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# **Public-Private Partnerships for the Revival and Enhancement of Italy's Cultural Heritage**

Preserving the Past, Building the Future

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## **Abstract**

Italy is the country with the highest number of UNESCO sites in the whole world; its cultural heritage is enormously precious in all respects, but it is not adequately enhanced. There is a fertile ground to investigate and work on. This research focuses on the abandoned immovable cultural heritage and how its adaptive reuse represents a powerful resource for the territorial development, community engagement and urban regeneration. In this perspective, the concepts of protection and valorization must be considered as intertwined, no more as parallel lines, emphasizing the dynamicity of cultural heritage. In order to reach this aim, the instrument presented in this research is the public-private partnership.

Hence, the purpose of the research is to analyze public-private partnership as a useful tool, with its pros and cons, to support the multiple dimensions of value generated by valorization initiatives in the field of abandoned or underutilized cultural heritage. An attempt is made to propose a systemic nature to these interventions, thus limiting their episodic nature, highlighting all the interests of the parties involved and finding ways to draw synergy from them from an economic, social and cultural point of view.

By addressing the organizational and management models best suited to make these regeneration experiences self-sustainable and lasting, the final aim of this research is to raise awareness on the potential that characterizes Italy's abandoned cultural heritage.



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## **Introduction**

*“Amare non è possedere, ma prendersi cura”*

The primary objective of this research is to explore the effectiveness of public-private partnerships (PPPs) as an instrumental mechanism for the revitalization of Italy's forgotten cultural heritage, which includes abandoned public immovable assets such as historic buildings, former monasteries and castles. Drawing on a diverse array of academic resources, including manuals, recent reports, statistical data, and legal codes, the study also leverages insights gathered from the attendance at specialized conferences, especially the LuBec 2023 national conference.

Structured around four main thematic areas, the research aims to investigate how collaborative efforts between public and private entities can contribute effectively to the recovery and adaptive reuse of abandoned or underutilized public immovable cultural property. It first outlines the contextual framework, with a focus on the Italian territory (Chapter 1), followed by an examination of the public-private partnership, its diverse forms, characteristics, and evaluation methods (Chapter 2). The study then explores various funding approaches for cultural heritage within the context of this cooperation, aiming to maximize support for the identified sites (Chapter 3). Subsequently, in Chapter 4 case studies are presented to illustrate the application of theoretical premises discussed. The choice of the Italian territory as a field of research is justified by its rich cultural and economic heritage, as evidenced by many indicators such as Italy's first place in the UNESCO World Heritage List. Despite the cultural richness, limited public resources have resulted in the abandonment of numerous historic buildings of significant artistic, spiritual and cultural value. The adaptive reuse of cultural heritage emerges as a pivotal strategy to extend the life cycle of these assets, simultaneously fostering innovative local development dynamics.

Acknowledging the complexity of the reference system, PPPs emerge as a valuable resource for the valorization of public cultural heritage, going beyond the heritage itself

to potentially boost the economy of the whole area. The research examines the socio-economic potential of Italian cultural heritage, emphasizing the interrelated concepts of conservation and valorization as dynamic and complementary facets. Sustainable strategies that prioritize conservation while supporting socio-economic and local development, leading to a circular economy, are crucial to ensure the collective interest in the valorization of cultural heritage.

In this respect, it is fundamental to take into account the importance of social identification and dialogue with the various stakeholders in the participatory process of cultural valorization, in line with the constitutional principle of horizontal subsidiarity in the realization of objectives of a collective nature.

The study further explores the role of PPPs in leveraging the unique assets and skills of both the public and private sectors to protect and enhance heritage resources. The evolving legal framework's which places greater emphasis on heritage enhancement has expanded opportunities for public-private collaboration in heritage management, moving away from a centralized governance model. The heterogeneous and complex nature of the private sector is recognized, especially the development of non-profit and third sector entities.

Evaluation methodologies for PPPs in the reuse of disused cultural heritage are presented, including multi-criteria decision aid, stakeholder analysis, discounted cash flow analysis, the analytic hierarchy process, and the experimental SOSTEC model. The study questions the applicability of a project-based approach in such complex and uncertain contexts and advocates project flexibility and openness to change, given that heritage revitalization projects have medium to long-term development goals. In fact, revitalization should be conceived in an open and dynamic way, considering not only various material interventions on the asset itself, but also the cultural activities that may take place within it.

