the government culture that refers to local authorities being organised on a function-by-function basis, that is, street cleaning is the responsibility of a single department operating throughout the city. The government culture focuses on equitable distribution of services rather than having pre-defined goals and objectives and is seldom investment orientated.
- The culture of individual enterprise is a highly productive economic force. The measure of its success is the profitability of a single business, and self-interest is the motivating factor for existence and without which we would have no commercial centres. Most entrepreneurs feel little responsibility about the commercial areas in which they function. This culture is typically referred to as classic capitalism.
- As government budgets shrink, effective urban management will depend increasingly upon the ability of public and private role-players to develop innovative partnerships that leverage their limited resources and talents. Improvement districts create working partnerships with government while fostering a culture of individual enterprise. For those with a stake in business, residential and industrial areas, Improvement Districts offer a promising model. The culture of collective self-interest is eminent in cities where Improvement Districts exist. These structures create energy and financial resources of many individual private sector interests, and are able to solve or exploit common problems and opportunities respectively. This culture is referred to as cooperative capitalism and is evident through the formation of public-private partnerships.

The culture of collective self-interest is the force behind the Improvement District typology. The real estate developers present in the Expertmeeting mentioned that they think investing in mobility hubs would pay off in the future (common opportunity).

The second part, considering the budget, can be derived from the first paragraph, indicating an investment opportunity in public services by private actors. However, as was stated in the introduction with the Prodentfactory case, private actors are only willing to do this if they can share the cost with those who share in the benefit. This is where the BIZ-rule could provide a basis, as it provides a mechanism to counter free-ridership. Condition is that the services provided are of a public nature (Schep, 2014). This all fits in the theory of Houstoun (2003) considering the culture of collective self-interest, where private actors are willing to invest in extra quality if this translates into returns and if they are protected from free-ridership.

Summarizing, private actors are willing to self-organise because of a culture of collective self-interest (Houstoun, 2003), that fits in their business case (Van der Cammen, 2006) because of a collective area vision (SKG, 2019c), an investment opportunity (Stiglitz, 1977; George, 1879; CPB, 2010) and protection from free-ridership because of the BIZ-rule (Schep, 2014).

A fourth element can be added to the overview. Apart from the economic underpinning through a business case, there also seems to be a political underpinning for private actors. This was mentioned in Expertmeeting 1 by SKG (2019a) and is mentioned in the survey categories of Mitchell (1999), when researching Improvement District, as Policy Advocacy. The basic idea is that entrepreneurs on their own do not have a strong position representing their interests to the municipality. However, if organized, they can have a strong position and make sure that their interests are secured.

In conclusion, the motivation for private actor investment in public services consists of the following elements:

1. An investment opportunity: the Henry George Theorem (Stiglitz, 1977; George, 1879) in combination with the Rule of Paul Samuelson and the preparedness of consumers to pay more for real estate with a higher level of or specific public services (CPB, 2010) means that, if the maximum of public services is not yet achieved, providing these public services can actually be a worthwhile investment as the costs for them are, at least, covered.
2. A willingness to invest: the role of private actors is changing due to societal market trends. where it is discernible that it is moving towards more long-term investments and commitment to demand-driven (societal) development (Heurkens, 2013) and since the current time horizon of real estate developers is short (Noordanus & Kuipers, 2010), shifting from a 'developmentperspective' to an 'investmentperspective' could lead to better returns, as public investments are stalling and maintenance of public spaces by private actors can lead to value creation and risk reduction (Heurkens, 2013).
3. A preparedness to organise this: private actors are willing to self-organise because of a culture of collective self-interest (Houstoun, 2003), that fits in their business case (Van der Cammen, 2006) because of a collective area vision (SKG, 2019c), an investment opportunity (Stiglitz, 1977; George, 1879; CPB, 2010) and protection from free-ridership because of the BIZ-rule (Schep, 2014).
4. A possibility to advocate favourable policies: through organising, private parties can gain momentum and common interests can be represented in a stronger fashion towards public actors, which is a leading cause for BIZ's in the Netherlands (SKG, 2019a) and can also be witnessed in other countries (Mitchell, 1999).

3.3.2 Public actor motivation

On the other side of the spectrum, it is relevant to understand the shift in role of public actors. Authorities would formerly have a prescribing role, where they took the lead in area development. However, as Heurkens (2013) indicated, public spending is stalling. As mentioned in the introduction, there are currently a large number of challenges, for which the government alone cannot provide the answers.

According to both Vulperhorst (2009) and the Watertorenberaad (2010), the role of municipalities is to facilitate private investment. However, as Heurkens (2013) argues, there is need for a change in municipal culture to shift from active to facilitating land policy. One of these changes is the shift from developer to director or connector/facilitator (Watertorenberaad, 2010; Luijten, 2010; Luijten, 2012a; Luijten, 2012b).

To do this, Heurkens (2013) refers to the four roles a facilitating municipality can take according to Adams and Tiesdell (2010):

1. Shape
2. Regulate
3. Stimulate
4. Activate

There are a number of things the municipality can do to take on a role considering more facilitating land policy. Firstly, the municipality can connect the multitude of interests that come together in an area. It can then proceed by fusing these interests, for instance through the Mutual Gains Approach (Puylaert & Werksma, 2011; De Zeeuw, 2011).

Another way the municipality can help is through the 'Balancing Act' (not to be confused with a real law, rather it is an attitude of the public parties), where it offers guarantees on the one hand and keeps zoning plans flexible by basing requirements on outlines of public plans and programs on the other hand (Heurkens, 2013). This is supported by Puylaert and Werksma (2011) and De Zeeuw (2011), who state that the municipality must decrease uncertainty and make zoning plans flexible enough.

Already discussed, but again mentioned, the most important facilitating role the municipality can offer is prevention of free-ridership through a levy similar to that of the BIZ-rule. This is part of the provision of guarantees as mentioned in the Balancing Act, where the municipality ensures that ample contributions will be made through a levy if enough support is found and the goal is to provide public services.

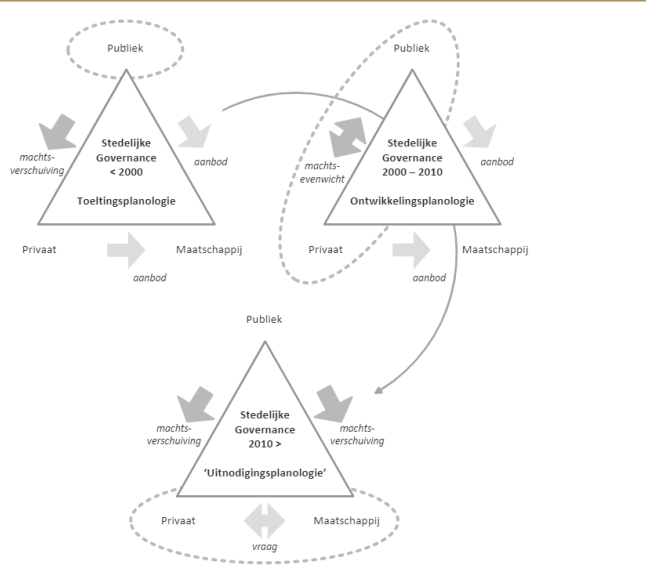
In conclusion, the motivation for public actor facilitation in the Area Improvement District consists of the shifting role of public actors, from a directing to a more connecting or facilitating role (Heurkens, 2013; Watertorenberaad, 2010; Luijten, 2010; Luijten, 2012a; Luijten, 2012b; Vulperhorst, 2009), and the possibilities public actors have to facilitate, like connecting the multitude of interests and fusing these (Puylaert & Werksma, 2011; De Zeeuw, 2011) and the Balancing Act (Heurkens, 2013), that provides guarantees (Heurkens, 2013; Puylaert & Werksma, 2011; De Zeeuw, 2011) like the BIZ rule and allows for more flexible zoning plans (Heurkens, 2013; Puylaert & Werksma, 2011; De Zeeuw, 2011).

3.3.3 General governance shift

Apart from the shift in player behaviour as reasoned in the two sections above, research has already been conducted to describe the shift in urban governance. This can be viewed in the Figure 6: Urban governance shift in the Netherlands, as found by Heurkens (2012). It displays the shift in urban governance, from a dominant public actor, via cooperating public and private actors, to private and societal dominance.

This image helps put the shift in urban governance in perspective. It also better positions the AID in the context of urban governance, as the instrument is characteristic of the newest phase of urban governance as Heurkens has identified.

Figure 6: Urban governance shift in the Netherlands, as found by Heurkens (2012)



3.4 Summary

In this section, the literature review is summarised. Firstly, a summary of the comparable instruments, possible benefits and actor motivation is given. Secondly, the theoretical framework is introduced.

3.4.1 Literature review

In this section, the literature review is summarised as to represent a coherent overview of the existing knowledge regarding the AID. Firstly, the current Dutch legislature relevant to the AID is reviewed and assessed. Secondly, the applicability of instruments hailing from international comparison is discussed. Thirdly, the possible benefits of the instrument are elaborated on. Fourthly, player behaviour is examined more closely.

Considering the current Dutch instruments, the BIZ is interesting as it already has some elements that can be used to provide collective services. However, it is lacking in its applicability for mixed-use areas and is not well applicable during all phases of the area development, as well as not providing a solid framework for longer term investments in an area.

Kostenverhaal is only limitedly applicable, as it is not suitable in all phases of development, cannot be used by private actors and cannot assess all actors in the area. In that sense, the instrument represents strong public actor power to divide costs for area development, but does not suit the rest of requirements for applicability.

Contrastingly, the Gebiedscoöperatie is an example of weak private actor power. Though, when looking at the answers, one can discern that all questions are answered positively, the practical workability of the instrument is severely impaired because of the voluntary basis it is founded upon.

Lastly, Park Management can, in some sense, be seen as a combination of the both and forms a stronger publicly sanctioned privately initiated organisation. However, it is not applicable in all situations and cannot be used in all situations as it requires unanimous consent.

In conclusion, it is deducible that none of the currently available legal instruments in the Netherlands matches the solution definition entirely. Hence, the need for instatement of a new legal instrument, the AID, is proven.

When comparing the international instruments, the UDT seems to be a candidate for transference to Dutch practice at first. It answers all questions positively and can, therefore, be regarded as a suitable candidate to use for the purpose of the AID. However, there is a significant downside to the UDT: it is a rather cumbersome instrument. In their research, using Chiswick Park as a case study, Heurkens and Stumpel (2014) identified that even for this area development project the organisation was already complex. This project can be characterized as relatively 'simple', when compared to situations where an AID is existing of multiple, differently interested stakeholders.

Both the ID and CA instruments seem better suited to the complexity of the situation. Considering their differences, the ID seems to be chiefly used to combat urban degeneration, while the CA seems more focused on investment in urban areas.

The main blockage to use this instrument is its difficulty considering instatement in already developed areas and its decision-making mechanism, which both require unanimous vote. Hence, adaptation of the CA, where decision-making is based on a major vote rather than a unanimous vote seems suitable. Since the CA is not prevalent in mixed-use areas, the contributions of commercial parties in relation to residential parties and the power they hold in the decision-making process are relatively unknown. As the AID is intended for mixed-use areas, it is interesting to consider how this composition would affect the instrument.

The EZ seems to be the odd one out in the comparison. It can be used as an effective tool for urban revitalization, but is primarily focused on the business side and would, therefore, directly yield revitalization of urban area economies. Though this may be a stimulating condition and possibly a prerequisite for development in certain areas, the EZ seems to be more a tool usable by public actors in the event the AID in itself is not strong enough and requires a catalysing policy. It seems, therefore, better to separate the AID from the EZ and only use the two in tandem if the area is, for instance, a derelict and predominantly residential area which is intended to be transformed to a more mixed-use area.

There is possibly a relatively large amount of possible benefits from establishing an AID. These range from products, which can be 'hardware' such as better designed public spaces or 'software' such as collective strategies, and processes, such as the self-organisation or the promotion of area heritage.

It can be observed that the main benefits of instatement of an AID could be on a level of governance, as the AID provides an organisation that can be used for all kinds of decision-making processes. The self-organising aspect of the area can make the AID an area owned institution.

Economically, there are interesting possibilities in increasing real estate value through better area management. Also, the attraction of new business or the retention of existing business can be collectively organised, enhancing the understanding and management of the area economy.

The quality of the area can be improved if the organisation can effectively lobby for certain architectural or spatial quality requirements. Similarly, the organisation of a 24-hour active area can be collectively undertaken, which can possibly be combined with a place-making and plinth organisation, resulting in a lively and high valued area. This can, in turn, create both societal and real estate value.

The instrument can aid in the development of a sense of community in the area. This could result in the development of social capital and give communities more and complete control over their surroundings. Also, the area can become more social and safer by enhancing security and social services in the area, positively affecting the community.

The instrument may also be an effective tool for policy advocacy, as it organises the different individuals in the area and can, as such, create momentum. This can result in more or new amenities, specific facilities, heightening of spatial and architectural quality or social programs for the area. Also, local business interests can be more strongly represented towards authorities or competitors.

Lastly, establishing an area organisation through the instrument can catalyse the branding of the area. This can promote the area's heritage and share it via media, enhancing its identity. Also, the economic activities in the area can be promoted, possibly attracting new customers for local businesses.

The second and third research questions focus on the motivation of both private and public actors to participate in the AID. For the private actors, this can be summarised in the following list:

- An investment opportunity: the Henry George Theorem (Stiglitz, 1977; George, 1879) in combination with the Rule of Paul Samuelson and the preparedness of consumers to pay more for real estate with a higher level of or specific public services (CPB, 2010) means that, if the maximum of public services is not yet achieved, providing these public services can actually be a worthwhile investment as the costs for them are, at least, covered.
- A willingness to invest: the role of private actors is changing due to societal market trends. where it is discernible that it is moving towards more long-term investments and commitment to demand-driven (societal) development (Heurkens, 2013) and since the current time horizon of real estate developers is short (Noordanus & Kuipers, 2010), shifting from a ‘developmentperspective’ to an ‘investmentperspective’ could lead to better returns, as public investments are stalling and maintenance of public spaces by private actors can lead to value creation and risk reduction (Heurkens, 2013).
- A preparedness to organise this: private actors are willing to self-organise because of a culture of collective self-interest (Houstoun, 2003), that fits in their business case (Van der Cammen, 2006) because of a collective area vision (SKG, 2019c), an investment opportunity (Stiglitz, 1977; George, 1879; CPB, 2010) and protection from free-ridership because of the BIZ-rule (Schep, 2014).
- A possibility to advocate favourable policies: through organising, private parties can gain momentum and common interests can be represented in a stronger fashion towards public actors, which is a leading cause for BIZ’s in the Netherlands (SKG, 2019a) and can also be witnessed in other countries (Mitchell, 1999).

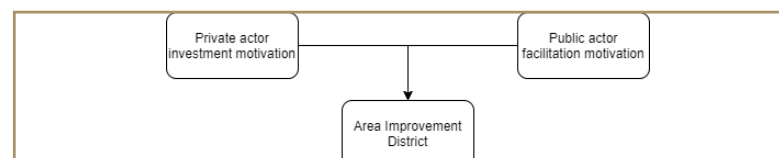
The motivation for public actors to adapt a facilitating role consists of the shifting role of public actors, from a directing to a more connecting or facilitating role (Heurkens, 2013; Watertorenberaad, 2010; Luijten, 2010; Luijten, 2012a; Luijten, 2012b; Vulperhorst, 2009), and the possibilities public actors have to facilitate, like connecting the multitude of interests and fusing these (Puylaert & Werksma, 2011; De Zeeuw, 2011) and the Balancing Act (Heurkens, 2013), that provides guarantees like the BIZ rule and allows for more flexible zoning plans (Heurkens, 2013; Puylaert & Werksma, 2011; De Zeeuw, 2011).

To conclude, there is private actor motivation for investing in the AID, as well as public actor motivation for facilitating in the AID. Furthermore, a coarse definition of the AID has been provided. There are a number of affairs that require nuancing, for example whether capital improvements are part of the AID and who finances investment in them, which can be obtained from the use of the instruments for practitioners.

3.4.2 Theoretical framework

To adapt the literature review into a workable visual representation of the AID, a theoretical framework is built that embodies the prevailing concepts within it. These concepts are the AID itself, the private actor investment motivation and public actor facilitation motivation. These concepts are an abridgment of the literature review findings.

Figure 7: Abridged theoretical framework



An aerial photograph of a city, likely Copenhagen, showing a river, a cable-stayed bridge, and various urban buildings. The image is used as a background for the text.

4. Findings

In this section, the cases will be discussed. The cases are divided in the complete cases and the incomplete cases. Per case, three tables are given: the first table denotes the answers to the 'implementation' part of the interview questions. The second table illustrates the suitability with regards to the original selection criteria. The third table contains the answers to the 'goals' part of the interview questions. Also provided are a map of the location in question and a short introductory background. The map of the location is on 1:500 scale, in which the case area is marked with red. Lastly, a summary is given in which the benefits and implementation replies are compiled, as well as a case reflection.



Chapter 4 Figure: Merwedekanaalzone, one of the case studies (DUIC)

4.1 Case study findings

In this section, the case study findings are discussed. Because of limited reactions to some case studies, not all of them have been completed. Therefore, the finished case studies, which are Amstel III, Universiteitskwartier, de Hoef, Stad tussen de Bomen and Merwedekanaalzone are discussed first in this section.

The author has been unable to interview all of the needed parties for some cases and as such, these cases may not give a complete perspective on the area. However, as the areas have been selected and insights have come forth from these, these case studies are included. These cases are Rijnhuizen, KnoopXL and Luchthavengebied, which will be discussed following the finished cases.

Though the above case studies already highlight part of the areas in the Netherlands that practitioners advised to research, there are also two cases that have not been researched. The first is the Eemskanaalzone in Groningen. Currently, the area development has finished its first stage, in which there were no problems regarding the financing of it and the plans were already of high enough quality that there is no need for collective service addition. However, in the second part, there may be need for the instrument. This is, of yet, unsure and the case can be investigated once it becomes relevant.

The other case is the Rotterdam Central District. The researcher was unable to establish contact with the relevant parties in time to get some insight into the case area. This area is potentially more likely to be relevant for the AID. It is in the heart of Rotterdam, near the Central Station, and has a well-developed existing context. Application of the instrument in this case could signify the use of the AID in the exploitation phase of an area development.

4.1.1 Amstel III

Amstel III is a new area development, located in the southeast of Amsterdam near the Bijlmer neighbourhood. In the vicinity is the landmark Johan Cruijff Arena, home of the Ajax football club.

Figure 8: Location of Amstel III



Table 11: AID implementation according to Amstel III interviewees

What conditions are necessary for using the instrument in this case area?	It should be researched what contributions each party should pay and what right of voting this gives. This hangs in the balance between 'who pays, says' and capacity to pay. It is debatable whether voting power should be proportional to ownership position. There should also be a clear necessity to apply the instrument for the suggested themes. The AID should also be possible to grow and remain flexible. 70% seems an adequate voting threshold. It should be controlled who becomes part of the AID: the forcing element can add parties who have no clear profit and, therefore, do not belong it. This should be prevented. It should also be kept in mind that governmental policy can change every 4 years, so this should not be affected by it.
What is a possible obstacle in realizing the instrument in this area?	That the reason for applying this measure is not sufficient enough. It may also be the case that interests are too divergent.
Would the need for the instrument be enough to convince the politicians that it should be introduced?	Possibly, opinions are varying regarding this. It seems most likely to succeed if there is a clear problem that the instrument helps prevent and that it can be integrated well in the existing context. However, forcing is still a sensitive topic and municipalities should retain a strong position to keep power balanced.
What if there would not be an instrument?	It is unclear whether the instrument is necessary here. The main concern in this case is the transition of the developers to the investors and whether or not this results in conflict. There are signs that opinions differ, but this has not caused problems. Hence, it is too early to say whether the instrument would be needed in this case. The most likely outcome would be some sort of Park Management structure. Another option is the existing practice of coalition building.

Table 12: AID characteristics compared to Amstel III

Is this a mixed-use area?	No, but the area will be developed into a mixed-use area.
Is the area in development or has it been developed?	The area is currently in development.
Does the land ownership of the area consist out of existing owners and new developers?	Yes, parts of the offices from the former office park will remain alongside new residential developments.
Is there need for collective services in the area?	Yes, private parties are exploring ways to add quality to the area.
Is there an initiative with the active parties in the area to organize this?	Yes, this can be seen in the Stichting Hondsrugpark.
Does this initiative concern the provision of services of a higher or different level than that the authorities provide?	Yes, especially the addition of greenery. Right now, future operation of the area is the main discussion point.
Are there examples of collective services in the area, that did not continue as a part of the stakeholders did not want this to happen?	Unsure. Some parties are more hesitant in adding more collective services, as they think this may negatively impact the saleability of their property

Table 13: AID benefits for Amstel III

What are the possible benefits that the introduction of an AID may have regarding governance?	For Amstel III, this is not yet certain. The use of Stichting Hondsrugpark as a platform for collaboration is currently working well and more parties are joining it. The area development is yet in its beginning stages and there have been, for this reason, no issues defined that would indicate the need for a AID. However, these may arise: current initiatives can be fragmented. Important is that the instrument doesn't become too dogmatic and rigid, but keeps space for initiatives. Furthermore, there are areas like that around the Paasheuvelweg that are less organised than the Stichting Hondsrugpark. Is also seems that ZO!City, the larger area organisation, is not sufficiently capable to channel the interests of Amstel III.
What are the possible benefits that the introduction of an AID may have regarding economy?	The area already has a quite developed economic function, as it formerly consisted out of more offices. Moreover, the area is very well connected. The main economic selling point suggested is that the area can be a good alternative for the South Axis, where rental prices are a lot higher and which is relatively similar connected. What new enterprises will locate is a bit debatable though: there are also voices that say local entrepreneurs from the Bijlmer should be offered a spot here. This may make it difficult to jointly represent business interest.
What are the possible benefits that the introduction of an AID may have regarding quality?	As of yet, there is not necessarily a need to introduce a AID for this. The current platform Stichting Hondsrugpark stands on a good footing with the municipality and together, they are able to discuss qualitative issues in an orderly manner. However, it has been mentioned that the available means may not be available to fully support this from the public side and that, if extra quality is desired, private funding may become necessary.
What are the possible benefits that the introduction of an AID may have regarding community?	This has not been a strongly discussed topic. This is partly due to the stage in the process the development is currently at, but also the difference in standpoint between the developers. Some developers aim to achieve further reaching impact on this point than others. The general consensus at this point is to make the area at least a 16H a day area, meaning that it is active between approximately 7:00 to 23:00. This means working and food and beverage, which ends at approximately 23:00. Furthermore, it seems most relevant to connect the existing networks to each other, or instate them if they are not in place.
What are the possible benefits that the introduction of an AID may have regarding advocacy?	The current Stichting already enables the parties to lobby strongly at the address of the municipality. It is therefore not likely that they will need a heavier organization for this. There are, however, other parties that are interested in also advocating their interests. For them, the instatement of the AID could provide a good way of connecting with the Stichting Hondsrugpark.
What are the possible benefits that the introduction of an AID may have regarding branding?	With this last benefit, as well, there is no need for a AID at this point. The current Stichting is already working together in providing, for instance, fencing with the same décor throughout the area. However, there is some disagreement in the area as to how it should be positioned: some parties are less keen on connecting it to the Bijlmer and like to focus it more on the area around the Cruijff Arena. Others want to emphasize the connection to the Bijlmer.

4.1.2 Universiteitskwartier

Universiteitskwartier Amsterdam concerns the partial redevelopment of one of the oldest parts of Amsterdam, in the middle of the city centre.

Figure 9: Location of Universiteitskwartier



Table 14: AID implementation according to Universiteitskwartier interviewees

What conditions are necessary for using the instrument in this case area?	70% is a good voting threshold, recognisable from other areas of real estate. There should be differentiation across the different types of contributors. The instrument should not be used if there is no profit. There should also not be something like a 'preferred stock' position in the instrument. Control and say should be reasonably distributed across participants and the governing organisation should be as democratic as possible. The goal should be to, at least partially, reinvest the extra income the area would generate in the area. Also, specific attention should be paid to prevention of the instrument for criminal purposes.
What is a possible obstacle in realizing the instrument in this area?	Merging interests is a difficult point. Furthermore, with regards to owned positions, the AID is at odds with the self-realisation right.
Would the need for the instrument be enough to convince the politicians that it should be introduced?	Yes and no. The government currently holds a lot of control in the spatial planning domain, which it is not expected to want to yield. This is dependent on what the AID will be able to do. On the other hand, collectively adding quality to the area is definitely needed.
What if there would not be an instrument?	Revert back to own interest and finding coalitions of like-minded parties, then develop support and convince the other parties.

Table 15: AID characteristics compared to Universiteitskwartier

Is this a mixed-use area?	Yes, there are a lot of different functions in the area. The main function will be the campus of the University of Amsterdam, but there are also residents and companies in the area.
Is the area in development or has it been developed?	The area will be in development, but a lot of it will be transformation. The area is characterized by old buildings, of which the goal is to keep them.
Does the land ownership of the area consist out of existing owners and new developers?	There are existing owners, but there are no new developers. However, one of the owners is redeveloping their position.
Is there need for collective services in the area?	Yes, specifically collective sustainability services
Is there an initiative with the active parties in the area to organize this?	Yes, there are initiatives, especially with the residents. These are often small scale.
Does this initiative concern the provision of services of a higher or different level than that the authorities provide?	Yes, as these are often neighbourhood initiatives.
Are there examples of collective services in the area, that did not continue as a part of the stakeholders did not want this to happen?	No, not yet.

Table 16: AID benefits for Universiteitskwartier

What are the possible benefits that the introduction of an AID may have regarding governance?	Plinth management or place making can add value to the area. Specifically, plinth management, as the current functions are very oriented on tourists and not so much on the area itself. It is relevant to keep decision-making close to the people and the place. The UvA campus forms a central part of it and aligning plinths with the concept of the campus, being Society and the Humanities, would make it a more integral area. Joint strategies are most interesting on the field of logistics and expedition, as there are increased rules from the municipality with regards to this. Collectively organising has a number of benefits: it leads to a generally good decision for everybody, the municipality likes collectively supported decisions and is more recipient to these initiatives, in part as this allows them to better allocate their resources. The AID could also help, as the current participation trajectory is not working for all parties. However, there are downsides as well: parties will lose part of their own decision-making power. However, using an AID to help steer municipal decisions will help make those decisions align more with what is needed in the area.
What are the possible benefits that the introduction of an AID may have regarding economy?	There is not necessarily need for an AID to add new types of economy to the area, though this would be nice. The conviction is that if the area has developed a strong enough profile, for instance that of Society and the Humanities campus, the move of companies will occur naturally. However, not all should be linked to the UvA: the area is more than the university. There is now also a problem with large amounts of criminal money in the area, due to neighbouring prostitution and drug dealing. This also affects the real estate in the area and ridding the area of these types of 'wrong' economy would be good.
What are the possible benefits that the introduction of an AID may have regarding quality?	There is a definite need to invest in urban greenery. Also, the public space is old and worn out: renovations would be welcome. However, liveliness is already causing problems and the area is in danger to become more lively than liveable.
What are the possible benefits that the introduction of an AID may have regarding community?	The AID could be used to make the area safer, as there are a good number of niches and dark corners where drunkards and drugs users tend to hang around. Initiatives are already being explored to use private area management, referred to as a 'buurtconciierge', and some areas are being closed off during the night. There is need to come together, but this already happens. The UvA tries to open spaces up they have for these kinds of gatherings. However, there is no specific need to further develop the community in the area: it has already been well-developed.
What are the possible benefits that the introduction of an AID may have regarding advocacy?	There is special need to get rid of the monofunctional tourist economy and replace it with a more diverse offering of functions and services, also because of its ties to criminal money. This does not necessarily need an AID. Programmes for social innovation or sustainability are needed, since they can well exemplify the potential the area has. New coalitions of alliances can help this. It should be kept in mind that the area is in the heart of Amsterdam and that a lot of services are within reach.
What are the possible benefits that the introduction of an AID may have regarding branding?	Currently, the area has a negative connotation. However, it is a beautiful area with a lot of history. The goal is to revamp the identity and make it a more positively known area. Heritage should be central in this. Apart from reverting possible negative aspects, it is not wished to promote the area: it is already very busy.

4.1.3 De Hoef

Amersfoort de Hoef is an ongoing area development at the eastern side of Amersfoort. Though the image as retrieved from Google shows quite a large area, the case specifically discusses the area lodged between the A28 and A1 junction and Amersfoort Schothorst train station.

Figure 10: Location of de Hoef



Table 17: AID implementation according to de Hoef interviewees

What conditions are necessary for using the instrument in this case area?	Using the 70% for voting seems a good threshold, also because of its ubiquity in other areas of real estate. The most important thing is that it is clear that there will be profit from participating in the AID. Though the costs should be differentiated, the diverging interests may make it difficult to find common ground regarding this division. Costs should be proportional to the capacity and profit parties have.
What is a possible obstacle in realizing the instrument in this area?	Interests are possibly too divergent to find common ground. This also works out on the dilemma of contribution height and voting rights: do those who pay more get to have a heavier vote? Furthermore, it is a heavy instrument and the time, energy and costs should not be too large for it to function. Lastly, there should be at least one driving force, possibly an independent one.
Would the need for the instrument be enough to convince the politicians that it should be introduced?	For Amersfoort de Hoef, there is not likely a need for the instrument. However, opinions differ regarding the national need for it. If the instrument is expected to work and there are enough areas that are in need of it, it could become national policy.
What if there would not be an instrument?	Revert to the established practice of building coalitions in the area. This can also mean that the municipality needs to take a stronger role as driving force for possible coalitions in the area.

Table 18: AID characteristics compared to de Hoef

Is this a mixed-use area?	Yes, the area is mixed-use. At this moment, the area is predominantly working, but it will become an area that also includes residential objects.
Is the area in development or has it been developed?	The area development has been started in 2018, but has not finished yet.
Does the land ownership of the area consist out of existing owners and new developers?	Yes, it does. However, the majority of land ownership is in hands of new developers.
Is there need for collective services in the area?	Yes, there is.
Is there an initiative with the active parties in the area to organize this?	Yes, but this does not necessarily translate to the whole area.
Does this initiative concern the provision of services of a higher or different level than that the authorities provide?	Yes.
Are there examples of collective services in the area, that did not continue as a part of the stakeholders did not want this to happen?	No.

