

Туристы постараются балансировать между экономией и безопасностью:

1. Выбирать квартиры или дома, вместо отелей. В отелях проходимость больше по сравнению с частным жильём, да и не все туристы будут доверять мерам дезинфекции.

2. Отдадут предпочтение туризму без посещения мест скопления людей: походам, выездам с палатками.

3. При финансовой возможности отдадут предпочтение отелям, которые предоставят какие-то «сертификаты чистоты» об отсутствии вируса и обеспечат надёжную дезинфекцию.

4. Отправятся самостоятельно исследовать город или предпочтут индивидуальную, а не групповую экскурсию.

5. Задумаются о расширенной страховке даже при путешествии по России.

6. Людям понадобится помощь в планировании интересного и недорогого путешествия.

#### Список использованной литературы

1. Кто в туризме выживет после коронавируса [Электронный ресурс] // Profi+Travel. 2020. 20 марта. URL: <https://profi.travel/articles/45690/details>.

2. Коронавирус COVID-19: какие права есть у потребителя и как их защитить? (ответы на типовые вопросы) [Электронный ресурс] // Роспотребнадзор. URL: <https://zpp.rosпотребнадзор.ru/handbook/turist/memos/207045>.

3. Центр стратегических исследований [Электронный ресурс] // <https://www.csr.ru/ru/>

3. Каким станет туризм. [Электронный ресурс] // <https://zen.yandex.ru/media/admagazine/turizm-i-koronavirus-kakimi-stanut-puteshestviia-posle-pandemii-5ec68cc21e1186547b92473b>

#### References

1. Who in tourism will survive after the coronavirus [Electronic resource] // Profi + Travel. 2020. March 20. URL: <https://profi.travel/articles/45690/details>.

2. Coronavirus COVID-19: what rights does the consumer have and how to protect them? (answers to typical questions) [Electronic resource] // Роспотребнадзор. URL: <https://zpp.rosпотребнадзор.ru/handbook/turist/memos/207045>.

3. Center for Strategic Studies [Electronic resource] // <https://www.csr.ru/ru/>

**Samborska Oksana**

*PhD, associate professor of the department of administrative management and alternative energy sources, Vinnitsa national agrarian university (3, Soniachna St., Vinnitsa., Ukraine)*

### MODERN APPROACHES TO COMMUNITY INVOLVEMENT IN THE PROCESS OF LOCAL ECONOMIC DEVELOPMENT PLANNING

**Summary.** People are their ideas, knowledges, intellect, their desire and ability to cooperate, collectively to settle the existent problems of society and operate in the direction of development of different spheres of society - is the important factor of competitive edges in the modern terms of development, it is a social capital of association.

A social capital is developed closely related to economic development of society: researches confirm, that the active economy growing takes place exactly in those countries, where the different forms of collaboration develop, where the general participating of society is in making decision and decision of local or public problems, the networks of public associations work, there is a corporate culture of the collective planning, adjusted collaboration of power, business and society.

Modern society develops and perfects methods and mechanisms which stimulate people to mass self-organization and bring over them to the processes of planning of development, instrumental in establishment between them interpersonally and between group connections and relations, based on a mutual trust and trust to power. It helps to find a way to harmonization of political, social, economic interests, to improve possibilities their rational expression at the level of society, country and society. From point of stability, efficiency of planning of actions and economic development, the presence of collaboration in society appears the major factor of development, then any other (physical, economic or human) resources.

*Key words: society, management, local development, planning, public.*

Today, the issue of public participation in the process of planning and management decisions takes first place in the order of renewal of power. The growing demands of society for greater transparency and accountability of government, a greater role of the community in decision-making - is the answer to the question "how to make government effective." Democracy begins at the home of every citizen and is not limited to periodic visits to polling stations. Ways

to involve citizens in planning and decision-making at all levels can be the subject of discussion and are being actively studied by scientists, politicians and public figures.