While there are signs of greater flexibility in PPPs for the rehabilitation of abandoned cultural assets, the study acknowledges the challenges involved through an integrated SWOT analysis.

The research also highlights the need for substantial and sustained financial investment in the protection, conservation, enhancement and management of Italy's extensive cultural

heritage. Legislative frameworks and forms of public-private funding such as the Art Bonus, cultural sponsorship, crowdfunding, strategic fundraising, support from banking foundations, the National Economic Recovery Plan, and European Union initiatives are examined.

Crucially, the active involvement of the private sector goes beyond financial contributions to include the sharing of skills, resources and know-how for an integrated and sustainable approach to heritage enhancement. The PPP is particularly relevant in achieving a balance between different objectives - social utility, cultural enhancement and financial profit - to ensure that adaptive reuse projects are aligned with the collective interest in preserving Italy's unique cultural heritage and giving life to the past.



# 1 Enhancement of Unused Immovable Cultural Heritage

## 1.1 Why Italy?

In order to carry out a research on the paradigm of public-private partnership in the cultural field, specifically aimed at the restoration and enhancement of abandoned immovable cultural heritage, it is essential to examine the volume of the issue through an analysis of the context in which this tool is implemented. It is necessary to emphasize that the terms "valorization" and "enhancement" will be used as synonyms in the whole research.

The choice of restricting the research field to Italy is not casual. Two are the main common places that can be easily encountered: "Italian cultural heritage is the richest in the world" and that this heritage "is not adequately enhanced".

### *1.1.1 Cultural and Economic Value of Italian Cultural Heritage*

The most widely used and accessible tool to support the first thesis regarding the richness of Italian cultural heritage is the UNESCO World Heritage List, in which Italy accounts for 59 heritage sites. After 20<sup>th</sup> September 2023, Italy counts 6 natural heritage sites and 53 cultural heritage sites, 8 of which are identified as cultural landscapes<sup>1</sup>. According to these data, this country holds the most heritage sites in the whole world. We can therefore easily agree on the first assumption. The cultural, natural and landscape richness of this territory is inestimable. A heritage consisting of immense natural areas, treasured archaeological sites, monuments and historic buildings. Currently, the World Heritage Committee is considering nominations for 31 other Italian sites.

The main missions of UNESCO deals with identifying, protecting, preserving and transferring to future generations the world cultural and natural heritage. The former type of heritage includes monuments (monumental architectural, plastic or pictorial works, elements or structures of archaeological character, inscriptions, caves and groups of elements of outstanding universal value from the historical, artistic or scientific aspect),

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<sup>1</sup> UNESCO, "World Heritage Sites – Italy", Website link: <https://www.unesco.org/en/world-heritage/list?f%5B0%5D=countries%3A96599f4e-00d3-5f3d-becc-6f6c1c185490>

agglomerations (groups of isolated or united buildings that, because of their architecture, unity or integration in the landscape have outstanding universal value from the historical, artistic or scientific aspect) and sites (works of man or conjugated works of man and nature, as well as areas, including archaeological sites, of outstanding universal value from the historical and aesthetic, ethnological or anthropological point of view)<sup>2</sup>.

As far as the natural heritage is concerned, we find non-artificial monuments, geological formations or natural areas of high universal aesthetic, conservation or scientific value. Moreover, since 1992, UNESCO also recognizes landscapes that represent "joint creations of man and nature." These works should highlight the development of a society and its settlement over time, influenced by the challenges and opportunities presented by the natural environment.

Hence, in order for these various types of heritage to be appointed in the World Heritage List, they have to be produced by man or by man and nature, and must have outstanding universal value from a historical, artistic, aesthetic, scientific or anthropological point of view. Moreover, another type of heritage that has been protected for twenty years is the oral and immaterial one, with the aim of preserving traditional culture and folklore from around the world; 15 of these are typical Italian traditions.

Italian sites cited by UNESCO are just one indicator, but there are many others that can demonstrate in favor of Italy being one of the richest countries in terms of culture.

