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A SOCIAL SCIENCES

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AC	ARCHAEOLOGY, ANTHROPOLOGY, ETHNOLOGY
AD	POLITICAL SCIENCES
AE	MANAGEMENT, ADMINISTRATION AND CLERICAL WORK
AF	DOCUMENTATION, LIBRARIANSHIP, WORK WITH INFORMATION
AG	LEGAL SCIENCES
AH	ECONOMICS
AI	LINGUISTICS
AJ	LITERATURE, MASS MEDIA, AUDIO-VISUAL ACTIVITIES
AK	SPORT AND LEISURE TIME ACTIVITIES
AL	ART, ARCHITECTURE, CULTURAL HERITAGE
AM	PEDAGOGY AND EDUCATION
AN	PSYCHOLOGY
AO	SOCIOLOGY, DEMOGRAPHY
AP	MUNICIPAL, REGIONAL AND TRANSPORTATION PLANNING
AQ	SAFETY AND HEALTH PROTECTION, SAFETY IN OPERATING MACHINERY

MECHANISMS OF INTERACTION BETWEEN THE STATE AND TERRITORIAL COMMUNITIES IN THE MANAGEMENT OF ASSETS

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Abstract: The article shows that Ukraine today faces many issues and problems that it must solve in order to revive the potential of the maritime complex. Despite the fact that today there is no uniform understanding of the forms and models of public-private partnership, it seems possible to use the already developed models and practices of such a partnership for successful interaction between the state and territorial communities in the management of assets. The corresponding case for demonstrating such a possibility is presented on the example of the sea economic complex of Ukraine, which is currently in a state of very tangible entropy and setback. It is proposed to use the public-private partnership contractual model in order to ensure a balance of interests of all stakeholders.

Keywords: Assets, Infrastructure, Public-private partnership, Sea economic complex, Territorial communities.

1 Introduction

After the collapse of the USSR, the sea economy complex of Ukraine inherited 27% of the all-Union sea merchant fleet in terms of tonnage, 25% of the main production capacities for shipbuilding. More than 700 vessels of the marine fleet for various purposes, numerous vessels and floating fish processing complexes of the oceanic fish fleet, research and design institutes, higher and secondary educational institutions belonging to the USSR Ministry of Marine Fleet, as well as the property of branch enterprises of the All-Union sea economic complex have passed under the jurisdiction of our country. In terms of the volume and functional scope of the economic cycles of the sea economic complex of Ukraine (sea transport, sea and oceanic fishing, shipbuilding and ship repair, port-based industrial processing of cargo in ports, foreign economic activity), the country became one of the largest maritime power in the world, entering the top ten countries of the maritime industry.

The inherited enormous potential of the maritime economic complex obliged the maritime sector to become a source of economic growth in the country, a powerful stimulus for the development of other types of economic activity. For this, it was necessary to pursue an effective maritime state policy.

However, the inability of the country's leadership in the first years of independence to assess all the possibilities and advantages of the "inheritance" received, lack of professionalism and absence of understanding of the role of the state in managing this complex intersectoral formation, in which various types and forms of economic activity are combined and interact, predetermined the fate of the most powerful marine economic complex [2]. This was 'complemented' by objective and subjective problems in the development and operation of its assets, which led to the adoption of economically incorrect, unrealizable decisions (both at the state level and at the level of enterprises) to create a regulatory and legal framework for the functioning of the country's maritime economic complex.

As a result, to date, the sea merchant and passenger fleet has been almost completely lost, the shipbuilding and ship-repair bases have been brought to a complete decline, and there are only miserable remnants of the fishing fleet. In fact, only seaports continue to function in a more or less acceptable economic and operational state [3, 11].

The management of such huge capital-intensive assets of the maritime industry in the new economic conditions of the transition period required from the authorities a qualitatively new approach to creating conditions for their effective functioning for the benefit of the country [5-7]. However, these problems and questions practically fell out of sight of the power structures. Meanwhile, the world has accumulated significant successful experience of effective interaction between the state and territorial communities in asset management, including the maritime complex.