However, it is safe to say that the unconditional long-term current trend is to increase the role of the public in decision-making processes. Management classics argue that "the key success of a strategy depends on identifying the goals of the participants and

the goals of the community." In order to develop an effective local development strategy, it is necessary to involve as many stakeholders as possible (government, business and the population) in these processes. Openness of the process and involvement of stakeholders is the main condition for the formation of favorable conditions for development. Public involvement is the process by which local people, as stakeholder representatives, are involved in public affairs or local issues. A stakeholder is any person, community, group or institution interested in the work of a municipality and its results that is either directly relevant to them or that may be affected in a negative or positive way. Three groups of stakeholders should be distinguished. Key stakeholders: those who can have

a significant impact or play an important role in ensuring successful operations. The main (primary) stakeholders are those who are ultimately affected by the results of the action - who will win as a result (as beneficiaries) or lose something. Minor stakeholders: all other persons, communities, groups or institutions concerned by this line of business; they may be interested in it or act as intermediaries. Involvement of stakeholders in the development of local development strategies should be broad, fair, equitable and well-organized in advance. Stakeholders should be represented by three groups: local government (public sector), business (private sector) and non-governmental non-profit organizations - society, table. 1.

Table 1.

**List of local development stakeholders**

Stakeholder	Characteristic
Public sector (local government)	Elected officials. Local governments and their structural units. District, oblast and state administrations and agencies responsible for planning and managing economic development and performing regulatory functions. Research institutions, universities, colleges.
Private sector (business)	Large enterprises. Small, medium and small enterprises, private entrepreneurs. Developers (industrial, commercial and residential construction). Banks, credit unions and other financial institutions. Chambers of Commerce and Industry and other business associations. Agencies, councils and associations of entrepreneurs, intermediaries for business support and development (business centers, business development funds, etc.).
Non-governmental organizations (community)	Bodies of self-organization of the population. NGOs. Local schools and clubs. Organizations and associations that represent the interests of the community. Organizations and associations that focus on local economic development. Trade unions and other professional associations

Source:

Work on the strategy should be set up so that long-term partnerships are established between the participants. Each stakeholder group contributes its own vision of the perspective, specific priorities and necessary resources to the strategy, thus contributing to an effective strategy for local economic development, as well as providing incentives and motivation for all parties to implement their plans. Collective participation of the community will contribute to the creation of an atmosphere of mutual trust (interpersonal and trust in government), the formation of social capital and corporate culture, and in the future - the implementation of projects and strategy activities. With broad community participation, a realistic and relevant local development strategy can be created.

However, in each of the identified stakeholder groups (public sector, private sector, community, society) it is necessary to identify such representatives (individuals or organizations) who may influence development (planning, implementation) or who are primarily affected by local development issues. Of course, business is a key stakeholder, the main driver of economic development of territories, but for Ukraine the main role in the prospects of local economic development is usually played by local government units and agencies created by it. This is due to their significant impact, both direct and indirect, on local economic development. Given the insufficient

development of society and low social activity of business in countries with economies in transition, the main burden of local development problems objectively falls on local authorities and the structures created by them. Local authorities can influence local development both through the strategies they develop and implement, and through certain rules and incentives to support certain development priorities of territories, enterprises or entrepreneurs. By their actions, they can both promote local development and pose a threat. Because the public sector takes care of important community issues, such as infrastructure development (roads, transportation, hospitals, educational institutions, etc.) and coordinates the use of appropriate resources, the government's influence on the environment is significantly greater than that of other stakeholders. However, the activities of the private sector cannot be underestimated. The private sector plays an important role in local development and to ignore its participation in any activity would be a serious mistake.

The same applies to local non-governmental organizations and civil society actors, who have a deep knowledge of the problems and interests of the community. In order to clearly define the range of stakeholders and the conditions under which they will agree to participate in the local development planning process, we recommend using the CLEAR model. The

term (acronym) CLEAR is created by the first letters of  
English words:  
C-Can do;  
L-Like to;

E-Enabled to;  
A-Asked to;  
R-Responded to.

Table 2.

**Model CLEAR**

Factories	How it works	Political action of local authorities
Can do	The personal resources that community members have and can offer (knowledge, information, public speaking, writing, organizing events, encouraging support, etc., as well as confidence in their use) are essential to ensure the ability to participate.	Capacity building: specific support measures and targeted development of social capital
Like to	Commitment to participation requires a sense of belonging to the community (s), a sense of trust and belonging to connections and communities, creates opportunities for people to work together and work more effectively	Sense of community (community), involvement of citizens, social capital and citizenship
Enabled to	Public infrastructure - the organization of volunteer, community advisory groups, organizations and networks - creates (or blocks) opportunities for participation.	Building public infrastructure to create groups and organizations that can guide and facilitate participation
Asked to	Mobilizing people to participate (in decision-making) and expectations about their contribution.	Introduction of possible ways of public participation and their openness. Use of various incentives for development, sense of duty, constant participation, targeted invitations to participate
Responded to	People are willing to participate if they feel that they are being listened to (not necessarily agreeing, but it is clear that their views are being considered / considered)	The ability of the public policy system and staff to "respond" to needs, weigh different points of view, provide feedback - it is important to explain how the decision was made and what was the role of the individual or community