Another aspect to take into consideration is that, unlike other countries, Italy's museum offerings<sup>3</sup> consist of a substantial number of small facilities spread throughout the country. In fact, one of the peculiarities of this country is the diffuse presence of places of cultural interest; according to ISTAT (2022), 32.2 % of museum and similar institutions are located in small municipalities with less than 5 thousand inhabitants, 33 % in municipalities of medium demographic size. This highlights how Italy is distinguished by a wide polycentric museum offering evenly distributed throughout the territory, even in

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<sup>2</sup> Commissione Nazionale Italiana per l'Unesco, "Patrimonio mondiale", Website link: <https://www.unesco.it/italianellunesco/detail/188>

<sup>3</sup> The heritage that makes up museum offerings is a broad and heterogeneous set of museums, galleries, collections, archaeological areas and parks, monuments and monumental complexes, spread throughout the country (ISTAT, 2016).

areas that might be considered peripheral in a geographical, socio-economical or infrastructural point of view.

In this regard, Banca d'Italia (2019) attests that the national supply of museum, monumental and archaeological sites in Italy is characterized not only by the quantity of institutions, but also by their significant geographical dispersion. According to the results of their survey, in 2017 the number of operational museum sites in Italy amounted to 1.6 per 100 square kilometers. This figure is lower than that recorded in Germany (1.9), but significantly higher than that of the United Kingdom (0.7), Spain (0.3) and France (0.2). Moreover, based on ISTAT (2022) investigation, in 2020 more than one in four Italian municipalities (26.7 %) hosts at least one museum or similar institution.

Considering what this research is going to analyze specifically, it is useful to mention in this context an additional aspect that emerged from ISTAT (2016): the value and cultural interest of museums is not only represented by the preserved goods and collections. About 71.6 % of Italian museums are, in fact, located in a building of significant value and historical or artistic interest. For 27.2 % of respondents, building and collections contribute equally to attracting visitors, and for 19.2 % it is the structure itself that houses the assets that is the main reason for attracting the public<sup>4</sup>.

A further indicator that can represent Italian cultural wealth is found in Brand Finance's *Global Soft Power Index 2022*, where 120 nations, including Italy, are analyzed. As far as Italy is concerned, its lowest rankings are found in the categories "Education and Science" (23rd) and "Governance" (22nd), but its highest rankings are precisely "Culture & Heritage" (2nd) and "People and Values" (4th). In addition, according to the *Best Countries Report 2022* (U.S. News, BAV Group and University of Pennsylvania), Italy would hold 1st place for both cultural influence and prestige and 2nd place for tourist attractiveness (Pigoli and Mancini, 2023). Without underestimating all difficulties that emerge from these studies, it is evident how the Italian cultural sphere represents fertile ground to work on and invest in.

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<sup>4</sup> ISTAT (2016), "I Musei, le Aree Archeologiche e i Monumenti in Italia. Anno 2015"

Having, therefore, affirmed the international primacy for the number of sites declared by UNESCO as *World Heritage Sites*, the particularity of a heritage diffused over the territory, the high cultural density, and the strength of the Italy brand in cultural terms, we can affirm that we are facing an inestimable cultural value. This value has also an economic side.

According to the European Commission, apart from enriching the individual lives of citizens, cultural heritage is also “an important resource for economic growth, employment and social cohesion, offering the potential to revitalize urban and rural areas and promote sustainable tourism”<sup>5</sup>.

Fondazione Symbola (2023) show how culture is one of the engines of Italian economy. Culture represents a field in which private, public and third sector entities operate, and which generated an added value of 95.5 billion euros in 2022, with an increase of +6.8% compared to the previous year and of +4.4% compared to 2019 (pre-pandemic).

By having proved that culture is an activator of the Italian economy, it has been recorded that for every euro of added value produced by cultural and creative activities, another 1.8 euros are activated in different economic sectors (tourism, transport, made in Italy). The cultural and creative production system is increasingly configuring itself as a cluster of activities capable of substantially activating the rest of the economy.

Overall, cultural heritage and creativity, directly and indirectly, generate added value of approximately 271.9 billion euro (15.9% national economy).

“If Italy produces value and work by focusing on culture and beauty, it fosters an economy that is more on a human scale and, also for this reason, more competitive and more capable of the future [...]” as Fondazione Symbola’s president Ermete Realacci stated<sup>6</sup>.