Table 19: AID benefits for de Hoef

What are the possible benefits that the introduction of an AID may have regarding governance?	Specifically relevant in this case is that requirements have been made by the municipality regarding what the different parties have to realise in terms of work functions. Also, some plinth functions will be added, but it is yet unsure where this will be. There is need to align this among the private actors. Similarly, there are ambitions with regards to sustainability, but matters such as underground amenities (f.e.: heat and cold storage) have yet to be discussed on. Interests seem to be too divergent for further area wide cooperation: some organisations, like the entrepreneurs' association are more vocal, but individual parties are not that involved.
What are the possible benefits that the introduction of an AID may have regarding economy?	As mentioned, there have been made requirements with regards to work functions in every development. However, the size of developments varies and this means that some developments have a relatively small portion of their development allocated to work functions. This results in, by figure of speech, an abundance of flex working places. This is not a solution for all developers and cooperation on this, for example in the shape of exchange of functions between plots, could provide outcome for this. The ideas for what type of economy has to land here are also less well developed, further making this a more difficult topic. Furthermore, the area is currently not easily attracting new business, which is making the economic part of the development more difficult. If interests can be aligned area wide, this would be a suitable cooperation topic.
What are the possible benefits that the introduction of an AID may have regarding quality?	The vision of the municipality is adequate with regards to quality of the public space. Adding liveliness to the area is necessary, but this would rather be in a 16H setting. What could help is determine where specifically the 'qualitative points' in the area will be. This can also be combined with the plinth functions, as mentioned earlier.
What are the possible benefits that the introduction of an AID may have regarding community?	The current development is at its beginning stages, which makes it difficult to accurately predict the necessity for investments in the community. Parties do think that it is important to make sure that users of the area will be able to meet: whether this is a separate platform, or a need that can be sufficed by local cafes is debatable. It is generally accepted that the development of social capital is important for the area to function, but there is ambiguity amongst the parties whether this should be steered on or whether this should develop naturally.
What are the possible benefits that the introduction of an AID may have regarding advocacy?	There seems to be more necessity amongst the private and societal parties for amenities or functions than there is with the municipality. In that sense, there is a clear use for the AID if it could help private and societal parties better articulate these wishes. Their common denominator is expected to be those amenities or functions that are both profitable as well as providing spaces or activities for users.
What are the possible benefits that the introduction of an AID may have regarding branding?	There is a definite need for the development of an area identity. One of the area's advantages is its proximity to station Amersfoort Schothorst, which is not yet advertised that strongly. However, it is unsure whether an AID is necessary to achieve this.

4.1.4 Stad tussen de Bomen

Haarlem Stad tussen de Bomen is a new area (re) development project, located in the centre of the Schalkwijk part of Haarlem.

Figure 11: Location of Stad tussen de Bomen



Table 20: AID implementation according to Stad tussen de Bomen interviewees

What conditions are necessary for using the instrument in this case area?	The voting threshold is debatable: 70% does show that there is a clear urgency for the proposed amenities, however, it remains a sour decision if one has no clear benefit from those amenities. Costs should be limited to the owner, not the user. It is good to differentiate the costs between residents and commercial interests, where it may even be preferable to exempt residents from contributing. In any case, there should be a clear profit and those that profit should then be contributors. It may be advisable to take a conservative approach to obligating parties to take part in the instrument. Especially since the collective amenities may not always be beneficial to all, but can also have a negative impact.
What is a possible obstacle in realizing the instrument in this area?	Divergence of interest or the prevalence of own interest can make alignment difficult. Similarly, the time horizon of participants may be too short, the AID could result in too many results or too high contributions. Lastly, some parties just don't feel societal responsibility.
Would the need for the instrument be enough to convince the politicians that it should be introduced?	This is also mixed: on the one hand, the question can arise whether this is the best suitable instrument to better connect those who profit to those who make the costs. On the other hand, might the instrument prove helpful in speeding up area development or adding housing and as such, be contributing to the housing shortage, it may have a large chance of success.
What if there would not be an instrument?	There is a need to think of new instruments that can better link area development costs to area development profits. This may be done via funds, or via a sort of points system as suggested by BPD. This would amount to a form of air rights, where the provision of contributions to the area such as the housing of societal functions leads to the development of more volume. Generally, larger developing parties now tend to name themselves area developers and, in keeping with that role, it seems logical that they then take a larger role as driving force of these types of amenities. If a number of large parties commit to these amenities, they tend to be able to take smaller ones with them.

Table 21: AID characteristics compared to Stad tussen de Bomen

Is this a mixed-use area?	Yes, there are both commercial and residential functions in the area
Is the area in development or has it been developed?	It is in development
Does the land ownership of the area consist out of existing owners and new developers?	Yes
Is there need for collective services in the area?	Unsure
Is there an initiative with the active parties in the area to organize this?	Unsure
Does this initiative concern the provision of services of a higher or different level than that the authorities provide?	Unsure
Are there examples of collective services in the area, that did not continue as a part of the stakeholders did not want this to happen?	Unsure

Table 22: AID benefits for Stad tussen de Bomen

What are the possible benefits that the introduction of an AID may have regarding governance?	Place making has already been executed by the municipality, so there is no need for an organisation to do this. There is need for joint strategies in the area, such as for water management, greenery and appearance. These strategies are fine if they consider the area level, even the plot level, as long as they don't consider the building level. This where individual owners already have their own goals. Though there was no cooperation on some levels, such as underground amenities, retrospectively this might have been useful. For most parties, there is need to think about the plinths, as filling these is as of yet proving quite difficult. This is a general thing of the area: residents are enthusiastic, but work functions are more difficult to allocate.
What are the possible benefits that the introduction of an AID may have regarding economy?	There is a definite need to add new sorts of economies to the area. However, this is difficult, as the area is not particularly suited to this. Also, the municipality is fulfilling an active role in this.
What are the possible benefits that the introduction of an AID may have regarding quality?	The ambitions for the area are already quite high, so there is not necessarily need for additional quality. However, there is need to control this quality, as it is already pressurized from time to time. The liveliness sought after is that of a 16H category, but this does mean that the plinths should be adequately filled. This has proven difficult.
What are the possible benefits that the introduction of an AID may have regarding community?	There is, at this moment, no need for a platform to meet for those who have an interest in the area. This is partly due to the clearly organised ownership, but this may change with time, as more and different owners come to the area. Social capital development is good and fits in the area, but is dependent on who will live in the area. The municipality is focussing on the safety in the area, which is an important topic, considering the surrounding neighbourhood. There are already a number of social amenities in the area, which make them not needed in this area.
What are the possible benefits that the introduction of an AID may have regarding advocacy?	There are mixed feelings with regards to the addition of a public transit stop near the area. The high quality of the plan also states that there is, as of yet, no need to extra amenities with regards to sports or culture. Programmes for social innovation or sustainability are chiefly the domain of the municipality.
What are the possible benefits that the introduction of an AID may have regarding branding?	The branding of the area has been taken care of with the area identity, which is very strong and forms a good basis for developments to connect with. The branding of the economy of the area may use a boost.

4.1.5 Merwedekanaalzone

The Merwedekanaalzone in Utrecht is a large strip of area located next to the Merwede canal, in the Transwijk neighbourhood.

Figure 12: Location of Merwedekanaalzone



Table 23: AID implementation according to Merwedekanaalzone interviewees

What conditions are necessary for using the instrument in this case area?	A voting threshold of 70% is sensible, for the current plans of Merwede 95% of the owners are participating. However, if it would have been 70%, this would also have meant 30% not. For the developing phase costs can be divided on the basis of ownership. Costs differentiation is difficult, also since there are differences between the residential types. Also, the time horizon is important to take into account. However, the instrument may be useful if profit can be demonstrated.
What is a possible obstacle in realizing the instrument in this area?	Fragmented ownership and areas where there are not many investments. Experience also shows that the market needs to believe in what is proposed. Furthermore, forcing a minority that doesn't want to cooperate is sensitive.
Would the need for the instrument be enough to convince the politicians that it should be introduced?	There is doubt whether the time is right. It is a new domain and the urgency now lies with the climate and housing crisis solutions. It is also a complex niche of the field. The instrument may be applicable to a number of specific areas in the Netherlands, but national implementation may be difficult. Baatbelasting (Profit's tax) also exists for some time, but is politically difficult and sensitive. Also, it is technically complex. The AID may be the same.
What if there would not be an instrument?	Through cooperation, temptation, content-based argumentation, showing that it can be a win-win solution, showing what the solution will deliver, showing that the solution will lead to higher quality to which a company can couple its name, enticing in a soft manner, using the moment when decisions are made to your advantage. Also, entrepreneurship is important: just doing it if you believe in the added value and business opportunity.

Table 24: AID characteristics compared to Merwedekanaalzone

Is this a mixed-use area?	Yes
Is the area in development or has it been developed?	It is in development
Does the land ownership of the area consist out of existing owners and new developers?	Yes
Is there need for collective services in the area?	Yes, such as Mobility-As-A-Service
Is there an initiative with the active parties in the area to organize this?	Yes
Does this initiative concern the provision of services of a higher or different level than that the authorities provide?	Yes
Are there examples of collective services in the area, that did not continue as a part of the stakeholders did not want this to happen?	No

Table 25: AID benefits for Merwedekanaalzone

What are the possible benefits that the introduction of an AID may have regarding governance?	There may be need for an organisation to take on the plinth management and place making in the area. This is dependent to what measure of forcing is needed to be applied. Similarly, there is a need for joint strategies for the area. Some of these have already taken place. This need originates from both the private as well as the public side. The question did arise whether the AID would provide the best vehicle for realizing this. The chief difference is that the municipality, which also owns a sizeable part of the land, will remain in the area, whilst some of the developers will leave relatively soon. There are already examples of successful cooperation in the area, such as the underground amenities and shared mobility. It is expected that the need for an area organisation will increase with the shift to the exploitation phase. An interesting option may be to have operation responsibilities delegated from public actors to private actors, in a concession set-up. A limitation that is relevant to keep in mind is that social housing associations cannot participate in companies that are for profit, so the AID has to be not-for-profit if they should be part of it.
What are the possible benefits that the introduction of an AID may have regarding economy?	The main focus here is on preserving and expanding the existing creative economy in the area. Currently, the parties are jointly finding out whether they can set up a network to attract business to the area. Using an AID to add new economies to the area seems not suitable, but it could be useful as a network. The difficult thing is that the area development and the housing needs of a company don't always align in time. However, it should be kept in mind that the area is predominantly residential.
What are the possible benefits that the introduction of an AID may have regarding quality?	Not sure if there is specific need for an AID, as there have been made clear and extensive plans with regards of the spatial quality, liveliness and investments in public space. Liveliness is divided throughout the area, with areas that have more 24H liveliness alongside 16H liveliness. However, private parties may want an even higher level. If they could pay for the extra maintenance upfront instead of yearly, it could make this more feasible. There is now, however, a problem for the social housing associations in that they can hardly get their business case in order with the current ambitions. It should also be kept in mind that this will become one of the densest areas in the Netherlands and that liveability needs may shift during the exploitation phase.
What are the possible benefits that the introduction of an AID may have regarding community?	There is need for a platform where interested parties can meet, but how this will come along is difficult to say. Referring to the high density, there may even need to be multiple platforms where different parts of the interested parties can meet. Main focus here is the development of social capital. The neighbourhood is relatively vulnerable and especially vandalism is something to look out for. Contact between the properties and public space is promoted through design. This is difficult to make agreements on, as private parties view this as the government's responsibility and within the government different departments are concerned with this. Social amenities provide a good opportunity for cross pollination and can be useful, but who provides this and who pays is difficult. One of the larger questions remains whether there should be heavy active steering on community creation, or whether it should be mildly facilitated and come to be on its own.
What are the possible benefits that the introduction of an AID may have regarding advocacy?	For most aspects, good agreements have already been made with the respective parties. Looking at the high volume of residential units, a lot of residents will also have to look for their services or amenities outside the area. The main thing that remains regarding this theme for the area are the programmes on social innovation or sustainability, where pilots are now being set up for. There may also be new lobbies once the area evolves towards the exploitation phase.
What are the possible benefits that the introduction of an AID may have regarding branding?	There is some heritage in the area in the shape of a pottery factory and a former manufacturer of medicines. Especially the former is a strong point and this type of heritage promotion can be of added value to the area. The main thing here is the promotion of the area as a creative hotspot and the cooperation with private parties for that. The identity itself is becoming more and more developed, but opinions still differ whether it should be seen as Manhattan on the Vecht or something else. Important is that the message comes from outsiders that spread the word.

4.1.6 Rijnhuizen

Rijnhuizen is situated in the Plettenburg neighbourhood of Nieuwegein, in the Utrecht province of the Netherlands. In the area the first gebiedscoöperatie is present, Club Rhijnhuizen.

Figure 13: Location of Rijnhuizen



Table 26: AID implementation according to Rijnhuizen interviewees

What conditions are necessary for using the instrument in this case area?	A voting threshold of 70% seems adequate, but the question is more whether this is the biggest objection. For example, the companies located may not feel obligated to pay because they do not necessarily are there for the area, but for its location in national context. Commercial parties can carry more costs, but it is unclear how this would work out for developers that disappear relatively quickly from the area. Owner-occupier residents are a difficult category: their profit in terms of the value increase of their house is also dependant on for instance the economy and the type of housing. This is also important: the state of the economy may determine to what extent the investments will be able to be capitalized on. A side instrument that can organise the finance of the collective services also decreases the burden on the parties in the area. The profit perspective of parties should be large enough. Furthermore, existing responsibilities of public parties should not be financed using this instrument. Lastly, the support in the area should be high enough: a joint decision legitimises the use of the instrument.
What is a possible obstacle in realizing the instrument in this area?	Forcing people always results in resistance. Sometimes a small group of opponents can make more noise than a large group of proponents. Furthermore, people may think it a good idea, but not be able to see the long-term effects. Also, there is definite need for an enthusiastic driving force, who takes it upon himself to organise this.
Would the need for the instrument be enough to convince the politicians that it should be introduced?	The urgency is there. We want to allocate as much housing as possible, take into account certain standards of quality, in the existing urban fabric. There is a definite need for new and better instruments to help achieve this. Furthermore, the AID has a benefit that it offers perspective and a road map for those who are enthusiastic for certain collective services to be able to achieve these services. A predetermined cost differentiation will also make it more manageable.
What if there would not be an instrument?	Use a side measure, such as a fund to draw money from. Also use an existing club or develop a new one, where some initiators take the lead and try to build the coalition needed to achieve the collective services.

Table 27: AID characteristics compared to Rijnhuizen

Is this a mixed-use area?	Yes. It used to predominantly be a company area, but is now being transformed to a mixed-use area. This is a combination of residences and companies.
Is the area in development or has it been developed?	The area is currently in development.
Does the land ownership of the area consist out of existing owners and new developers?	There are both existing owners and developers that are adding housing
Is there need for collective services in the area?	Yes, this has led to the formation of Club Rhijnhuizen
Is there an initiative with the active parties in the area to organize this?	Yes, as can be seen by the existence of Club Rhijnhuizen
Does this initiative concern the provision of services of a higher or different level than that the authorities provide?	Yes, such as placemaking and extended greenery
Are there examples of collective services in the area, that did not continue as a part of the stakeholders did not want this to happen?	No, none are known

Table 28: AID benefits for Rijnhuizen

What are the possible benefits that the introduction of an AID may have regarding governance?	Considering placemaking or plinth management, the AID is not expected to add much value. However, for the development of joint strategies, it can be used. Themes include sustainability and underground amenities. Chief benefit from this is that individual developers are then able to base their own developments on that. Problematic for the development of collective services is that it is difficult to estimate what exactly users will want to have. Developers are keen to invest in profitable collective services, but it is difficult to know which these are. Also, investors may have a very different view on this.
What are the possible benefits that the introduction of an AID may have regarding economy?	The current companies located in the area are not necessarily connected to the area, but have rather chosen this location because of its central position in the country. The area will lose approximately 75% of the companies, so there is no distinct need to attract new companies. However, the current heritage, such as the castle and fortress, can provide the addition of culturally based economic functions.
What are the possible benefits that the introduction of an AID may have regarding quality?	The area is already quite green and has some interesting heritage. However, this is not yet visible upon entry and could be further enhanced, for example by making the entrance greener. Also, there is more need for walking routes through the area. The liveliness sought after is more of the 16H variant, it is still a residential neighbourhood. There are already some initiatives by the existing area cooperation to that add liveliness to the area through, for example running competitions or festivals.
What are the possible benefits that the introduction of an AID may have regarding community?	The AID can provide an existing structure to the area, that organises such activities as 'cleaning public greenery' or meet-up days for the users of the area. This can entice future buyers, because there is already a sort of neighbourly feeling to the area. It also helps develop the social capital needed to have a full-fledged neighbourhood. Current residents are already becoming increasingly vocal, also with regards to safety aspects. For instance, when lights break down, residents now generally alert authorities rapidly of this. All of the above gives rise to the idea that the current area organisation can be enlarged and become heavier.
What are the possible benefits that the introduction of an AID may have regarding advocacy?	There is need for better public transit connections, as well as the amenities needed for that, such as bicycle parking. There are a lot of sports facilities in the vicinity of the area and heritage within the area. The residents are vocal about what they wish to see added to the value. Especially relevant to them is the future combination with the working sector: kids playing outside alongside big trucks that drive fast, how will this work together? Good to discuss this.
What are the possible benefits that the introduction of an AID may have regarding branding?	There already has been developed an area identity, which is useful as it enables the area to be well positioned. With regards to economy, it might be a good idea to try attract non-manufacturing companies, which may combine more easily with the residential part of the area. Important to note is that, because of the current residential housing shortage, there has already been a large pressure on the municipality to increase the numbers on this area. This has been resisted, as the quality of the area should be preserved.

4.1.7 KnoopXL

Knoop XL is the working title of the extension of the Eindhoven city centre, by developing a large part of the city that is on the other side of the railway tracks considering the city centre.

Figure 14: Location of KnoopXL



Table 29: AID implementation according to KnoopXL interviewees

What conditions are necessary for using the instrument in this case area?	It depends for what you want to use the AID. It is not a logical instrument to acquire capital in the beginning of the area development. Using it in a similar fashion as the BIZ seems fine, as long as both the profit and capacity principle are adequately represented. Using the WOZ is a good mechanism and residents can be taxed, most of them will never notice the extra levy. Politically, this may become a different story. The instrument shouldn't be used if the contributions are out of proportion.
What is a possible obstacle in realizing the instrument in this area?	The biggest obstacle is the organisation needed to execute the tasks. Also, it is unsure whether there is enough support for the organisation. This is dependent on the tasks of the instrument. It may be more enforcing if this does ensure that the quality of the area is heightened.
Would the need for the instrument be enough to convince the politicians that it should be introduced?	Yes
What if there would not be an instrument?	Expand the BIZ that is used for the city centre into the new area. That BIZ needs to be re-established soon, so that is a viable option. On a larger scale, there are some investigations going on for a city-wide fund to help these types of developments.

Table 30: AID characteristics compared to KnoopXL

Is this a mixed-use area?	It will become a mixed-use area
Is the area in development or has it been developed?	It is not yet in development, but will be
Does the land ownership of the area consist out of existing owners and new developers?	Yes, there are existing parties and incoming new developers
Is there need for collective services in the area?	Yes
Is there an initiative with the active parties in the area to organize this?	Unsure, as there are not yet developers active in the area
Does this initiative concern the provision of services of a higher or different level than that the authorities provide?	Yes. This can be said, because the municipality is actively steering on this by imposing rules and regulations that leave little space for other developments
Are there examples of collective services in the area, that did not continue as a part of the stakeholders did not want this to happen?	No, as the area is not in development yet

Table 31: AID benefits for KnoopXL

What are the possible benefits that the introduction of an AID may have regarding governance?	There is definite need for plinth management and place making in the area and an organisation could help with this, since this usually becomes the responsibility of one party when a tender for a single object is issued. With areas, collective action is useful. This organisation can also be used to developer joint strategies for the area. The municipality is also trying to actively steer on this. It is known that there is need for more own control in the area, which is demonstrated in the BIZ and other parts of the city.
What are the possible benefits that the introduction of an AID may have regarding economy?	The focus is on the business climate of the area. There is already a development business, called Brainport Development. There are also a lot of other clubs busy with this, so not sure whether an AID is necessary. The main point here is that the economy of this area will not cannibalise on other area economies.
What are the possible benefits that the introduction of an AID may have regarding quality?	The difficulty for this area is that it is in a very early stage of the development: the municipal vision is not finished yet. This means that for a large section of the parties, the urgency for cooperation has not yet become explicit. Definitely more need for liveliness, which will predominantly be of the 16H type. However, a function like the central station has already an 24H liveliness. Especially for the public space and urban greenery more investments are needed, because kostenverhaal will not be able to help achieve the desired quality.
What are the possible benefits that the introduction of an AID may have regarding community?	It is difficult to understand what users may want in the future. The common perception is that residents want a lot, but this can be very different in practice. However, in some areas, residents do take a proactive attitude towards there area. The municipality and housing associations are intent on developing social capital in the area, but for investors this is unknown. Safety is a prime concern for the area: both city centres and central station location receive extra attention. It is difficult to estimate what social amenities are needed in the area: currently there are none, but the areas surrounding it already have a lot. Some of these are not yet functioning well enough and it is generally more difficult to get a feeling for these in Eindhoven, as opposed to Amsterdam where this understanding is formulated in clear lists. The railway tracks make the situation extra difficult, because of their external safety provisions.
What are the possible benefits that the introduction of an AID may have regarding advocacy?	The time is too soon to accurately say something considering other collective services.
What are the possible benefits that the introduction of an AID may have regarding branding?	There is a definite need for an area identity, but because there is not yet a clear vision for the area this is difficult to do for both municipality as well as other parties. With regards to the economy, the main focus is to embed the existing types in the area.

4.1.8 Luchthavengebied

The luchthavengebied Eindhoven is the area surrounding the airport, which is scheduled to be transformed. Currently, there is still a large part of the area up for development, but there is not much interest as of yet. The aim of the parties involved is to transform the area and work towards a higher service level, so that this area becomes more attractive.

Figure 15: Location of Luchthavengebied



Table 32: AID implementation according to Luchthavengebied interviewees

What conditions are necessary for using the instrument in this case area?	The voting threshold of 70% seems a logical one, as it achieves a good balance between mass and effectivity. It is important to put the costs with those parties that stand to profit. This can even differ per subject. There are not necessarily reasons to not apply the instrument.
What is a possible obstacle in realizing the instrument in this area?	The absence of a shared cause. There also a few parties in the area that are there, because of the cheap prices. In short, diversity in interests and profit.
Would the need for the instrument be enough to convince the politicians that it should be introduced?	Yes, as there is an increasing need for densification. Due to those existing situations and function blending, the AID is necessary. Use and urgency are there, however, explicating this politically is difficult: it will result in more obligations for companies.
What if there would not be an instrument?	Continue on the proven path and see what you can reach in collectivism and voluntariness. Some parties will remain obtrusive.

Table 33: AID characteristics compared to Luchthavengebied

Is this a mixed-use area?	Yes, there are different functions. However, they are predominantly commercial.
Is the area in development or has it been developed?	It is not in development yet and the parties are currently exploring what direction the development should take
Does the land ownership of the area consist out of existing owners and new developers?	Yes
Is there need for collective services in the area?	Yes
Is there an initiative with the active parties in the area to organize this?	Yes
Does this initiative concern the provision of services of a higher or different level than that the authorities provide?	Yes
Are there examples of collective services in the area, that did not continue as a part of the stakeholders did not want this to happen?	Unsure

Table 34: AID benefits for Luchthavengebied

What are the possible benefits that the introduction of an AID may have regarding governance?	The most need for collective governance in this area is on the aspect of joint strategies. Themes for this are parking, making the area more sustainable, make the area greener and energy generation. As of yet, there are some big fish that see the value in this and want to try this. From time to time parties in the area say: 'Gee, we should also try to organise something together'.
What are the possible benefits that the introduction of an AID may have regarding economy?	There is no need for adding new types of economy, but there is a lot of need for expanding the existing economy. There is still a lot of vacant area and parties like Flight Forum can definitely benefit from the formation of a network that can entice companies to locate in the area.
What are the possible benefits that the introduction of an AID may have regarding quality?	Regarding quality, there is mostly need for adequate food and beverages functions in the area, predominantly at the Luchthavenweg. Parties in the area experience a need to invest extra in the area and they are currently exploring possibilities for this.
What are the possible benefits that the introduction of an AID may have regarding community?	The area is now very much inverted. The local entrepreneurs' association has about 20 to 25% of members and often disagree, but do acknowledge the need to come together and discuss issues. Social capital as referred to in other areas is less applicable here, but if it is seen as the will to cooperate with one another, then it is definitely sought after. Though social amenities are not applicable to the area, the parties are trying to come together to work on safety issues, such as obtaining the KVO (certificate for road safety in the area).
What are the possible benefits that the introduction of an AID may have regarding advocacy?	Public transit is an issue in the area, but it is unsure whether this is shared: there are also a good number of car users in the area. Mobility, though, is more of a ubiquitous issue that may warrant cooperation. There has not been a lot of lobbying towards the municipality as of yet.
What are the possible benefits that the introduction of an AID may have regarding branding?	Considering branding, the area is in need of it. This should be divided on two levels: regarding the economy, the branding should be confined to the Luchthavengebied. However, the area should, for its identity, be part of Eindhoven North West.

4.2 Summary

The findings from the case studies are summarized here in three parts. Firstly, the benefits mentioned are examined and their ubiquity is discussed. Secondly, the answers to the implementation questions are moulded into a general view, where specific details are mentioned. Thirdly, a critical reflection per case is made as these were predominantly researched on the advice of experts. The focus of this third part is to determine which cases are strong, i.e. they conform closely to the requirements, and which are weak, i.e. they conform not so much to the requirements.

4.2.1 Benefits

In this section, the benefits are elaborated on. This will be done on the basis of the six themes: governance, economy, quality, community, advocacy and branding. In this section, only the benefits mentioned will come to the front. Whether the AID is beneficial with regards to a certain aspect or as a whole, will be discussed in the case reflection.

4.2.1.1 Governance

There are a number of benefits mentioned in the different cases. The two main categories these fall in are the development and execution of joint strategies, as well as the use of organisations to collectively act in the interest of the area.

The joint strategies vary in subject. The following list represented those themes on which joint strategies have emerged to be needed:

- Underground amenities, such as heat-cold storage
- Plinth management
- Spatial planning of work functions
- Logistics
- Expedition
- Parking
- Sustainability
- Urban greenery
- Energy generation
- Water management
- Area appearance

As can be seen, there are a sizeable number of themes parties are wanting to develop joint strategies for. These themes are dependent on the context of the area and the goals the developers have for the area. Apart from the themes that parties feel joint strategies are needed for, the development of joint strategies itself has the added benefit that individual developer are able to base their development on them.

The use of organisations to act in the interest of the area may feel overlapping with advocacy, but it is here meant from the point of view of mustering the needed base to advocate on. The topics that are relevant for advocacy will be discussed in the section regarding advocacy.

Similar to what is mentioned with regards to the making of joint strategies itself, the initiative to collectively organise itself is a useful process for parties that are exploring what services may be able to be provided collectively. On the themes for which an area organisation is useful, the following have emerged:

- Using plinth management to convey a concept for the area that is possibly tied to an economic anchor function
- Joint organisations for shared mobility solutions in the area
- Collectively representing area interests, which may lead to a more effective cooperation with the municipality, also by helping the municipality better shape their policy to be in line with area interests
- Collectively providing services, which may generally lead to a higher area quality for the parties
- Collective place making that helps activate the area

In general, there were not many interviewees that indicated that there was need for an organisation to exercise more control over the area. This is similar to the capacity building for decisions. The explanation for this may be, as some interviewees stated, that there will be more use for this in the exploitation phase of the project.

4.2.1.2 Economy

The AID is not perceived to be predominantly important for economic purposes. Its benefits can be summed up by three different points:

- Help facilitate clustering work functions
- Form a network to attract new business to the area
- Work together to attract different types of business to the area

In a sizeable part of the case studies, the area discussed was a former office area or industrial area that was bound to be transformed to a mixed-use area. Hence, for most cases, economic development was not high on their priority list, as there was already a sizeable amount of economic activity in the area.

4.2.1.3 Quality

With regards to quality, three types of points were addressed. The first relates to the greenery and public space of the area, the second considers the relationship between plinths and the public space and the third are general points.

For the first type, the following benefits emerged:

- Making the area greener, also at the entrance
- Adding walking routes through the area
- Adding urban greenery
- Attract investments in public space and urban greenery

For the second type, the following benefits emerged:

- Adding more food and beverages functions in the area
- Connecting the filling in the plinths to the liveliness sought
- Jointly deciding on what the 'qualitative points' in the area are and how this relates to the plinths

For the third type, the following points emerged:

- Make the area more lively
- Controlling the realisation of the ambitions regarding quality

4.2.1.4 Community

The benefits for the community are listed as follows:

- Provision of an existing community, where possible buyers can connect to if they come to live there
- Use the AID to collectively act on making the area safer
- Make the area less inverted, by getting owners to come together and to find collective solutions
- Help the development of social capital in the area

There were not many benefits listed. Interviewees generally attributed this to the phase of the project: many of the projects are currently in development and the feeling is that the community aspect of an AID becomes more important in the exploitation phase.

4.2.1.5 Advocacy

The advocacy is the benefit where interviewees disagreed the most. This is related to the first benefit, as some public parties had inverse opinions in comparison to private and societal parties. The second point also hailed from that, though the last point was a generally shared point, if it occurred. The points are:

- Public and societal parties can better lobby for amenities or functions they feel are missing
- Provision of public transit stops and accompanying amenities
- Develop joint programmes for social innovation or sustainability

4.2.1.6 Branding

The AID has found to be beneficial in branding for the following points:

- Can possibly help develop an area identity
- Revert the negative image of an area
- Promote heritage of the area
- Promote the existing economy of the area
- Connect to both a local, as well as a larger identity
- Boost the future economy of the area

4.2.2 Implementation

The following section discusses the points raised regarding the implementation of the instrument.

4.2.2.1 Conditions

The following conditions have come forth from the cases:

- The 70% voting threshold generally seems a good threshold: it shows that there is urgency and the joint decision legitimises its implementation
- It should be known beforehand that there will be profit because of the collective investments
- Costs should be differentiated between commercial and non-commercial interests, possibly even between different residential interests
- Residents are difficult: they have more interests than a financial one and are more vulnerable. On the other hand, if the contribution is not that high, most won't even notice
- Side instruments, such as funds, may be very helpful in making the instrument more feasible
- Existing responsibilities of municipalities should not be covered by this
- There should not be something like a 'preferred stock'
- Control and say need to be reasonably distributed
- The profit and capacity principle should be adequately applied
- Use the WOZ as a mechanism
- The contributions need to be in proportion
- Costs can possibly even differ per subject
- Costs should be limited to the owner, not the user
- Take a conservative approach to instating obligatory levies

4.2.2.2 Obstacles

The following obstacles have been identified:

- The reason for the proposed services are not sufficient enough
- Interests are too diverged
- Some may pay more, but get to vote the same which they find unfair
- Heaviness of the instrument, which makes it time, energy and costs consuming
- Organisation should not be too large for its function
- Lack of at least one (independent) driving force
- Forcing results in resistance
- Small opponents may make more noise than large proponents
- Inability to foresee long-term effects
- At odds with the self-realisation right
- Too short time horizon of participants
- Too many rules
- Too high contributions
- Lack of societal responsibility with some parties
- Fragmented ownership
- Lack of investments
- Lack of vision and belief in the plan

4.2.2.3 Political viability

Arguments for:

- There is urgency, because of the housing crisis and the lack of instruments that can accurately deal with that
- AID offers perspective and road map for those who want to develop collective services
- Predetermined cost differentiation makes the application more feasible
- Need for addition of quality in areas on a collective basis
- Increasing need for densification results in combination with existing areas and function blending warrants the AID
- If the instrument helps with challenges such as the housing shortage, it is expected to have a large chance of success

Arguments against:

- Already an existing organisation that functions
- Little need for collective services
- Government currently holds a quite strong position with regards to planning powers
- Results in more obligations for companies
- Unsure whether this is the best instrument to better connect costs to those who profit
- Doubt whether the timing is right
- Priority may lie with other challenges needed to be faced
- Complex niche of the field, difficult to understand

General consensus is that there is national need for the instrument. However, for some cases, this is not the case. For the majority of cases the applicability for that case differs in opinion per interviewed party.