The number of different groups and stakeholders involved in local development in any society can be very large. Such a large number of participants can make it difficult to involve all stakeholders in the planning process. Experience shows that the larger the number of participants, the costlier, longer and potentially less effective their activities. On the other hand, the smaller the number of participants, the less equal, less transparent and potentially less effective the strategy development and implementation activities will be. Therefore, it is important that stakeholder engagement takes place to ensure that they are sufficiently and representative of the community. Local social, cultural, political and economic characteristics should be considered when determining representation in the groups involved. Because each community has its own unique environment, the number and representation of stakeholders will vary, as will the depth and extent of their participation. Properly planned stakeholder participation will contribute to the preparation of an equitable and comprehensive community development strategy at an early stage and its effective implementation in the future. In practice, different stakeholders are involved at different stages. Some - at the planning stage, others - at the implementation stage, some - during monitoring. Such different forms of participation of subjects will help to avoid duplication of functions. In order to determine

the best balance between the number of participants, representation and conditions of involvement, it is necessary to properly plan collective participation. To do this, when planning collective participation should ensure that:

- the organization and functions were properly structured to meet different interests, and based on the reflection of certain interests, rather than on seeking agreement on predetermined and one-sided priorities;
- Competent and well-informed stakeholders have been invited and participated, to agree on a format for identifying and involving competent stakeholders;
- There was a preliminary agreement on how the process would take place.

This is necessary to ensure that collective participation provides a broad discussion and multidimensional analysis of problems, solutions and consensus. Planning and implementation of local development, carried out on the basis of collective participation, create a number of potential benefits:

- develops a sense of community and responsibility for the work of the project;
- provides a better understanding of local development issues and their level of complexity;
- creates a basis for solving priority problems on an intersectoral basis;
- considers a wide range of proposals and ideas to improve planning, development management;

- promotes the empowerment of stakeholders;
- guarantees the successful implementation of strategies and the achievement of consensus of interests.

A well-organized system of ongoing stakeholder involvement, consisting of a range of activities, from surveys, focus groups, forums, etc. to coordination committees, working groups, boards and advisory councils, which include stakeholders. One of the interesting and increasingly popular formats for involving stakeholders in developed economies in order to use local potential for local development is the use of voluntary "action groups", which is especially relevant for rural communities or municipalities with limited resources. This traditional collective model of local economic development deserves special attention given its cost-effectiveness and efficiency.

Work to promote local economic development in the framework of the "action group" model is usually carried out by specially created volunteer groups consisting of people who want to solve a problem or explore a certain opportunity for their community. It is better to solve many problems of economic development on the ground gradually, to approach the solution of large or complex issues (for example, diversification of the local economy) with small but manageable and gradual steps (for example, attracting a certain enterprise or supporting a certain category of entrepreneurs). In practice, an "action group" is created after a particular problem or opportunity has been identified. The task of the "action group" is to explore, outline possible specific measures and solve the problem. Key actors are recruited from the municipality, region, given their skills, knowledge, interests, aspirations and connections needed to accurately identify the problem and implement the decisions made. The work of the group is short-term, but its decisions are focused on perspective and development. After one or more solutions are found, the group is disbanded. The value of this model lies not only in the fact that it allows to involve a wide range of local stakeholders, but also in the fact that it allows to optimize the limited budget resources and efforts of the community to achieve maximum effect.

An enclosed space is when only official decision-makers and individual invitees are allowed. This means that decisions are made behind closed doors and stakeholders do not know what is happening. Invitation space - local authorities reserve the right to decide who to involve, only individual stakeholders are invited, in most cases the rules are set by the municipality.

Open space - this allows any stakeholders, free access to participation, but does not necessarily mean that all participants must participate directly, directly. For such an approach to be effective, it is necessary to organize representation fairly.