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<sup>5</sup> European Commission, “Cultural Heritage”, Culture and Creativity, URL: <https://culture.ec.europa.eu/policies/selected-themes/cultural-heritage>

<sup>6</sup> Fondazione Symbola, Unioncamere (2023) “Io Sono Cultura 2023, il Rapporto Annuale di Fondazione Symbola e Unioncamere”, Press Release, pp. 2



### *1.1.2 Inadequacy of Italian Cultural Heritage Enhancement*

Having listed some aspects supporting the valuable cultural and economic value of Italy's cultural heritage, we can therefore proceed by addressing the second commonplace mentioned above: despite all this wealth, cultural heritage 'is not adequately enhanced'. An aspect that fuels this paradox concerns workers in the cultural sector. Italy continues to show one of the lowest shares of workers engaged in this field in the European Union. According to data published by Eurostat<sup>7</sup> (the statistical office of the European Union) for 2022, the share of workers in the cultural sector in Italy amounts to only 3.5% of the total employed. Despite an increase in the number of employees of 5.7 % compared to the previous year, this figure puts Italy at a disadvantage compared to other European countries. The report includes in 'cultural jobs' all persons working in an economic sector defined as 'cultural'. It should not be underestimated that in this context many realities survive thanks to the work of volunteers, which can be a great resource, but not the alternative. Nevertheless, the contribution of volunteers, interns and trainees is important in this setting; according to the ISTAT (2022), in 2020 these figures amount to more than 14,000. Taking the case of museums and similar institutions in terms of activities and services, 12 % are staffed entirely by personnel working on a voluntary and unpaid basis. Moreover, taking into consideration the quality of the cultural personnel, according to ISTAT (2016), 60.3% is able to provide the tourist public with information in English. For French, the percentage drops to 31.2%, for German to 13.5% and for Spanish to 10.4%. Exceptional are the cases in which staff or information material is expressed in Arabic, Japanese or Chinese (less than 1%).

Another negative aspect to be considered is the inaccessibility of cultural heritage; there are several ways in which access to archaeological sites, museums and cultural venues is not provided.

According to ISTAT (2019), Italian heritage still has physical and sensory barriers that prevent people with disabilities from fully accessing available resources. For example,

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<sup>7</sup> Eurostat (2023), "Cultural Employment, 2022", Culture statistics – Cultural employment, URL: [https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Culture\\_statistics\\_-\\_cultural\\_employment](https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Culture_statistics_-_cultural_employment)

museum and similar facilities adequately equipped to ensure accessibility and usability of spaces to users with disabilities cover only half of the facilities on the territory (53%). Moreover, only 12.6 % of the surveyed facilities are equipped with devices dedicated to people with sensory disabilities (visually impaired and blind), such as tactile paths or braille panels.

In addition to physical accessibility, we can also speak of limited economic accessibility, since, for example, for young people concessions are not very frequent, according to ISTAT (2016): free admission is provided by only 5.9 % of institutions and reduced price is provided by 26 %.

An additional weakness of the Italian cultural system is outdated infrastructures, leading to closures due to dereliction and because they are not up to safety standards.

Looking again at ISTAT (2016), what emerges is that only 17 % of museums and similar institutions reported making seismic upgrades, while 34.8 % indicated that they did not have a safety and emergency plan.

One such example is the Villa Romana in Minori, a town on the Amalfi Coast that has been declared a UNESCO World Heritage Site. According to an interview dating back to 2016<sup>8</sup>, what is evident is the dramatic neglect of a first-century AD archaeological jewel. The eight rooms of the domus are not up to safety standards, mold on the floor can cause those who visit to fall, and the workers on site are five or six keepers. This is an insufficient number of employees to manage the domus, which is slowly deteriorating due to moisture and that would need urgent restoration. Although it represents an extraordinary heritage of ancient Rome, the villa is poorly valued due to the administrations, characterized first and foremost by scarce public funding, poor management and entrepreneurial spirit, thus not providing for maintenance and retrofitting works. Moreover, by leaving the facility without sufficient staff to operate it, works to protect and enhance the heritage in question, as well as to raise awareness, are lacking. To date, what can be visited is free access, there

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<sup>8</sup> Custodero A. (2016), "Costiera amalfitana, Minori: villa romana tra muffa e incuria", La Repubblica, URL: [https://www.repubblica.it/cultura/2016/08/22/news/costiera\\_amalfitana\\_minori\\_villa\\_antica\\_romana\\_degrado-146244836/](https://www.repubblica.it/cultura/2016/08/22/news/costiera_amalfitana_minori_villa_antica_romana_degrado-146244836/)

is no website with clear information, and the aspect most emphasized by visitors is precisely the neglect and lack of enhancement of the place.

