

Regulatory and Legislative Support of Management Decisions for Support of Regional Development

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Abstract: The article is devoted to certain aspects of normative-legal regulation of regional development. In the conditions of transformation processes, transition to the European integration vector of development, change of the system of regional management by means of reform of decentralization there is a question of maintenance of effective development of regions. Adoption and implementation of management decisions is a key factor in ensuring harmonious sustainable development. In the absence of a clear comprehensive structure of distribution of powers between authorities at different levels, there are problematic aspects of providing information and analytical support for management decisions. The interaction of different branches of government and authorities at different levels is inefficient. The basis for establishing an effective management system at the regional level is the development of a regulatory framework that would ensure a clear division of responsibilities and powers of the authorities to address certain socio-economic, social, environmental and other issues inherent in the level of regional development. Compliance of the regulatory framework with today's requirements, the changes and transformations taking place in the country, world practices and international regulations is a priority to ensure effective decision-making and implementation of management decisions to create opportunities for regional development. The article analyzes the structure of management decisions at the regional level, taking into account the transformation processes in the system of regional governance associated with decentralization reform. The article develops ways to improve the development management system at the regional level.

Keywords: Mechanisms of public administration, region, decentralization reform, legal documents.

INTRODUCTION

An important stage in the development of any state system is the building of an effective regional governance mechanism. Unitary countries may not always be effectively governed by a linear vertical of power with a clear distribution of functions, spheres of influence and top-down responsibilities. Countries with significant differences in the socio-economic development of the regions are developing more effectively in the context of the transfer of a number of managerial powers "on the ground", which is due to the high efficiency of management decisions based on the allocation of specific characteristics of the local problem and analysis of local resources to solve it. So, the issue of building a system of public administration at the regional level is an integrated multi-factor process. In addition, regional development not only creates conditions for economic growth at the microeconomic and macroeconomic levels, but also has a certain synergistic effect, creating an additional balance of development by effectively reallocating

state-level resources to local initiatives that are more productive (Akbarov *et al.* 2018; Bychkova 2020; Naumenkova *et al.* 2019; Naumenkova *et al.* 2020; Rusinova 2014). The third positive development of such decentralization is the attraction of additional domestic and external private sector investment through increased investment attractiveness and competitiveness of the region. A negative factor in focusing on the regional dimension of management decisions is the need to establish an effective system to motivate local population and local elites to find ways of regional development, which is a complex process, as it requires a complete list of the top-down control system that has existed for many years. Thus, the relevance of regional development issues determines the need to find mechanisms for the rational construction of a management decision system at the regional level (Barashkin and Samarin 2005; Nurmaganbetova *et al.* 2020; Nussipbekov *et al.* 2014; Sabirova *et al.* 2018a; Sabirova *et al.* 2018b; Zaika 2020).

The relevance of the issue of management decisions to ensure regional development has led to the attention of a number of scientists to this issue. General assessment of regulatory and legislative support of regional development was carried out in the

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work of O. Bratuta (2015). M. Latsyba (2013) investigated the processes of implementation of management decisions through the use of mechanisms of local democracy. A.P. Mayev (2015) considered issues of legislative support of regional policy. M. Datsyshyn and V. Keretsman (2017) addressed the issue of institutional support for regional development. I. Zablodska (2016) defined theoretical and legislative aspects of regional development. However, in the context of the transformative processes of regional governance systems, decentralization of power and the transition to the European vector of building the structure of public administration, the issues of regulatory and legislative support for regional development are becoming relevant (Churpita 2020; Tkach and Urmancheva 2009; Toleubai and Antonina 2018; Tyshchenko and Titko 2020).

The purpose of the article is to find ways to provide regulatory and legislative support for improving management decisions in the context of transformative processes of the public administration system. In order to achieve the purpose of the article, the following objectives are defined: review the structure of management decisions at the regional level; identify transformational processes in regional governance related to decentralization reform; accumulate legal documents regulating management decisions at the regional level; develop ways to improve the development management system at the regional level.