The space created is created by other forces without the participation of officials, it can arise due to the concerns of stakeholders about certain problems, in most cases, it is created by less powerful groups compared to those in power. Such a space arises on the basis of common concern or mobilization around a

particular issue or interest. The type of space and the culture of discussions or debates have a great influence on the ability of stakeholders to shape the agenda and raise certain issues. In a "closed space" and in an "invited space" it is usually easy to see prejudice, even when there is no such intention. Participants also tend to support each other, they may refrain from objecting to other views.

Information exchange, one-way flow of information serves to inform citizens to ensure transparency and maintain the legitimacy of local government. Consultations include the exchange of information, feedback, collection of data on the response to certain questions. Participation of this kind creates two-way information flows, but the relationship between local authorities and stakeholders is unbalanced, as their results are not binding on those responsible. A joint decision is usually the result of joint problem solving or planning, where there is joint control over the decisions made. Joint decision-making will be useful when the knowledge, awareness, capabilities, resources or experience of stakeholders are critical to achieving the goals. Delegated decision: it is a mechanism that transfers control over decision-making, resources, activities from the city to stakeholders (or individual groups of stakeholders). Delegated decision means that designated stakeholders can independently plan and implement projects and programs based on their own interests and without significant involvement and control by local authorities. The deepest levels of community participation are ensured at the level of delegated decisions.

In any community, there are many opportunities for dialogue and participation in public life, where people can interact, exchange ideas, discuss issues and influence each other's views. These include places for daily communication and public recreation, where informal dialogue can take place, as well as more formal places for meetings and round tables (executive halls, conference halls, agency offices). The "platform" for formal and informal communication between different groups is not isolated, what happens in one of them can affect what can happen in another. The connection between the places of formal and informal communication affects the overall results. There are two crucial aspects, the way groups are formed for dialogue and participation as separate groups - by geographical area (for example, local "neighborhood" committees), by level of influence (village association) or area of interest (environment).

Horizontal and vertical links between platforms: whether such "platforms" are sufficiently interconnected (formally or informally), whether there is communication and synergy between them (for example, between a minority group and certain MPs). To ensure broad participation and ongoing dialogue, officials should plan to link formal and informal platforms, create the conditions for dialogue, and understand the position of each stakeholder.

In any strategic issue or conflict, there is no single point of view around which a dialogue between

stakeholders can begin. On the contrary, there are many points of view through which it is possible to influence relations and reformat the boundaries of joint dialogue and action.

Among the new technologies for using the potential of human intelligence, the most common tool for determining priorities and development strategies is foresight - a look into the future, foresight, prudence, foresight, foresight. Translated from English, the word "foresight" means "prediction" and is used in forecasting to mean "look to the future", "vision of the future".

Foresight is a process of systematically identifying new strategic directions that will be able to seriously affect economic and social development in the long run. It includes: discussion of possible ways of development and formation on this basis of long-term priorities in various branches and spheres; a set of tools that allow you to actively anticipate the problems of the future and active forecasting, which includes elements of action for the future. The concept of foresight appeared in the scientific literature about 30 years ago, where it was used in the context of forecasting the development of technology and business. According to British professor Ben Martin of the University of Sussex in the UK, who is often quoted as saying, "foresight is a systematic attempt to assess the long-term prospects of science, technology, economics and society to identify strategic research and new technologies -economic benefits. Foresight was used to achieve the following goals:

1. determination of priorities of technological development for 10 years;
2. development of a strategic vision for the development of technology for education and science for 20 years;
3. compiling a classified list of promising technologies for the main sectors of the national economy;
4. formation and development of unique sustainable competitive advantages in industry;
5. development of a selective strategy of economic development;
6. substantiation of the choice of priorities of state funding of science.

In the 1990s, foresight began to be used not only to determine the prospects of science, technology and society, but also for strategy in public administration, regional and local planning. Foresight is not a traditional forecast made by economists using econometric methods and models based primarily on extrapolation or interpolation. The development of

strategy by foresight methods is based on the intellectual potential of the system, which plans and shapes its development. In the case of a community, micro-region (sub-region) or region, it is the intellectual potential of the people of the respective territory, which is a set of its educational, scientific, innovative, information-communication and cultural potentials. The foresight methodology combines scientific forecasting considering the interests of the well-known government-business-community triangle by effectively involving so-called "stakeholders" or "stakeholders" in the process of "modeling the future" - those who will be involved in planning and implementation and, most importantly, those who will be most affected by the consequences of this implementation.