Unfortunately, this is not an isolated case, and it clearly represents what happens to part of the abandoned or underutilized immovable Italian cultural heritage.

So far, the first two reasons why the following research focuses on Italy have been presented and analyzed. Data have been listed (number of UNESCO sites, the high cultural density, the Italy brand) in favor of the richness of Italy's cultural heritage and the precious resource it constitutes for the Italian economy; nonetheless, many other data have been reported to actually show how inefficiently this heritage is exploited (few employees, many volunteers, low accessibility and lack of emergency and security plans). There is, therefore, fertile ground to investigate and work on to make the most of what is Italy's greatest resource, namely its cultural heritage in all its forms.

### *1.1.3 The Role of Government*

The second aspect that drives this research to focus on Italy is the strong role of government in preserving and enhancing heritage and in shaping the country's cultural policies. Italy stands out internationally precisely because the built heritage is mainly managed at national level. Several institutions take care of this management, including the Ministry of Culture, which acts through locally detached organizational units (superintendencies) and cooperates with municipalities. Referring to ISTAT (2022), just over two thirds (67.9%) of museums and similar exhibition facilities are public institutions; of these, 69% depend on local authorities, 15.3% are state institutions and 4.7% regional institutions.

The fact that this responsibility for the management of Italy's cultural heritage has been entrusted to a state organization is consistent with the desire to guarantee the unity of the heritage and the need to protect and safeguard the territory. However, there are criticalities, characterized by a plurality of deficiencies: frequent recourse to emergency decrees by the Civil Protection, lack of connection between General Directorates, poor coordination between the different levels of government (State and Regions), scarce

financial resources, deficiencies in the monitoring and control of the execution of interventions<sup>9</sup>.

The challenges shown by the public system towards Italy's cultural heritage are a factor fueling the demand for private entry into cultural heritage management. This private model may be perceived as the solution to the inadequacies of the public system, to overcome the inefficiency, lack of willingness to innovate and slowness typical of the bureaucratic model of public entities dealing with heritage. Although, this model also has its own characteristics and critical issues, through legislative and bureaucratic development, private support in Italy is slowly finding fertile ground on which to intervene. Despite the difficulties at the legal, social and ideological levels that public-private partnership may encounter in this area, this collaboration could represent a valuable opportunity to protect, enhance and redevelop Italy's cultural heritage, especially for the most remote and abandoned sites. Given the richness of this heritage and considering the economic and social resource that this potentially represents, it is worth considering this partnership tool, analyzing its positive sides, criticalities and aspects on which to intervene. This represents the third and final reason for circumscribing this research to the Italian territory.

## **1.2 Preservation and Enhancement of Cultural Heritage: Two Complementary Facets**

### *1.2.1 The Dynamism of Cultural Heritage: From Thing to Resource*

The tasks in the cultural sector that should be faced by public administrations are characterized by increasing difficulties, particularly financial ones, which public-private partnerships can help to address. This contribution is ideally aimed at enhancing the Italian cultural heritage in all its forms; therefore, it becomes necessary to analyze and contextualize the term "enhancement," which, at times, is still placed in opposition to the term "protection." The juxtaposition of these two terms, which obviously do not travel on

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<sup>9</sup> Corte Conti, 11th December 2020, Delibera n.15/2020/G, "Il Fondo per la Tutela del Patrimonio Culturale"

parallel lines but are extremely interconnected, have been the cause of inefficiency and dysfunctionality at both the legislative and practical levels. Such rigidity at the functional level has been accentuated by the projection it has had (and continues to have) at the organizational level. This is because the relevant competencies have been assigned to clearly distinct subjects and offices within the same state administration of cultural heritage, leading to a duplication of state interlocutors in local government cultural heritage recovery processes (Moliterni, 2019). As a result, the rigidity of this juxtaposition has in many cases not allowed for adequate consideration of the complexity of abandoned cultural heritage recovery and enhancement processes. Such processes require synergy and full integration between the logic of protection and the logic of valorization, especially in the phase of establishing and defining collaboration with private parties. In fact, as obvious as these two terms may seem as functions of cultural heritage, they have created obstacles for the development of public-private partnership over the years.