4.2.2.4 Alternatives

The following have been listed as alternatives to the AID:

- Achieve a park management structure if future owners agree on subjects
- Revert to the established practice of building coalitions
- Municipalities taking a stronger role as driving force in the area
- Use a siding measure to draw the funds from
- Use existing clubs to lobby for the intended collective services
- Expand the BIZ
- Develop a city-wide fund for urbanisation impulses
- Use some sort of air rights system, where the provision of services results in the addition of building volume
- Entice the big parties so that they can pull along the smaller parties
- Use temptation
- Use content-based argumentation
- Showing that the result will be win-win
- Showing what the solution will deliver
- Positioning the solution as a PR opportunity
- Enticing in a soft manner
- Use momentum in decision making

4.3 Case reflection

In this section, the cases are reflected upon. This is done to better understand whether the cases suggested are, after analysis, more or less likely to be suitable for the AID. In the following sections, the method for this is discussed. Firstly, the criteria for suitability are elaborated on. Secondly, the areas are assessed for suitability and their suitability is talked over.

4.2.3.1 Assessment framework

The criteria for the suitability score are a combination of theoretical and empirical findings. The following table denotes each criterion and why it has been selected.

Table 35: Case suitability assessment framework

Criterion	Reasoning
In what measure is there willingness for private and societal parties to cooperate on an area level?	Theory: it was said in the problem statement that there are some parties who want to add the extra quality to the area, but that some are obtrusive. So, there is a majority but not unanimous consent over adding the quality. To achieve a majority, there generally is need for (at least some) parties to cooperate. Hence, willingness for cooperation on an area level has been selected as criterion.
Is there an (economic) anchor function in the area?	Empiry: from the findings it emerged that the areas that generally seem more susceptible to extra quality addition, are those areas that have an (economic) anchor function in the vicinity. Hence, this could be an indicator and is selected as criterion
In what measure are interests convergent?	Empiry: most prevalent in possible obstacles was the mention of diverging interests and how to align them. Hence, areas that have more convergent interests seem more likely to be suitable for an AID. Hence, interest convergence is selected as a criterion
Is there urgency to cooperate?	Theory and empiry: from theory, it is mentioned that if the level of services is too low or lower than wanted, there can emerge a culture of collective self-interest (Houstoun, 2003), where private parties will take the service provision or adding of extra quality on themselves. This also came forward from the findings, where it was stated that urgency, or the aversion of negative effects, is an adequate and often-mentioned reason to cooperate. Hence, a sense of urgency for cooperation is selected as a criterion
Are there collective challenges that vary in size?	Theory: in Expertmeeting 2, hosted by SKG, one of the attendees mentioned the need for both quick wins next to long-term gains. This also relates to Mitchell (1999), when he referred to the maturing of the organisations: they start with the collective solving of small issues and can then further mature to tackle larger issues. The lack of small challenges may make parties averse to cooperation, as they will think it too time and energy intensive; the lack of larger challenges will not justify the need for an instrument the size of the AID. Hence, both should be present and therefore this criterion has been selected
Are there existing organisations to build on?	Empiry and emerging insights: interviewees, especially public ones, mentioned that organising initiators was important for instatement of the BIZ and expected this to also be the case for the AID. The emerging insight is that existing organisations already represent some shape of fused interests, platform for exchange of ideas and willingness to organise. Using existing organisations to find and connect initiators and promote the AID plan may help considerably in reaching its instatement. Hence, it is added as a criterion
Does the case suit the original selection criteria?	Theory: the choice for methodology is partly based on paradigmatic case studies, where experts are asked to submit suitable cases based on a number of selection criteria. These criteria hail from the literature review. Hence, they should still be valid as they are a direct derivative of the problem statement and are, therefore, selected as a criterion
Is there potential for extra service provision?	Theory: if there is no potential for extra service provision, there is no need for an AID. This is why it is selected as a criterion
What size is the discrepancy estimated to be between the public service level and the collective service ambition?	Emerging insights: if the discrepancy between public services and collective service ambition is too small, the AID yields relatively little with regards to the instrument weight. Larger or more challenges on the extra quality domain justify its suitability
To what extent do private parties see opportunities for value creation?	Empiry and emerging insights: in the end, it seems most likely that private parties will play a big role in the financial side of the instrument. If they do not see an opportunity for value creation, they are not likely to take part and the instrument is not likely to be suitable. Therefore, this is selected as a criterion

Table 36: Case suitability assessment for Amstel III, de Hoef, Stad tussen de Bomen and Rijnhuizen

Criterion	Amstel III	De Hoef	Stad tussen de Bomen	Rijnhuizen
In what measure is there willingness for private and societal parties to cooperate on an area level?	Parties are currently already cooperating on some themes	Parties sometimes cooperate, but generally not on an area level	There is cooperation on an area level, both from private as well as public side	There is willingness to cooperate on an area level and this has led to the instatement of the Club Rijnhuizen
Is there an (economic) anchor function in the area?	The site is located closely to the Johan Cruijff Arena and the Ziggo Dome	There is no anchor function in the area	There is no anchor function in the area	There is some heritage in the area and together it is sizeable, but it is unsure to what extent this is truly an anchor function
In what measure are interests convergent?	As can be read from the answer to the first criterion, there are some interests that are mutual. However, parties also indicated that there are limits to this	There are some interests that converge, such as promotion of the area, but generally there are not many	The measure of interest converge has actually been so high that vision and other document already portray a high level of ambition	The convergence of interests has led to the instatement of the Club Rijnhuizen, where multiple types of actors take part in
Is there urgency to cooperate?	For some themes there is, such as the underground amenities (heat and cold storage). Not optimising underground space use will be problematic. For others, parties do not feel urgency to cooperate	No, there is no urgency to cooperate	The surrounding neighbourhoods are of relative low quality and there was therefore need to make this area outstanding if it was to become a succes. However, this was also strongly pulled by government and big developers. The question remains whether the high quality is the result of private party ambitions, or public policy	From the private and societal side it is unsure. The Club Rijnhuizen definitely provides added benefits, however, it is unsure whether this has emerged from urgency or ambition
Are there collective challenges that vary in size?	There are smaller challenges to cooperate on, like area promotion, more medium-sized cooperation challenges, like underground amenities, and larger challenges like the Hondsrug park	Primarily promotion and energy generation are important in this area	The challenges vary in size, like the appearance of the public space and playground amenities, to sustainability and plinth requirements	There are smaller challenges, like place-making events, and larger challenges, like finding collectively how residential and work functions will coexist
Are there existing organisations to build on?	There is ZO!City, which concerns the entire southeastern part of Amsterdam, and Stichting Hondsrugpark, which concerns six private parties in the area itself	There is no organisation to build on	There is no organisation to build on	There is Club Rijnhuizen and the entrepreneurs' association
Does the case suit the original criteria for selection?	The case suits the original criteria for selection well	The case suits the original criteria for selection moderately: especially the ambition of private parties to achieve extra quality is lacking in the area	The case suits the original criteria for selection moderately well: there is the ambition of private parties to heighen quality, but they have succeeded in this in cooperation with the municipality	The case suits the original criteria for selection well
Is there potential for extra service provision?	The park that will be added is one example of the potential for extra service provision	There is no potential for extra service provision	The landscaping of the area is one example of the potential for extra service provision	There is potential to upscale the greenery in the area
What size is the discrepancy estimated to be between the public service level and the collective service ambition?	The current undertakings of the Stichting Hondsrugpark already indicate that the developers active are succesful in adding extra quality. However, it is unsure how much potential remains. It is estimated that there will arise opportunities during the exploitation phase of the area	Small, as not many parties recognize any discrepancy	Small, as not many parties recognize any discrepancy	There have already been a number of initiatives, primarily from the Club Rijnhuizen. In that sense, there is room for more collective services. However, it is unsure how much further this room stretches
To what extent do private parties see opportunities for value creation?	Some parties underscore the value created by providing extra quality to the area. However, this is not equally shared amongst all parties and for some themes it is unsure how they would result in more value	Parties do not see opportunities for further value creation	Parties do not see opportunities for further value creation	Some of the private parties spoken to see a number of opportunities, primarily by adding greenery and walking routes through the area. Whether there is more is unsure
Suitability	Amstel III is more likely to be suitable for the AID. There are no serious obstacles to it organising an AID. However, the area is already further in development and is therefore unsure whether there is need for a heavier organisation, or if the current suffices	Amersfoort de Hoef is less likely to be suitable for the AID. There is no urgency, willingness or convergence for private/societal parties to cooperate on an areawide scale	Haarlem Stad tussen de Bomen is less likely to be suitable for the AID, as the private/societal and public parties were able to agree on a joint plan that covers nearly all of the ambition level of the private/societal parties	Nieuwegein Rijnhuizen is more likely to be suitable for the AID, as there is willingness and convergence of interests to cooperate, there are existing organisations to build upon and there is potential for further improvement

4.2.3.2 Suitability for implementation

Tables 36 and 37 shows a matrix in which the cases are assessed on their suitability for the AID. The assessment is explained next to the colour denotation.

The first case, Amstel III, shows promise with regards of being a case where the AID may be applied. The reason for this is that there is willingness amongst developers to cooperate and to work on collective issues in the area. This is especially true regarding joint strategies.

The second case may not be suitable for the AID. Interests are divergent and parties tend to seek out each other when they have a possibility for a collective solution. In other words, the urgency for cooperation here may not be high enough to meet the requirements for an AID.

Club Rijnhuizen is possibly a good candidate for the AID. The area is already slowly transitioning and it is noticed that the residents are quite vocal with regards to their surroundings. There are some issues that require collective solving, such as the way working and living will be organised in the area. Apart from that, there seems to be the possibility for quick wins, such as the creation of walking paths through the area.

Table 37: Case suitability assessment for Universiteitskwartier, KnoopXL, Luchthavengebied and Merwedekanaalzone

Criterion	Universiteitskwartier	KnoopXL	Luchthavengebied	Merwedekanaalzone
In what measure is there willingness for private and societal parties to cooperate on an area level?	There is willingness to cooperate, however, this has not yet led to any concrete forms of this	Not much can be said about this, as the development is in the very beginnings. However, public parties are steering on this	The local entrepreneurs' association is looking for opportunities, but nothing concrete has arisen	Private parties have found came together and worked together with public parties with regards to a mobility hub, for instance
Is there an (economic) anchor function in the area?	The Society & Humanities campus of the University of Amsterdam is located there. Also, being in the centre of Amsterdam, there are many other anchor functions nearby	The area is practically wedged in between Eindhoven Central Station and Eindhoven Technical University	Eindhoven Airport is a regional anchor function	There is no anchor function in the area
In what measure are interests convergent?	There are some interests, such as the public space and the liveliness in the area, but there are also opposing interests: residents are not enthusiastic about the addition of students	It is too early in this case to make a good comment about this	Not enough parties have been interviewed to make a good comment about this	The foundation of a mobility hub clearly indicates that there are convergent interests, but from the interviews it also became apparent that there are interests that do not converge and on which cooperation cannot be found
Is there urgency to cooperate?	There are some issues, such as safety and liveability, that definitely warrant cooperation. The area has a number of nooks and crannies where drug users or drunks reside and liveability is under pressure	It is too early in this case to make a good comment about this. However, considering the plans for the area and the opportunities, it seems likely that this urgency will emerge	Not enough parties have been interviewed to make a good comment about this	The area has a very low parking norm and this urged parties to cooperate
Are there collective challenges that vary in size?	There are smaller challenges, like reverting the negative image of the area to a more positive one, medium-sized challenges, such as increased management of the area to make it safer, and larger challenges such as sustainability improvements to the area	It is too early in this case to make a good comment about this	Not enough parties have been interviewed to make a good comment about this	There are smaller challenges, like housing temporary place-makers in the buildings, and larger challenges, such as mobility and waste management
Are there existing organisations to build on?	There is the neighbourhood association and the entrepreneurs' association	There is the Green Business Club	There is the entrepreneurs' association	There is no organisation to build on
Does the case suit the original criteria for selection?	The case suits the original criteria for selection moderately well: all criteria are generally present, but they are not always that strong; the ambition for extra quality is not that high	It is too early in this case to make a good comment about this	The case suits the original criteria for selection moderately well: though lacking the mixed-use component, there is need for extra quality in the area and there is lack in gaining traction to do so	The case suits the original criteria for selection well
Is there potential for extra service provision?	There is need for management of the area with regards to safety and liveability	It is too early in this case to make a good comment about this	Not enough parties have been interviewed to make a good comment about this	Mobility and waste management solutions are being realised
What size is the discrepancy estimated to be between the public service level and the collective service ambition?	There are some needs, but as mentioned with the convergence of interests, the measure in which the collective service ambition is higher than public services are estimated to be small to medium	It is too early in this case to make a good comment about this	Not enough parties have been interviewed to make a good comment about this	The earlier examples of mobility and waste management solutions indicate that there was a discrepancy, but it is unsure how much more there is and whether this can be capitalized on
To what extent do private parties see opportunities for value creation?	Making the area a safer and more liveable environment will help in reverting the current negative image, hence creating predominantly societal value	It is too early in this case to make a good comment about this	Not enough parties have been interviewed to make a good comment about this	There have already been taken some initiatives, but to what extent there are further opportunities is unsure
Suitability	Amsterdam Universiteitskwartier seems more likely for het AID, as the criteria are generally evaluated as positive or neutral. This indicates that there is some basis for the AID to be founded upon, though it can be for this case more dependent on whether willingness and convergence of interest are strong enough to cooperate. Further research may clarify this	Eindhoven Knoop XL can currently not be assessed as more or less likely to be suitable for an AID, as the area development is yet too early in its stages	Eindhoven Luchthavengebied is less likely to be suitable for the AID, as the majority of its challenges seem more relevant for instruments like the BIZ. There are two sidenotes here: 1) not enough interviewees were interviewed to give a definitive answer to this 2) though there may more likely be need for a BIZ, if there would be the ambition for services that exceed what is possible in the BIZ, the AID may still prove an interesting instrument	Utrecht Merwedekanaalzone cannot definitively be assessed as more or less likely for the AID, as it is unclear with some criteria whether the area is suitable for an AID. Further research may prove whether the area is more or less likely suitable for the AID

Universiteitskwartier Amsterdam seems also a pretty good candidate. There is an existing neighbourhood association that is very vocal about their wishes and the university also seems ambitious with regards to the area. Especially relevant for them is the AID as a possibility to strengthen their voice to the municipality and work together on making the area safer.

Knoop XL Eindhoven is, as of this moment, difficult to assess. The area is in the very beginning of development and it is unsure which direction this development will take. There are also not many existing owners, approximately 100.

However, the aim is to create a high-quality area and there are definitely some obstacles in achieving this. As it is the area which is the earliest in its phasing, it could be a good candidate for an experiment with the AID. Also, the municipality seems keen on stimulating cooperation in the area. Hence, the obstacles, municipal attitude and momentum make it suitable for experimentation.

Luchthavengebied Eindhoven is probably not a good case for the AID. As there are no residential functions, the BIZ rules can be applied here. This could form a good vehicle for the owners in that area to base their cooperation on. If they want to further develop the area and may seek more long-lasting partnership vehicles for that, a heavier variant of the BIZ could be useful. This could also fall in the AID, but reflecting on the areas where the AID was applicable to, it lacks the mixed-use component.

Haarlem Stad tussen de Bomen also seems less suitable for an AID. The ambitions were established jointly by the municipality and the private parties. Apart from the mutual interest, the ambitions are quite high, leaving little room for an AID to provide collective services. Hence, developing a quite heavy organisation to possibly provide little services seems unnecessary.

Merwedekanaalzone floats between Knoop XL and Stad tussen de Bomen: on the one hand, there are clear agreements for high standards between public and private parties, on the other hand, there may be yet some space for more collective services. Furthermore, the parties are also currently developing how they will work together, indicating that they see the value in some sort of area organisation. Whether that should be an AID seems too unclear to determine.

An aerial photograph of a city, likely Copenhagen, showing a dense urban landscape with a prominent canal or river winding through it. The buildings are a mix of modern and traditional architecture. The sky is clear, and the water in the canal is dark. The overall scene is a detailed view of an urban environment.

5. Comparison

In this section, the theoretical findings will be compared to the empirical findings. This will give more insight into the discrepancies and will also show the subjects for which the AID is expected to be most suitable.



Chapter 5 Figure: Binckhorst, an area currently in transition (Municipality of the Hague)

5.1 Conditions and instruments

In this section, the conditions found in the empirical findings are compared with the conditions of instruments that were assessed. Some of these conditions can be clearly traced back to an instrument, others are more general remarks on the instatement process.

Table 38: Relation of empirical condition to existing legal instruments

Condition	Relation to legal instruments
The 70% voting threshold generally seems a good threshold: it shows that there is urgency and the joint decision legitimises its implementation	This can be linked to the current voting threshold of the BIZ, where 70% is also used. Other instruments do not necessarily work with a voting threshold, except for the BID, of which threshold can vary.
It should be known beforehand that there will be profit because of the collective investments	This is more of a general remark, though not applicable to all instruments. Gebiedscoöperaties or Enterprise Zones do not necessarily need to be based on profit. For gebiedscoöperaties this is useful, Enterprise Zones are municipal policy and may have a broader economic incentive.
Costs should be differentiated between commercial and non-commercial interests, possibly even between different residential interests	It is not known for every instrument how this is handled, though, apart from the Enterprise Zone, there is often some type of mechanism that ensures this. However, this is not always on the distinct basis of commercial versus non-commercial interests.
Residents are difficult: they have more interests than a financial one and are more vulnerable. On the other hand, if the contribution is not that high, most won't even notice	There are examples of the Gebiedscoöperatie where residents used to pay for membership. However, as the phrasing suggests, this is no longer the case. Residents remain difficult and the finding suggests that they should pay, but not be burdened. In that sense, there may be need for a more innovative solution regarding this.
Side instruments, such as funds, may be very helpful in making the instrument more feasible	This is sometimes used with the instruments, but, as they are not required or mandatory, it cannot generally be said that this is applicable to any specific instrument.
Existing responsibilities of municipalities should not be covered by this	This rules out practices as Kostenverhaal and, to an extent, Enterprise Zones, as they hail mostly from either municipal policy or negotiations with regards to (parts of) municipal responsibilities.
There should not be something like a 'preferred stock'	This could be relevant to Urban Development Trusts; however, it is not known whether there is an example of this.
Control and say need to be reasonably distributed	This rules out the public instruments, as they are controlled by public authorities. The other instruments have this covered, although the way this is done varies. Some do apply the principle of "what you pay, that is your say". Others are more refined. Combined with other conditions, it seems advisable to seek a more refined mechanism.
The profit and capacity principle should be adequately applied	This is more of a general remark and can be well related to the above made statement, where it was said that there should be made a more refined mechanism for control and say. This control and say is dependent on the capacity to contribute, but also on the profit a contributor stands to gain. The balance between this can form the basis for the mechanism considering contribution and control.
Use the WOZ as a mechanism	This is a clear advice and rules out most of the instruments. Predominantly BIZ and BID use this, though the WOZ is the Dutch real estate tax. Hence, this quite clearly relates to the BIZ.
The contributions need to be in proportion	This is covered in some of the instruments and most notably in Kostenverhaal, where it forms one of the base assumptions for its legality.
Costs can possibly even differ per subject	It is not known whether this distinction is made with any of the instruments. Reflecting on this, one can pose the question if this does not further complicate an already complicated process.
Costs should be limited to the owner, not the user	This is different with the BIZ, where users can also be taxed. Also, Kostenverhaal is paid for by the owner. However, as with most instruments, these costs tend to be retrieved in some form or manner from the (end-)user.
Take a conservative approach to instating obligatory levies	This is a general remark regarding the plan assessment.

5.2 Goals and benefits

This section compares the goals from the empirical findings to the benefits from theory and as such, further elaborates on which theoretical benefits can actually form the basis for the AID.

5.2.1 Governance

The following table shows the findings from theory and empiry on the governance theme side by side:

Table 39: Comparison of theory and empiry on the governance theme

Theory	Empiry
Establish an authorising environment with aspects such as a culture of saying yes	Joint strategies on: <ul style="list-style-type: none"> • Underground amenities, such as heat-cold storage • Plinth management • Spatial planning of work functions • Logistics • Expedition • Parking • Sustainability • Urban greenery • Energy generation • Water management • Area appearance
Measure the impact of the organisation	Collective area organisation for: <ul style="list-style-type: none"> • Using plinth management to convey a concept for the area that is possibly tied to an economic anchor function • Joint organisations for shared mobility solutions in the area • Collectively representing area interests, which may lead to a more effective cooperation with the municipality, also by helping the municipality better shape their policy to be in line with area interests • Collectively providing services, which may generally lead to a higher area quality for the parties • Collective place making that helps activate the area
Develop a collective strategy for public arts and cultural events	
Develop a collective approach to challenges considering sustainability, circularity, mobility and climate adaptation	
Represent the interests of businesses in the area	
Develop collective transition strategies	
Establish a place-making organisation that enhances the quality of the area through branding, creation of a community and enhanced liveability	
Establish a plinth management organisation that enhances the quality of the area through active management of plinths that reduces vacancy and creates societal as well as real estate value	
Using the community to focus on capacity building and self-organisation, such as neighbourhood self-determination and in so encourage the development of real decentralization	
Giving communities more complete control over their surroundings	

If the benefits mentioned in theory are summarized and written down differently, they can be compared to what has been found in empiry.

Table 40: Comparison of theory and empiry on the governance theme, rewritten

Theory	Empiry	Comparison
Joint strategies on: <ul style="list-style-type: none"> Public arts and cultural events Sustainability, circularity, mobility and climate adaptation Area transition 	Joint strategies on: <ul style="list-style-type: none"> Underground amenities, such as heat-cold storage Plinth management Spatial planning of work functions Logistics Expedition Parking Sustainability Urban greenery Energy generation Water management Area appearance 	Developing joint strategies on sustainability, circularity, mobility and climate adaption roughly comes back in empirical findings. Area transition is a broad subject, to which some of the empirical findings may adhere: spatial planning of work function and logistics are examples of this. Only public arts and cultural events really do not come back in empirical findings. Furthermore, there are many subjects added from empiry.
Collective area organisation for: <ul style="list-style-type: none"> Place-making organisation that enhances the quality of the area through branding, creation of a community and enhanced liveability Plinth management organisation that enhances the quality of the area through active management of plinths that reduces vacancy and creates societal as well as real estate value 	Collective area organisation for: <ul style="list-style-type: none"> Using plinth management to convey a concept for the area that is possibly tied to an economic anchor function Joint organisations for shared mobility solutions in the area Collectively representing area interests, which may lead to a more effective cooperation with the municipality, also by helping the municipality better shape their policy to be in line with area interests Collectively providing services, which may generally lead to a higher area quality for the parties Collective place making that helps activate the area 	Both benefits from theory have found confirmation in empiry. However, empiry has also yielded more subjects for which joint organisations can be used.
Establish an authorising environment with aspects such as a culture of saying yes		This did not come back in empiry
Measure the impact of the organisation		This did not come back in empiry
Represent the interests of businesses in the area		This did come back, but in the economic part. It will, therefore, be discussed there.
		This did come back, but in the economic part. It will, therefore, be discussed there.
Using the community to focus on capacity building and self-organisation, such as neighbourhood self-determination and in so encourage the development of real decentralization		This did not come back in empiry
Giving communities more complete control over their surroundings		This did not come back in empiry

In general, when comparing theory and empiry, it becomes apparent that the main benefits on a governance level for the instrument are the development of joint strategies and the use of a collective area organisation. The subjects for which these are used vary, but empirical findings here gave more insights than theoretical findings. Except for the representation of business interests in the area, which is discussed in the economy topic, the other benefits did not come back in empiry.

5.2.2 Economy

The following table shows the findings from theory and empiry on the economy theme side by side:

Table 41: Comparison of theory and empiry on the economy theme

Theory	Empiry	Comparison
Branding the current and future area economy		Predominantly relevant to the branding theme and as such, discussed there
Represent the interests of businesses in the area		This did not come back in empiry, though can be connected to the points made in row 4
Provide the opportunity to organise economic innovation through, for instance, incubator spaces, start-up or scale-up strategies and innovation programming	<ul style="list-style-type: none"> Form a network to attract new business to the area Work together to attract different types of business to the area 	This did not come back in empiry, though can be connected to the points made in row 4
Matchmaking economic activity through the acquisition of new business contacts to seduce to settle in the area		Roughly, the attraction of business and new economics did come back from interview findings. It was noted that there are sometimes difficulties to add economic activity to areas. Similarly, some areas had more difficulty combining economic activity and residential functions. As such, "traces" of the monofunctional history of areas can still be found. This can also be attributed to what one interviewee pointed out to be a lack of knowledge with some parties: developers of residential functions are used to be "in control", meaning that whatever they develop will sell. However, with commercial functions, these roles are flipped: developers need to adhere more to their prospective clients' wishes.
Establish a place-making organisation that enhances the quality of the area through branding, creation of a community and enhanced liveability		Predominantly relevant to the governance theme and as such, discussed there
Establish a plinth management organisation that enhances the quality of the area through active management of plinths that reduces vacancy and creates societal as well as real estate value		Predominantly relevant to the governance theme and as such, discussed there
	Help facilitate clustering work functions	This was a newly raised point from the empirical findings and relates to the governance theme.

In contrast to the governance theme, there is no need to restructure the benefits to better compare them. Hence, the comparison has already been made. Many of the economic theme benefits were better suited to other parts, such as governance or branding. In general, the major point on the economic side seems to be how to attract new businesses or economies and how to physically translate that into the clustering of functions.

5.2.3 Quality

The following table shows the findings from theory and empiry on the quality theme side by side:

Table 42: Comparison of theory and empiry on the quality theme

Theory	Empiry	Comparison
Lobby for spatial and architectural quality		Predominantly relevant to the advocacy theme and as such, discussed there
Establish a place-making organisation that enhances the quality of the area through branding, creation of a community and enhanced liveability		Predominantly relevant to the governance theme and as such, discussed there
Establish a plinth management organisation that enhances the quality of the area through active management of plinths that reduces vacancy and creates societal as well as real estate value	<ul style="list-style-type: none"> • Adding more food and beverages functions in the area • Connecting the filling in the plinths to the liveliness sought • Jointly deciding on what the 'qualitative points' in the area are and how this relates to the plinths 	The relationship between plinths and their public space was a major point of interest with the interviewees. Finding out how to connect the plinths to public space and how to have this help activate the area was addressed. Though the specific mentioning of creating real estate or societal value was not mentioned, it was clear that cooperation on this subject was needed and welcomed.
Develop a 24 hour active area due to the mix of functions and the provision of public spaces in the area that can be actively used	<ul style="list-style-type: none"> • Make the area more lively • Connecting the filling in the plinths to the liveliness sought 	This is somewhat of a dubious point, in that liveliness was raised in every case as an important point. However, the Universiteitskwartier case also yielded the important finding that liveliness and liveability need to be in balance. Moreover, not all areas seek 24H liveliness: more often they seek 16H liveliness. Hence, one can deduce that the compared benefit can better be described as "developing an active area, also through plinth functions, matching the needs and desires of residents and as such, providing an adequate balance between liveliness and liveability"
Facilitate the establishment of capital improvements to the area or transportation improvements	<ul style="list-style-type: none"> • Making the area greener, also at the entrance • Adding walking routes through the area • Adding urban greenery • Attract investments in public space and urban greenery 	Though there was not much interest in transportation capital improvements, greenery was an often-recurring subject. Capital improvements in the area are most probably effective in the form of "landscaping", which one of the private party interviewees stated as also heightening the real estate value and being worth the cost.
	Controlling the realisation of the ambitions regarding quality	This was a newly raised point from the empirical findings and relates to the governance theme.

With this theme, there were more findings than the literature review had yielded. However, multiple empirical findings can be related to single theoretical findings. With this theme the nuancing effect of the case studies becomes explicit, as the empirical findings sharpen theoretical notions.

5.2.4 Community

The following table shows the findings from theory and empiry on the community theme side by side:

Table 43: Comparison of theory and empiry on the community theme

Theory	Empiry	Comparison
Establish a place-making organisation that enhances the quality of the area through branding, creation of a community and enhanced liveability		Predominantly relevant to the governance theme and as such, discussed there
Bring energy to a network of initiators		This did not come back in empiry.
Develop a platform for all interests in the area to meet and exchange their thoughts	Make the area less inverted, by getting owners to come together and to find collective solutions	Literature and empirical findings here roughly match. Whether there is specific need for a platform is disputed, but there is need for parties to come together to find collective solutions. For this, there is need for some sort of platform to meet and exchange thoughts
Using the community to focus on capacity building and self-organisation, such as neighbourhood self-determination and in so encourage the development of real decentralization		This did not come back in empiry
Giving communities more complete control over their surroundings		This did not come back in empiry
Develop community social capital	Help the development of social capital in the area	This matches.
Develop a safer and more social environment by enhancing security and social services in the area	Use the AID to collectively act on making the area safer	This matches partly: social services were not explicitly mentioned, but enhancing security was.
	Provision of an existing community, where possible buyers can connect to if they come to live there	This was a newly raised point from the empirical findings and relates to the branding theme, as it helps market the area.

A number of points raised in discussing this theme did not come back in empiry. This may be partly due to the fact that most researched case studies were in the development phase. One empirical finding added a new benefit, namely that of providing an existing community that can attract potential buyers or renters to the area. However, to what extent this is deciding in the consumer's decision to locate to the area is unknown.

5.2.5 Advocacy

The following table shows the findings from theory and empiry on the advocacy theme side by side:

Table 44: Comparison of theory and empiry on the advocacy theme

Theory	Empiry	Comparison
Lobby for amenities, such as a tram connection or supermarket	Provision of public transit stops and accompanying amenities	This partly matches: there was lobbying for public transit, but not for supermarkets.
Lobby for development of play, sports, arts, food and entertainment facilities		This did not come back in empiry.
Lobby for spatial and architectural quality		This did not come back in empiry.
Lobby for social innovation and sustainability programs	Develop joint programmes for social innovation or sustainability	This matches.
Represent the interests of businesses in the area		This did not come back in empiry
	Public and societal parties can better lobby for amenities or functions they feel are missing	This was a newly raised point from the empirical findings.

With this theme, there were more findings than the literature review had yielded. However, multiple empirical findings can be related to single theoretical findings. With this theme the nuancing effect of the case studies becomes explicit, as the empirical findings sharpen theoretical notions.

5.2.6 Branding

The following table shows the findings from theory and empiry on the branding theme side by side:

Table 45: Comparison of theory and empiry on the branding theme

Theory	Empiry	Comparison
Share the heritage through storytelling	Promote heritage of the area	This matches in part, see row 2.
Promote the area's social, cultural, environmental and physical heritage	Promote heritage of the area	This matches in part, see row 1.
Branding the current and future area economy	<ul style="list-style-type: none"> Promote the existing economy of the area Boost the future economy of the area 	Both of these points were raised in the interviewees, though not always together, but more often apart.
Establish a place-making organisation that enhances the quality of the area through branding, creation of a community and enhanced liveability		Predominantly relevant to the governance theme and as such, discussed there
Branding the area through the development of an area identity that is communicated to the outside via media	<ul style="list-style-type: none"> Connect to both a local, as well as a larger identity Can possibly help develop an area identity 	This partly came back in empiry, where the development of the identity did come back and can be ameliorated with the connection to larger identities as raised in interviews. The communication via media did not come back.
	Revert the negative image of an area	This was a newly raised point from the empirical findings.

Branding seems to be a theme that receives a lot of attention in area developments in general. The need for branding is clear and there are some parts where parties can cooperate to collectively tune this on. However, compared to some of the other themes, branding seems to be a rather 'light' theme: costs generally are not very high and therefore 1) parties tend to find it a theme on which they can easily agree and 2) if some parties do not join, others tend to accept free-rider behaviour more easily.