Foresight's methodological tools include a wide variety of methods for developing perspectives that exist in various sciences and applied fields, using both traditional methods and new, creative ones. The main methods, which reflect the various functions of the foresight, are grouped into four groups and are called "crystal of foresight methods". It includes: "analysis" (analysis of the current situation); "Examination" (forecasting trends); "Creative methods" (development of new ideas for the future), "interaction" (coordination of views and ensuring interaction). The essence of the foresight methodology is not limited to forecasting the future, but also consists in the coordinated development of decisions about the future in the chosen field. In fact, it helps to solve the problem of reaching consensus in the vision of the future through the coordination of the interests of different social groups and thus stimulates social activity. It is even called the method of socio-economic coordination. Foresight provides the ability to choose the course of action depending on the "vision" of the future, it is aimed at designing the future and finding ways to achieve it, as well as shows the possible means of adjusting them. Its function is to harmonize and consolidate the views of different participants in socio-economic life in order to develop a common vision of the future, to help establish partnerships between business, government and community. In most European countries, foresight has taken root precisely because of the need to combine intelligence and seek consensus for cooperation between business, government and the community in the process of developing strategies and finding the best ways to develop.

The difference between foresight and traditional planning approaches (classical strategy development process) is obvious and is shown in Table 3.

Table 3.

**Comparison of foresight and traditional planning**

Traditional planning	Foresight
Is a specific assumption about the future, which is made on the basis of the current situation	Is an analysis of information about the future in order to identify priority areas and create images and scenarios for the desired future
Possible formation of long-term forecasts (up to 15 years)	Possible formation of long-term forecasts (up to 30 years)
In its implementation it is necessary to strictly follow the methods, so the results do not depend on subjective opinions	An important role belongs to the human factor, because each person has his own inner ideas and knowledge of the situation
Achieving consensus is not essential	It is necessary to reach a consensus among all stakeholders in the final results
The final choice is not made until several different development scenarios are possible	The direction of movement is strictly defined, rigidly tied to a certain, fixed image of the future, but the possibility of adjustments is allowed.

Back in 1985, J. Coates noted that foresight is not planning as such, but only one of the stages of planning, defining it as "a process that allows to come to a fuller understanding of the forces shaping the long-term future and must be taken into account in formulating prospects policy, planning and decision-making". The use of foresight leads to the emergence of new technologies for setting priorities and mechanisms for developing strategies for the development of territorial systems, especially in countries whose development is based on civil society structures, as social capital formed in the process of foresight and the existence of civil society are interdependent. Foresight is one of the most widely used mechanisms for forecasting socio-economic development, which is used for the following activities:

- forecasting and application of critical thinking on long-term developments;
- shaping the future, especially by influencing state regulatory policy;
- planning of local budgets;
- application of innovation policy for the development of depressed areas.

Foresight includes a number of approaches that combine three components:

1. vision of the future (forecasting, prospects, predictions);
2. planning (strategic analysis, prioritization);
3. networks (communication, expert assessment).

As a tool foresight uses the method of "brainstorming", the method of Delphi or others. Brainstorming is a method or process aimed at maximizing new ideas in order to find a solution to a particular problem or to characterize certain situations. The chosen group of people should be able to express their opinions freely. Brainstorming can be conducted by a moderator, whose role is to guide the participants so that they do not deviate from the topic, as well as to record the proposed ideas for further analysis. During the preparation of SWOT-analysis, brainstorming can be used in the phase of identification of SWOT-analysis elements (strengths and weaknesses, opportunities and threats), and can also be considered as a synthesis of previously prepared analysis of statistics and indicators and analysis of survey results. The Delphi method is a

multi-stage method that involves the initial isolated presentation of their judgments by experts and their subsequent multiple adjustments based on acquaintance of each expert with the judgments of other experts until the value of the scatter of estimates is within a predetermined desired range of estimates. The reliability of the "Delphi" method is considered high when forecasting for a period of 1 to 3 years, and for a longer period of time. Depending on the purpose of the forecast, 10 to 150 experts may be involved in obtaining expert assessments. In some cases, careful study of the various specific elements that determine the situation may be more important than quantifying. It should be noted that the process of foresight began with the formation of priority areas of development, later transformed into a search for mechanisms for their implementation to achieve sustainable economic and technological development, and ended with the search for tools to accelerate response to changes in economic and scientific environment.