One of the conditions for the socio-economic development of the country and its regions is the formation and development of civil society institutions, effective interaction of government bodies, non-profit organizations [10]. However, the most important function of civil society institutions involvement (in various forms) of government in municipalities, cities, regions, control over the activities of executive authorities, assistance to self-organization of citizens is still underdeveloped [4, 9, 12]. The system of interconnection between state and municipal authorities and civil society institutions, including territorial communities, is not the end point of the consolidation process, but dynamically developing socio-economic and socio-political mechanisms and technologies that require detailed study at the present stage.

Meanwhile, projects using the public-private partnership (PPP) mechanism in Ukraine are often prepared in a hurry, in the absence of sufficient funding and expert assistance. This is a serious mistake. PPP projects should be strategic priority projects that are part of sectoral strategy and economic policy. Taking into account the fact that the maritime complex is of strategic importance in the context of general national security, the mechanisms of interaction between the state and territorial communities in the management of its assets are one of the most urgent topics today.

2 Literature Review

In modern socio-economic policy, problems, the solution of which is at the junction of various functions and subjects of their implementation, are becoming increasingly important. This, in turn, entails changes in the organization of relations between the state apparatus and the business community [16, 19, 20]. So, in the UK, in connection with the rapid development of partnerships, a new special area of economic activity has emerged, called "state civil contracts and concessions" [13]. Within the framework of this activity, government officials acted as a kind of businessmen buyers of private sector services and developers of rules and norms of behavior adequate to the conditions of market development of their institutions and activities [1]. To work out conceptual issues of partnerships, the government and departments began to create consulting companies, as well as controlling organizations. At the state level, it was essentially recognized that there are areas where the private sector works best, and the state, for its part, has a need to conclude appropriate contracts with it [13].

In the countries of the European Union, certain aspects of PPP are in charge of the ministries of economy, finance, individual infrastructure ministries, regional development ministries, defense, internal affairs, education and health. In the US, these issues are in charge of the ministries of economy, finance, defense, in Canada the ministry of finance, in Australia – the ministry of provinces [48, 53].

A special problem for the successful development of PPPs is the effective allocation of rights, duties, and areas of responsibility between private partners and the state. Experience shows that tasks of partnerships are most effectively resolved when the state is responsible for issues of general planning and administrative procedures, as well as determining actions in force majeure circumstances [20-23]. In turn, the scope of authority and

responsibility of the private sector includes issues of detailed planning, construction of facilities, financing and operational management of their activities.

A certain PPP practice has already developed in Ukraine. Projects are implemented mainly at the regional level. First, this is due to the redistribution of financial flows in favor of these deeper links of the social structure [25-28, 52]. Secondly, such a decentralization of the scope of partnership relations helps to expand the circle of individuals and organizations directly interested in the development and implementation of relevant programs [29-31]. On the whole, the influence of civil society on the organization of public law relations by the state and the effective realization of public interests is increasing [32-37]. This opens up opportunities for significant savings in budgetary funds by reducing the direct participation of the state in the production of public services by transferring it into the hands of a private partner.

Public-private partnership is undoubtedly the most important topic, which is currently being discussed a lot at different levels [38]. However, there is currently no single definition that reveals the essence of this concept, and a single understanding of the essence of this phenomenon neither in the national nor in the regional legislative framework, and theoretical literature in Ukraine. However, there is no common understanding of public-private partnership in the world economic and legal literature.

In fact, public-private partnership is implemented in relations and projects that are quite specific in their quality and structure, which imply a qualitatively completely different model of interaction between the state, society, and business, because they are determined by a specific system of legal, financial, economic, and other relations, formal and informal norms, rules of conduct, customs, traditions and other institutions, as well as associated institutional constraints [39-42].