An aerial night view of a city, featuring a large, illuminated stadium with a white, perforated roof structure. The stadium is situated on a waterfront, with a river or canal flowing alongside it. In the background, there are numerous city buildings, some of which are lit up. The overall scene is a mix of urban architecture and natural elements like trees and water.

6. Proposal

In this section of the research, the proposed solution for the problem is discussed. This will consist out of four parts. Firstly, the starting point of this solution is discussed: what law will be used to build upon and what aspects should be discussed? Secondly, the aspects that should be added are further elaborated on. Thirdly, the shape these aspects would take in the solution are defined.



Chapter 6 Figure: Feyenoord City, a future area development (IGG Bouweconomie)

6.1 Legal basis

As there are currently no instruments suitable to deal with the problem stated, it is relevant to determine whether a new law should be written, or whether an existing law could be expanded. Furthermore, if an existing law is to be expanded, it should be investigated which law is most suitable for this. Regarding this, it seems logical to first identify if there is a possible law that, through amending, could become suitable for the sought solution.

This is preferable for two reasons. Firstly, writing a new law requires specific knowledge and can, therefore, take more time. Secondly, if an existing law could be amended in such a way that it can be used for its original purpose alongside the new purpose, this would provide an efficient way of providing the necessary legislation: no law would be needed and existing legislation can be optimized. Optimized here means that amending the specific law is not intensive and yields distinct results.

Having established that using existing legislation is preferable, it now becomes relevant to discern which instrument is relevant to build further on. To do so, a matrix is set up to assess the suitability of the different instruments. The instruments that were discussed in the literature review are now, again, submitted to this assessment to determine their suitability.

The first criterion for this assessment is the Dutch applicability, as the goal is to design a Dutch instrument. This immediately disqualifies the international instruments and they will not be taken up in the assessment. The second criterion is set on the theme of governance: important here is to what extent the instrument allows for involvement of the three types of actors. The third criterion is about the financial mechanism: what does the instrument use and is that suitable? The fourth criterion regards the participants: can owners, users or both be included in the instrument?

Lastly, the fifth criterion regards the law typology: is the law suitable for this purpose, or is it meant for something else and, by chance, relevant for this purpose? This criterion is set, as laws that are meant for other purposes need to be double checked to see if any amendments result in problems with regards to its initial use.

From the matrix it becomes clear that the BIZ is the most suitable law to amend. This also means that there is no need to write a new law.

The first thing to sort out is how the extra levy can be embedded in the instrument. Going off on the findings of the Centraal Planbureau (2019) “Profijt en bekostiging van ruimtelijke ontwikkeling”, there are two possible ways to do this: via the municipal real estate tax, or OZB in Dutch, or via a special resident’s tax, or ingezetenenheffing in Dutch.

Table 46: Assessment of legal instruments to select which to base the new AID legislation on

Criterion	BIZ	PM	GC	Kostenverhaal
Governance	Park Management does not necessarily include public actors	The BIZ systematic ensures involvement of public actors. As the situation considers an area, this is preferable to guard public spatial values	The Area Cooperation can include, public, private and societal actors	Kostenverhaal is reserved to public actors and is only used for developing private actors
Financial mechanism	There is no OZB for tenants, so using OZB would become impossible in those situations	OZB is already used a mechanism for the BIZ	The Area Cooperation does not have a specific financial mechanism yet. The most known example uses a membership fee in combination with parts of the developers' contribution	Kostenverhaal can make use of the ontwikkelaarsbijdrage, which is part of the instrument. However, it is limited to developing parties
Participation	Participants can only be owners	Participants can be users as well as owners	Participants can be both users and owners	Only developers can contribute to the Kostenverhaal
Law typology	PM is derived from apartment law. Thus, in order to change PM to accommodate the AID, apartment law has to be changed. This brings with its conflicting interests, as apartment law is devised for real estate objects and their tenants/residents, whilst the AID is meant for areas. There are similarities between the workings, but it seems unwise and complicated to amend a law that is meant for apartments, to also accompany areas. This would namely mean that firstly, the amendments should be thought of and then secondly, these amendments should be checked with the use for apartment complexes.	The BIZ is already a separate law that is intended for these types of instruments. The workings fit really well and therefore there is all the reason to take this as the base for modelling the AID. The law can be extended to be the Wet op investeringszones and as such, incorporate all types of area initiatives.	The legal basis for the Area Cooperation is in Civil Code Book 2, Title 2 regarding Associations. This is a general law for the instalment of associations and there is, as such, no part discussing the forcing of members to become part of the association.	The legal basis of the Kostenverhaal is in the Wet ruimtelijke ordening, specifically articles 6.12 to 6.25. This law details the use of Kostenverhaal by the municipality. However, there is no mention of how private parties can use this. This makes it difficult to amend the law so it becomes applicable to use by private parties

Both of the instruments are applicable using the profit principle as legitimisation and are therefore promising, but cannot yet be used for the specific goal of this instrument. Of these two, it is relevant to distinguish the most suitable instrument for the purpose of the AID. For this, the table below lists the differences:

Table 47: Comparison of OZB (Real estate tax) and Ingezetenenheffing (Resident's tax)

Criterion	OZB	Ingezetenenheffing
Wealth differences	This instrument decreases wealth differences	This instrument increases wealth differences
Experience	This instrument is already used in a similar fashion for the BIZ	This instrument is not yet used in a similar fashion
Inhabitants	This instrument also has a possibility to put in effect a levy for tenants	This instrument taxes all inhabitants, irrelevant of their residential status
Companies	This instrument can also be used for taxing companies, as long as they profit	This instrument cannot be used to tax companies

Taking the above into account, it seems preferable to use OZB. This is because the services are for the entire area, both residents and businesses. Furthermore, since the BIZ forms the basis of the instrument, it also can be expected that there is already more experience with the systematic within municipalities than with the Ingezetenenheffing. Lastly, but possibly most importantly, the OZB will decrease wealth differences in the area in contrast to the Ingezetenenheffing. Hence, the choice is made to use the OZB as the taxing mechanism for the AID.

6.2 Amendments

To make the existing law suitable for its new use, a number of amendments need to be added in order to do so. These amendments are:

1. Voting – as there are new categories of participants added, this needs to also be addressed in the governance of the organisation.
2. Tariffs – these new categories also warrant a new look at what the participants should pay.
3. Long-term – as the instrument may possibly be used for long-term investments, this should also be addressed
4. Contribution – apart from paying for the services, it should also be investigated how the organisation itself is funded
5. Prefinancing – long-term investments may warrant the possibility of prefinancing. This should also be detailed in the law.
6. Fiscal compensation – for some of the categories, fiscal compensation is needed to make the instrument workable.

The following sections will detail how these amendments can be made to the law.

6.2.1 Tariff differentiation

To pay for the amenities, it is important to distinguish the reasoning why and what the different categories can pay. To start off, financing should come from private and societal parties. Public parties should not necessarily directly contribute with capital, rather they should help with facilitation, merging of interests or showing flexibility with regards to municipal plans.

For the other two actors differences should be made on their financial power and prospect on profit. The first criterion concerns their capacity to contribute and is derived from the capacity principle, stating that the contribution should be in proportion to the contributor's capacity to contribute. Hence, when asking contribution from parties, they should also be able to contribute proportional.

The second criterion regards the capacity parties have to profit from the outcome and is derived from the profit principle, stating that those that gain, should be those that pay. Hence, when a party stands to gain more from the plans executed using the instrument, they should also be the ones to pay more for the plans executed using the instrument. It is understandable that these principles can clash, as someone with lesser capacity may stand to gain more or conversely. This is the ‘playing field’ in taxes, where there are no clear directions as to what is leading.

To still determine who should pay, it is good to look at the different categories and discuss what their contributing capacity is and what profit they would stand to gain. To further this discussion, this section will start defining a table of contributors by increasingly divvying up the different parties that should contribute. This table will only look at the private and societal parties, as the contributions of the public parties have already been discussed. Step one is the division between the societal and private sectors, which is listed below:

Table 48: Starting types for the AID tariff differentiation

Type	Capacity	Profit
Societal	Low	Low to high
Private	Low to high	Low to high

As can be seen, this is clearly not defined well enough. The first step is to look at further differentiating the private sector. Firstly, a division can be made to separate those companies that have real estate as a business model and those that don't. This leads to the following division:

Table 49: Three main categories of the AID tariff differentiation

Type	Capacity	Profit
Societal	Low	Low to high
Real Estate Companies	Medium to high	Medium to high
Non Real Estate Companies	Low to high	Low to medium

Though this already clarifies a bit, this is not yet enough: as will be discussed in the reflection there are intertypological heterogeneities in the real estate sector. Adding these gives the next subdivision:

Table 50: AID tariff differentiation, with further differentiation of the real estate companies category

Type	Capacity	Profit
Societal	Low	Low to high
Real Estate Developers	Medium	Medium to high
Developing Investors	Medium to high	Medium to high
Real Estate Investors	High	Medium to high
Non Real Estate Companies	Low to high	Low to high

However, non real estate companies are also not always the same. To make a division, other examples of tariff differentiation in area organisations are looked at. The general tendency is to make this dependent on the amount of FTE (Full Time Equivalent: number of employees, where part time employees are weighed as a certain part of a full-time employee. F.i.: someone working 20 hours a week is 0,5 FTE) employed. This has come forth from the insight that SME's are different than large corporates. To make the instrument align better with the existing context, the choice has been made to couple this to the existing Kamer van Koophandel (Chamber of Commerce) categories. These are dependent on FTE's, revenues and assets. For this instrument, the differentiation on the basis of FTE's is used. This gives the following overview:

Table 51: AID tariff differentiation, with further differentiation of the non real estate companies category

Type	Capacity	Profit
Societal	Low	Low to high
Real Estate Developers	Medium	High
Developing Investors	Medium to high	Medium to high
Real Estate Investors	High	Medium
Micro (1 – 10 FTE)	Low	Low
Small (11 – 50 FTE)	Low to medium	Low to medium
Medium (51 – 250 FTE)	Medium	Medium
Large (250+ FTE)	High	High

Lastly, it is relevant to divide the societal category in its chief constituents. These are residents and specific societal functions, including social housing associations. Making this last difference results in the following overview:

Table 52: AID tariff differentiation, with further differentiation of the societal parties category

Type	Capacity	Profit
Residents	Low	Medium to high
Societal functions	Low	Low to medium
Real Estate Developers	Medium	High
Developing Investors	Medium to high	Medium to high
Real Estate Investors	High	Medium
Micro (1 – 10 FTE)	Low to medium	Low
Small (11 – 50 FTE)	Medium	Low to medium
Medium (51 – 250 FTE)	Medium to high	Medium
Large (250+ FTE)	High	Medium

Table 52 shows the final overview, consisting out of 9 types of contributors. Important to notice is that the main difference in levy height is made between the 3 categories, as seen in Table 49. These categories warrant a different tariff per category, due to their different profiles.

It should be noted that, if there is reason to further subdivide the categories according to the initiators of the plan and this is in accordance with the municipality, this should be possible. However, the number of categories should not be lower than the abovementioned.

The contribution cannot be passed on. The reason for this is that the contribution is based on the OZB levy. Prior to 2006 this levy had two types: one for owners and for users (CPB, 2019). However, this has been changed to only being applicable to the owners. Hence, as the instrument is based on this taxation instrument, it is logical to follow the same application. Thus, if it is normally not used to tax users, then it should not now be used to tax users. However, there is pressure to change this. This is already coming from multiple sides, but it would also greatly benefit the AID if this were to go through. The main reasoning here is that the costs can then be spread over more parties, lowering them and decreasing resistance to the idea.

A possible way to figure out whether this is applicable, is to research the period that renters generally stay in the same building or in the same area. This can show to what extent renters profit from the value creation in the area development.

Regarding the instrument, questions can be raised on how the extra levy will affect participants and whether this extra levy will decrease affordability in the area. Examples of this are: “Can companies deduct the extra levy from their corporate income tax?”, or “Can the extra levy be shifted from residential real estate investors to individual tenants and if so, can this levy be deductible?”.

The CPB argues that the OZB contribution could be made “burden neutral”, meaning that the contribution could be compensated with, for instance, income tax. However, it should be kept in mind that compensation in the end will mean that somewhere along the tax chain there will be a loss of tax income. In the example mentioned the fiscal compensation will mean that the national government will lose income tax. This is one of the trade-offs that will need to be debated: is it more important to increase the quality of urban areas, or do we need to fund national projects? Here the CPB again mentions a few principles that form the argumentation to compensate the AID contribution with income tax.

Firstly, benefits and burdens can be better weighed off against each other. Secondly, the risk that the national government invests too much or too little is lessened due to a better view on income and expenses. Thirdly, municipalities become less dependent on the national government for the financing of area development. Fourthly, a sense of justice is better guaranteed: those that profit, pay. From the empirical findings a fifth and sixth are added. Fifthly, the Dutch government aims to decentralise so it makes sense to delegate control over this to municipalities. Sixthly, municipalities are already burdened, so shifting the financial burden from local to national governments seems logical.

6.2.2 Prefinancing

Apart from the fiscal measures that might be needed to be added, there also emerged questions regarding the pre-financing of the amenities. When talking about amenities that may take a longer while to earn back, the question arises who will do the pre-financing of the amenities. Societal parties generally do not have a large capital position. Private parties possibly do, but investors typically get involved later in the project and developers often work with loaned capital. Hence, there are not that many financial possibilities there. This leaves the public parties, who are, referring to the municipal capacities, not necessarily inclined to increase their involvement by also arranging the pre-financing. This forms an obstacle. However, there are three possibilities to overcome this. The first is to instate a new revolving fund, that can contribute to these sorts of projects. The levies collected can then be used to pay back the loan of the revolving fund. However, this is not the most suitable construction, as most revolving funds use an interest rate of at least the CPI to be able to keep performing their activities. Also, these funds tend to have conditions that do not match up with the project where financing is sought for.

The second possibility is to let the AID lend directly from the Bank Nederlandse Gemeenten. The reasoning here is that BNG is not limited to lending to municipalities themselves, but also to parties that execute activities which are (also) of a societal nature and are part of municipal policy. This could be done in a PPP setting, but also in a concession format. As the AID is not a PPP this set-up is impossible, but regarding the AID as an instrument that is publicly sanctioned, one can make the argument that this is in fact in line with municipal policy and as such can be regarded as activities done in concession of the municipality. This would have the added benefit that the interest rate on the loan could be low and that the municipality can put extra conditions in place. Hence, this would empower the municipal position without putting a financial strain on the municipality itself.

The third possibility is the formation of a fund by the national or provincial government. This fund would be financed and guaranteed by either of these parties. In practice, this is resembling the second option. The BNG has different shareholders but is backed by the government and its mission allows for the goal this fund would have. Hence, it seems illogical to use this option as this requires governance and other organisationally relevant affairs to be added, even though there is already an existing organisation in the shape of the BNG that can accommodate these goals.

Summarising, the pre-financing could, preferably, be done by using a concession structure with the BNG. This would strengthen the position of municipalities in regards to the AID, provide cheap pre-financing for the AID and alleviate the burden on municipalities.

6.3 Proposed law

In this section, the proposition for the new law is discussed. Central to this are the amendments made to allow for the instrument to be used as intended.

6.3.1 Legal amendments

The entire new law can be found in Appendix A: Proposed new law. To rewrite the law, there are two main changes: terminology and amendments. The new amendments are only treated in this section, as the terminology does not bring many new insights and primarily boils down to minor changes. The amendments discussed are Article 2: sub 2 and 5, Article 3: sub 1, Article 5: sub 4, Article 7: sub 2, Article 9 and Article 10.

6.3.1.1 Article 2: sub 2

In the original BIZ law, it was mentioned that there was the possibility for the organisation to divide the different objects that were subject to the levy in different value classes. Regarding the different types of actors present in the new instrument, in contrast to the older one, this has been amended to the regulation that these have to be divided in different value classes, of which there is a difference between at least the commercial functions and the residential or societal functions.

This is done, as the residential or societal functions have the possibility to get fiscal compensation for their contribution.

6.3.1.2 Article 2: sub 5

This sub details the tariff differentiation as explained in 5.2.1., denoting the difference in contribution categories and the added notion that real estate companies should be relatively more responsible for the larger part of the contributions.

6.3.1.3 Article 3: sub 1

This sub has been changed to also include the option that a potential up-front investment has to be repaid. Regarding this, the sub now has two options: either there is an up-front investment and that needs to be repaid in a certain amount of time, or there are yearly expenses in which case there is no explicit need to prevent yearly upending.

6.3.1.4 Article 5: sub 4

This sub expands on the use of the law for the AID, where voting for the instalment of the AID should be done containing all categories. Therefore, the amendments state that both the owners of non-residential objects as well as the owners of residential objects should vote in favour of the instrument, where at least half of all owners have partaken in the vote.

6.3.1.5 Article 7: sub 2

This sub expands on the contribution to the instrument, where it has been clarified that the contribution also needs to be paid on top of a possible up-front invested service.

6.3.1.6 Article 9

Article 9 is wholly new and focusses on the way the financing for any investments is organised. The idea here is that this provides an extra layer of control to the instrument, as well as alleviate all involved parties by adding an external financing source.

6.3.1.7 Article 10

Article 10 discusses the fiscal compensation that is extended to residents and societal functions. It details the conditions, which are that the compensation is only applicable to services with a payback time and that this compensation only lasts for and during this payback time.

6.3.2 Organisational shapes

In order for the instrument to be used, it is also good to understand what the statutes of the organisations that will form the AID will need to be like. Though the goal of the AID is to create value in the area and that this value for real estate companies should translate in real estate value, the instrument itself does not have as goal to achieve profit.

Rather, the budget set for the planned extra activities should be spent towards the planned extra activities as best as can be reasonably expected.

Table 53: Comparison of deeds of commencement between the AID foundation and AID association

Aspect	Association	Foundation
General Information	Name and seat	
Goal	Goal	
Board	Composition, nomination, abdication and compensation	
	Task and responsibilities	
	Representation	
Meeting structure	General Member's Assembly	Board
Decision-making	General Member's Assembly	Board
Specifics	Membership	
	Contribution	
Annual report	Annual report	
Rules and regulations	Rules and regulations	
Statutes	Modification of statutes	
Termination	Dissolution and liquidation	
Closing remarks	Closing remarks	

The AID is modelled after the BIZ, where the former comment regarding the not-for-profit status of the organisation is already integrated, the starting point for the organisational shapes consisted out of two existing BIZ organisational statutes. These are a BIZ foundation and a BIZ association. The BIZ statutes chosen are the ones that had the most extensive description in their statutes of their activities and obligations. Also, for the BIZ there are two shapes of organisation that can be used: either the foundation, or the association.

Table 53 denotes the similarities and differences between the two deeds of commencement for the AID organisational shapes. Primarily important with these two shapes is their difference in governance structure, which relates to the body that takes part in the meetings and makes decisions, as well as specifics regarding those bodies. As can be seen in the table, the rest of the aspects are roughly similar. A further specification can be found in Appendix B: AID foundation deed of commencement and Appendix C: AID association deed of commencement.

An aerial photograph of a suburban neighborhood. In the foreground, there is a green soccer field with white markings. The middle ground is filled with numerous houses, many of which have prominent blue roofs. The houses are arranged in a grid-like pattern with streets and sidewalks. In the background, a large body of water, likely a lake or reservoir, is visible, surrounded by green grass and trees. The overall scene is bright and clear, suggesting a sunny day.

7. Conclusion

In this section of the research, the proposed solution for the problem is discussed. This will consist out of four parts. Firstly, the starting point of this solution is discussed: what law will be used to build upon and what aspects should be discussed? Secondly, the aspects that should be added are further elaborated on. Thirdly, the shape these aspects would take in the solution are defined.



Chapter 7 Figure: Ypenburg, a classic VINEX area. Area development was first mentioned by the Dutch government in the Vierde Nota Ruimtelijke Ordening Extra (VINEX) (Leo Oorschot, HAACS)

7.1 Answers to questions

In this section, the answers to the research questions are treated. This starts with the answers to the sub research subquestions and will culminate in the answer to the main research question.

7.1.1 Research question 1

Research question 1 is: what can the Dutch Area Improvement District look like?

The Dutch Area Improvement District is an organisation that is bound to one area. The borders of this area are determined by the organisation and checked by the municipality. The goal of the organisation is to provide collective services of a higher level than public services. All parties within the organisation contribute to this, but the height of their contribution is different. This contribution is legitimised, because enough of the different types of actors agree on the plan and the municipality has found that the base of support exceeds 70% per category. The organisation finances itself either with the contribution, or, in the case of long-term investments with a loan from the Bank Nederlandse Gemeenten. The organisation is either an association or a foundation.

7.1.2 Research question 2

Research question 2 is: why would private actors be willing to participate in the Dutch Area Improvement District?

The theoretical reason for this is that the provision of collective services will heighten the value of their real estate. In practice, this view is confirmed. However, the problem is that for many parties it is unknown which collective services add value and what size this value addition is. This makes the application less feasible, as private parties are now expected to participate on their belief in and alignment with the vision of the area. Thus, private parties are willing to participate in the Dutch Area Improvement District because it ameliorates their business case, but how this is shaped specifically is unsure.

Further research into the effects of collective services on real estate value is warranted to make the instrument more practically feasible.

7.1.3 Research question 3

Research question 3 is: how can public actors facilitate private actors in the Dutch Area Improvement District?

In theory, the main roles emerging from the literature review are those of facilitating and connecting, as well as providing the 'balancing act', where municipalities on the one hand give guarantees and on the other hand operate flexibly. So, these can be distilled to four distinct actions:

- Facilitating
- Connecting
- Guaranteeing
- Showing flexibility

When comparing these to the results from the interviews, it becomes apparent that municipalities are interested in the first two actions. They see the AID as possibility to have one organisation that represents the area, thus giving them a conversational partner and allowing them to more effectively calibrate their policy to issues that emerge from the area. Though not mentioning how they would do this specifically, they did indicate their willingness to do this.

Regarding the latter two actions, public actors were less vocal about these. It was indicated that they were willing to work together, but specifically guaranteeing things did not come forward. They did show flexibility, in that they often had the other parties discuss with them what quality should be achieved in the area and did amend their documents to this. Also, here it was mentioned that if the AID would form a representation of the area, there is more willingness amongst municipal actors to amend plans more in favour of what was mentioned.

One action that emerged from the interviews was the steering part of the municipality. As mentioned by some municipalities, though they couldn't force cooperation amongst the parties, they could make standards in documents in such a way that non-cooperation was practically infeasible.

This does show that part of the problem as researched here could be resolved by higher municipal standards, whether with or without consultation of private parties. However, it is not expected that this will yield large results and it is important to be cautionary with this: the goal is still to develop the area and the extra rules should not become an inhibition for private actors to act.

A big advantage for municipal actors may be that initiatives from the area can, through the AID, easier find a way to become reality. Similarly, the AID will easier legitimise the plans of public actors, as AID approval would be more or less area approval. In that way, the lobbying part of the AID can also reduce resistance amongst parties in the area.

Concluding, public parties can predominantly facilitate the private actors in the area by facilitating the process for institution, connecting the different interests in the area and showing flexibility in public plans.

7.1.4 Main research question

What can the Dutch Area Improvement District look like and how can it work?

The Dutch Area Improvement District is a publicly sanctioned, private urban governance organisation. Its main goal is to add quality to a specific area, through the provision of collective services or amenities. The process is dependent on two elements: firstly, private and societal actors need to submit a plan that details what the collective services are and how they aim to execute them. Secondly, the municipality who has received the plan will measure through a support base test whether the plan has enough support in the area. If both of these are positive, the municipality will instate the AID.

Those who have initiated the AID will then need to organise themselves in either a foundation or an association. This organisation will have the sole goal of executing the activities as mentioned in the plan. The municipality will then impose an extra levy on the real estate tax that finances this development.

Residents will pay this tax, but similarly will be compensated through the national income tax for this, as their capacity to contribute and profit will likely be lower than the other types of actors. There is a further minimum required division for the other actors, to ensure that capacity and profit are well distributed (See also: 6.2.1).

If there is need for capital improvements with a payback time exceeding one year, the AID can apply for a loan to finance these. This loan will be provided by the Bank Nederlandse Gemeenten, where they will fulfil a double role: on the one hand, they become an independent financier against low interest rates, leaving both public and private actors with less burdens on their capital for the collective services. On the other hand, they prevent the prevalence of perverse incentives that may come apparent due to the possible large voter base an AID may constitute of.

The AID cannot be used to finance public services, as these are the responsibility of the public actors. Similarly, the AID cannot be used if there is an insufficient supporting base or if the plan is not according to the proposed law as included in appendix A. Furthermore, financing must occur through the Bank Nederlandse Gemeenten, as to guarantee both the nature of the services, being that of public interest privately provided, as well as the rightful use of the instrument.

The AID can be upended if the term expires. Equally, the AID can be upended earlier, however, in the case of physical collective services, these services will have to be auctioned off by the municipality. The proceeds of this auction will be reverted back to the, at that time, contributing parties.

To test the suitability of an area for the AID, a number of criteria have been formulated. These have been derived from both theory and empiry. It is expected that, if these criteria apply to the area, the AID is more likely to be suitable for that area.

These criteria are: the measure of willingness for private and societal parties to cooperate on an area level, the presence of an (economic) anchor function in the area, the measure of convergence of interests, the urgency to cooperate, the presence of collective challenges that vary in size, the presence of existing organizations to build upon, the suitability of the area to the original selection criteria of the problem statement, the potential for extra service provision, the estimated size of the discrepancy between public service provision and collective service ambition, and the acknowledgement of value creation opportunities by private and societal parties.

7.2 Changing goals: expected effects on themes

In these sections, the six themes into which both benefits and goals were characterised are further discussed. This provides a more elaborate discussion of the comparison between the goals, from the empirical part, and the benefits, from the theoretical part.

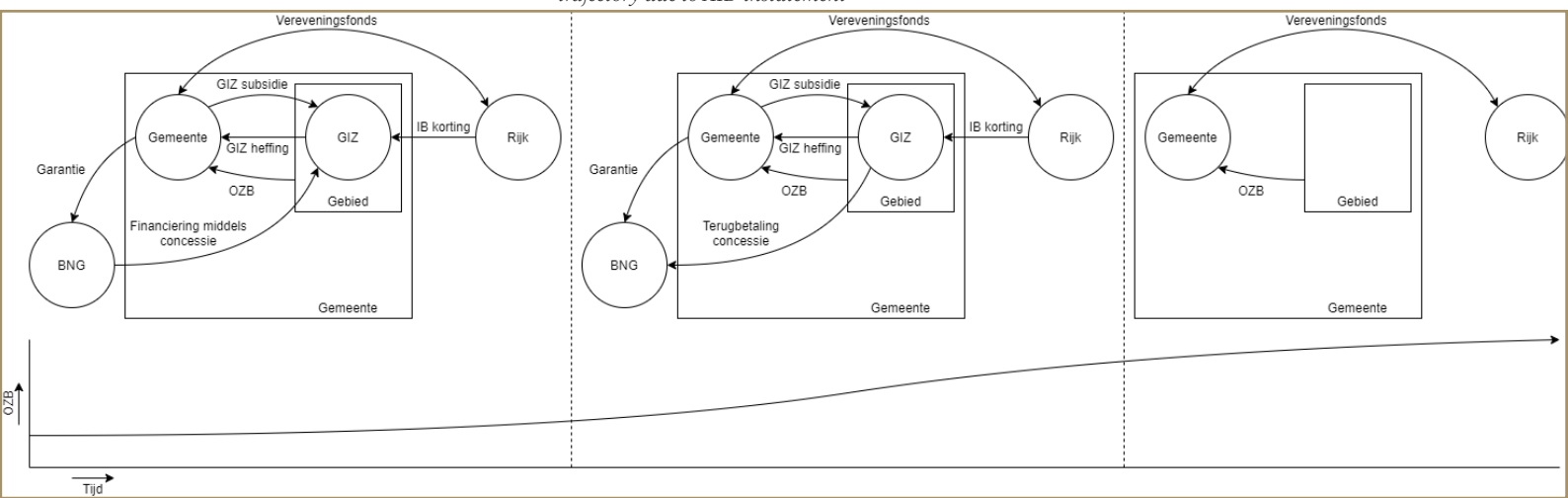
7.2.1 Governance

The effect on urban governance may be large, depending on the extent of the AID. As discussed, one of the main benefits for public actors is them having a representative organisation for the area with which plans can be discussed. The shift here is that the collective influence of the parties in the area on the municipality is expected to grow, though this may not be the case for the individual influence of the parties.

The other main benefits that emerged from the findings are the development of joint strategies and the organisation that acts in the collective interest of the area. The AID provides a way to force all parties to jointly develop strategies for the area. The challenges that are discussed in the introduction to this research, as well as those that emerged during the interviews, clearly speak of problems which warrant collective action. Hence, the development of joint strategies for the area, to which the different parties have to adhere, can adequately help combat these challenges.

As was briefly discussed in the first section under this topic, the organisation will also represent the collective interest in the area. The proposed law states that all participants will have equal say in the governance of the instrument. There may be some debate regarding this, as some may say that it is the one who pays that should have the most say in what happens. However, regarding this, it seems unwise to take this position. The goal is to heighten the quality of the area, for which all actors are needed: companies, residents, investors and housing association. Taking into account the goal and modern themes, such as inclusivity, it is the author's position that the capital contribution made by some actors, which is larger than those of others, is legitimised as they 1) stand to profit more and 2) those that contribute not in capital tend to contribute in other resources. When discussing themes like community, it seems unlikely that investors themselves will come to events or hire people to go there. Rather, they need to rely on residents to make these events successful and thus, make new tenants or buyers feel part of the community or make the area feel lively and safe.

Figure 16: Possible economic value creation trajectory due to AID instatement



7.2.2 Economy

The economic effect of the instrument is on the one hand its basis, but on the other hand, yet unsure. The image below sheds light on a possible trajectory that may happen because of the AID. This is a schematic representation and the height of the increase in OZB should therefore be seen as explanatory and not exact.

However, when discussing this with the Centraal Plan Bureau, they indicated that it is not yet possible to predict why areas will rise in value. In general, areas that have attracted investment will increase in value over time. This can be temporarily diverting, for instance when construction noise decreases real estate value, but tends to go up in the long-term.

Still, this provides a difficulty for the AID in the development phase: as there are often differing development paces between the developing parties and their real estate value can be temporarily lower because of nuisance, they may not be able to capitalize on investments made in the development phase. Conversely, implementing the AID in the exploitation phase does not seem to have this disadvantage and thus, can be used to capitalize on the value created by investments in collective services.

The above does not prove a difficulty when developer and investor are one. Equally, if the investor is already known when development starts and, in that sense, the developer can approximately be seen as a delegated developer, the issue does not arise due to the long-term horizon of the investor.

In conclusion, the AID will most likely heighten the real estate value in the area. However, it is unknown by how much and it is unknown whether this rise will be immediate, or will take a longer time to come into being. Hence, this proves to be the largest hurdle for implementing the AID in the development phase of an area development. With adequate research done into value development of areas, the AID will become feasible. As of now, the AID is most economically viable in the exploitation phase of the area development.

7.2.3 Quality

What emerged from this research is that there is stress on plinths and their relation to public space. It is often difficult to fill plinths with adequate functions, as there is, in some locations, little interest in them. This gives rise to the question whether plinths remain a primary revenue model, or that the apartments or offices above are more relevant to that. It could be that, especially for urban areas in medium sized cities, the plinth will predominantly function as a means to keep the public space lively and thus make the area attractive, resulting in the increase of value of the apartments and offices above.

Aside from this possible 'death of the plinth as a primary revenue model', it is clear that there is a need for more greenery in many areas. The ambitions on this theme tend to surpass the public level, so an AID would be more likely useful for this goal.