One of the first countries to use the foresight mechanism in the development of government programs was the United Kingdom. The Lisbon Strategy, adopted in 2000, proposed that all EU countries make wider use of foresight as an innovative development tool. A special foresight department has been set up in the European Commission. According to UNIDO, foresight is already involved in the development of national programs in more than 40 countries. Foresight is one of the main mechanisms for predicting the future in an unstable economy. Foresight is most often used at the national level, but the use of regional and local foresight can have the following advantages:

1. more accurate identification of innovative growth points in the territory;
2. obtaining a synergistic effect from the cooperation of related structures;
3. formation of an integrated strategic development plan for territorial communities, micro-region and region;
4. combining the efforts of regional authorities, local governments, business and science to achieve common goals.

Table 4.

Principles and results of using regional and local foresight		
Principles	Characteristics	Result
Involvement	Involvement of representatives of regional and local level structures (business and scientific communities, regional and district administrations, local self-government bodies, public organizations) in discussion and comparison of long-term forecasts, development strategies, determination of vision of directions	Creating common mechanisms for using the region's competitive advantages for development
Communication	Acquaintance of participants with opinions of others, discussion, formation of conclusions	Expansion of participants' competence, formation of goals and mechanisms
Focus on the long term	Using long-term forecasting and strategic planning as elements of accelerating the development of the region	Strengthening the culture of forecasting and strategic planning
Considering trends in science and technology	Assessment of potential advances in science and technology due to changes in the economy and society	Anticipation of social consequences of scientific and technological progress at the regional level
Consensus	Coordinated work of stakeholders from business, science, government and the community in a separate area. Establishing consensus between participants	Purposefulness of participants' actions
Systematic process	Coordination of formal methods of cognition with generalization of conclusions of experts and stakeholders; regular repetition of the foresight process	Ensuring the objectivity and continuity of the foresight process

Regional or local foresight involves participation in the process of "anticipation" of representatives of government, local science and local government, along with NGOs and businesses. A regional / local foresight is conducted for a specific territory - a community or a group of communities formed under the influence of common political, social, demographic and economic factors. The European Commission's 2004 Foresight Europe Bulletin presents foresight as "a powerful tool for building and engaging with a community and region in the future." By bringing together government, science, education, and business, foresight helps to ensure that key regional players are actively involved in the development of a regional strategy and advocate for specific topics (specific materials, technologies, value chains, subregions) that are particularly relevant. interest and complement the overall approach. " In Ukraine, the district authorities are often unable to solve problems that go beyond the administrative-territorial units in their jurisdiction, while for the regional authorities, certain local projects may not be a priority.

The situation is similar with suburban areas located outside cities, outside the jurisdiction of the city government, when district authorities, as is often the case, are unwilling or unable to solve the problems of large cities due to limited resources. Although the boundaries of cities in Ukraine are set, as a rule, along the boundaries of buildings, it is obvious that the economic, environmental and social impact of the city goes far beyond it. Urban infrastructure (such as water supply) sometimes extends more than 100 km from large cities. Thus, problematic issues arise, which, on the one hand, are not solved by the regional authorities, and on the other hand, exceed the scope of powers of the city or district authorities. Often such issues arise at

the level of several territorial communities. Joint solution of issues creates a number of additional effects, such as synergetic, agglomeration, etc. Adjacent territorial communities may have a common vector of development, which should be used as a basis for determining competitive advantages. Moreover, such a common direction in development is manifested in both economic and environmental and social spheres. That is why, in order to reconcile the interests of all stakeholders, the strategies of adjacent territorial communities in Ukraine should be developed on the principles of foresight.

**Conclusions.** Cities are globalizing in world economic processes, but are trying to simultaneously preserve and strengthen their own individuality. They begin to function as special social organisms, seeking to compete with their peers to attract more (in quality and quantity) new residents and businesses. Today, it is important for cities to create new centers of culture and creativity in their environment, and not just to exist as simple objects that are most guided

principles of break-even budgets, simple preservation of certain traditions and principles in urban planning or act to solve some, even very important, urban problems.