Within the framework of the modernist approach to the construction of theories of public administration, there are, perhaps, two main points of view in the Western scientific literature [22, 43]. The first of them reflects the idea of the state as an instrument for the implementation of the interests of the ruling class, when the state is an agent of a group or class [8, 44]. The second - proclaims the neutrality of the state and its service for the benefit of the whole society [14, 45]. At the same time, regarding the partnership between the state and business, some argue that public-private partnerships are structures that are created under the auspices and with the participation of the state in the interests of the dominant class, while others believe that public-private partnership is a mechanism that allows taking into account and balance the interests of a broad range of social groups and the market entities realizing their economic interests [17, 19, 47]. The second approach seems to be more appropriate for the welfare state and the new economy.

At the same time, other researchers believe that PPP is a mechanism that contributes to the harmonious development of the economy, the coordination of the interests of the public and private sectors of the economy and households, and, thereby, guarantees the protection of the interests of various sectors of society [49-51]. Such researchers argue that for local authorities, PPP can be an effective means of implementing a progressive policy for the development of the territory [54]. Since public-private partnerships are based on real projects and are implemented by state (municipal) authorities in conjunction with private companies for the benefit of society; the view on PPP as a development tool in the interests of various groups of society as a whole adjoins this assessment.

In addition, it should be noted that, for example, infrastructure projects have a significant positive social impact. According to the studies, the growth of investments in infrastructure has the greatest impact on the well-being of the poor, whose income level increases faster with the improvement of infrastructure provision than the general income of the population grows [46, 57-59]. In turn, the role of involving the resource of the maritime complex in this process is important the development and

effective use of its functional components can boost the development of coastal areas (which in many respects belong to depressed regions), creating positive synergies across the country by increasing standard of living in coastal regions, intensification of tourism, stimulation of entrepreneurship [60, 61]. Meanwhile, the mechanisms of PPP implementation in the management of assets of the marine complex imply active participation of territorial communities in assets management.

3 Materials and Methods

To determine possible and potentially effective mechanisms of interaction between the state and territorial communities in the management of assets, in particular, in the maritime complex, their different variants should be considered. According to Wojewnik-Filipkowska and Wegrzyn [55], given the variety of forms of PPP and based on the goals of partnership interaction, as well as socio-economic problems being solved, the following PPP models are distinguished:

1. Organizational model concession agreements between the copyright holder and the user.
2. Financing model includes commercial rent, lease, leasing, pre-financing and pooled project financing.
3. The model of cooperation assumes various forms and methods of integrating the efforts of partners in partnerships who are responsible for the individual stages of reproduction and the creation of new use value.

Vries and Yehoue [53], examining the economic nature of PPP, divide models of interaction between the public and private sectors into institutional and contractual. The implementation of the institutional PPP model is carried out on the basis of joint participation in the capital of a private company or other equity participation through the creation of joint ventures in various organizational and legal forms. The contractual PPP model is implemented on the basis of contractual relations (contracts for management, construction, operation of facilities, lease, concession, etc.). In our opinion, the contract model seems to be more optimal, since it allows taking into account the balance of interests of the maximum number of stakeholders.

Practice shows that when implementing PPP projects, as a rule, budgetary costs per unit of an object will be higher compared to the classical approach within the framework of contractual relations between the public and private sectors [15, 56]. At the same time, this is offset by the following advantages of PPP:

1. Expansion of resource opportunities through the involvement of private capital in the reproduction of public goods. It should be noted that due to the lack of budgetary funds, it is not always possible to implement key projects aimed at socio-economic development. In these conditions, PPP is the mechanism that ensures the attraction of additional financial sources in solving urgent infrastructure problems. At the same time, the return of financial investments is not made in the full amount of their value at one time, but in parts over a certain period of time.
2. Guarantee of direct and final results due to the interest of the private partner in optimizing the costs and timing of completion of construction works with an emphasis on quality. This is due to the fact that in most PPP projects with a high level of commercial efficiency, a private company can provide paid services, and this serves not only as an additional source of ensuring the return on investment, but also is a motivating factor for the high-quality construction of an infrastructure facility.
3. For the private sector, this model, which has a wide range of relationships, opens up access to new investment opportunities in various sectors of the economy.
4. For the public sector, the partnership allows increasing the share of innovative development, since business by its economic nature, based on market principles, seeks to innovate and use progressive technical and technological processes in order to strengthen competitiveness.