Lastly, the liveliness of the area can be better controlled through the AID. The choice for the term 'controlled' is deliberate, as the case of the Universiteitskwartier shows that more liveliness is not always welcomed. Though there are often plans developed, where municipalities and market parties tend to be able to find each other and align, the liveliness of the area emerges as an important theme and more control on this seems requested. The AID may form a good vehicle for this, as it can well channel the different interests in the area and can help to jointly, with the municipality, coordinate the liveliness such that it adds value, but not threatens liveability.

7.2.4 Community

Similar to economy, this theme is yet relatively unsure in comparison to the other themes. To start off, there is a general acceptance that most subjects discussed in the interviews regarding community are important according to the interviewees. However, allocation of responsibility varies. Private parties tend to see the aspects of themes as more of a municipal job, than that of their own.

What makes the effects on the theme unsure is the status of most of the area developments researched. Predominantly, these were no further than the development phase. The difficult thing is that, according to most interviewees, the importance of community shows up in the exploitation phase of the development. Hence, not much can be said about that at this point.

The above, in combination with the uncertainties considering the economic benefits of the AID, may suggest to think reverse when experimenting with the instrument. The idea was, for now, to use the application in the development phase to add collective services that are wanted in the exploitation phase. But, in light of these being largely unknown, it may be more relevant to first try the AID as an expansion of the BIZ. This has two advantages: firstly, it develops knowledge of the collective services needed in the exploitation phase. Secondly, it establishes whether the AID would be feasible at all. If this succeeds and if the meantime is used to research more on what collective services can be realised in the development phase that have a positive effect on the area in the exploitation phase, the AID can then be extended to also include the development phase.

7.2.5 Advocacy

This is probably one of the themes most affected by the institution of the AID. There is consensus amongst the private and societal actors that the instrument offers advocacy opportunities for them. Generally, this is also where interview findings tend to disagree between public and private or societal actors. This sounds rather paradoxical when compared to municipalities' wish for a clear sparring partner that represents the area. However, it should be noticed that this wish does not necessarily constitute a change of government policy. To a certain extent, this offers the municipality to better offer a participatory trajectory, but not oblige them to actually change anything. In that sense, the theme will allow for stronger advocacy, but it is unsure whether this will lead to actual changes in policy.

7.2.6 Branding

This is a theme that got attention during the interviews and most interviewees underscored its importance. However, reflecting critically on the findings, it is unsure whether the AID is necessary or the best vehicle to use for branding: there are a good number of instance where either public, or private or both actors have taken area branding up. Hence, there is ambiguity whether this theme will be clearly affected by the institution of an AID to take care of it.

7.3 Changing conditions: possible future scenarios

Considering the development of the AID, one should consider possible scenarios that may take place in the future. The following sections describe four of them.

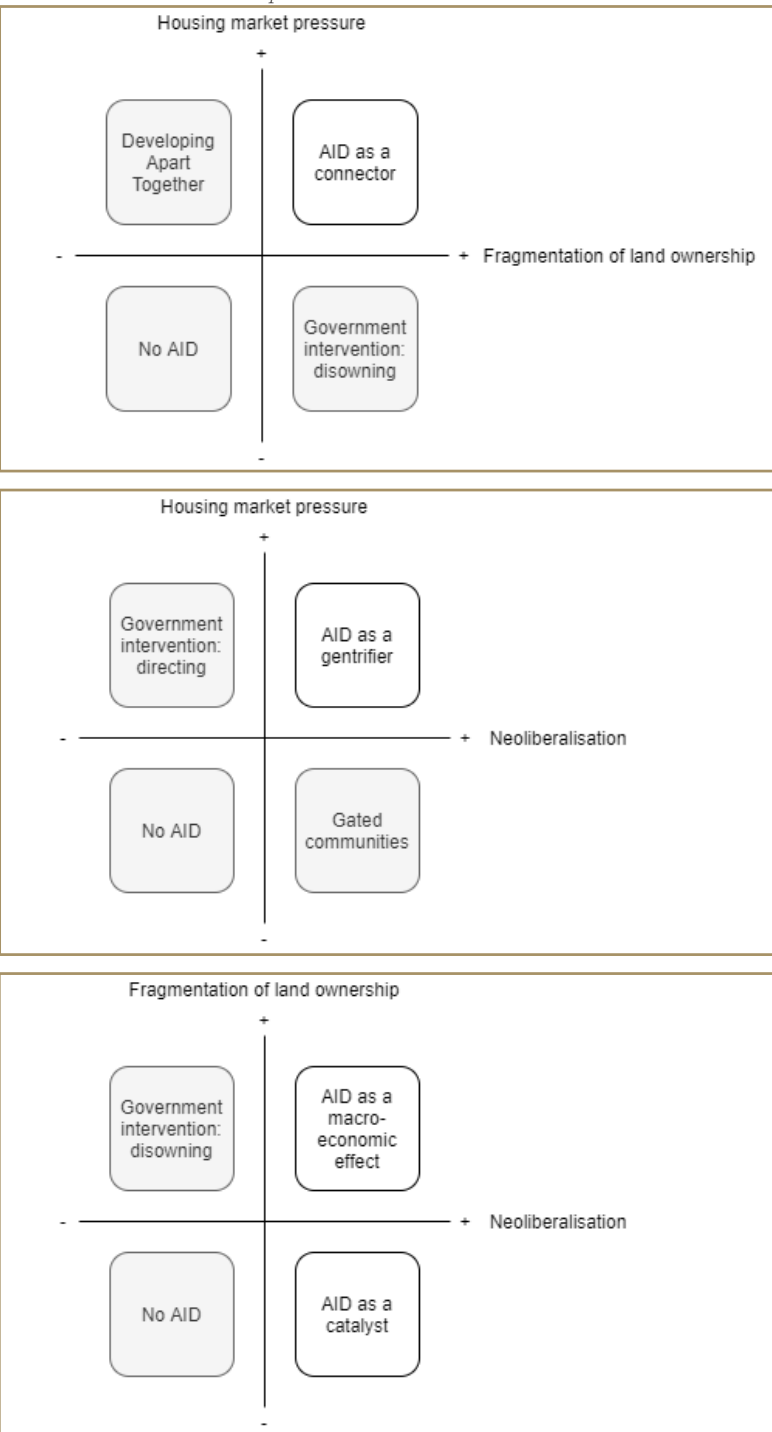
First of all, it should be discussed how the different trends that set these scenarios were selected. Three trends were identified as leading for the scenarios. The first is the pressure on the housing market, as mentioned in the introduction. This is one of the main drivers of the current need for transformation of areas. Also, this has a large effect on the base for extra services that may be needed for the areas.

The second trend is the fragmentation of land ownership. Because of the changing nature of the areas that are up to transformation, where the areas partly constitute existing owners and new incoming parties, ownership becomes more fragmented. Where it is possible to provide collective services if the majority of land ownership lies with, for instance, three major developing parties, it is easier to define strategies that are resembling Developing Apart Together. However, the increased fragmentation of land ownership warrants the need for enforcing an AID.

The third and last trend is neo-liberalisation in the built environment. As Heurkens (2012) document, urban governance is shifting and the roles are changing. Where public actors used to strongly be in the driver seat, it is now expected of private and societal actors to take a more leading role in urban governance.

These trends have led to the three models above, where the different scenarios are listed in each quadrant. The white ones are discussed, as these scenarios point to the possible future development of the AID.

Figure 17: Future scenarios of the AID depending on trend development



7.3.1 Catalyst

One of the possible advantages is that the AID may be helpful in catalysing urban development. This is following the prediction that the number of areas that have problems suitable for the AID will be increasing. This means that there will be an increased demand for a solution to these problems. Instead of following a trajectory of coalition building, which may take a long time, the idea here is that this can be cut short by finding enough initiators that promote the plan, resulting in the achievement of finding the 70% or more basis. This would make it easier to get the needed amenities in the area and reduce time and effort spent convincing obstructing players in the area. Also, because of this, parties may be more inclined to invest in areas as the opportunities for achieving their desired or higher return are more ubiquitous.

7.3.2 Gentrifier

As beneficial as the AID may be for facilitating the increase of amenities in the area and therefore raising the quality, there is also the possibility that this has a negative effect. As shines through the name, the AID is used for investing in the area. This means that the participants intend on increasing the value of the area. For some this may be societal value, such as the residents who increase the number of children's playing facilities, but for others this may be economic value, such as the investors who increase their return on investment. The danger looming here is that the economic value gets the overhand in this and that parties with deep pockets start investing heavily in the area, pushing out locals.

This issue is a two-edged blade. On the one side, the idea that locals may be slowly forces out of their areas is of course bad and diminishes social capital in the area. The identity may slowly get lost, resulting in a feeling of resentment. On the other side, there are two elements to keep in mind here. Some of the areas discussed previously consisted out of, predominantly, companies. When transforming this to mixed-use by adding housing, one needs to keep in mind that with any change there is no turning back to previous situations.

Similarly, there are inevitable displacements along the route to progress. Also, not all gentrification is bad. Consider the case of Rijnhuizen, where the companies in that area do not really have any connection to it: their chief reason for locating themselves there is the central location.

Drawing a parallel in the Human Resources Management theory of Bruel & Colsen (1998), one could divide the parties in 'binders' and 'linkers'. Linkers are parties that are only in the area because there is some sort of transactional agreement: they house themselves and pay the owner rent and the municipality OZB, as they are able to locate themselves in a favourable area. However, once these conditions change, they may move out to another location. Binders, in contrast, want to be part of the area because they need to be: their customers are there or they have another, deeper, connection to the area. These parties tend to stay and are more willing to contribute to the area if necessary.

Using this distinction, the companies in Rijnhuizen can be described as typical 'linkers'. If the AID would move these parties out in favour of companies that portray 'binder' behaviour, this could actually be a positive effect. Considering the above, displacement is not necessarily a negative development.

Furthermore, if the AID is subject to public sanctioning, empowered by the integration of the BNG financing structure, municipalities can take a strong position and set up a number of conditions that protect the area from the unwanted effects of gentrification.

7.3.3 Connector

One of the characteristics of the areas that are now up for transformation is that land ownership tends to be fragmented. Existing plots may be small and owners may not be in the know of who in the area also would like it to be improved. However, by initiating an AID and using the facilitating capacity of the municipality, existing owners or incoming developers may be able to unite their interests and build up the capacity for an AID. In that sense, the AID can be used as an instrument that connects interests in the area. This can enhance the sense of community and ownership in the area.

7.3.4 Macro-economic effect

This scenario is more speculative than the other scenarios. It is reliant on a continuation of other influencing factors and the scenario of the AID as a catalyst to be true. The idea is that the AID will lead to more and better areas. As the largest value indicator of a property, aside from its technical condition, is its location, the addition of more and superior products (i.e.: real estate located in more desirable areas) will then drive up competition.

This competition can be divided in two types. The first is intra-urban competitiveness, which means the competitiveness of parts of the city in regards to each other. Former derelict areas can be upgraded and as such, form an alternative to the existing areas. This increases the supply side of the local market, hence increasing intra-urban competitiveness. The second is inter-urban competitiveness, which means the competitiveness of different cities in relation to others.

The consideration here is that cities with many potential AID areas can quickly increase supply, making them a more attractive location for residents or business to settle than other areas. This can be in a regional context, such as within the Randstad, or in a national context, where the Brabantse Stedenrij becomes more attractive than the Randstad. This is, of course, also dependent on factors such as accessibility and existing market conditions, but assuming these stay similar, the AID can increase competitiveness throughout the Dutch real estate market on different scales.

This is relevant for consumers, especially residents, as the current market conditions put them at a disadvantage. There is more demand than supply and therefore, prices have gone up. Adding more and better-quality areas will increase supply and as a result better the position of the residential consumer. In this regard, the AID can possibly have a macro-economic effect. It is, however, important that enough AIDs will be enacted as to be effective.

7.4 Changing players: prediction of strategic behaviour

In order to assess the new player behaviour, the strategies they use are predicted. This gives an idea on how players can interact with the new instrument. This is based on the work of Daamen (2010), where he introduced an analytical distinction between four processes of strategy formation. The original model is listed below.

Figure 18: Strategic analysis framework (Daamen, 2010)

		Strategy Process	
		Deliberate Plan	Emergent Pattern
Strategy Content	Tangible Positions	<p><i>Strategic Planning</i></p> <p>Deliberate plans about tangible positions.</p> <p>plan-making programming</p>	<p><i>Strategic Venturing</i></p> <p>Emergent patterns manifested as tangible positions.</p> <p>place-making discovering</p>
	Broad Perspective	<p><i>Strategic Visioning</i></p> <p>Deliberate plans in the form of a broad perspective.</p> <p>future-making imagining/designing</p>	<p><i>Strategic Learning</i></p> <p>Emergent patterns that result in a broad perspective.</p> <p>sense-making (re)framing/interpreting</p>

The different way the three types of actors, being public, private and societal, will act, is discussed in the following sections.

7.4.1 Public actors

Public actors have the possibility to steer on the development of area organisations through instruments such as the Omgevingsplan. This can be done deliberately, because they feel that it is an important policy goal to have more areas that have some form of area organisation, or this can be done as a spin-off effect, where the conditions of the plan leave no space other than to form an area organisation. The latter seems to be the prevalent reason, as municipalities already use the Omgevingsplan to discuss urban interventions such as a reduced parking tally, sustainability ambitions and economic goals.

Hence, public actors are expected to start in the bottom left quadrant of the framework. This is where they take the broad ambitions, formulated in policy goals, and examine how these can be translated into more concrete action.

Talking in a manner of products, this is where the Omgevingsvisie is analysed and discussed how it may be applied to the area.

After this, public actors move to a more tangible and concrete version of these ambitions. These are generally detailed in the Omgevingsplan. This is also where the move is made to go from the bottom left quadrant, to the upper left quadrant in the model. This is also where the deliberate involvement of public actors ends: the Omgevingsplan states what can and cannot be done, but generally also leaves some space for private and societal actors to come up with initiatives.

Because of the former and considering the situation that an AID comes to be, public actors will be faced with a proposal from the private and societal actors in the area. This will ask from the public actors to sanction it, which they can do if the proposal is considered valid on the grounds of its legality and support. This is the moment that the public actors shift from the upper left quadrant to the upper right quadrant, where there strategy has to adapt to an emerging plan, but requires specifics: for instance, if the plan is not agreed to because of certain grounds, the public actor has to detail this so that the private and societal actors are able to change this and resubmit.

After this and assuming the AID will come to fruition, there is now a form of hybrid urban governance: there are the original rules and regulations hailing from the Omgevingsvisie and the subsequent Omgevingsplan, as well as an AID that amends on this with initiatives that emerged from the areas. This is where public actors shift to the lower right quadrant, reflecting on the values this form of governance produces. Lastly, public actors may decide to take some of these values on and adjust their vision on it. This may happen for the area in question, or could lead to adapting the vision for other parts of the city. This means that, in the end, public actors move back to the lower left quadrant and start over with defining the guiding values in the Omgevingsvisie.

7.4.2 Private actors

The direction for the private actors moves counter to that of the public parties, however, it also starts in the lower left quadrant. When acquiring a position in the area, either developers or investors already have a broad idea of what they intend to do with their position. This is their deliberate, yet broad, strategy.

However, once the Omgevingsplan becomes reality and it leads to them cooperating, they need to re-evaluate their vision on the area. This leads to exploration, together with other parties, to determine where the joint interests may lie. This is when the private actors move from the bottom left quadrant to the bottom right quadrant.

Having established their commonalities, their joint strategy emerges and a more tangible plan is formulated regarding how they intend to cooperate with the rules and regulations of the Omgevingsplan. This is where the AID is formed and also where the private actors move from the broad, emergent strategy to a tangible, emergent strategy.

After the submission of their plan and assuming the AID has been established, private actors now have an organisation that they can couple their strategy to. Following this, they start to rethink what this organisation does. This changes the strategy: from being an emergent strategy, born out of necessity, to a deliberate strategy, aimed at achieving goals. Hence, private actors start to move to the upper left quadrant of the model and start to specify tangible goals for the organisation. As was discussed by Mitchell (1999), BIDs tend to 'mature' over time. It is expected that this will also happen to the AID and the emergent, tangible strategy is the first phase of maturing of the AID: it now changes from a necessary cooperation to a value creation vehicle.

The second phase commences when the private actors shift to the lower left quadrant of the model. They start to take a deeper and more fundamental approach to the AID: where it has matured from necessary cooperation to value creation vehicle, it is now examined what values this instrument actually contains. This examination is important, as it provides a deeper understanding regarding the values on which the AID is based. Similarly, this rounds the strategy making circle for the private actors off, as they now rethink their approach to the area development in case, as well as other area developments, where the underlying values of developing or investing in properties and the area they are located in may have changed.

7.4.3 Societal actors

The path of the societal actors is projected to follow a similar trajectory as that of the private actors, however, their motives are different. When living or being active in the area, residents and societal functions already have some idea of what they feel about the neighbourhood. They do not necessarily have a 'strategy', but associations such as home owners' associations already operate to propagate the values home owners have for the neighbourhood. Hence, their starting point is also in the bottom left quadrant of the model.

Once the Omgevingsplan becomes reality and private actors become aware of their necessity to cooperate, the societal parties will get involved. This is because the private actors need enough support to make the AID a reality. Hence, the exploration of the private parties also takes them to societal actors in the area. This process may also go the other way around: societal actors in the area may seek a broader base for their values and may want to expand existing organisations, such as a home owners' association, in order to better the area. This is the phase in which societal actors start to develop the broad values that form the foundation of the AID, hence their move to the bottom right corner.

Over time, the process of the AID will force both private and societal actors to narrow down on their aspirations and develop a tangible strategy. This is when their strategy evolves from one based in broad values, to one that is translated to a tangible plan. This plan, however, may start small: the actors are now starting their cooperation in the AID, but may need to further define it and discover what the AID is useful for and also what not. The societal actors have now shifted, together with the private actors, to the top right corner.

Once the AID is established and starts functioning, the original goals will be evaluated and a clearer understanding of the instrument will become nascent. As mentioned in the section about the private actor strategies, the organisation now enters its first phase of maturity. However, contrary to the private actors, societal actors use it to assess how the collective services provided by the AID has led to societal value creation. This is the process of change for a strategy that was emergent and will now become deliberate: for societal actors the understanding begins to emerge how they can deliberately use the organisation as a way to align it to their goals. The societal actors are now also present in the upper left corner of the model.

The second phase of the maturity process, as described in the previous section, is the move to the lower left corner of the analytical model and the exploration of the broader values that form the basis of the organisation. This is when private and societal actors develop a deeper understanding of which values their cooperation is based upon. This is also the phase in which more becomes clear about the long-term sustainability of the organisation: it may be that for the challenges it was first initiated, it was a good tool, but further challenges may be more actor specific and dilute the base needed to form the AID on.

7.4.4 Summary

To summarise the prediction of strategic behaviour with the players using the model, it is predicted that all types of actors start at the same position: the lower left corner of the model, having broad and deliberate strategies. However, their movements across the model are different: whereas the public actors are predicted to move clockwise, the private and societal actors are predicted to move counter clockwise. The similar movement of private and societal actors seems logical as they, though they may not have the same interests, are the types that form the AID.

Important to note is that this is a prediction. It is based on the findings from literature and the experience from interviews, but it does not have to be right: there is the possibility that the actors move differently through the model, or may not move through (parts of) the model. In essence, the model itself may not be an adequate means for predicting, or in a later stage analysing, the behaviour of the players. However, the model has proved its use in earlier research. Furthermore, as said, the predictions are based on literature and experience. If anything, this prediction provides a base for researchers to evaluate player behaviour regarding the instrument, if it comes to see use in the Dutch context.

8. Reflection

Three things are reflected upon in this part of the report. Firstly, the research itself is discussed. Secondly, the recommendations for further research are talked over. Thirdly, findings are elaborated on that fall out of the research scope because they either go deeper on some parts of the research or put the research in broader context.





*Chapter 8 Figure: Shenzhen, from fishing village to smart city
(Lonely Planet)*

8.1 Research

This section elaborates on the limitations of this research. These are the limitations regarding area typology and the limitations regarding the researched areas.

8.1.1 Curriculum

The research has been undertaken as an end to the Master of Science Management in the Built Environment program. The theme of the graduation laboratory was Urban Development Management and, specifically, urban redevelopment strategies and new planning instruments for urban development. Reflecting on the outcome of the research, the relationship between the theme and the topic is clear.

The outcome with regards to the amendment of the BIZ legislation has led to the development of a new planning instrument for urban development. This has been generated by looking at existing instruments, defining what their shortcomings are, supplementing this with requirements obtained from practice and synthesizing this in the remodelling of existing legislation to achieve a new, suitable, instrument.

Concurrently, use of the instrument by the different parties is researched. It was first determined why parties would use it and to what end, which was further refined by findings from the case studies and elaborated on in the conclusion. Here, it was looked at how the instatement of the instrument is predicted to affect the strategies different stakeholders will take in their urban redevelopment strategies.

Urban Development Management is one of the three core disciplines of the Management in the Built Environment master track and the focus lies on how different types of actors relate in the urban context. It forms an integral part of the MSc Architecture, Urbanism and Building Sciences as it considers the connection of design to execution. Where other tracks have a more specialised focus, MBE, and specifically UDM, has an interdisciplinary focus: realising designs is not only an architectural or technical exercise, but is also dependent on economics, management, law and politics to name some.

Finding ways to ameliorate the built environment through instruments that can possibly better connect design to realisation is of paramount interest to achieve a significant effect.

8.1.2 Academic relevance

Novelty was mentioned as the main reason for the relevance of the research and this can be upheld when reflecting on the research: further literature review has exposed the lack of the AID in both Dutch and international practice. As can be read in the recommendations for further research, there is a distinct lack of knowledge that could greatly increase the feasibility of the instrument. The need for the instrument has been confirmed by some practitioners and the AID may prove a valuable instrument with regards to connecting profit and contributions in urban development.

Whether the research now leads to a new field of urban governance can be questioned. It was not the aim of this research to determine whether this is the case and the research cannot be regarded as complete or adequate enough to make such a statement. It is, however, the author's position that there is a strong indication yielding from the research that publicly sanctioned, private urban governance may be a new addition to the existing fields of area development, the others being public-led, private-led or public-private partnerships.

The methodology chosen consists of a literature review and serial, paradigmatic, maximum variation case studies. The literature review provided valuable background information. However, some of the sources included were of international origin and upon further investigation were not always equally applicable to the Dutch context. The paradigmatic, maximum variation choice was helpful in generating a list of cases, as experts came through with enough proposed case areas to be relevant to the research. Upon critical reflection, not all of these cases seem equally likely for the AID to be applicable: to some the AID seems more likely than to others. This is a risk of the method chosen, but since results have been obtained relevant to the research, the method seems justified.

In hindsight, the originally proposed method of using a quantitative method to list the amount of possibly suitable areas and a qualitative method to further investigate a limited number is not attainable: it is the author's position that the number of cases that this instrument may be applicable to is not large enough to justify the quantitative part of the research.

There is also a limitation to the research. The theoretical framework seems to be solely applicable to urban contexts, as one of the reasons for which parties are able to achieve a return on public investments is the higher and/or specific level of services in urban contexts. This means that, for rural contexts, the effectiveness of the instrument has not yet been proven. This has resulted in the author recommending further research on the applicability of the instrument in rural contexts.

8.1.3 Data collection

Three things are relevant to discuss with regards to the data collection. The interview protocol has been included in Appendix D. Firstly, the interview protocol was not always equally suitable to all situations. Some of the questions were not so applicable to public interviewees and more to private and societal interviewees. It was then difficult for public interviewees to answer them. To keep the research consistent, it was then often suggested that the interviewee considered his or her experience of other parties' behaviour. This helped better answer the questions. It is recommended to devise different interview protocols for the different actors, where some of the elements can be equal, but others can be actor-specific.

Secondly, questions 1.3 to 1.5 under goal often became similar, as the answers of interviewees often covered all of them. The questions on the theme of community were often difficult for interviewees to assess, as most cases were in the development phase and questions on that theme can be better answered in the exploitation phase. The aforementioned questions were thus less applicable.

In order to keep the research consistent, the questions were still included. In the case of question 1.3 to 1.5 some of them were left out if interviewees already gave a complete answer to all questions. In the case of the theme of community interviewees were asked to answer if they expected the theme to be relevant. It is recommended to make a different interview protocol for areas that are in different phases.

Thirdly, it was noticed that the research topic was in such a niche of the field that not all interviewees were fully aware of all existing conditions and proposed aspects of the topic. This was dealt with by giving explanations if interviewees were not acquainted with the material and by structurally asking if interviewees had questions regarding to certain aspects. It is recommended to include more information in future interviewees regarding the topic.

Apart from the data collection itself, it has become apparent that the instrument seems predominantly relevant in the exploitation phase of area developments and that it is not sure how it could be practically feasible in the development phase. This also means that the areas researched do not all provide much information regarding the further development of the instrument aside from what has come forth. This is because most of the areas researched are in the development phase, some even in the initiation phase. It makes it difficult to discuss aspects relevant for the exploitation phase when it is unsure which stakeholders will be present during that time. Hence, the recommendation is therefore that further research should focus on those areas that are in the exploitation phase, or nearing that phase.

8.1.4 Wider relevance

The outcome of the research provides a valuable starting point to further investigate implementation of the instrument with. Experimentation is, therefore, recommended. The societal implications of the research are, as of yet, not that high. The research covers a niche of the academic field and it, for instance, became apparent during the interviews that not even all interviewees were acquainted with the material.

Therefore, large impacts on a societal level are not expected on the short time. If legislation comes to be, this may change, but this is an uncertain event about which not a good comment can be made at this moment.

If experimentation with the AID leads to modification of existing legislation to include the AID, this could be of international significance. The need for the AID is also felt in, for instance, America considering the material of Nelson (2006). It can be expected that there are other countries that experience similar problems. The transferability depends chiefly on the level of public services and the existing legislature. It is expected that a low level of public services will lead to high demand for the AID and vice versa. This is, however, dependent on the disposable income that can be spent on the AID. If there is successful existing legislature covering parts of the AID, it is more likely that the AID will be implemented. The existing legislature would, to some extent, prove that AID-like instruments work and if there is urgency to solve issues typical to the AID, politicians and lobby groups would more easily understand the implications of implementation.

8.1.5 Ethics

Ethically speaking, the research tackles a profound utilitarian point: to what extent is the benefit to the collective worth more than the freedom to choose of the individual? A parallel can be drawn when looking at regular taxes: these are also used to fund the military, but some people may identify as pacifist. Is it then morally right to use tax for this? Also, think of the obligation some real estate companies have to their shareholders to achieve the highest return possible. This deontological example could be impeded by instatement of an AID.

To this, two comments are made. The first is that the goal of the AID is to provide in the creation of broad value creation, of which some will translate into real estate value. Hence, the general bottom line should be higher value for all stakeholders and as such, the deontological argument will no longer hold.

Secondly, the basis on which the AID comes to be is a democratic one: there has to be a clear majority in the different stakeholder groups favouring the AID, otherwise it will not be instated. As with every situation where a large group of stakeholders is involved, it is never possible to fully satisfy each individual's wishes. This is in the core of every democratic society. However, it should nonetheless be the goal to achieve a solution that is supported by as many as possible, is reasonable and does not burden individuals in a unproportionable way.

Summarising, where force is applied there will always be individuals who have an advantage through that and individuals who have a disadvantage of it. To combat this, the instrument is designed in such a way that it protects the interests of specific groups and can only come to be if there is a clear majority support. This will lead to the use of an AID in the case of value creation that will generally benefit all relevant stakeholders.

The way the instrument is designed will make that the advantages outweigh the disadvantages and no specific stakeholders or stakeholder groups will be disproportionately burdened. As such, it is the author's position that the instrument is morally justified and fits the ethics of the Dutch democratic society. For other nations this may mean that some conditions need to be amended, but it is the author's position that this can be done in a relatively simple and adequate way, making the instrument suitable for most democratic societies.

8.2 Recommendations

It has become apparent that there are a number of unknowns with regards to the subject. The following sections will detail a number of researches that could be done to further the insight relevant to this. Four researches are discussed.

8.2.1 Price effect of area organisations

Part of this research is the question whether governance originating from the area on that area results in higher value for that area. With regards to this, it is interesting to research how areas with some sort of area organisation relate to areas that do not have this. Second to that, it would be interesting to know if this form of governance leads to price increase.

This research can be executed with both a qualitative and a quantitative part. The qualitative part can be a series of case studies that investigates the workings of specific area organisations, as well as the activities they focus on. The quantitative part can then display how ubiquitous the activities of the area organisations. Another focus of quantitative study can be a regressive analysis, where the sale prices and rental values of areas with an area organisation are compared to similar areas that lack an area organisation. If this would be paired to the specific activities done by these organisations, it could give insight into what activities elevate real estate value in the area and which do not.

As a result, this study would provide insight in the effect of collective services provided by self-governed areas on real estate value. This is relevant, as the research this reflection is part of notes that the bulk of resources, such as capital, need to come from real estate companies. Showing them which collective services also clearly create real estate value, apart from broad value, will aid in them participating in these initiatives. In short, it would give insight into best practices that can be applied in a general context.

8.2.2 Controllable locational value factors

Whereas the former study proposal was primarily focused on the relationship between area self-governance and real estate value, this study would look more at general locational value factors. When researching the material for the AID, it became apparent that there was not yet much insight into locational value factors.

From a qualitative point of view, it is known that there are certain aspects, such as proximity to public transport, presence of schools in the area and so on, that contribute to the value in an area. But when posing the significant question: “Can you (accurately) predict what will happen to the value in this location if locational value factor X will be added/changed/deleted?” there are rarely answers.

With regards to this and the insight from this research that there are needs for more profit-based area development instruments, it becomes relevant to understand the relationship between the location value factors and the different values in an area. To do this, two things need to be defined via qualitative study and one relationship examined through a quantitative study.

Firstly, it is important to accurately define which locational value factors there are. This can be done via a literature study, using sources such as valuations manuals. Secondly, what values can be achieved by locational value factors should be further defined. This can be as narrow as an increase in retail real estate value per square meter, or as broad as ‘inclusivity’. The goal would be to define as many as possible and structure them in a useable set. The two then result in a set of locational value factors, which can be considered as input, and a set of values, which can be regarded as output.

This is where the quantitative study follows. The goal here is to identify if and what relationship there is between locational value factors and values. To do this, cases should be selected where area development is perceived to have led to the creation of multiple values. These are most likely considered ‘successful’ area developments. To understand the relationship of locational value factors and values, datasets can be analysed, which can be gathered by several methods. For more broad values, that maybe lack discriminate data, surveys can be used. The rationale here is that these values can generally not be listed as, for example, 1.36 inclusive, but that the frequency of an area being perceived as ‘inclusive’ and what locational value factors are responsible for that can be examined in this way.

For relationships that can be based on discriminate values, such as the proximity to a train station in relation to the real estate value, this can be done using discriminate data sets which can be obtained through geo-data and sales or lease registries.

In conclusion, the outcome of the research is intended to be an accurate overview of the relationship between locational value factors and values. This can then be used by any party ambitioning to invest in an area, to make an accurate assessment of what investments most likely lead to desired outcomes.

8.2.3 Area services and budgets

The last proposed research concerns the relationship of area services and consumer budgets. Whereas the first research considered the relationship between area organisations and price effects and the second considered the relationship between locational value factors and value, the third research considers what consumers are prepared to pay for area services and if some sort of prioritization can be distinguished there. Research into this can be done in a mixed method research, whereby the different services provided can be documented by a combination of desk research, literature review and expert interviews.