FEATURES OF THE BUILDING OF AN EFFECTIVE MANAGEMENT DECISION-MAKING SYSTEM

In the context of the reform of decentralization and the processes of transferring a number of managerial authority to the level of individual regions or local authorities, the formation of new approaches to the establishment and work of local authorities, the development of modern methods and mechanisms for the provision of public administration services, the issues of building an effective local management system come to the fore (Dikovska 2020; Makushkin 2019a; Makushkin 2019b; Smiyan *et al.* 2020; Smiyan *et al.* 2018). Ukraine is a unitary state, but through a large area, population and local features of development, first of all, the socio-economic imbalance of the development of the territories, the problem of ensuring rational mechanisms for making management decisions “on the ground” is acute. In 2014, in the context of political instability, problems of socio-economic imbalance in territorial development were used by external forces to destabilize the situation in

the country, provocation of separatist sentiments and start a military conflict in Eastern Ukraine. The transition to decentralization transformations has reduced the possibilities of realizing the risks of external impacts on certain regions, but the regional-state relationship mechanism itself has not been developed fully in the context of decentralization reform, leaving a number of unresolved problems, primarily of a regulatory nature (Aleksandrova *et al.* 2020; Dunaieva *et al.* 2019; Bayboltaeva *et al.* 2018; Melnichuk *et al.* 2020; Omarov *et al.* 2020; Spicuzza *et al.* 2018; Talaspayeva *et al.* 2017; Voytov *et al.* 1988).

Management decision algorithm includes three main action blocks (Bratuta 2015, Latsyba 2013; Maltseva 2012; Palalic and Durakovic 2018; Zhigulin 2014):

- analysis of changes and transformations, identification of their causes;
- corrective actions based on previous experience and analysis (Smiyan *et al.* 2015);
- management decision with subsequent monitoring of its implementation, possibilities of adjustment and assessment of compliance of results with planned parameters.

Thus, the first stage of a management decision is analytical and planning. In order to ensure the effective implementation of certain transformations envisaged in the management decision, the first stage is the collection of statistical information. The procedure for collecting information is carried out from local authorities to the upper hierarchy of public authorities. At the same time, with a large number of subjects of information transmission, its accuracy can be distorted. Therefore, the higher is the level of information transmission from an individual territory to a national level, the less accurate it is. Statistical analytics processes are not complex and systemic. They are carried out at the level of ministries and departments, in some cases at the regional level. Data quality of analytical processes is not always high due to inaccuracy or incomplete data available for analysis, lack of some data, outdated analysis techniques and low competence of analysts or analytical structures (Durakovic and Torlak 2017a; Durakovic and Torlak 2017b). On the ground, where information is the most accurate and comprehensive, since, apart from statistics, the causes and consequences of changes in certain parameters can be traced directly, analytical procedures are not carried out. It is the adoption of a

management decision that takes place or at the national level and goes down to the level of a local one, where there are not always potential opportunities and prerequisites for the implementation of this decision. Or the decision is made on the ground without appropriate analytical support, so to speak, intuitively, based on previous experience. Accordingly, in the future the system of control or motivation of implementation of this management decision doesn't work anymore, because there are no specific possibilities of its implementation. Such a system is usually ineffective and requires analytical support for management decision-making at the regional and territorial levels (Alieva *et al.* 2020; Amirgaliyev *et al.* 2017; Durakovic 2017; Leonardi *et al.* 2013; Mansurova *et al.* 2018; Paliienko *et al.* 2020; Parisi *et al.* 2017; Tashpulatov *et al.* 2018a; Tashpulatov *et al.* 2018b).