5. For the local community, this means improved living standards, a more sustainable socio-economic environment, and a number of other important benefits.

4 Results and Discussion

Speaking about the prospects of partnership between the state and territorial communities in managing the assets of the maritime complex, it should be noted, in particular, that the improvement of public administration through the creation of the Maritime Administration of Ukraine has not acquired specificity, and, as a result, there is an expedient body with uncertain management work processes and the absence of criteria efficiency of functioning, which led to a deterioration in the state of affairs, first of all, with an increase in the level of accidents, and much more. Moreover, with the formation of the Maritime Administration of Ukraine, the process of excluding qualified experts and profile specialists from the level of managerial decision-making began (the international experience of HR management was not taken into account).

Meanwhile, public policy as a demonstration of competence should stimulate long-term demand for innovation initiatives in the Ukrainian maritime and river transport industry. The implementation of the thesis "tradition + innovation" remains relevant, which can be carried out on the basis of integration and borrowing of the world's best PPP practices, with the necessary adaptation to local conditions. In particular, the need for such adaptation is associated with the complexity, which lies in the fact that in Ukraine the conditions for the formation of an equal dialogue between the authorities, society, and business differ from European and American ones. While in the West the principles of civil society, such as the independence of the individual, awareness of citizens about the activities of the state and society, the freedom to form public opinion, the fairness of laws and the rigor of their implementation were formed by society through NGO organizations and lobbied in government bodies, in Ukrainian conditions, the population has these principles not fully formed – the interests of the common people were either suppressed, or citizens themselves were not aware of them [24]. Consequently, the organization of equal dialogue between government, business, and society is very relevant today. It is necessary to realize the interests of each of the parties, analyze the possibilities of their effective interaction to solve the socio-economic problems of local communities on the basis of effective asset management and appropriate funding.

In addition, it should be remembered that the practical complexity of PPP is primarily due to the fact that it covers the following key stakeholders: the state, business and the population. It should be noted that the interests of these stakeholders may differ significantly [54]. Therefore, ensuring a competent combination of the basic conditions for the participation of the state and business in PPP projects, as well as the long-term nature of interaction, predetermines that the complexity of harmonizing the interests of these economic market entities is much higher compared to the traditional forms of their cooperation.

Of course, it should be remembered that the concept of public-private partnership, implemented in a particular country, is determined by the nature of the state, the specifics of institutions and institutional constraints that exist in society, which is due to the entire previous history of the formation and development of a given state and society. Therefore, first of all, institutional and cultural-historical differences determine the difference in views of different researchers on the concept and essence of public-private partnership, and this, first of all, should not be overlooked when trying to borrow any foreign experience to solve own problems.

Ukraine is a social state based on the rule of law. Consequently, the main law of the country not only sets the task, but also guarantees the formation of a social market economy in Ukraine. Therefore, when considering issues related to the development of public-private partnerships in Ukraine and its regions, such

issues of state management of the economy should be highlighted, the solution of which ensures the achievement of socio-economic efficiency in the use of all available resources of society. To do this, it is necessary to ensure the construction of an effective distributed management system for the use of all available resources in the country, the functioning and efficiency of which is based on the partnership of the state, local government, and business. Based on the foregoing, public-private partnership is, first of all, a certain quality of the system of relations between the state, the private sector, and society, which ensures the necessary socio-economic efficiency of using the resources and production potential involved in such a partnership.