Next, it can be tested through surveys in different areas, among different people, what they would be prepared to pay for what services and whether some services are more important to them than others. It could be interesting to review the different categories as mentioned in this research: what is the difference between, for instance, an owner-occupier and an owner of a medium-sized business? The results of this would give insight into what different actors and users of an area are willing to pay extra for services provided.

A parallel can be drawn between an existing BIZ and possible new AID. For example, consider the area called Museumkwartier in Amsterdam. This BIZ was instated in 2014. It is quite large and the budget for the area is possibly more comparable to an AID than that of smaller BIZ's.

The yearly income projected in the original activities plan was €314.000, divided over 350 contributors in different contribution sizes. Of that, the organisation was able to do a variety of activities on three themes: appearance, liveability and safety; marketing and promotion; cooperation and organisation (Ondernemersvereniging Fashion & Museum District, 2014). Some of these activities can also be related to what the AID could do, such as sustainable greenery, shopping street management and attraction of new types of economy.

The activities of an AID would most likely be more or more diverse, hence, the yearly contribution should possibly be heightened. However, it should also be taken into account that real estate investors and residents would also provide contributions now. Also, according to the differentiation as mentioned in 6.2.1, the real estate investors should relatively be the largest contributors. Hence, though it cannot be determined for sure, chances are quite high that the contributions will stay similar. They could possibly even be lowered, but that chance is much slimmer. However, what is relevant is that more could be achieved with probably equal or less means, which would be a distinct efficiency gain.

For clarity reasons, a calculation example is made. Suppose that the investors are 50 in total and that their tariff would be €1.000 (the middle of the tariffs for the entrepreneurs), there would already be an extra €50.000 available on a yearly base. Suppose now, further, that there are 200 households that are required to contribute. They all pay €25 on a yearly basis, which would equate to €5.000. This would then total to €55.000 in extra means.

For reference purposes, the activities on the theme cooperation and organisation cost €55.500 average per year. Another reference would be the relative rise in capital: from €329.600 to €384.600, or a 16,7% increase. Important to take in consideration with this is that all basic expenses are already covered by the existing plan, meaning that the €55.000 extra per year can be fully devoted to any activities the AID would undertake. Moreover, the original plan of the BIZ stated that funds are used to involve residents in the BIZ. That would now become standard practice.

8.2.4 Concluding outcomes of the proposed researches

The proposed researches above would yield the following outcomes:

- What location value factors affect what values in which way
- What actors and users of an area are prepared to pay for different services
- What effect area self-governance has on the value creation of the area

Combined, the above in combination with the AID would show 1.) whether the area is 'satiated' with regards to services, or if there is still an opportunity for more services and 2.) what services will be provided by public actors, resulting in what services may be able to be provided by private actors and 3.) whether the business case can be closed regarding the provision of these services, as it is known what the services will yield and whether actors and users are prepared to pay for that 4.) so that it becomes apparent if initiating an AID is worthwhile. In conclusion, the expectation is that this combination will improve the practical use of an AID.

8.3 Findings

This section elaborates on the further reflections emerging from the research. This part is the least well detailed and should be seen more as a "feet on the table" reflections part, meant to point out parallels or other relevant topics that do not contribute to the core of the research, but can help better understand and further the thinking about the subject.

8.3.1 Relationship to value-capturing

To some extent, the AID can be viewed as an instrument used for value-capturing. Value-capturing is defined by the Rijksdienst voor Ondernemend Nederland (n.d.) as "... a method to steer in the cash flow of projects. Current shortages can be covered by including future revenues in the cash flow." Though this is approximately what the AID also does, at least for the real estate companies involved, value-capturing is often used as a way for public actors to make projects they intend to undertake feasible. This differs from the AID, where the AID organization intends to use value-capturing as a means to make the project feasible.

Viewing the AID as a value-capturing method also makes it easier for public actors to contribute, if this would be part of their policy. According to the Rvo, using a Societal Costs Benefits Analysis (Dutch: MKBA) is a tool often used to calculate the business case of the project. This can also help with calculating the business case for the AID.

In a sense, value-capturing can be divided into two categories: 'Traditional Value-Capturing', where public bodies intend to make the business case of a project feasible by including future revenues, and the AID, where private bodies intend to make the business case of a project feasible by including future revenues. However, this does not necessarily the only aspect of the AID: as mentioned in the scenarios, the AID can also be used as a means to catalyse development.

8.3.2 Relationship to Dutch area development practice

There is a longstanding tradition of 'poldering' in the Netherlands. Concurringly, trust in institutions is generally higher in the north of Europe in comparison to the south. Seeing as the AID will be a tool that further democratizes spatial planning, the Netherlands seems a good pilot location due to the combination of the aforementioned practice of 'poldering' and the trust in institutions.

8.3.3 Costs list

If there is more known about the specific investments that an AID can be used for, it can be relevant at a moment in time to expand the law with a costs list, resembling the practice as with the *Kostenverhaal*. This would provide actors involved more guarantees as to what the instrument can or cannot be used for. However, a clause should be incorporated that, in the case of an exception that is carried by both the AID organisation and the municipality, it should be possible to divert from the costs list. This allows the instrument to further ‘mature’, with which is meant that the instrument can be further adapted to possible changing circumstances.

8.3.4 Instrument weight

Taking a step back from the instrument, one can wonder whether it may be a too heavy instrument to be used. When discussing BIZ organisations and the processes needed to set them up, it was noted that this sometimes took already large efforts. All in all, they are generally perceived as worthwhile, but it does beg the question whether or not the instrument may remain ‘workable’, in that actors are able to actually reach a formation. In this regard, experimentation with the instrument is especially relevant: it may show whether the instrument also practically delivers on its promises and what can be learned from implementing it for an area.

On another, but related note, it also became apparent through the interviews that some municipalities are experimenting with instruments such as an Entrepreneurial Fund. The idea of these type of funds is that entrepreneurs across the municipality contribute to it, to improve the economic climate. In essence, this is a sort of ‘superBIZ’. When relating this to the AID, one can wonder if the underlying question is not necessarily whether we should encounter all types of new instruments that come with experimentation periods and modifications, or that real estate taxes are simply too low and should be heightened.

However, some side notes should be made regarding this. Firstly, one of the main advantages is that the AID promotes area self-organisation and area self-governance, which, in effect, translate to more ownership and a clearer relationship between costs and expenses. Secondly, one of the main critiques with regard to the current system is that taxes paid in one area can be invested somewhere else. One of the goals is to keep the proverbial euro in the area. Thirdly, an increase of OZB generally stays for approximately 20 to 30% in the own municipality due to the *Gemeentefonds*, according to the CPB (2019). Fourthly, it is unsure what the increased OZB would be used for and consequently, what the increase would be.

In summary, there is no easy solution to the challenges posed. Both the AID as well as a general increase in OZB could stimulate progress, but it seems unlikely any of them is a panacea. Experimentation with the AID will, most likely, show whether it is a suitable instrument.

8.3.5 Pressure on non real estate companies and urban economics

The current rules regarding the AID request companies to also contribute to the AID and, by definition, individually more than societal actors. This puts some pressure on them: if they have no strong connections to the area and other locations are also suitable for their operations, they can relocate. This can mean that economic activity leaves the city, which is negatively affecting the economic climate.

However, in some areas that are being transformed from mono-functional work area to mixed-use area, there simply is not enough space for all companies: some have to move. Also, though some companies may leave, other companies may come: restaurants, bars, cafes, supermarkets or small offices. The matter becomes more a question of what type of economic activity is desired in a location, than necessarily the increase or decrease of the urban economy.

With regards to this, a share-shift analysis (Dunn, 1960) may provide municipalities with a means to better understand what the economic impact of this will be. The shift-share analysis is an equation that attempts to accurately calculate the growth of an industry in an area. Using this, municipalities can try to predict what economic activity will decrease and what will increase, as well as the projected effects of this. This can then be used to adapt the policy on.

8.3.6 Feasibility in phases

As discussed earlier, little is known on investing in which services will result in a good yield. This makes the use of the AID in different phases particularly more difficult: developers are of course eager to invest if they stand to make a profit, but it is not always known what these investments are. Therefore, for now, the instrument seems more applicable in the exploitation phase of an area development than the development phase.

Regarding this, the instrument can then be more regarded as an expanded BIZ or Park Management with a lower voting threshold. This is not necessarily a bad thing: BIZ's in the Netherlands are doing well and there are signs they can grow in something more. To include a fairer distribution of costs by also including societal parties could lead to an acceleration of this process.

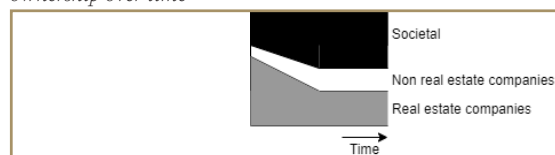
The added benefit of the AID would be that it would still allow for investments in the development phase. New insights, gained through more research and experience over time, would then allow for this option to become more widely used.

As can be seen in Figure 19, the paying parties are likely to shift with time. Therefore, another relevant issue to discuss is the payment hierarchy: real estate companies pay most, then non real estate companies and lastly societal actors. This does mean that those who are able to contribute the most, will possibly not be in a position or not make the choice to contribute the most. This is mainly the case with developers, as developing investors or investors are also present during the exploitation phase.

In any case, it does mean that not all possible resources may be able to be used. With regards to this, one could wonder if there should be some way to reserve money. However, it seems illogical to pursue this path: the idea of the AID is to only use means that can be accurately and intentionally invested in a certain service. In the case of a reserve, what would be done if the reserve is not used? Will all money be sent back to the respective contributors? What if some companies do not exist anymore, to whom will the money go then?

These questions know no easy answer and to some extent make it a 'chicken or the egg' narrative. The only sensible solution seems to get the locational value factors straight as soon as possible, so that it is clear what will yield value and resources can be accurately invested.

Figure 19: Schematic graph depicting land ownership over time



8.3.7 Legal procedures

When discussing this instrument, it becomes relevant to look at the system of legal procedures actors can take with regards to actions of the government. As has been discussed earlier, municipalities can shape their Omgevingsplan in such a way that they actively steer towards the formation of an AID by necessitating cooperation. This also begs the questions whether or not this should be allowed: some municipalities, that focus more heavily on the development of AID organisations because of policy, may make the Omgevingsplan more difficult on purpose. Whether this is defensible is up to debate: actors can now use 'zienswijzen' to give critique on the Omgevingsplan, but they are not binding.

Though one can argue that the steering on cooperation between real estate companies can lead to extra quality, purposefully limiting free market movement is a political tricky matter. Currently, those actions of municipalities are legally defensible, but politicians may see to it that this is changed.

8.3.8 Long-term effects

It is particularly difficult to predict the long-term effects of the instrument. There are a number of assumptions underlying the use of the instrument. Considering the possible lengthy period of area developments, a lot can happen that may have both positive, as well as negative, surprising effects on the AID.

8.3.9 Mismatch between investors and developers

The private parties involved in the area developments display a large factor of heterogeneity. This can be divided in heterogeneity in different types, as well as heterogeneity between the different types. To explain this, the first section will discuss the heterogeneity between the different types and the second will elaborate on the heterogeneity within the types.

8.3.9.1 Intertypological heterogeneity

On the private side of area development, three types of players can be distinguished. These are the developer, the investor and the developing investor. The first type has a short-term involvement to the project and is merely there to realise a project, either done in private assignment or in delegated assignment. The second type has a more long-term involvement, which also tends to start in a later phase of the area development. Investors buy property from developers, though they also sometimes act as the assigners to developers, who in their turn then act as delegated developers. The third type is the developing investor, which is different from the other two in that both the development and exploitation of real estate objects form the core business of their company. The main cause for intertypological heterogeneity is the differences between developers and investors. As discussed, their main differences are of a temporal nature: where developers tend to be present at the start of an area development project and generally have a short-term involvement, investors tend to become involved later in the project and hold a long-term involvement position in the project.

These temporal differences result in more differences in approach to real estate. Developers have, for instance, a different way of calculating their business case than investors do. This also makes for a difference in their corporate financial structure: developers generally have to invest heavily for a later reward and usually lend sums of money for both tax as capital requirements reasons. Investors know a similar situation, but especially larger parties tend to also have vast reserves from their investing parties, such as pension funds.

There is one key moment for both parties: the transference of the object from developer to investor. In this, the developer aims to have developed an as good as possible product (i.e.: a piece of real estate) to achieve the highest possible sale price. The investor aims to acquire the same product for as low as possible to maximize his returns. This is where the temporal differences between the parties comes in effect.

In real estate, especially valuation, there is one ubiquitous adagio: “location, location, location”. This refers to the chief value indicator, aside from the object itself, which is the situation of the object. The relevance for this becomes more explicit when one takes into account the way return is calculated.

In this, return can be split in two sections: primary return and secondary return. Primary return concerns the proceeds from operating the object, meaning the proceeds from rental income less the costs for the object. Secondary return describes the value of the object itself, as this can fluctuate. The general sense is that this appreciates over time, however this is dependent on various factors. Some of these are object-related, such as maintenance. Others, however, are locational, such as accessibility.

The key value proposition of the AID for private actors is that the investments caused by the AID will enhance the locational value factors of real estate, hence valuing the objects at a higher level than comparable objects leading to a higher secondary return. Important for this is that the higher secondary return also leads to a higher overall return.

Note that the increase of the locational value factors will directly affect the secondary return, but could, in time, also affect the primary return: if the location becomes more wanted, investors can ask higher rental prices. Assuming the key value proposition of the AID holds, this would mean that investors would be willing to participate in an AID.

However, in all of this, the perspective of the developer is different. One of the main reasons that the increased return is tempting for the investors is that they have the time for locational value factors to increase. This is contrasting the position of the developer: where investors can take a position of up to 20 years, developers are generally involved for approximately 5 years, severely limiting their possibilities to compensate for market fluctuations. Combining this with their corporate finance structure, which relies on loans with interest and is therefore more expensive the longer it runs, developers are inclined to sell quick and high.

The chief mismatch here is that developers tend to keep their product as flexible as possible, meaning that an added obligation, such as an AID, limits the flexibility of their product and thus the saleability. Their argument in that sense becomes that it is perfectly acceptable that investors would like to contribute to the AID to control the location value factors development, but that this is up to them and not to the developers.

Summarising, where investors view the AID as a possibility to increase returns and therefore, as an asset, developers view the AID as a limitation to sell their product and therefore, as a liability. Developing investors do not encounter the same problem, as the object remains in their possession long-term. Hence, this type is generally more open to constructions as the AID. However, developing investors do not comprise the majority of players in area developers. Together with investors, they do, but these investors predominantly enter the playing field later. Therefore, if the AID is to succeed, it is paramount to shift the perspective of the developers from seeing it as a liability to an asset.

To do this, research should be done on the matter. More specifically, this research should focus on which investments in locational value factors are reliable ways to control the development of secondary return. This research should be done in an independent and academic fashion, however it should be commissioned and supported by interest groups of both investors and developers. Chiefly, these would be the following groups:

- IVBN, the Dutch association for institutional investors
- Vastgoedbelang, the Dutch association for private investors
- NEPROM, the Dutch association for developers

With the support of these interest groups, this research will then provide a solid basis to find more common ground.

8.3.9.2 Intratypological heterogeneity

Apart from the differences in the types that are mentioned in the previous section, meaning the developers, investors and developing investors, there are also differences within their groups. The intratypological heterogeneity refers to the differing behaviour of, for example, a developer with the core mission of providing affordable housing and a developer with the core mission of providing a high return for their shareholders. Also, some parties within types are more progressive and others more conservative.

As the AID is, partly, depending on the willingness of the different parties to participate in the AID, the specific players in the area impact the feasibility of achieving an AID. Hence, progressive players that are willing to take risks with innovative collaboration models in urban development are more susceptible to the AID than conservative players that have a strong obligation towards their shareholders and behave risk-averse.

The AID can, in part, solve these mismatches by its inherent design, where a supermajor vote can force other players to participate. However, it is important to recognize the significance of the 'progressives' in this regard: they are the parties that, when brought together, can muster the basis for an AID.

Another way to solve these mismatches is to focus on the points that matter to the more conservative players in the area. The parties tend to agree on investing if they understand the risks they are taking and believe they are able to control them. So, the main way to deal with this is to find ways in which these parties can be tempted to take part in the AID. One way to do this is related to the solution of the intertypological heterogeneity, which focuses on researching investments in areas that provide controllable risks and measurable returns. Important to notice is that there will always be parties that remain idiosyncratic in that they will keep their conservative stance on instruments like the AID.

8.3.10 Municipal capacities

Municipalities are taxed with increased responsibilities, due to the decentralisation policy of the Netherlands. This also extends to spatial domain. This means that municipalities are required to have the capacities to deal with complex urban development projects and their accompanying instruments, of which the AID is an example. However, drawing from the empirical part of this research, two insights are important to incorporate here.

Firstly, a number of municipal officials were not or in limited capacity acquainted with the BIZ. This instrument is important to understand and be acquainted with, as its mechanism forms the basis on which the AID, as of now, is developed. This can be remedied by attracting outside consultants, but these are costly and do not provide long-term accessible experience and knowledge for the municipality involved. Secondly, a number of municipalities is already stretched with regards to their personnel.

Especially smaller municipalities, here meaning municipalities with under 100.000 inhabitants, that are situated in the Randstad, where there is a large housing demand and municipalities are under pressure to accommodate more housing, are maxed out in manpower with the situation as is. Taking into account the relative heaviness of an AID, it seems difficult and possibly impossible for these municipalities to cope with these instruments.

This difficulty does not only extend to the executive part of municipalities, but also to the political part of municipalities. The AID could represent a relative sizeable portion of a municipality and as such, form a powerful lobby. Smaller municipalities are then in danger of their politicians being influenced too heavily by AIDs.

There are two directions in which these issues can be addressed: either the AID is limited in size, or the municipality is increased in size. Limiting the AID in size maybe a possibility in the pilot phase, however, this may be not wanted in later phases. The strength of the AID is that shared burdens are lighter burdens. Increasing AID size then can lower the relative individual burden and as such, enlarge the basis for its existence. Therefore, this direction does not seem the preferred one.

The other solution direction is to increase municipal sizes. This would increase municipal capacities and offer scale advantages. There is already a long-standing debate in the Netherlands with regards to fusing smaller municipalities. Opponents of this fear that the interests of the individual citizen become less well represented, proponents note that the scale advantages are necessary to have the municipality properly functioning. As there is need for the AID and the debate for fusing municipalities already has some basis, it seems that this solution direction is the proper one for dealing with this issue.

8.3.11 Case area and anchor functions

Remarkable is that almost all of the selected cases have a commonality. The bigger cases tend to have some sort of anchor function attached: Amstel III has the Johan Cruijff Arena, Universiteitskwartier Amsterdam the UvA complex, Knoop XL has Eindhoven Central Station, Luchthavengebied has Eindhoven airport, Rotterdam Central District the central station. Even the smaller case of Club Rhijnhuizen has the Rhijnhuizen castle and fort Jutphaas, Amersfoort de Hoef is located to station Amersfoort Schothorst. Only the Merwedekanaalzone has no clear anchor function.

The theory here is twofold: on the one hand, the anchor function can help shape the identity. As the AID is heavily based on location value factors, one of these is the proximity to an urban anchor function. The other one is that the urban anchor function provides the base for the potentially extra services, as the area has potential due to its larger context. These can also interrelate, as in the case of the Universiteitskwartier: the University of Amsterdam Societal & Humanities campus is an anchor function that helps shape the identity of the area, but is also the reason that the area can accompany extra services. An example could be extra services that make the area more attractive for Societal & Humanities types of start-up companies, such as a programme that aims to place graduate students at those start-ups for their graduation research.

8.3.12 Scale of the area

The scale of the area is important when looking at the area. The area needs to be small enough so that investments need to land in the area and are beneficial to the contributors, but the area also needs to be large enough so that the individual costs are not too high. This forms a delicate balance, of which the specific parameters have not become apparent.

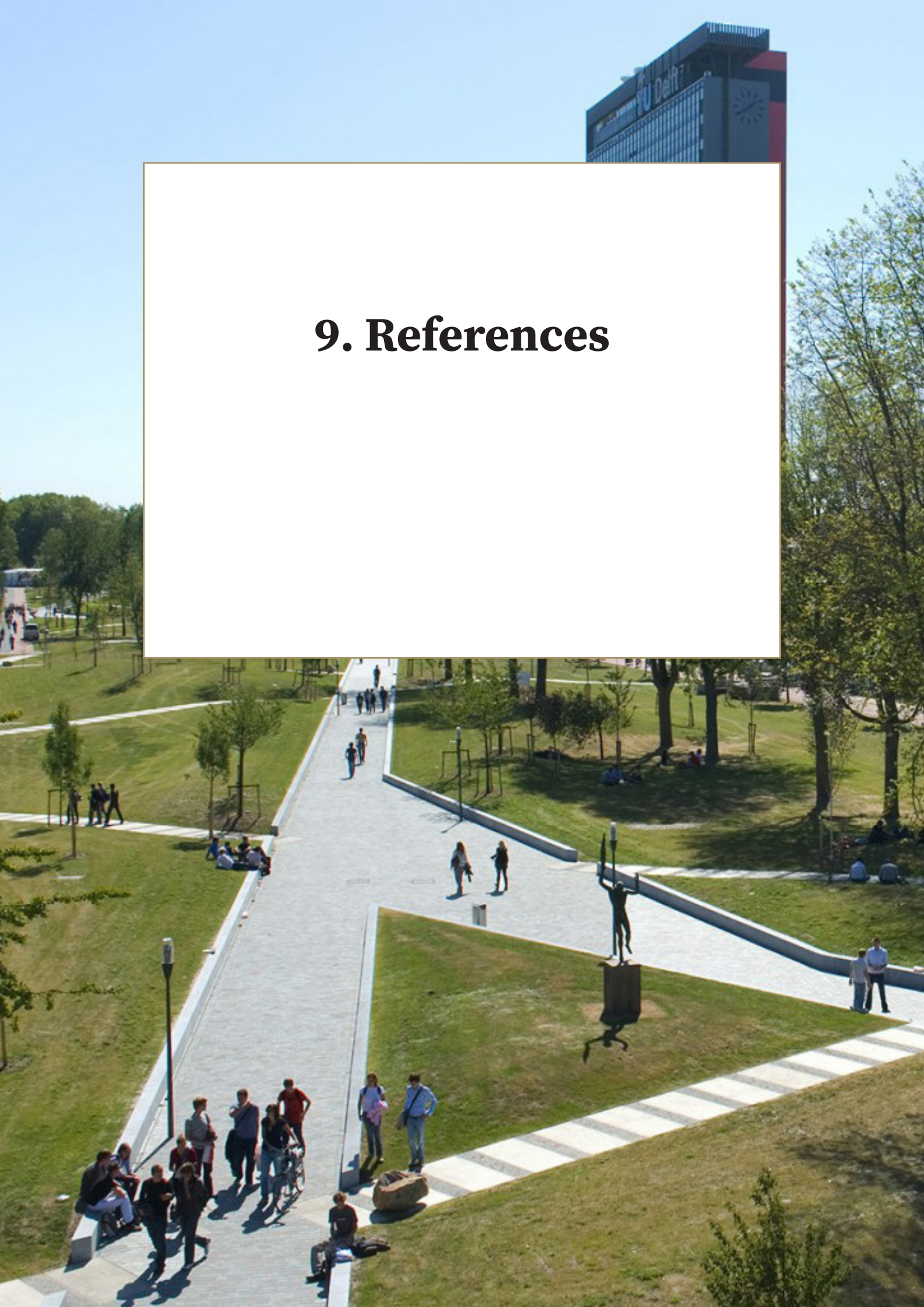
8.3.13 Structure

What came apparent from the interviews is that, possibly, the largest benefit of the instrument is that it provides a 'roadmap' for those that have initiatives for an area. According to one interviewee, in general, there are a lot of initiatives in areas that would add quality if they become reality. The AID can provide a means to structure this and help these initiatives to, if they meet the requirements, make them reality.

8.3.14 Development pace

One of the main problems with the AID for the development phase of an area development is that the different real estate companies active in the area, at this point primarily developers, need to start alignment between all the actors. This can become difficult in areas where the development pace of the different developers varies a lot. Especially when one developer has already finished, while others still have to start: the finished developer may not feel any obligations to the AID anymore. However, this could be remedied if an investor or the residents become involved in the developers' stead, or if the investor/end-user is already known in the development phase.

9. References





*Chapter 9 Figure: Campus TU Delft, the author's alma mater
(Delft University of Technology)*

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An aerial photograph of a coastal area, likely a port or industrial zone, featuring a large body of water, a prominent white rectangular overlay with the text '10. Appendix', and various structures and land parcels. The background shows a city skyline across the water. The foreground includes several large white cylindrical tanks and a road.

10. Appendix



*Chapter 10 Figure: IJburg, a land reclamation area development
(Picasa 2.0, Wikipedia)*

A. Proposed amended law

Artikel	Lid	Sublid	Graad	Beschrijving	Voorstel GIZ	Aanpassingen	
1	1			De gemeenteraad kan onder de naam BIZ-bijdrage een belasting instellen ter zake van binnen een bepaald gebied in de gemeente (bedrijveninvesteringszone) gelegen onroerende zaken die niet in hoofdzaak tot woning dienen.	De gemeenteraad kan onder de naam GIZ-bijdrage een belasting instellen ter zake van binnen een bepaald gebied in de gemeente (gebiedsinvesteringszone) gelegen onroerende zaken.	1. Termen; 2. weglaten 'zaken die niet in de hoofdzaak tot woning dienen'.	
	2			De BIZ-bijdrage is een bestemmingsheffing die strekt ter bestrijding van de kosten die verbonden zijn aan activiteiten in de openbare ruimte en op het internet, die zijn gericht op het bevorderen van de leefbaarheid of de veiligheid in de bedrijveninvesteringszone of de ruimtelijke kwaliteit of de economische ontwikkeling van de bedrijveninvesteringszone.	De GIZ-bijdrage is een bestemmingsheffing die strekt ter bestrijding van de kosten die verbonden zijn aan activiteiten in de openbare ruimte en op het internet, die zijn gericht op het bevorderen van de leefbaarheid of de veiligheid in de gebiedsinvesteringszone of de ruimtelijke kwaliteit of de economische ontwikkeling van de gebiedsinvesteringszone . Deze kosten betreffen kosten voor activiteiten die van een hoger niveau of andere aard zijn dan welke door de gemeente worden uitgevoerd.	1. Termen; 2. toevoeging verschil voorzieningen gemeente	
	3			Bij verordening wordt bepaald of de BIZ-bijdrage wordt geheven van:	Bij verordening wordt bepaald of de GIZ-bijdrage wordt geheven van:	1. Termen	
	a			eigenaren, waaronder voor de toepassing van deze wet worden verstaan degenen die bij het begin van het kalenderjaar van in de bedrijveninvesteringszone gelegen onroerende zaken het genot hebben krachtens eigendom, bezit of beperkt recht,	eigenaren, waaronder voor de toepassing van deze wet worden verstaan degenen die bij het begin van het kalenderjaar van in de gebiedsinvesteringszone gelegen onroerende zaken het genot hebben krachtens eigendom, bezit of beperkt recht,	1. Termen	
	b			gebruikers, waaronder voor de toepassing van deze wet worden verstaan degenen die bij het begin van het kalenderjaar in de bedrijveninvesteringszone gelegen onroerende zaken al dan niet krachtens eigendom, bezit, beperkt recht of persoonlijk recht gebruiken of	gebruikers, waaronder voor de toepassing van deze wet worden verstaan degenen die bij het begin van het kalenderjaar in de gebiedsinvesteringszone gelegen onroerende zaken al dan niet krachtens eigendom, bezit, beperkt recht of persoonlijk recht gebruiken of	1. Termen	
	c			eigenaren en gebruikers.	eigenaren en gebruikers.	Geen	
	4			Onverminderd het derde lid, onder b en c, kan de verordening bepalen dat indien een onroerende zaak bij het begin van het kalenderjaar geen gebruiker kent, de van de gebruiker te heffen BIZ-bijdrage wordt geheven van de eigenaar.	Onverminderd het derde lid, onder b en c, kan de verordening bepalen dat indien een onroerende zaak bij het begin van het kalenderjaar geen gebruiker kent, de van de gebruiker te heffen GIZ-bijdrage wordt geheven van de eigenaar.	1. Termen	
	5			De artikelen 220a, 220b, 220d, 220e en 220h van de Gemeentewet zijn van overeenkomstige toepassing.	De artikelen 220a, 220b, 220d, 220e en 220h van de Gemeentewet zijn van overeenkomstige toepassing.	Geen	
	2	1			De heffingsmaatstaf van de BIZ-bijdrage is de op de voet van hoofdstuk IV van de Wet waardering onroerende zaken voor de onroerende zaak vastgestelde waarde. De verordening kan bepalen dat de in het eerste jaar vastgestelde waarde ook voor één of meer jaren daarna van toepassing is.	De heffingsmaatstaf van de GIZ-bijdrage is de op de voet van hoofdstuk IV van de Wet waardering onroerende zaken voor de onroerende zaak vastgestelde waarde. De verordening kan bepalen dat de in het eerste jaar vastgestelde waarde ook voor één of meer jaren daarna van toepassing is.	1. Termen
		2			De onroerende zaken ter zake waarvan de BIZ-bijdrage wordt geheven kunnen in waardeklassen worden ingedeeld.	De onroerende zaken ter zake waarvan de GIZ-bijdrage wordt geheven moeten in waardeklassen worden ingedeeld. Deze waardeklassen zijn tenminste verdeeld in:	1. Termen; 2. toevoeging differentiatie wegens fiscale compensatie
a					Niet-woningen, welke niet in aanmerking komen voor fiscale compensatie	Nieuw	
b					Woningen of maatschappelijke functies, welke in aanmerking komen voor fiscale compensatie	Nieuw	
3				Het tarief van de BIZ-bijdrage voor gebruikers kan voor verschillende categorieën niet-woningen verschillend worden vastgesteld waarbij onder meer de vestigingslocatie, de bestemming van de onroerende zaak en de branche of sector van de bijdrageplichtige gebruiker in relatie tot het belang van de gebruiker bij de activiteiten in aanmerking genomen kunnen worden.	Het tarief van de GIZ-bijdrage voor gebruikers kan voor verschillende categorieën verschillend worden vastgesteld waarbij onder meer de vestigingslocatie, de bestemming van de onroerende zaak en de branche of sector van de bijdrageplichtige gebruiker in relatie tot het belang van de gebruiker bij de activiteiten in aanmerking genomen kunnen worden.	1. Termen; 2. niet-woningen is weggelaten	
4				Indien de verordening toepassing geeft aan artikel 1, vierde lid, en tevens branche of sector van de bijdrageplichtige gebruiker in aanmerking neemt voor de bepaling van het tarief, wordt het niet in gebruik zijn van de zaak door de verordening gelijkgesteld aan bepaald gebruik.	Indien de verordening toepassing geeft aan artikel 1, vierde lid, en tevens branche of sector van de bijdrageplichtige gebruiker in aanmerking neemt voor de bepaling van het tarief, wordt het niet in gebruik zijn van de zaak door de verordening gelijkgesteld aan bepaald gebruik.		
5				Het tarief van de BIZ-bijdrage voor eigenaren kan voor verschillende categorieën niet-woningen verschillend worden vastgesteld waarbij onder meer de vestigingslocatie en de bestemming van de onroerende zaak in relatie tot het belang van de eigenaar bij de activiteiten in aanmerking genomen kunnen worden.	Het tarief van de GIZ-bijdrage voor eigenaren kan voor verschillende categorieën verschillend worden vastgesteld waarbij onder meer de vestigingslocatie en de bestemming van de onroerende zaak in relatie tot het belang van de eigenaar bij de activiteiten in aanmerking genomen kunnen worden. Hierbij geldt dat	1. Termen; 2. niet-woningen is weggelaten	
a					voor bedrijven, niet zijnde vastgoedontwikkelaars of vastgoedbeleggers, ten minste de categorieën van de Kamer van Koophandel aan worden gehouden welke definiëren wat een micro, klein, midden en grote onderneming zijn, en	Nieuw	
b					voor woningen en maatschappelijke functies onderscheid wordt gemaakt tussen woningen en maatschappelijke functies	Nieuw	
c					voor vastgoedontwikkelaars en vastgoedbeleggers, waarbij zij de hoofdmoot van de bijdrage verzorgen	Nieuw	
6			In afwijking van voorgaande leden kan het tarief eveneens worden bepaald op een voor alle gebruikers, alle eigenaren of voor alle bijdrageplichtigen gelijk bedrag.	In afwijking van voorgaande leden kan het tarief eveneens worden bepaald op een voor alle gebruikers, alle eigenaren of voor alle bijdrageplichtigen, zijnde niet-woningen , gelijk bedrag.	1. alleen voor niet-woningen kan een gelijk bedrag worden ingesteld		
7			De artikelen 230 tot en met 233a en 236 tot en met 257 van de Gemeentewet en krachtens deze artikelen vastgestelde voorschriften zijn van overeenkomstige toepassing op de heffing en invordering van de BIZ-bijdrage.	De artikelen 230 tot en met 233a en 236 tot en met 257 van de Gemeentewet en krachtens deze artikelen vastgestelde voorschriften zijn van overeenkomstige toepassing op de heffing en invordering van de GIZ-bijdrage .	1. Termen		
3	1			Een BIZ-bijdrage wordt ingesteld voor een periode van ten hoogste vijf jaren.	Een GIZ-bijdrage wordt ingesteld voor een periode die een lengte kent van:	1. Termen; 2. verandering laatst deel zin	
	a				De terugverdientijd van de voorziening(en), zoals vastgesteld op het moment van instelling van de GIZ.	Nieuw	
	b				Een periode van ten hoogste vijf jaar, voor voorziening(en) die geen duidelijke terugverdientijd kennen.	Nieuw	
	2			Met overeenkomstige toepassing van artikel 4 en 5 kan de periode telkens met ten hoogste vijf jaren worden verlengd.	Met overeenkomstige toepassing van artikel 4 en 5 kan de periode telkens met ten hoogste vijf jaren worden verlengd.	Geen	