## References

1. Blakely EJ Planning local economic development. View. 2nd / Per. from English. Lviv. 2002. 416 p.
2. Berdanova O., Vakulenko V. Strategic planning of local development. Practical guide / Swiss-Ukrainian project "Support to decentralization in Ukraine DESPRO. K.: Sofia-A LLC. 2012. 88 p.
3. Vasilchenko GV, Dalyak NA Methodology of qualitative analysis of community assessment, as a

means of managing the socio - economic development of the territory // Communal economy of cities. Scientific and technical collection. Kharkiv National Academy of Municipal Economy, Vol. 94 "Economic Sciences". K.: Technology. 2010 pp.112 - 119.

4. Varda I, Klosovsky V. Development of local development strategies. Ed.2 // Per. from the floor. K.: Youth. 2005. - 312p.

5. Kary O. Strategic planning of city development. L.:ZURC. 2007.317p.

6. Nudelman V.I. Problems of a single method of forecasting urban development // Urban Planning and Spatial Planning. Kiev. 2003. № 16. pp. 145-154.

7. Strategic planning and management: a guide. /Under the direction of Grazyna Pravelaska-Skshipek. Warsaw: Fundacja Rozwoju Demokracji Lokalnej. 2000. 60 p.

8. Topchiev OG, Malchikova DS, Shashero AM Methodological principles of geoplanning of regions // Ukr. geogr. magazine. 2010. № 1. pp. 23-31.

9. Tretyak VP, Kalyuzhnova N.Ya. Formation of a foresight in the Irkutsk region // Access mode: p: //www.riep.ru/works/almanach/0005/almanach0005\_219-242.pdf Brol R. Rozwoj lokalny - nowa logika rozwoju gospodarczego. Wroclaw. 1998. 785p

10. David Wolf. Social Capital And Cluster Development In Learning Regions. 2001.

11. Fay, M. and C. Opal. 2000. Urbanization without Growth: A Not So Uncommon Phenomenon. Washington D.C.: World Bank.

12. McGranahan, G. and D. Saerthwaite, 2014 Urbanisation concepts and trends. IIED Working Paper. IIED, London. 2014.

13. Henderson, J.V. 2010. «Cities and Development» Journal of Regional Science 50(1):515-540.

14. McKinsey Global Institute (2009). Preparing for China's Urban Billion, McKinsey & Company, Chicago.

15. About the state forecasting and development of programs of economic and social development of Ukraine. Law of Ukraine of March 23, 2000, № 1602-III.

16. On the principles of state regional policy. Law of Ukraine of 05.02. 2015, № 156-VIII;

17. On voluntary association of territorial communities. Law of Ukraine of 05.02. 2015, № 157-VIII

18. State strategy of regional development of Ukraine until 2020. Resolution of the Cabinet of Ministers of Ukraine of August 6, 2014 № 385.

19. On approval of the Procedure for preparation, conclusion and implementation of the agreement on regional development and the relevant model agreement. Resolution of the Cabinet of Ministers of Ukraine of May 23, 2007 № 751.

20. On monitoring the socio-economic development of small towns and villages. Resolution of the Cabinet of Ministers of Ukraine of April 2, 2009 № 288.

21. On approval of the Concept of improving the system of forecast and program documents on socio-economic development of Ukraine. Order of the Cabinet of Ministers of Ukraine dated 04.10.2006 № 504-r. 65. Resolution of the Cabinet of Ministers of Ukraine "On approval of the Procedure for examination of urban planning documentation" dated 25.05.2011 № 548.

22. Order of the Ministry of Regional Development, Construction and Housing of Ukraine "On approval of the Procedure for development of urban planning documentation" dated 16.11.2011 № 290.

23. Order of the Ministry of Regional Development, Construction and Housing of Ukraine "On approval of the Procedure for providing urban planning conditions and restrictions on land development, their composition and content" from 07.07.2011 №109.