The socio-economic development of a specific territory of local self-government and the socio-economic growth of the local economy, as evidenced by world and domestic practice, can be carried out by using specific combinations of one or more of the seven "pure" models of local economy development worked out by practice, namely: socio-economic development as a solution to a socio-economic problem; socio-economic development as management of entrepreneurial activity; socio-economic development as the creation of a "growth machine"; socio-economic development as the preservation of the natural and social environment; socio-economic development as the release of human potential; socio-economic development as a result of leadership; socio-economic development as a search for social justice.

Thus, local self-government assumes not only the implementation of one or another model of indicative management of the socio-economic development of the corresponding territory on the basis of the implementation of the principles of public-private partnership, but also the basis of local self-government: the local economy is essentially nothing more than a real-time partnership within a specific limited area, the parties and participants of which are local public authorities, business entities of the state, municipal and private sectors and households.

In principle, it is theoretically and practically incorrect to reduce the concept of public-private partnership only to a certain type of civil law or public law agreements provided for by the relevant special law or code within the framework of the national legal system. In the case of a public-private partnership, there can and often is a contract or a system of contracts. Moreover, such a contract or system of contracts contains signs of various forms of contracts established by law and, as an impetus, gives rise to the emergence of special relations that go beyond any one of the branches of law. This approach seems to be the most appropriate in asset management, especially in conditions of entropy or chaos.

First of all, public-private partnership represents organizational and economic relations arising as a result of an agreement or a system of agreements, the peculiarity of which is that the state (local government bodies) acts here in two forms at once – firstly, as a contracting party of organizational and managerial and property and economic relations, and, secondly, as a guarantor of compliance with all clauses of such an agreement (system of agreements), including the provision of guarantees that the commercial terms of the agreement or the system of agreements will not deteriorate.

Ukraine's port industry is in a difficult position and is increasingly losing its competitive position in the market of port services in the Black Sea-Azov Basin, which, first of all, affects the reduction of cargo flow through Ukrainian ports. The loss at the beginning of 2014 of 5 Crimean ports at once, and with them up to 10% of the total volume of transshipment of Ukrainian ports negatively affected the transit potential of Ukraine [18]. Today, Ukraine faces many issues and problems that it must solve in order to revive the potential of the maritime complex. In such conditions, the use of public-private partnership as a mechanism for reconciling the interests of the state, local communities and business, based on the contract model, has a high potential. In addition, Ukraine's experience in this area can

be a starting point for other developing countries (for example, in Central or South Asia, as well as Africa), not only for the maritime sector, but also for other sectors of the economy.

The methodical approach to the development of the program of sustainable development of the territorial community on the basis of its assets should include such stages as determination of natural resource provision of the territory (natural resources, their condition and mode of use); analysis of its infrastructure (buildings, roads), as well as assessment of the activities of industrial enterprises operating in the community. The analysis of the types of economic activity carried out within its limits should be carried out; a list of public organizations, professional associations, charitable foundations, state advisory services, international technical assistance organizations should be formed in order to establish areas of community cooperation with them; inventory and determination of individual skills, abilities, experience and connections of its members; development of a map of assets, which will include their list, location, volume and relationships with other assets; outlining the priority areas of community development, taking into account the available assets; preparation of the program of development of the territorial community.

5 Conclusion

The specificity of public-private partnership is that it, acting as a starting point, prerequisite, and target for effective public management of the economy, has an institutional nature and is organizational, economic and property strategic and operational cooperation between public authorities and the private sector, constituting and ensuring socio-economic growth, balance and proportional development of the country (region, territory). It is a qualitatively special system of cooperation between public authorities and the private sector with the appropriate forms and mechanisms of specific organizational, economic and property relations, carried out in the public interest on terms that are economically and socially beneficial for all participants in such relations.

For the maritime complex of developing countries (in particular, Ukraine), such a paradigm has the greatest potential to reconcile and balance the interests of all stakeholders from public authorities to each individual representative of the territorial community, based on effective interaction between state and territorial communities in asset management.

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