In addition, the data that were presented in the previous section make it clear how the protection, enhancement and accessibility of cultural property are at the center of our country's cultural and economic growth goals.

The public function of protecting the cultural and environmental heritage achieves maximum legislative dignity with the introduction of an article dedicated to it in the Italian Republican Constitution. Article 9 (paragraphs 1 and 2) states that “The Republic promotes the development of culture and scientific research. It protects the landscape and the historical and artistic heritage of the Nation”. The principle of the connection between the protection of the historical and artistic heritage and the promotion of the development of culture is thus established, attributing the competence to the State.

In spite of this, beyond the constitutional principles, during the first twenty years of the republic's life, little attention was paid to the increasingly emerging problems of protection, leaving the cultural and environmental heritage at the mercy of urban expansion and industrial development (Pollice and Rinaldi, 2018). These aspects were pursued from a quantitative perspective and in the absence of a land use policy. In fact, from the '42 urbanistic law, whose operative logic was aimed at the use of land for urban purposes, frequent situations of conflict emerged (particularly in relation to interventions

in historic centers) with the previous '39 laws, which dealt with the conservation of the natural and built environment (Pollice and Rinaldi, 2018).

Later, with the awareness of these problems, cultural heritage increasingly became part of government programs.

It was not until 1964, with Law No. 310 of April 26<sup>th</sup>, that a commission was established to outline some basic criteria for protection and identify shortcomings in public management. Concrete proposals were formulated in the commission's concluding document, entitled "For the salvation of cultural property in Italy, pointing out the state of neglect and deterioration of our heritage," which unfortunately had no legislative outcome. It was in this document, however, that the term "cultural good" was used for the first time, understood as "material testimony having the value of civilization" (Pollice and Rinaldi, 2018). The substitution of the word "thing"- used in the preceding terminology- for the word "good" (with its meaning) hinted at the extent to which the good was not an isolated masterpiece but was linked to a social context, envisaging the recognition of the historical-anthropological value of cultural heritage.

As much as the new lines of action regarding the protection policy expressed by the aforementioned commission (*Franceschini*) did not find fertile ground, with the next commission (*Papaldo*) we saw the establishment of a dedicated ministry. In 1975 the *Ministry of Cultural and Environmental Goods* was born, bringing together various functions previously held by other bodies. In particular, it gathered those that were the responsibilities of the Ministry of Public Education regarding "Antiquities and Fine Arts," and in the denomination of the new ministry this notion left room precisely for the term "Cultural Goods." Thus, the shift from the protection of individual monuments to contextual conservation strategies became evident, taking on the task of the unified management of cultural heritage and the environment with the aim of ensuring their organic protection.

The name of this ministry found a new denomination with the Legislative Decree No. 368 of October 20<sup>th</sup>, 1998, in which the central administration of cultural heritage was restructured and the Ministry of Cultural Heritage and Activities came to life. This new name reflected the idea that goods in themselves are very little if they are not dynamically

developed in the context of an activity, as the name suggests. Hence, the Ministry was attributed with the objective of implementing policies aimed at the promotion and enhancement (also in managerial and economic terms) of national cultural goods. It is fair to specify that the same law also referred to the promotion of sport and sports facilities and the promotion of entertainment activities in all its expressions: from cinema to theatre, dance, music and travelling shows.

Terminology is important and it is evident how scholars progressively focused from one sphere to the other. Initially, the focus was mainly on the 'static' aspects of the subject in the field of cultural property, thus related to the analysis of the forms of protection of these assets, the procedures of constraint and the powers of the administration over them. Subsequently, legal studies focused on the 'dynamic' profiles of the valorization and fruition of these assets. This shift is also evident in the titles that the dedicated Ministry has developed over the years, revealing an intrinsic component of cultural heritage, namely its capacity to produce economic development. From the moment this component emerged, jurists recognized intriguing implications also on the level of negotiation tools, in a publicist perspective linked to public-private cooperation instruments.