# ЮРИДИЧЕСКИЕ НАУКИ

**Абрамова Наталья Геннадьевна**

доцент кафедры уголовно-правовых дисциплин

Псковского филиала Академии ФСИН России,

кандидат юридических наук, полковник внутренней службы;

**Джангириян Марина Эдуардовна**

инспектор учебного отдела

Псковского филиала Академии ФСИН России,

старший лейтенант внутренней службы

## К ВОПРОСУ О МЕРЕ ПРЕСЕЧЕНИЯ В ВИДЕ ДОМАШНЕГО АРЕСТА: СОВРЕМЕННОЕ СОСТОЯНИЕ.

В соответствии с Федеральным законом от 18.04.2018 № 72-ФЗ в УПК РФ домашний арест, как мера пресечения, поделена на два вида: собственно домашний арест и запрет на совершение определенных действий. Запрету на совершение определенных действий посвящена новая ст.105.1 УПК РФ, а в действующую ст. 107 УПК РФ, посвященную домашнему аресту, внесены изменения. В соответствии с ч. 1 ст. 107 УПК РФ домашний арест в качестве меры пресечения избирается по судебному решению в отношении подозреваемого или обвиняемого при невозможности применения иной, более мягкой, меры пресечения и заключается в нахождении подозреваемого или обвиняемого в изоляции от общества в жилом помещении, в котором он проживает в качестве собственника, нанимателя либо на иных законных основаниях, с возложением запретов и осуществлением за ним контроля. С учетом состояния здоровья подозреваемого или обвиняемого местом его содержания под домашним арестом может быть определено лечебное учреждение<sup>1</sup>.

В п. 36 Постановления Пленума Верховного Суда РФ от 19.12.2013 № 41 указано, что положения ч. 1 ст. 108 УПК РФ, касающиеся возможности избрания такой меры пресечения, как содержание под стражей на домашний арест распространяться не должны. Однако, Конституционный Суд РФ иначе понимает положения указанной выше нормы. Поскольку домашний арест – более гуманная мера пресечения, чем содержание под стражей, он обычно применяется к лицам, подозреваемым (обвиняемым) в совершении преступлений небольшой тяжести. Следовательно, эта мера пресечения должна быть соразмерна целям ее применения. Нужно также учитывать, что на основании положений ст. 72 УК РФ время пребывания под стражей до вступления в законную силу приговора суда засчитывается в срок

отбывания наказания, в том числе и такого, как лишение свободы. Следовательно, во исполнение положений ст. 49 Конституции РФ, которая закрепляет принцип презумпции невиновности уголовного судопроизводства, нельзя подвергать обвиняемого ограничениям, которые сравнимы по степени тяжести с самим наказанием, а то и превосходят его<sup>2</sup>.

Конституционный Суд РФ в своем Постановлении от 22.03.2018 № 12-П указывает, что: «... заключение под стражу может быть избрано в отношении подозреваемого или обвиняемого в совершении преступления, за которое предусмотрено наказание в виде лишения свободы на срок до трех лет, при наличии одного из следующих обстоятельств: подозреваемый или обвиняемый не имеет постоянного места жительства на территории РФ; его личность не установлена; им нарушена ранее избранная мера пресечения; он скрылся от органов предварительного расследования или от суда (ч. 1 ст. 108 УПК). Соответственно, применение домашнего ареста - с учетом более гуманного характера данной меры пресечения по сравнению с заключением под стражу и с учетом возможности наложения запретов и ограничений, установленных ч. 7 ст. 107 УПК, не полностью, а выборочно - в тех случаях, когда применение лишения свободы за преступление небольшой тяжести невозможно, но имеются такие исключительные обстоятельства, не противоречило бы его природе»<sup>3</sup>.

Как следует из ч. 2 ст. 107 УПК РФ, максимальный срок домашнего ареста составляет два месяца. Но этот срок может быть продлен по решению суда при наличии обстоятельств, указанных в ст. 107 УПК РФ и в порядке, который регламентирован ст. 109 УПК РФ. В ч. 2.1 ст. 107 УПК РФ говорится о том, что в срок домашнего ареста засчитывается и время содержания под стражей, а максимальный срок применения обеих мер пресечения (независимо от порядка их

<sup>1</sup> Уголовно-процессуальный кодекс Российской Федерации: федер. закон : [от 18 дек. 2001 г. № 174-ФЗ] // Собр. законодательства Рос. Федерации. 2001. № 52. Ст. 4921.

<sup>2</sup> См.: Постановление КС РФ от 16.07.2015 № 23-П [Электронный ресурс], Постановление КС РФ

от 06.12.2011 № 27-П [Электронный ресурс] / СПС Консультант Плюс (дата обращения 20.03.2020)

<sup>3</sup> См.: Постановление КС РФ от 22.03.2018 № 12-П [Электронный ресурс] / СПС Консультант Плюс (дата обращения 20.03.2020).