Artikel	Lid	Sublid	Graad	Beschrijving	Voorstel GIZ	Aanpassingen	
4	1			De verordening waarbij de BIZ-bijdrage wordt ingesteld treedt niet in werking dan nadat gebleken is van voldoende steun onder de bijdrageplichtigen.	De verordening waarbij de GIZ-bijdrage wordt ingesteld treedt niet in werking dan nadat gebleken is van voldoende steun onder de bijdrageplichtigen.	1. Termen	
	2			Het college van burgemeester en wethouders stelt iedere bij de gemeente bekende bijdrageplichtige na vaststelling van de verordening in de gelegenheid zich schriftelijk voor of tegen inwerkingtreding uit te spreken. In afwijking van het peilmoment, bedoeld in artikel 1, derde en vierde lid, wordt degene die blijkt de bij de gemeente op dat moment bekende gegevens een onroerende zaak in de beoogde bedrijveninvesteringzone gebruikt of daarvan het genot heeft aangemerkt als bijdrageplichtige.	Het college van burgemeester en wethouders stelt iedere bij de gemeente bekende bijdrageplichtige na vaststelling van de verordening in de gelegenheid zich schriftelijk voor of tegen inwerkingtreding uit te spreken. In afwijking van het peilmoment, bedoeld in artikel 1, derde en vierde lid, wordt degene die blijkt de bij de gemeente op dat moment bekende gegevens een onroerende zaak in de beoogde gebiedsinvesteringzone gebruikt of daarvan het genot heeft aangemerkt als bijdrageplichtige.	1. Termen	
	3			Bij de toepassing van het tweede lid zorgt het college van burgemeester en wethouders dat alle bijdrageplichtigen zijn geïnformeerd over de strekking van de verordening.	Bij de toepassing van het tweede lid zorgt het college van burgemeester en wethouders dat alle bijdrageplichtigen zijn geïnformeerd over de strekking van de verordening.	Geen	
	4			Het college zorgt er voor dat de vertrouwelijkheid van de strekking van de schriftelijke verklaring van de bijdrageplichtige gewaarborgd is.	Het college zorgt er voor dat de vertrouwelijkheid van de strekking van de schriftelijke verklaring van de bijdrageplichtige gewaarborgd is.	Geen	
5	1			Van voldoende steun is sprake indien na toepassing van artikel 4 blijkt dat:	Van voldoende steun is sprake indien na toepassing van artikel 4 blijkt dat:	Geen	
		a		ten minste de helft van de bijdrageplichtigen zich voor of tegen inwerkingtreding heeft uitgesproken,	ten minste de helft van de bijdrageplichtigen zich voor of tegen inwerkingtreding heeft uitgesproken,	Geen	
		b		ten minste tweederde deel daarvan zich vóór inwerkingtreding heeft uitgesproken, en	ten minste tweederde deel daarvan zich vóór inwerkingtreding heeft uitgesproken, en	Geen	
		c		de som van de WOZ waarden, bedoeld in artikel 2, eerste lid, van onroerende zaken in gebruik bij danwel in eigendom van bijdrageplichtigen die zich hebben uitgesproken vóór inwerkingtreding hoger is dan de som van de WOZ waarden in gebruik bij danwel in eigendom van bijdrageplichtigen die zich hebben uitgesproken tegen inwerkingtreding.	de som van de WOZ waarden, bedoeld in artikel 2, eerste lid, van onroerende zaken in gebruik bij danwel in eigendom van bijdrageplichtigen die zich hebben uitgesproken vóór inwerkingtreding hoger is dan de som van de WOZ waarden in gebruik bij danwel in eigendom van bijdrageplichtigen die zich hebben uitgesproken tegen inwerkingtreding.	Geen	
	2			In afwijking van het eerste lid blijkt reeds van voldoende steun indien voldaan wordt aan de criteria, bedoeld in dat lid, onder a en b, indien de verordening voorziet in heffing van een voor iedere bijdrageplichtige gelijk bedrag als bedoeld in artikel 2, zesde lid.	In afwijking van het eerste lid blijkt reeds van voldoende steun indien voldaan wordt aan de criteria, bedoeld in dat lid, onder a en b, indien de verordening voorziet in heffing van een voor iedere bijdrageplichtige gelijk bedrag als bedoeld in artikel 2, zesde lid.	Geen	
	3			Indien de BIZ-bijdrage wordt geheven van eigenaren en gebruikers als bedoeld in artikel 1, derde lid, onder c, wordt degene die zowel gebruiker als eigenaar is van een bepaalde onroerende zaak in beide hoedanigheden betrokken bij de vaststelling of sprake is van voldoende steun en is, onverminderd het eerste lid, pas sprake van voldoende steun indien:	Indien de GIZ-bijdrage wordt geheven van eigenaren en gebruikers als bedoeld in artikel 1, derde lid, onder c, wordt degene die zowel gebruiker als eigenaar is van een bepaalde onroerende zaak in beide hoedanigheden betrokken bij de vaststelling of sprake is van voldoende steun en is, onverminderd het eerste lid, pas sprake van voldoende steun indien:	1. Termen	
		a		ten minste de helft van de gebruikers en ten minste de helft van de eigenaren zich voor of tegen inwerkingtreding heeft uitgesproken, en daarvan	ten minste de helft van de gebruikers en ten minste de helft van de eigenaren zich voor of tegen inwerkingtreding heeft uitgesproken, en daarvan	Geen	
		b		ten minste de helft van de gebruikers en ten minste de helft van de eigenaren zich vóór inwerkingtreding heeft uitgesproken.	ten minste de helft van de gebruikers en ten minste de helft van de eigenaren zich vóór inwerkingtreding heeft uitgesproken.	Geen	
	4				In aanvulling op bovenstaande leden, dient in bijzonderheid aandacht geschonken te worden in die situatie, waarbij zowel niet-woningen als woningen of maatschappelijke functies onderdeel vormen van het gebied. Hiervoor gelden de aanvullende bepalingen dat:		Nieuw
		a			ten minste de helft van de eigenaren van niet-woningen en ten minste de helft van de eigenaren van woningen of maatschappelijke functies zich voor of tegen inwerktrading heeft uitgesproken, en daarvan		Nieuw
		b			ten minste de helft van de eigenaren van niet-woningen en ten minste de helft van de eigenaren van woningen of maatschappelijke functies zich vóór inwerkingtreding heeft uitgesproken		Nieuw
	6	1			De gemeenteraad besluit zo spoedig mogelijk over intrekking van de verordening indien hiervoor voldoende steun is bij bijdrageplichtigen.	De gemeenteraad besluit zo spoedig mogelijk over intrekking van de verordening indien hiervoor voldoende steun is bij bijdrageplichtigen.	Geen
2				Op verzoek van ten minste twintig procent van de bijdrageplichtigen stelt het college van burgemeester en wethouders iedere bij de gemeente bekende bijdrageplichtige in de gelegenheid zich schriftelijk voor of tegen intrekking van de verordening uit te spreken.	Op verzoek van ten minste twintig procent van de bijdrageplichtigen stelt het college van burgemeester en wethouders iedere bij de gemeente bekende bijdrageplichtige in de gelegenheid zich schriftelijk voor of tegen intrekking van de verordening uit te spreken.	Geen	
3				Het verzoek kan niet worden gedaan:	Het verzoek kan niet worden gedaan:	Geen	
		a		binnen een jaar na inwerkingtreding van de verordening, of	binnen een jaar na inwerkingtreding van de verordening, of	Geen	
		b		binnen een jaar na toepassing van het tweede lid.	binnen een jaar na toepassing van het tweede lid, of	Geen	
		c			binnen de terugverdientijd, als hier sprake van is	Nieuw	
4				Artikel 4, tweede lid, tweede volzin, vierde lid, en artikel 5, eerste en tweede lid, zijn van toepassing met dien verstande:	Artikel 4, tweede lid, tweede volzin, vierde lid, en artikel 5, eerste en tweede lid, zijn van toepassing met dien verstande:	Geen	
		a		dat de bijdrageplichtigen in de gelegenheid worden gesteld zich uit te spreken voor of tegen intrekking en	dat de bijdrageplichtigen in de gelegenheid worden gesteld zich uit te spreken voor of tegen intrekking en	Geen	
		b		dat in afwijking van artikel 5, eerste lid, onder b, reeds sprake is van voldoende steun voor intrekking indien ten minste de helft zich voor intrekking heeft uitgesproken.	dat in afwijking van artikel 5, eerste lid, onder b, reeds sprake is van voldoende steun voor intrekking indien ten minste de helft zich voor intrekking heeft uitgesproken.	Geen	

Artikel	Lid	Sublid	Graad	Beschrijving	Voorstel GIZ	Aanpassingen	
7	1			De opbrengst van de BIZ-bijdrage wordt als subsidie verstrekt aan de bij de verordening aangewezen vereniging of stichting. De perceptiekosten kunnen hierop in mindering worden gebracht indien dit in de verordening is bepaald.	De opbrengst van de GIZ-bijdrage wordt als subsidie verstrekt aan de bij de verordening aangewezen vereniging of stichting. De perceptiekosten kunnen hierop in mindering worden gebracht indien dit in de verordening is bepaald.	1. Termen	
	2	a	1	De verordening wijst uitsluitend als vereniging of stichting aan:	De verordening wijst uitsluitend als vereniging of stichting aan:	Geen	
				een vereniging met volledige rechtsbevoegdheid:	een vereniging met volledige rechtsbevoegdheid:	Geen	
				waarvan alle beoogde bijdrageplichtigen lid zijn of dit desgewenst met onmiddellijke ingang kunnen worden,	waarvan alle beoogde bijdrageplichtigen lid zijn of dit desgewenst met onmiddellijke ingang kunnen worden,	Geen	
			b	2	waarvan de contributie op jaarbasis niet hoger is dan € 50,-, en	waarvan de contributie in het geval van voorzieningen zonder terugverdientijd op jaarbasis niet hoger is dan € 50,- of in het geval van voorzieningen met terugverdientijd op jaarbasis niet hoger is dan € 50,- bovenop de bijdrage om de voorziening terug te betalen, en	Nieuwe delen toegevoegd om onderscheid te maken tussen voorzieningen zonder terugverdientijd en voorzieningen met terugverdientijd
		3			die als statutaire doelstelling uitsluitend heeft het uitvoeren van activiteiten als bedoeld in artikel 1, tweede lid, of	die als statutaire doelstelling uitsluitend heeft het uitvoeren van activiteiten als bedoeld in artikel 1, tweede lid, of	Geen
			1	2	een stichting:	een stichting:	Geen
		1			waarvan ten minste tweederde van de leden van het bestuur afkomstig is uit de kring van beoogde bijdrageplichtigen, en	waarvan ten minste tweederde van de leden van het bestuur afkomstig is uit de kring van beoogde bijdrageplichtigen, en	Geen
			3	2	die als statutaire doelstelling uitsluitend heeft het uitvoeren van activiteiten als bedoeld in artikel 1, tweede lid.	die als statutaire doelstelling uitsluitend heeft het uitvoeren van activiteiten als bedoeld in artikel 1, tweede lid.	Geen
		3			In aanvulling op het tweede lid wijst de verordening uitsluitend een vereniging of stichting aan waarmee de gemeente ter uitvoering van de verordening een overeenkomst als bedoeld in artikel 4:36 van de Algemene wet bestuursrecht heeft gesloten, waarin is bepaald dat de subsidie-ontvanger verplicht is de activiteiten te verrichten waarvoor de subsidie wordt verstrekt.	In aanvulling op het tweede lid wijst de verordening uitsluitend een vereniging of stichting aan waarmee de gemeente ter uitvoering van de verordening een overeenkomst als bedoeld in artikel 4:36 van de Algemene wet bestuursrecht heeft gesloten, waarin is bepaald dat de subsidie-ontvanger verplicht is de activiteiten te verrichten waarvoor de subsidie wordt verstrekt.	Geen
		4			De gemeenteraad stelt bij verordening de nodige regels, met inbegrip van de voorwaarden waaronder en de wijze waarop de subsidie wordt verstrekt.	De gemeenteraad stelt bij verordening de nodige regels, met inbegrip van de voorwaarden waaronder en de wijze waarop de subsidie wordt verstrekt.	Geen
		5			De gemeenteraad en de bij de verordening aangewezen vereniging of stichting maken schriftelijke afspraken over het minimale niveau van dienstverlening van de gemeente voor de periode waarvoor de BIZ-bijdrage wordt ingesteld of verlengd.	De gemeenteraad en de bij de verordening aangewezen vereniging of stichting maken schriftelijke afspraken over het minimale niveau van dienstverlening van de gemeente voor de periode waarvoor de GIZ-bijdrage wordt ingesteld of verlengd.	1. Termen
	8	1	a		De aangewezen vereniging of stichting zorgt er voor dat:	De aangewezen vereniging of stichting zorgt er voor dat:	Geen
jaarlijks door de algemene ledenvergadering van de vereniging of door het bestuur van de stichting een begroting wordt vastgesteld voor de uitvoering van de activiteiten in het daaropvolgende jaar,		jaarlijks door de algemene ledenvergadering van de vereniging of door het bestuur van de stichting een begroting wordt vastgesteld voor de uitvoering van de activiteiten in het daaropvolgende jaar,			Geen		
		b		na het eerste jaar jaarlijks aan de algemene ledenvergadering of in het bestuur van de stichting rekening en verantwoording wordt afgelegd over de uitgaven voor de uitvoering van de activiteiten in het voorafgaande jaar.	na het eerste jaar jaarlijks aan de algemene ledenvergadering of in het bestuur van de stichting rekening en verantwoording wordt afgelegd over de uitgaven voor de uitvoering van de activiteiten in het voorafgaande jaar.	Geen	
2				De aangewezen vereniging of stichting zorgt er voor dat alle bijdrageplichtigen kosteloos kennis kunnen nemen van de begroting, de rekening en de verantwoording. De aangewezen vereniging of stichting verschaft iedere bijdrageplichtige op zijn verzoek kosteloos inzage in specifieke uitgaven.	De aangewezen vereniging of stichting zorgt er voor dat alle bijdrageplichtigen kosteloos kennis kunnen nemen van de begroting, de rekening en de verantwoording. De aangewezen vereniging of stichting verschaft iedere bijdrageplichtige op zijn verzoek kosteloos inzage in specifieke uitgaven.	Geen	
9	1	a		De financiering van investeringen zal geschieden middels een concessieovereenkomst met de Bank Nederlandse Gemeenten, waarbij:	De Bank Nederlandse Gemeenten optreedt als verlener van de financiering aan de GIZ stichting of vereniging en	Nieuw	
				De desbetreffende gemeente als concessieverlener optreedt, wat betekent dat zij garant staat voor deze financiering aan welke zij aanvullende voorwaarden mag koppelen om de verankering binnen het gemeentelijk beleid te waarborgen, en	De GIZ stichting of vereniging als concessiehouder optreedt, wat betekent dat haar activiteiten binnen het gemeentelijke beleid passen en derhalve gefinancierd mogen worden door de Bank Nederlandse Gemeenten, daar dit statutair mogelijk is.	Nieuw	
				Deze financiering kent als voorwaarden dat:	Deze een beperkte looptijd kent van maximaal 10 jaren, waarin de hoofdsom dient te worden voldaan	Nieuw	
		b		Deze niet geïndexeerd wordt, daar deze een subsidie vervangt	Deze niet de reserve overschreedt waarop deze subsidie is gebaseerd. Hiermee wordt bedoeld dat deze voorziening vanuit Gemeente danwel Rijk begroot moet zijn, zoals een Woondeal	Nieuw	
	2				Deze niet geïndexeerd wordt, daar deze een subsidie vervangt	Nieuw	
					Deze niet de reserve overschreedt waarop deze subsidie is gebaseerd. Hiermee wordt bedoeld dat deze voorziening vanuit Gemeente danwel Rijk begroot moet zijn, zoals een Woondeal	Nieuw	
		c		De voorziening waar deze financiering voor wordt gebruikt is:	De voorziening waar deze financiering voor wordt gebruikt is:	Nieuw	
					Deze niet geïndexeerd wordt, daar deze een subsidie vervangt	Nieuw	
		3	a		Deze niet geïndexeerd wordt, daar deze een subsidie vervangt	Deze niet geïndexeerd wordt, daar deze een subsidie vervangt	Nieuw
						Deze niet geïndexeerd wordt, daar deze een subsidie vervangt	Nieuw
	b			Deze niet geïndexeerd wordt, daar deze een subsidie vervangt	Deze niet geïndexeerd wordt, daar deze een subsidie vervangt	Nieuw	
					Deze niet geïndexeerd wordt, daar deze een subsidie vervangt	Nieuw	
10	1	a		Voor woningen en maatschappelijke functies geldt alleen fiscale aftrekbaarheid wanneer:	Voor woningen en maatschappelijke functies geldt alleen fiscale aftrekbaarheid wanneer:	Nieuw	
				het gaat om voorzieningen met terugverdientijd	het gaat om voorzieningen met terugverdientijd	Nieuw	
				gedurende de terugverdientijd van deze voorziening	gedurende de terugverdientijd van deze voorziening	Nieuw	

B. AID foundation deed of commencement

Artikel	Lid	Sublid	Beschrijving	In te vullen
1. Naam en Zetel	1		De stichting draagt de naam:	Naam
	2		Zij heeft haar zetel in de gemeente:	Invullen gemeente waar de GIZ actief is
2. Doel	1		De stichting heeft ten doel:	
		a	het oprichten van een gebiedsinvesteringszone (ook te noemen: "GIZ") als bedoeld in de Wet op de gebiedsinvesteringszones waarin de collectieve ambities van de eigenaren en gebruikers van [...] door middel van een actieplan tot uitvoering gebracht kunnen worden	Invullen gebied dat van toepassing is
		b	het ontplooiën van activiteiten in de openbare ruimte en op het internet, die zijn gericht op het bevorderen van leefbaarheid en/of veiligheid in de gebiedsinvesteringszone, en/of ruimtelijke kwaliteit en/of economische ontwikkeling van de gebiedsinvesteringszone, te weten in [...]	Invullen gebied dat van toepassing is
	2		het verrichten van alle verdere handelingen, die met het vorenstaande in de ruimste zin verband houden of daartoe bevorderlijk zijn	
	3		De stichting tracht haar doel onder meer te verwezenlijken door het sluiten van één of meerdere overeenkomst(en) met de gemeente [...], als bedoeld in artikel 7 lid 3 van de Wet op de gebiedsinvesteringszones, en de uitvoering daarvan en voorts door het maken van actieplannen en het uitvoeren daarvan, alsmede het beheren en bestemmen van de in de vorm van subsidie van één of meerdere overheidsinstelling(en) ontvangen bedragen	Invullen gemeente waar de GIZ actief is
	4		Een actieplan omschrijft de te ontplooiën activiteiten in de openbare ruimte en op het internet, die zijn gericht op het bevorderen van de leefbaarheid of de veiligheid in de gebiedsinvesteringszone, of de ruimtelijke kwaliteit of de economische ontwikkeling van de bedrijveninvesteringzone, en de uitvoering daarvan	
	5		Het tarief van de GIZ-bijdrage voor eigenaren kan voor verschillende categorieën niet-woningen verschillend worden vastgesteld waarbij onder meer de vestigingslocatie en de bestemming van de onroerende zaak in relatie tot het belang van de eigenaar bij de activiteiten in aanmerking genomen kunnen worden.	
3. Bestuur: samenstelling, benoeming, defunigatie en beloning	1		Het bestuur van de stichting bestaat uit een door het bestuur vast te stellen oneven aantal van ten minste 3 bestuurders en een veelvoud van 3. Alle deze personen zijn afkomstig uit de kring van beoogde bijdrageplichtigen, als bedoeld in artikel 1 van de Wet op de gebiedsinvesteringszones, de laatstgenoemde zijnde te allen tijde (vertegenwoordigers van) partijen in [...]	Invullen gebied dat van toepassing is
	2		De bestuurders worden benoemd en geschorst door het bestuur. In vacatures moet zo spoedig mogelijk worden voorzien. Het bestuur kiest uit zijn midden een voorzitter, een secretaris en een penningmeester. De functies van secretaris en penningmeester kunnen door één persoon worden vervuld.	
	3		De bestuurders worden benoemd voor onbepaalde tijd	
	4		In geval één of meer vacatures in het bestuur behoudt het bestuur zijn bevoegdheden, maar dient wel onverwijld in de ontstane vacature te voorzien	
	5		De bestuurders ontvangen geen beloning voor hun werkzaamheden. Zij hebben wel recht op vergoeding van de door hen in de uitoefening van hun functie gemaakte kosten.	
	6		Een bestuurder defungeert - met onmiddellijke ingang indien één van de gevallen genoemd sub a. of d. van toepassing zijn, en met ingang van de eerste dag van de maand volgende op de maand waarin één van de gevallen genoemd sub b., c. of e. van toepassing zijn - indien zich één van de na te noemen omstandigheden voordoet:	
		a	door zijn overlijden of indien de bestuurder een rechtspersoon is, door haar ontbinding of indien zij ophoudt te bestaan;	
		b	door het verlies van het vrije beheer over zijn vermogen;	
		c	door zijn aftreden;	
		d	door ontslag door de gezamenlijk overige bestuurders;	
e	door ontslag op grond van artikel 2:298 Burgerlijk Wetboek			
7		Indien een omstandigheid zich voordoet als hiervoor omschreven in lid 1 sub a, d of e vindt het defungeren van de desbetreffende bestuurder plaats met onmiddellijke ingang		
8		Indien een omstandigheid zich voordoet als hiervoor omschreven in lid 1 sub b of c vindt het defungeren van de desbetreffende bestuurder plaats met ingang van de eerste dag van de maand volgend op de maand waarin een dergelijke omstandigheid zich voordoet.		
4. Taken en bevoegdheden	1		Het bestuur is belast met het besturen van de stichting	
	2		In een vergadering te houden vóór afloop van het boekjaar stelt het bestuur een begroting voor het volgende boekjaar vast.	
	3		Het bestuur stelt een beleidsplan vast en actualiseert dit beleidsplan periodiek. Het beleidsplan geeft ten minste inzicht in de door de stichting te verrichten werkzaamheden, de wijze van werving van gelden, het beheer van het vermogen van de stichting en de besteding daarvan.	
	4		Het bestuur is niet bevoegd te besluiten tot het aangaan van overeenkomsten tot verkrijging en bezwaring van registergoederen, behoudens deze die volgens het plan nodig zijn.	
	5		Het bestuur is niet bevoegd te besluiten tot het aangaan van overeenkomsten, waarbij de stichting zich als borg of hoofdelijk medeschuldenaar verbindt, zich voor een derde sterk maakt of zich tot zekerheidsstelling voor een schuld van eenander verbindt.	
	6		Erfstellingen mogen slechts onder het voorrecht van boedelbeschrijving worden aanvaard.	

Artikel	Lid	Sublid	Beschrijving	In te vullen
5. Bestuur: vertegenwoordiging	1		Het bestuur vertegenwoordigt de stichting	
	2		De vertegenwoordigingsbevoegdheid komt mede toe aan 2 gezamenlijk handelende bestuurders.	
	3		Het bestuur kan volmacht verlenen aan één of meer bestuurders, alsook aan derden, om de stichting binnen de grenzen van die volmacht te vertegenwoordigen	
6. Bestuur: vergaderingen	1		De vergaderingen van het bestuur worden gehouden in Nederland in de gemeente waar de stichting haar zetel heeft.	
	2		Jaarlijks binnen 6 maanden na afloop van het boekjaar wordt een vergadering van het bestuur (de jaarvergadering) gehouden, waar in elk geval aan de orde komt de vaststelling van de balans en de staat van de baten en lasten.	
	3		Voorzets worden vergaderingen gehouden, wanneer één van de bestuurders daartoe de oproeping doet.	
	4		De oproeping tot een vergadering geschiedt ten minste 7 dagen tevoren, de dag van de oproeping en die van de vergadering niet meegerekend, door middel van een oproepingsbrief	
	5		Een oproepingsbrief vermeldt, behalve plaats en tijdstip van de vergadering, de te behandelen onderwerpen	
	6		De vergaderingen worden geleid door de voorzitter. Indien deze afwezig is voorzien de aanwezige bestuurders in leiding van de vergadering. Tot dat moment wordt de vergadering geleid door de in leeftijd oudste aanwezige bestuurder.	
	7		De secretaris notuleert de vergadering. Bij afwezigheid van de secretaris wordt de notulist aangewezen door degene die de vergadering leidt. De notulen worden vastgesteld en getekend door degenen, die in de vergadering als voorzitter en notulist hebben gefungeerd. De notulen worden vervolgens bewaard door de secretaris.	
	8		Toegang tot de vergaderingen van het bestuur hebben de in functie zijnde bestuurders en degenen die daartoe door het bestuur zijn uitgenodigd.	
7. Bestuur: besluitvorming	1		Het bestuur kan in een vergadering alleen besluiten nemen indien de meerderheid van de in functie zijnde bestuurders aanwezig of vertegenwoordigd is. Een bestuurder kan zich in een vergadering door een andere bestuurder laten vertegenwoordigen nadat een schriftelijke, ter beoordeling van de voorzitter van de vergadering voldoende, volmacht is afgegeven. Een bestuurder kan daarbij slechts voor één andere bestuurder als gevolmachtigde optreden	
	2		Is in een vergadering niet de meerderheid van de in functie zijnde bestuurders aanwezig of vertegenwoordigd dan wordt een tweede vergadering bijeengeroepen, te houden niet eerder dan twee en niet later dan vier weken na de eerste vergadering. In deze tweede vergadering kan ongeacht het aantal aanwezige of vertegenwoordigde bestuurders worden besloten omtrent de onderwerpen welke bij de eerste vergadering op de agenda waren geplaatst. Bij de oproeping tot de tweede vergadering moet worden vermeld dat en waarom een besluit kan worden genomen ongeacht het aantal aanwezige of vertegenwoordigde bestuurders.	
	3		Zolang in een vergadering alle in functie zijnde bestuurders aanwezig zijn, kunnen geldige besluiten worden genomen over alle aan de orde komende onderwerpen, mits met algemene stemmen, ook al zijn de door de statuten gegeven voorschriften voor het oproepen en houden van vergaderingen niet in acht genomen	
	4		Het bestuur kan met algemene stemmen ook buiten vergadering besluiten nemen. Van een aldus genomen besluit wordt door de secretaris een relaas opgemaakt, dat na medeondertekening door de voorzitter als notulen wordt bewaard	
	5		Iedere bestuurder heeft het recht tot het uitbrengen van één stem. Voor zover deze statuten geen grotere meerderheid voorschrijven worden bestuursbesluiten genomen met volstreekte meerderheid van geldig uitgebrachte stemmen. Bij staking van stemmen wordt het voorstel geacht te zijn verworpen	
	6		Alle stemmingen in een vergadering geschieden mondeling, tenzij één of meer bestuurders vóór de stemming een schriftelijke stemming verlangen. Schriftelijke stemming geschiedt bij ongetekende, gesloten briefjes	
	7		Blance stemmen worden beschouwd als niet te zijn uitgebracht	
	8		In alle geschillen omtrent stemmingen beslist de voorzitter van de vergadering	
8. Jaarstukken	1		Het boekjaar van de stichting is gelijk aan het kalenderjaar	
	2		Het bestuur is verplicht van de vermogenstoestand van de stichting en van alles betreffende de werkzaamheden, op zodanige wijze een administratie te voeren en de daartoe behorende boeken, bescheiden en andere gegevensdragers op zodanige wijze te bewaren, dat daaruit te allen tijde de rechten en verplichtingen van de stichting kunnen worden gekend	
	3		Het bestuur is verplicht jaarlijks binnen 6 maanden na afloop van het boekjaar de balans en de staat van baten en lasten van de stichting te maken, op papier te stellen en vast te stellen	
	4		Het bestuur is verplicht de in de voorgaande leden bedoelde boeken, bescheiden en andere gegevensdrager gedurende 7 jaren te bewaren	
	5		De op een gegevensdrager aangebrachte gegevens, uitgezonderd de op papier gestelde balans en staat van baten en lasten, kunnen op een andere gegevensdrager worden overgebracht en bewaard, mits de overbrenging geschiedt met de juiste en volledige weergave der gegevens en deze gegevens gedurende de volledige bewaartijd beschikbaar zijn en binnen redelijke tijd leesbaar kunnen worden gemaakt	