If in the 1960s we moved from the term 'thing' to that of cultural 'good', today a further step has been taken. As we have seen, what is defined as a cultural good no longer represents something static, but it has revealed an important dynamic side related to the use of the good, also on an economic level. Hence, there has been a shift from the concept of a cultural asset to that of a cultural resource, which is recognized as having an important development potential, constituting an open and dynamic entity.

In tune with this revaluation of the cultural good, the common aim that stands out is to emphasize the potential profitability character of the interventions related to the cultural heritage sector on an economic, cultural and social level.

In order to meet these needs, it is necessary to analyze the function of protection and conservation and the more properly managerial function related to enhancement.

### 1.2.2 *Valorization and Protection, Economics and Culture*

The topic of cultural property has always been the subject of great attention by Italian legal doctrine, also because Italy is characterized by the widespread presence of cultural assets, different both in material consistency (movable things, real estate, collections) and in type (assets of historical, artistic, archaeological, ethnoanthropological interest).

Jurists sensed that the traditional categories referring to public goods could not be extended in the same way to cultural goods and therefore identified a coherent system of reference.

The need for unified legislation for historic and artistic heritage and landscape led to the drafting of the new *Cultural Heritage and Landscape Code* (“Codice dei Beni Culturali e del Paesaggio” in Italian), which came into effect in 2004, replacing the 1999 *Testo unico*. The Code faces a system characterized by the opposition between central government and local self-government and between protection and enhancement. Therefore, by offering a comprehensive reinterpretation of cultural property protection regulations, the Code seeks to move from the dualistic system presented to an integrated system.

The text in question brings some significant innovations to the cultural heritage sector: it expands the list of assets subject to protection; reorganizes the discipline of the alienation of public cultural assets and the regime of asset circulation; simplifies the regime of preservation and restoration; and extends the usable heritage through enhancement measures.

However, the distinction between protection and enhancement of cultural heritage remains present in the approach of the new Code.

As Article 3, Paragraph 1 suggests, *protection* consists of "the exercise of functions and the regulation of activities directed, on the basis of adequate cognitive activity, to identify the goods constituting the cultural heritage and to ensure their protection and conservation for purposes of public enjoyment". Clear in this concept is the intention to improve public enjoyment of cultural heritage.

In Art. 6, Paragraph 1, *enhancement* is defined as "the exercise of functions and regulation of activities aimed at promoting knowledge of cultural heritage and ensuring the best conditions for the public use and enjoyment of that heritage, in order to promote the



development of culture." In the same article regarding the notion of enhancement, it is also specified that "it also includes the promotion and support of cultural heritage conservation efforts."

As a result of these brief definitions, it is clear how much the two functions tend to overlap conceptually, running the very risk of creating tension instead of fostering the understanding and cooperation proposed by the same regulations. In fact, the distinction between protection- and enhancement- related activities may be theoretically obvious, but it is not so clear-cut in practice: the line is blurred.

Protection ensures that cultural goods are preserved for future generations by protecting them from destruction, thanks to activities such as research, restoration and cataloguing. The purpose of valorization is to ensure that the good is accessible and appreciated by as many visitors as possible. It is precisely this potential conflict between the two logics that is addressed by the cultural economy as a tension between culture and commerce (Dubini et al., 2012).

In addition to this, as Dubini et al. (2012) shows, the return on investment in protection is typically negative. In fact, due to constant investments required in restoration and preservation, managing heritage is very costly. At the same time, the quantification of benefits is difficult in preservation-related activities. Moreover, in this context preservation generates positive externalities that directly benefit the collectivity and not the paying institution. We talk about externalities like site reputation, area real estate appreciation, sense of belonging. Hence, the intrinsic characteristics of public goods, support the idea that heritage protection should be publicly funded. On the other side of the coin, we find that heritage enhancement leads to positive returns as far as economic development, tourism attraction, and service provision are concerned, which are in part performed by private enterprises. The biggest fear is that the role of the private entity would stress an excessive emphasis on economic logics, potentially damaging the equilibrium of preservation, and determining a loss of identity and meaning. Hence, the public-private partnerships in heritage management tends to be antagonistic, although there is evidence on how cooperation is essential and no enhancement is possible without preservation. When this fear of opportunistic behavior by private partner prevails,

concrete resistance is shown and the loss regards exactly the cultural good and the public who might have benefited from it. Anyways, public-private partnerships can become an effective instrument of cultural policy, without mining the logic of unitary heritage preservation at the national level.