The building of an effective management decision-making system first of all is based on the development of a regulatory framework that defines the scope of powers and responsibilities of the relevant authorities according to their competence (Mayev 2015). Building of legal framework for management decisions can be realized in two ways (Datsyshyn and Keretsman 2017, Zablodska 2016; Baymuratov *et al.* 2018; Lapidus and Bumarskova 2017; Lapidus *et al.* 2016; Mishchenko *et al.* 2019; Tashpulatov *et al.* 2020; Zhilavskaya 2019; Zhuravel 2020; Zhusupbekov *et al.* 2020):

- development of a regulatory framework regarding the consolidation of tasks and functions of each management body, identification of organizational structure and hierarchy of subordination;
- determination of normative approaches to implementation of management functions by means of analysis of the most effective approaches.

These approaches to building regulatory framework for regional management decisions are based on administrative impact and the search for effective governance mechanisms. The second option is more rational in an open market economy. To date, regulatory and legislative support for regional management decision-making includes the following documents (Regulatory and legal support... 2016):

- Constitution of Ukraine (1996);
- Law of Ukraine No. 156 (2015) "On Fundamentals of State Regional Policy";

- Resolution of the Cabinet of Ministers of Ukraine No. 931 (2015) "On Approving the Procedure of development of the State strategy of regional development of Ukraine and the action plan on its realization and also carrying out monitoring and assessment of effectiveness of realization specified Strategy and the action plan";
- Resolution of the Cabinet of Ministers of Ukraine No. 932 (2015) "On Approving the Procedure of development of regional development strategies and the action plans on their realization and also carrying out monitoring and assessment of effectiveness of realization of the specified regional strategy and the action plans";
- Order of the Ministry of Development of Communities and Territories No. 75 (2016) "On Approving the Guidelines for formation and implementation of expected and program documents of social and economic development of the amalgamated territorial community" (Zhornokui and Slipchenko 2020; Zhukovskyy *et al.* 2019).

RECOMMENDATIONS FOR IMPROVING THE SYSTEM OF REGULATORY AND LEGISLATIVE SUPPORT

In order to develop recommendations for improving the system of regulatory and legislative support, it is useful to set requirements for it taking into account the tasks of social and economic development of the regions:

- redistribution of functional responsibilities and authority between the various branches of government in the context of decentralization (Bespalov *et al.* 2019; Fedorchenko and Fedorchenko 2020; Kuznetsova *et al.* 2020; Montaeve *et al.* 2020);
- interconnection between different levels of government of the region, coordination of actions and establishment of a system of effective communication (Gavrilova *et al.* 2020);
- prioritization of analytical approach in management decision-making at different levels of regional management (Bilynsky *et al.* 2017; Getman 2020; Yeskindirova and Alshinbayeva 2017a; Yeskindirova and Alshinbayeva 2017b);
- allocation of responsibility for the implementation of specific management decisions;

- clear definition of competences of civil servants, officials of different levels, representatives of local authorities and other stakeholders to ensure regional development (Kryvonos *et al.* 2017);
- development and setting of specific tasks with determination of responsible and performance periods at different management levels, establishment of quantifiable clear objectives and KPI (Bodnar 2020; Bondarenko *et al.* 2018; Goloshchapova *et al.* 2018);
- development of incentive and motivation systems for the implementation of regional development projects (Fedyunin *et al.* 2018; Kurbanova *et al.* 2020; Pashtetskiy *et al.* 2020).

To perform these functions, we turn to the management decision-making system. This system can be represented as two spaces – external and internal (Figure 1).

The development and implementation of management decision-making mechanisms is also provided in normative documents regulating directly the procedure for the implementation of regulatory activity, for example, the Instructions on the Organization and Procedure for the Implementation of Regulatory activity. This Instruction defines the structure and powers of the authorities to publish certain documents.

In particular, this Instruction regulates (Order of the Ministry of Internal Affairs of Ukraine 2012):

- organization of the process of drafting of laws of the Verkhovna Rada of Ukraine, the procedure for their adoption, decrees of the President of Ukraine and resolutions of the Cabinet of Ministers of Ukraine (Gorbas *et al.* 2015; Portnova 2018; Yessentayeva *et al.* 2018);
- defines the processes for the development of departmental regulations (Khrapkina 2015).