Artikel	Lid	Sublid	Beschrijving	In te vullen
9. Reglementen	1		Het bestuur is bevoegd een reglement vast te stellen, waarin die onderwerpen worden geregeld, die naar het oordeel van het bestuur (nadere) regeling behoeven	
	2		Het reglement mag niet met de wet of deze statuten in strijd zijn	
	3		Het bestuur is bevoegd het reglement te wijzigen of te beëindigen	
	4		Op de vaststelling, wijziging en beëindiging van het reglement is het bepaalde in artikel 11 lid 1 van toepassing	
10. Statutenwijziging	1		Het bestuur is bevoegd deze statuten te wijzigen met inachtneming van de Wet op de gebiedsinvesteringszones. Een besluit tot statutenwijziging moet met algemene stemmen worden opgenomen in een vergadering waarin alle bestuurders aanwezig of vertegenwoordigd zijn	
	2		De wijziging moet op straffe van nietigheid bij notariële akte tot stand komen. Iedere bestuurder afzonderlijk is bevoegd de desbetreffende akte te doen verlijden	
	3		De bestuurders zijn verplicht een authentiek afschrift van de wijziging en de gewijzigde statuten neer te leggen van het handelsregister	
11. Ontbinding en vereffening	1		Het bestuur is bevoegd de stichting te ontbinden	
	2		Op het besluit van het bestuur tot ontbinding is het bepaalde in artikel 11 lid 1 van overeenkomstige toepassing	
	3		Indien het bestuur besluit tot ontbinding wordt tevens de bestemming van het liquidatiesaldo vastgesteld. In andere gevallen van ontbinding wordt de bestemming van het liquidatiesaldo door de vereffenaars vastgesteld	
	4		Na ontbinding geschiedt de vereffening door de bestuurders, tenzij bij het besluit tot ontbinding anderen tot vereffenaars zijn aangewezen	
	5		Na afloop van de vereffening blijven de boeken en bescheiden van de ontbonden stichting gedurende de bij de wet voorgeschreven termijn onder berusting van de door de vereffenaars aangewezen persoon	
	6		Op de vereffening zijn overigens de bepalingen van Titel 1, boek 2 van het Burgerlijk Wetboek van toepassing	
12. Slotbepalingen	1		In alle gevallen, waarin zowel de wet als deze statuten niet voorzien, beslist het bestuur	
	2		Onder schriftelijk wordt in deze statuten verstaan elk via de gangbare communicatiekanalen overgebracht bericht, waarvan uit geschrift blijkt	
	3		Het eerste boekjaar van de stichting eindigt op [...]	Boekjaar invullen

C. AID association deed of commencement

Artikel	Lid	Sublid	Beschrijving	In te vullen
1. Naam en Zetel	1		De vereniging draagt de naam:	Naam
	2		Zij heeft haar zetel in de gemeente:	Invullen gemeente waar de GIZ actief is
2. Doel	1		De vereniging heeft ten doel:	
		a	het oprichten vna een gebiedsinvesteringszone (ook te noemen: "GIZ") als bedoeld in de Wet op de gebiedsinvesteringszones waarin de collectieve ambities van de eigenaren en gebruikers van [...] door middel van een actieplan tot uitvoering gebracht kunnen worden	Invullen gebied dat van toepassing is
		b	het ontplooiën van activiteiten in de openbare ruimte en op het internet, die zijn gericht op het bevorderen van leefbaarheid en/of veiligheid in de gebiedsinvesteringszone, en/of ruimtelijke kwaliteit en/of economische ontwikkeling van de gebiedsinvesteringszone, te weten in [...]	Invullen gebied dat van toepassing is
		c	het verrichten van alle verdere handelingen, die met het vorenstaande in de ruimste zin verband houden of daartoe bevorderlijk zijn	
	2		De vereniging tracht haar doel onder meer te verwezenlijken door het sluiten van één of meerdere overeenkomst(en) met de gemeente [...], als bedoeld in artikel 7 lid 3 van de Wet op de gebiedsinvesteringszones, en de uitvoering daarvan en voorts door het maken van actieplannen en het uitvoeren daarvan, alsmede het beheren en bestemmen van de in de vorm van subsidie van één of meerdere overheidsinstelling(en) ontvangen bedragen	Invullen gemeente waar de GIZ actief is
	3		Een actieplan omschrijft de te ontplooiën activiteiten in de openbare ruimte en op het internet, die zijn gericht op het bevorderen van de leefbaarheid of de veiligheid in de gebiedsinvesteringszone, of de ruimtelijke kwaliteit of de economische ontwikkeling van de bedrijveninvesteringzone, en de uitvoering daarvan	
	4		Het tarief van de GIZ-bijdrage voor eigenaren kan voor verschillende categorieën niet-woningen verschillend worden vastgesteld waarbij onder meer de vestigingslocatie en de bestemming van de onroerende zaak in relatie tot het belang van de eigenaar bij de activiteiten in aanmerking genomen kunnen worden.	
3. Bestuur: samenstelling, benoeming, defunigatie en beloning	1		Het bestuur van de vereniging bestaat uit een door het bestuur vast te stellen oneven aantal van ten minste 3 bestuurders en een veelvoud van 3. Zij wijzen uit hun midden een voorzitter, secretaris en penningmeester aan. Alle deze personen zijn afkomstig uit de kring van beoogde bijdrageplichtigen, als bedoeld in artikel 1 van de Wet op de gebiedsinvesteringszones, de laatstgenoemde zijnde te allen tijde (vertegenwoordigers van) partijen in [...]	Invullen gebied dat van toepassing is
	2		De bestuursleden worden door de algemene ledenvergadering benoemd uit de leden van de vereniging. De algemene ledenvergadering stelt het aantal bestuursleden vast	
	3		Bestuursleden kunnen te allen tijde onder opgaaf van redenen door de algemene ledenvergadering worden geschorst en ontslagen. De algemene ledenvergadering besluit tot schorsing of ontslag met een meerderheid van twee/derde van de uitgebrachte stemmen.	
	4		De schorsing eindigt wanneer de algemene ledenvergadering niet binnen drie maanden daarna tot ontslag heeft besloten. Het geschorste bestuurslid wordt in de gelegenheid gesteld zich in de algemene ledenvergadering te verantwoorden en kan zich daarbij door een raadsman doen bijstaan.	
	5		Bestuursleden worden benoemd voor een onbepaalde tijd.	
	6		Indien het aantal bestuursleden beneden het in lid 1 vermelde minimum is gedaald, blijft het bestuur niettemin bevoegd. Het bestuur is verplicht zo spoedig mogelijk een algemene ledenvergadering te beleggen, waarin de voorziening in de vacature(s) aan de orde komt.	
	7		Op de vergaderingen en de besluitvorming van het bestuur is het bepaalde in de artikelen 10 tot en met 13 zoveel mogelijk van toepassing.	
4. Taken en bevoegdheden	1		Het bestuur is belast met het besturen van de vereniging.	
	2		Het bestuur zorgt er voor dat artikel 8 van de Wet op de gebiedsinvesteringszones wordt nageleefd, zolang dat artikel van toepassing is.	
	3		Het bestuur is, met voorafgaande goedkeuring van de algemene ledenvergadering, bevoegd te besluiten tot het aangaan van overeenkomsten tot verkrijging, vervreemding of bezwaring van registergoederen en tot het aangaan van overeenkomsten waarbij de vereniging zich als borg of hoofdelijk medeschuldenaar verbindt, zich voor een derde sterk maakt of zich tot zekerheidstelling voor een schuld van een ander verbindt.	
5. Bestuur: vertegenwoordiging	1		Het bestuur vertegenwoordigt de vereniging.	
	2		De vertegenwoordigingsbevoegdheid komt mede toe aan de voorzitter tezamen met de secretaris of de penningmeester, dan wel de secretaris tezamen met de penningmeester.	
	3		Het bestuur kan volmacht verlenen aan één of meer bestuurders, alsook aan derden, om de vereniging binnen de grenzen van die volmacht te vertegenwoordigen	

Artikel	Lid	Sublid	Beschrijving	In te vullen
6. AlV: vergaderingen	1		De algemene ledenvergaderingen worden gehouden in de gemeente waar de vereniging statutair is gevestigd.	
	2		Per kalenderjaar wordt ten minste één algemene ledenvergadering gehouden en wel binnen zes maanden na afloop van het kalenderjaar, behoudens verlenging van deze termijn door de algemene ledenvergadering. In deze algemene ledenvergadering brengt het bestuur zijn jaarverslag uit over de gang van zaken in de vereniging en over het gevoerde beleid. Het legt de balans en de staat van baten en lasten met een toelichting ter goedkeuring aan de algemene ledenvergadering over. Deze stukken worden ondertekend door de bestuursleden; ontbreekt de ondertekening van een of meer hunner, dan wordt daarvan onder opgave van redenen melding gemaakt. Na verloop van de termijn kan ieder lid in rechte vorderen van de gezamenlijke bestuurders dat zij deze verplichtingen nakomen.	
	3		Wordt omtrent de getrouwheid van de stukken bedoeld in het vorige lid aan de algemene ledenvergadering niet overgelegd een verklaring afkomstig van een accountant als bedoeld in artikel 2:393 lid 1 van het Burgerlijk Wetboek, dan benoemt de algemene ledenvergadering, jaarlijks, een commissie van ten minste twee leden die geen deel van het bestuur mogen uitmaken.	
	4		Het bestuur is verplicht aan de commissie ten behoeve van haar onderzoek alle door haar gevraagde inlichtingen te verschaffen, haar desgewenst de kas en de waarden te tonen en inzage in de boeken en bescheiden van de vereniging te geven.	
	5		De commissie onderzoekt de in lid 1 en lid 3 bedoelde stukken.	
	6		Vergt dit onderzoek naar het oordeel van de commissie bijzondere boekhoudkundige kennis, dan kan zij zich op kosten van de vereniging door een deskundige doen bijstaan. De commissie brengt aan de algemene ledenvergadering verslag van haar bevindingen uit.	
	7		Algemene ledenvergaderingen worden door het bestuur bijeengeroepen zo dikwijls het dit wenselijk oordeelt of daartoe op grond van de wet verplicht is.	
	8		Op schriftelijk verzoek van ten minste één/tiende gedeelte van de stemgerechtigde leden is het bestuur verplicht tot het bijeenroepen van een algemene ledenvergadering, te houden binnen vier weken na indiening van het verzoek. Indien aan het verzoek binnen veertien dagen geen gevolg wordt gegeven, kunnen de verzoekers zelf tot de bijeenroeping van de algemene ledenvergadering overgaan op de wijze als in lid 3 bepaald of door middel van een advertentie in ten minste één veel gelezen dag- of weekblad. De verzoekers kunnen alsdan anderen dan bestuursleden belasten met de leiding van de vergadering en het opstellen van de notulen.	
	9		De bijeenroeping van de algemene ledenvergadering geschiedt door schriftelijk mededeling aan de stemgerechtigden op een termijn van ten minste zeven dagen. Bij de oproeping worden de te behandelen onderwerpen vermeld.	
7. AlV: besluitvorming	1		Toegang tot de algemene ledenvergadering hebben de leden en degenen, die daartoe door het bestuur en/of de algemene ledenvergadering zijn uitgenodigd.	
	2		Ieder lid heeft één stem in de algemene ledenvergadering. Ieder stemgerechtigd lid kan aan een andere stemgerechtigde schriftelijk volmacht verlenen tot het uithangen van zijn stem. Een stemgerechtigde kan voor ten hoogste twee personen als gevolmachtigde optreden.	
	3		Een eenstemmig besluit van alle stemgerechtigde leden, ook al zijn zij niet in vergadering bijeen, heeft, dezelfde kracht als een besluit van de algemene ledenvergadering. Dit besluit kan ook schriftelijk tot stand komen.	
	4		De voorzitter bepaalt de wijze waarop de stemmingen in de algemene ledenvergadering worden gehouden.	
	5		Alle besluiten waaromtrent bij de wet of bij deze statuten geen grotere meerderheid is voorgeschreven, worden genomen bij volstrekte meerderheid van de uitgebrachte stemmen. Bij staking van stemmen over zaken is het voorstel verworpen. Staken de stemmen bij verkiezing van personen, dan beslist het lot. Indien bij verkiezing tussen meer dan twee personen door niemand een volstrekte meerderheid is verkregen, wordt herstemd tussen de twee personen, die het grootste aantal stemmen kregen, zo nodig na tussenstemming.	
	6		De algemene ledenvergaderingen worden geleid door de voorzitter of, bij diens afwezigheid, door het oudste aanwezige bestuurslid. Zijn geen bestuursleden aanwezig, dan voorziet de vergadering zelf in haar leiding.	
	7		Het door de voorzitter ter algemene ledenvergadering uitgesproken oordeel omtrent de uitslag van een stemming, is beslissend. Hetzelfde geldt voor de inhoud van een genomen besluit, voorzover werd gestemd over een niet schriftelijk vastgelegd voorstel. Wordt echter onmiddellijk na het uitspreken van het oordeel van de voorzitter de juistheid daarvan betwist, dan vindt een nieuwe stemming plaats, indien de meerderheid van de vergadering of, indien de oorspronkelijke stemming niet hoofdelijk of schriftelijk geschiedde, een stemgerechtigde aanwezige dit verlangt. Door deze nieuwe stemming vervallen de rechtsgevolgen van de oorspronkelijke stemming.	
	8		Van het ter algemene ledenvergadering verhandelde worden notulen gehouden door de secretaris of door een door de voorzitter aangewezen persoon. Deze notulen worden in de zelfde of in de eerstvolgende algemene ledenvergadering vastgesteld en ten blijke daarvan door de voorzitter en de secretaris van die vergadering ondertekend.	

Artikel	Lid	Sublid	Beschrijving	In te vullen
8. Lidmaatschap	1		De vereniging kent leden.	
	2		Leden kunnen slechts zijn diegenen die bij het begin van het kalenderjaar in de GI-zone gelegen onroerende zaken, al dan niet krachtens eigendom, bezit, beperkt recht of persoonlijk recht, gebruiken, als bedoeld in artikel 1 van de Wet op de gebiedsinvesteringszones.	
	3		Leden zijn zij die zich schriftelijk als lid bij het bestuur hebben aangemeld en door het bestuur als lid zijn toegelaten blijkens een door het bestuur onmiddellijk na het verzoek afgegeven verklaring. Het bestuur is verplicht een ieder die voldoet aan het bepaalde in het tweede lid, onmiddellijk als lid toe te laten tenzij betrokkene eerder als lid is geroyeerd. Ingeval van niet-toelating door het bestuur kan de algemene ledenvergadering alsnog tot toelating besluiten.	
	4		Het lidmaatschap is persoonlijk en kan niet worden overgedragen of door erfopvolging worden verkregen.	
	5		Het lidmaatschap eindigt	
	a		door de dood van het lid;	
	b		door opzegging door het lid;	
	c		door opzegging door de vereniging;	
	d		door ontzetting; en	
	e		door verlies van de kwaliteit bedoeld in artikel 4, tweede lid, aan het eind van het kalenderjaar voor zover het lidmaatschap voor het einde van het kalenderjaar niet door een andere oorzaak is geëindigd.	
	6		Opzegging van het lidmaatschap door het lid kan slechts schriftelijk geschieden voor één december van een kalenderjaar. Indien een opzegging niet tijdig heeft plaatsgevonden, loopt het lidmaatschap door tot het einde van het eerstvolgende kalenderjaar. Het lidmaatschap eindigt onmiddellijk:	
	a		indien redelijkerwijs van het lid niet gevergd kan worden het lidmaatschap te laten voortduren;	
	b		binnen een maand nadat een besluit waarbij de rechten van de leden zijn beperkt of hun verplichtingen zijn verzwaard, aan een lid bekend is geworden of medegedeeld (tenzij het betreft een wijziging van de geldelijke rechten en verplichtingen);	
	c		binnen een maand nadat een lid een besluit is meegedeeld tot omzetting van de vereniging in een andere rechtsvorm of tot fusie.	
	7		Opzegging van het lidmaatschap namens de vereniging kan door het bestuur slechts schriftelijk worden gedaan vóór één december van een kalenderjaar en met ingang van het volgende kalenderjaar - wanneer een lid na daartoe bij herhaling schriftelijk te zijn aangemaand op één november niet volledig aan zijn geldelijke verplichtingen jegens de vereniging over het voorgaande kalenderjaar heeft voldaan. Indien een opzegging niet tijdig heeft plaatsgevonden, loopt het lidmaatschap door tot het einde van het eerstvolgende kalenderjaar. De opzegging kan evenwel onmiddellijk beëindiging van het lidmaatschap tot gevolg hebben, wanneer redelijkerwijs van de vereniging niet kan worden gevergd het lidmaatschap te laten voortduren. De opzegging geschiedt steeds schriftelijk met opgave van de redenen.	
8		Ontzetting uit het lidmaatschap kan alleen worden uitgesproken wanneer een lid kennelijk en meer dan eenmaal in strijd met de statuten, reglementen of besluiten van de vereniging handelt of wanneer het lid de vereniging op onredelijke wijze benadeelt. Zij geschiedt door het bestuur, dat het lid zo spoedig mogelijk van het besluit in kennis stelt, met opgave van de redenen. Het betrokken lid is bevoegd binnen één maand na de ontvangst van de kennisgeving in beroep te gaan bij de algemene ledenvergadering. Gedurende de beroepstermijn en hangende het beroep wordt de ontzetting uit het lidmaatschap opgeschort tot aan het besluit van de algemene ledenvergadering omtrent de ontzetting. "		
9		Wanneer het lidmaatschap in de loop van een kalenderjaar eindigt, blijft de jaarlijkse bijdrage voor het geheel door het lid verschuldigd, tenzij het bestuur anders beslist.		
9. Contributies			Ieder lid is jaarlijks een contributie verschuldigd. De hoogte van de contributie wordt vastgesteld door de algemene ledenvergadering, doch kan niet meer bedragen dan het maximale bedrag zoals bepaald in artikel [...] lid [...] van de Wet op de gebiedsinvesteringszones op jaarbasis.	
10. Jaarstukken	1		De vereniging is aangegaan voor onbepaalde tijd.	
	2		Het boekjaar van de vereniging is gelijk aan het kalenderjaar	
11. Reglementen	1		De algemene ledenvergadering kan een of meer reglementen vaststellen en wijzigen, waarin onderwerpen worden geregeld waarin door deze statuten niet of niet volledig wordt voorzien.	
	2		Een reglement mag geen bepalingen bevatten, die strijdig zijn met de wet of met deze statuten.	
	3		Op besluiten tot vaststelling en tot wijziging van een reglement is het bepaalde in artikel 15 leden 1, 2 en 5 van overeenkomstige toepassing.	

Artikel	Lid	Sublid	Beschrijving	In te vullen
12. Statutenwijziging	1		Wijziging van de statuten kan slechts plaatshebben door een besluit van de algemene ledenvergadering, waartoe is opgeroepen met de mededeling dat aldaar wijziging van de statuten zal worden voorgesteld.	
	2		Zij, die de oproeping tot de algemene ledenvergadering ter behandeling van een voorstel tot statutenwijziging hebben gedaan, moeten ten minste vijf dagen voor de dag van de vergadering een afschrift van dat voorstel, waarin de voorgestelde wijziging woordelijk is opgenomen, op een daartoe geschikte plaats voor de leden ter inzage leggen tot na de afloop van de dag, waarop de vergadering werd gehouden.	
	3		Tot wijziging van de statuten kan door de algemene ledenvergadering slechts worden besloten met een meerderheid van ten minste twee/derde van het aantal uitgebrachte stemmen.	
	4		De statutenwijziging treedt eerst in werking nadat daarvan een notariële akte is opgemaakt. Ieder van de bestuursleden is bevoegd de akte van statutenwijziging te doen verlijden.	
	5		Het bepaalde in de leden 1 en 2 is niet van toepassing, indien in de algemene ledenvergadering alle stemgerechtigden aanwezig of vertegenwoordigd zijn en het besluit tot statutenwijziging met algemene stemmen wordt genomen.	
	6		De bestuursleden zijn verplicht een authentiek afschrift van de akte van statutenwijziging en een volledige doorlopende tekst van de statuten, zoals deze na de wijziging luiden, neer te leggen ten kantore van het door de Kamer van Koophandel en Fabrieken gehouden register.	
13. Ontbinding en vereffening	1		Het bepaalde in artikel 15 leden 1, 2, 3 en 5 is van overeenkomstige toepassing op een besluit van de algemene ledenvergadering tot ontbinding van de vereniging.	
	2		De algemene ledenvergadering stelt bij haar in het vorige lid bedoelde besluit de bestemming vast voor het batig saldo, en wel zoveel mogelijk in overeenstemming met het doel van de vereniging.	
	3		De vereffening geschiedt door het bestuur.	
	4		Na de ontbinding blijft de vereniging voortbestaan voor zover dit tot vereffening van haar vermogen nodig is. Gedurende de vereffening blijven de bepalingen van de statuten zoveel mogelijk van kracht. In stukken en aankondigingen die van de vereniging uitgaan, moeten aan haar naam worden toegevoegd de woorden "in liquidatie".	
	5		De vereffening eindigt op het tijdstip waarop geen aan de vereffenaar bekende baten meer aanwezig zijn.	
	6		De boeken en bescheiden van de ontbonden vereniging moeten worden bewaard gedurende tien jaren na afloop van de vereffening. Bewaarder is degene die door de vereffenaars als zodanig is aangewezen.	
14. Slotbepalingen			Aan de algemene ledenvergadering komen in de vereniging alle bevoegdheden toe, die niet door de wet of de statuten aan andere organen zijn opgedragen.	

D. Interview protocol

Introductie

Dit interview wordt afgenomen voor mijn afstudeeronderzoek naar de GebiedsInvesteringsZone. Dit afstudeeronderzoek wordt gedaan ter afronding van de Master Management in the Built Environment aan de Technische Universiteit Delft.

In sommige gebieden is behoefte ontstaan aan het organiseren van collectieve voorzieningen. Soms kunnen deze collectieve voorzieningen niet gerealiseerd worden, omdat bepaalde partijen in het gebied niet willen bijdragen aan deze voorzieningen. Het niet-bijdragen aan voorzieningen waar wel gebruik van wordt gemaakt staat ook bekend als 'free-rider gedrag'. Vanwege dit free-rider gedrag komt het voor dat de initiatiefnemers hun inzet voor het organiseren van deze collectieve voorzieningen staken. Dit vormt een probleem, omdat er in toenemende mate behoefte is aan collectieve voorzieningen in stedelijke gebieden. Hier is echter vaak geen budget meer voor vanuit de overheid.

Vanwege bovenstaande situatie is het idee ontstaan om een wettelijke regeling op te stellen. Deze wettelijke regeling zou het mogelijk moeten maken om een bijdrage aan collectieve voorzieningen onder bepaalde voorwaarden af te dwingen. Op die manier zou het mogelijk worden om de benodigde voorzieningen in het gebied te realiseren.

Deze wettelijke regeling is al voorzichtig verkend en draagt de titel 'GebiedsInvesteringsZone'. Deze titel stamt af van één van de voorlopers van het instrument, de BedrijvenInvesteringsZone. Deze BedrijvenInvesteringsZone stelt eigenaren en/of gebruikers van commercieel vastgoed in staat om collectieve voorzieningen te realiseren in een gebied, door bijdrage aan deze voorzieningen verplicht te maken wanneer 70% van de deelnemers hiervoor stemt. Deze verplichting is geborgd middels de 'Wet op de BedrijvenInvesteringsZone'.

Centraal bij de BedrijvenInvesteringsZone staat de bottom-up aanpak: het zijn de eigenaren en/of gebruikers in het gebied die het initiatief nemen. De gemeente oordeelt slechts of het voorstel van de initiatiefnemers redelijk is en of er voldoende steun is voor dit voorstel, middels een meting. Wanneer aan beide voorwaarden voldaan wordt, is de BedrijvenInvesteringsZone ingesteld. Dit instrument heeft zich in de afgelopen jaren bewezen, maar is gelimiteerd: het kan alleen commercieel vastgoed betreffen en is ook minder geschikt voor investeringen in collectieve voorzieningen op een langere termijn.

Bovenstaande geeft aanleiding om onderzoek te doen naar de GebiedsInvesteringsZone. Deze wordt gedefinieerd als 'een publiek goedgekeurde, privaats geïnitieerde organisatie bedoeld voor mixed-use gebieden die in ontwikkeling zijn of ontwikkeld worden, bestaand uit bestaande vastgoedeigenaren en inkomende vastgoedontwikkelaars die (mogelijk op lange termijn) collectieve voorzieningen willen ontwikkelen welke het niveau van overheidsvoorzieningen overstijgen en waar geen unanieme steun voor is'. Voorafgaand aan dit interview is onderzoek gedaan naar het bestaande Nederlandse instrumentarium, vergelijkbare instrumenten uit de internationale praktijk, mogelijke voordelen en de motivatie voor partijen om deel te nemen aan dit instrument. Het doel van dit interview is om enerzijds de theoretische bevindingen te vergelijken met de praktijk en anderzijds de verdere ontwikkeling te verkennen.

De volgende vragen gaan dieper in op de hiervoor benoemde onderdelen. De eerste reeks vragen wordt gesteld om goed in kaart te brengen welke problemen het gebied kent: het doel is om vast te kunnen stellen dat bestaand instrumentarium mogelijk niet toepasbaar is in het gebied. De tweede reeks vragen wordt gesteld om de voordelen van het instrument te verkennen: het doel is om te begrijpen wat bereikt kan worden als het instrument wordt toegepast.

De derde reeks vragen wordt gesteld om te begrijpen welke rolverdeling nodig is om dit instrument te laten slagen: het doel is om de achterliggende motivatie te staven en te bevestigen dat deze zal leiden tot het instrument. De vierde reeks vragen wordt gesteld om de implementatie van het instrument helder te krijgen: het doel is om te begrijpen hoe er vanuit de positie van de interviewee wordt gedacht over kansen, maar ook obstakels bij het toepassen van dit instrument.

Situatie

De eerste reeks vragen gaat over de situatie van het gebied.

1. Is dit gebied een mixed-use gebied?
 - Zo ja, om welke mix van functies gaat het?
2. Is het gebied al in ontwikkeling of moet het nog ontwikkeld worden?
 - Als het nog niet in ontwikkeling is: is daar een reden voor? Kan het, bijvoorbeeld, nog niet rond gerekend worden?
 - Als het al wel in ontwikkeling is: in welke fase is de ontwikkeling? Zijn er, in andere fases, bepaalde ontwikkelingen niet doorgestaan vanwege het gebrek aan collectieve voorzieningen?
3. Bestaat het grondeigendom van het gebied uit bestaande eigenaren en nieuwe ontwikkelaars?
 - Zo ja, wat is de verhouding tussen deze twee?
 - Is het grondeigendom per type eigenaar gegroepeerd, of verspreid over het gehele gebied?
4. Is er behoefte aan collectieve voorzieningen in het gebied?
 - Zo ja, welke?
5. Bestaat er initiatief bij aanwezige partijen in het gebied om dit te willen organiseren?
 - Zo ja, welke partijen zijn dit?
 - Gaat dit om publieke partijen, zoals de gemeente, om private partijen, zoals investeerders of ontwikkelaars, of om maatschappelijke partijen, zoals burgers?
6. Gaat het, bij dit initiatief, om voorzieningen van een hoger niveau of een andere aard dan die door de overheid worden geleverd?

- Zo ja, om wat voor voorzieningen gaat het?
 - Waarom is er behoefte aan die voorzieningen?
 - Wat zou er gebeuren als deze voorzieningen niet tot stand komen?
7. Zijn er voorbeelden van collectieve voorzieningen in het gebied, die niet door zijn gegaan omdat een gedeelte van de belanghebbenden dit niet wilde?
 - Zo ja, hoe groot was dit gedeelte?
 - Wat voor type partijen gaat het hier om: publiek, privaat of maatschappelijk?
 - Wat was hun beweegreden?

Doel

De tweede reeks vragen gaat over het doel dat een mogelijke GebiedsInvesteringsZone kan hebben.

1. Wat zijn de mogelijke voordelen die het instellen van een GIZ kan hebben op het gebied van bestuur?
 - Is er behoefte aan een organisatie om bepaalde zaken te regelen, zoals een plintenorganisatie die plintmanagement regelt of een placemakingorganisatie die het gebied middels placemaking activeert?
 - Is er behoefte aan het gezamenlijk opstellen van strategieën voor het gebied, zoals op het thema van duurzaamheid, klimaatadaptatie of leegstand?
 - Is er behoefte aan het gezamenlijk vertegenwoordigen van de zakelijke belangen in het gebied?
 - Is er behoefte aan een organisatie om via de gemeenschap capaciteit voor beslissingen op te bouwen?
 - Is er behoefte in het gebied om meer eigen controle over het bestuur van het gebied te hebben?
 - Waarom is dit?
 - Wat zijn de voordelen hiervan?
2. Wat zijn de mogelijke voordelen die het instellen van een GIZ kan hebben op het gebied van economie?
 - Is er behoefte aan het versterken van het imago van het gebied door gebiedsbranding?

- Is er behoefte aan het voorzien van mogelijkheden om nieuwe soorten economie aan het gebied toe te voegen, zoals startups?
 - Is er behoefte aan het vormen van een netwerk dat nieuwe bedrijven kan verleiden om zich te vestigen in het gebied?
3. Wat zijn de mogelijke voordelen die het instellen van een GIZ kan hebben op het gebied van kwaliteit?
 - Is er behoefte om te lobbyen voor specifieke ruimtelijke of architectonische kwaliteit in het gebied?
 - Is er behoefte om de levendigheid in het gebied te verbeteren, bijvoorbeeld door andere functies toe te voegen die het gebied dag en nacht actief maakt?
 - Is er behoefte aan investeringen in de openbare ruimte, zoals groenvoorzieningen?
 4. Wat zijn de mogelijke voordelen die het instellen van een GIZ kan hebben op het gebied van gemeenschap?
 - Is er behoefte aan een platform zodat alle belanghebbenden in het gebied elkaar kunnen ontmoeten en hun gedachten kunnen delen?
 - Is er behoefte aan het ontwikkelen van sociaal kapitaal binnen de gemeenschap?
 - Is er behoefte aan het ontwikkelen van een veiligere omgeving voor de gemeenschap?
 - Is er behoefte aan het verbeteren van de sociale voorzieningen in het gebied?
 5. Wat zijn de mogelijke voordelen die het instellen van een GIZ kan hebben op het gebied van belangenbehartiging?
 - Is er behoefte aan het lobbyen voor voorzieningen, zoals een tramhalte of supermarkt?
 - Is er behoefte aan het lobbyen voor de ontwikkeling van speel-, sport-, kunst-, horeca of amusementsfaciliteiten?
 - Is er behoefte aan het lobbyen voor programma's op het gebied van sociale innovatie of duurzaamheid?
 6. Wat zijn de mogelijke voordelen die het instellen van een GIZ kan hebben op het gebied van gebiedsbranding?

- Is er behoefte om het erfgoed van het gebied te promoten?
- Is er behoefte om de huidige en toekomstige economie van het gebied te promoten?
- Is er behoefte om een gebiedsidentiteit te ontwikkelen en die via media te verspreiden?

Implementatie

De vierde reeks vragen gaat over de implementatie van de GebiedsInvesteringsZone.

1. Welke voorwaarden denkt u dat noodzakelijk zijn om het instrument te kunnen gebruiken?
 - Wat is de hoogte van de kiesdrempel?
 - Hoe vindt u dat de kosten verdeeld moeten worden?
 - Moeten ze gelijk worden verdeeld, of vindt u dat bijvoorbeeld commerciële partijen een andere bijdrage moeten leveren dan residentiële partijen?
 - Is er een bepaalde minimumbijdrage?
 - Is er een bepaalde maximumbijdrage?
 - Wanneer vindt u dat het instrument niet toegepast mag worden?
2. Wat ziet u als mogelijk obstakel voor het realiseren van dit instrument?
 - Waarom ziet u dit als obstakel?
3. Denkt u dat de behoefte aan dit instrument groot genoeg is om de politiek te overtuigen van de noodzaak voor het invoeren?
 - Zo ja, waarom wel?
 - Zo nee, waarom niet?
4. Stel dat er geen wettelijke regeling komt om het bewerkstelligen van de gewenste collectieve voorzieningen te realiseren, hoe zou u dit dan aanpakken?