It is useful to highlight separately the processes of ratification of international legal documents to which Ukraine is a party and which are recommendatory until they are approved as national legal documents. We will define a procedure for the creation, approval and implementation of legal documents, which can be represented by the following processes:

- problem statement of the socio-economic, political, public nature of the national, regional and local levels (Gusarov 2020; Provalova *et al.* 2019; Pylypenko and Murtazina 2013);
- identification of solutions to the problem (Iskovych-Lototsky *et al.* 2019);
- analysis of the current regulatory framework (Karmaza *et al.* 2018);

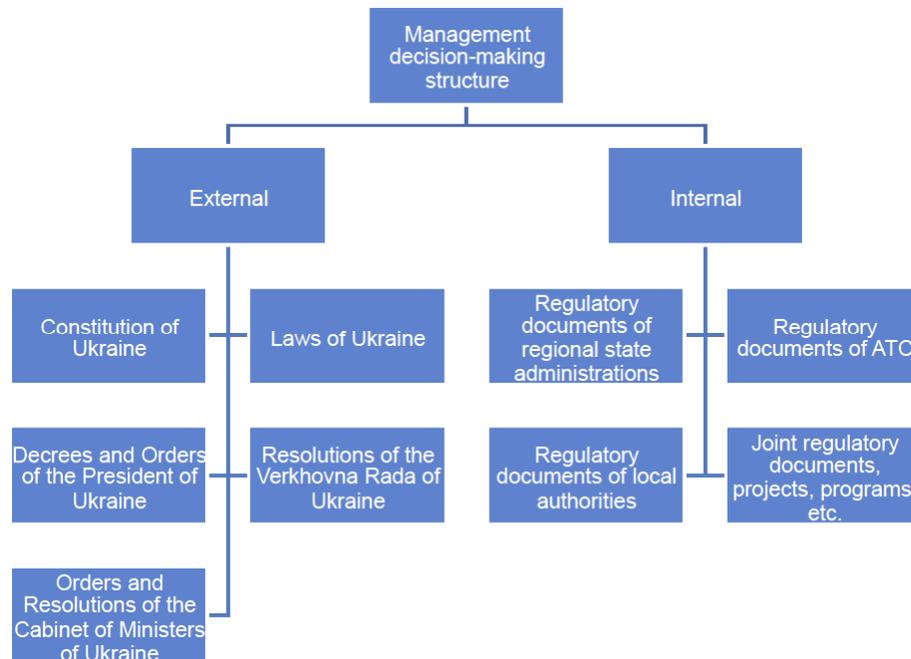


Figure 1: Regional management decision-making structure.

- identification of problematic aspects of the regulatory framework (Kaimbayeva *et al.* 2020);
- development of recommendations for the improvement of the regulatory framework, its unification with other legal documents, adaptation to international requirements, etc.;
- development of management decisions based on the regulatory and legislative support, taking into account additional options after adjustment (Khastayeva *et al.* 2019).

Such a procedure, with legal documents governing management decision-making processes at the regional level, should address the following issues:

- identification of mechanisms for cooperation between authorities at different levels;
- defining the relationships between the local executive and local authorities;
- allocation of financial authority and responsibility for the use of budget funds at various levels;
- creation of conditions for public involvement and motivation to create regional development projects.

CONCLUSION

Thus, the study showed that management decision-making processes for regional development have many outstanding issues. An analysis of the regulatory framework has determined that in the context of transformational processes and decentralization reform, an important element of the regulatory and legislative support is the alignment of all regulatory documents with decentralization processes. An important element of management decisions is the allocation of authority and responsibilities to ensuring their planning and monitoring of their implementation. Analytical support processes for management decisions are poorly developed at the regional level. Thus, it is determined that a promising direction of further research is the formation of proposals for unification of domestic legislation in terms of regions to the European vector of development and ensuring decentralization processes.

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