As anticipated before, protection-related activities are under responsibility of the State and, although conservation is best achieved with a centralized approach, enhancement-related activities need for a strategy tailored to the specificity of the single cultural good and its reference to the territory, making heritage become part of a competitive urban environment. Protection functions are assigned to the Ministry of Cultural Heritage and Activities, and the State plays a major coordination and control role over heritage, while valorization is a public or private initiative. In fact, with reference to the reform of Title V of the Italian Constitution, protection turns out to be an exclusive State matter and enhancement a matter of concurrent legislation between the State and the Regions.

The Code makes it clear that valorization must be compatible with protection, however establishing a kind of subordination of the former to the latter; in the event that the two functions cannot coexist, the aim of protecting the cultural asset must prevail.

The Code presents an inverted pyramid structure (Pollice and Rinaldi, 2018), in which as we move from public to private (i.e. from top to bottom), the competences attributed to privates gradually decrease and the connecting link between all subjects appears to be the Ministry. In the Code, a polycentric system of cultural heritage is proposed in which the State has the power to decentralize functions to the regions and local authorities through 'forms of agreement and coordination' (Art. 4, para. 1).

The State involvement that takes place through the Ministry, mainly operates through locally detached organizational units (superintendencies) that coordinate and cooperate with the local government in urban development issues and tourism. The typical issue concerning superintendencies regards the balance they need to achieve between conservation (which is characterized by a strong state centralization) and enhancement (which requires a tailored approach to the specificity of the cultural good and its context).

Since protection is not exclusively linked to the conservation of the good and valorization is not necessarily synonymous with the exploitation (and consumption) of that good, it is essential to accept the idea that both functions (with the cultural good at the center) complement and enhance each other.

### *1.2.3 Types of Valorizations*

In spite of the progress that has been made by the normative system on the cultural order, the 'costly protection' still deserves primacy over the 'advantageous valorization' in the light of Art. 9 of the Constitution and Art.6, Para. 2 of the Cultural Heritage Code (Severini, 2015). It may seem that there is no longer any need to structure a hierarchical scale whose apex is represented by protection and valorization downwards (first cultural and then economic), but what remains is that valorization activities must not come into conflict with the primary interest of protection and conservation of the cultural asset. The reality, however, which still meets resistance, is that protection and enhancement do not travel on two parallel tracks, but the latter, always in full respect of the former, stands on an equal and intersecting plane with protection. As well as emerging from the definitions found within the Cultural Heritage Code, this conceptual intersection ends up being directly linked to the general good performance of public administration.

As has been previously analyzed, the notion of enhancement (like the notion of cultural good) adopted in the Cultural Heritage Code is characterized by an evident dynamic connotation. One factor of this dynamism emerges from the fact that the intervention of valorization has precisely to foster the participation of multiple subjects in such processes, including private individuals or associates, with their skills and resources.

Finally, the way the concept of enhancement has been presented in cultural terms so far has revealed the plurality of meanings attributable to it, not only in cultural and economic terms, but also in identitarian ones, which are worth analyzing.

As far as the first meaning is concerned, the concept of *cultural valorization* is clearly expressed in Article 9 of the Constitution, which assigns the Republic the task of protecting and promoting culture, as well as emphasizing its importance.

The *economic* profile of *valorization* subsequently emerges, thus becoming a new benchmark of administrative activity in the cultural heritage sector. The promotion and collective enjoyment of heritage are capable of generating income, thus activating mechanisms for the economic management of cultural heritage and enhancement activities. The economic profit of cultural heritage is no longer negligible, as the valorization of cultural heritage makes it a source of profitability and development. It is now clear that it is capable of generating economic flows and how this becomes an engine of territorial economic development.

The economic valorization of cultural heritage requires the enhancement of public-private collaboration systems. The fact remains that valorization, even when entrusted to private intervention, must still ensure that it avoids the pursuit of objectives of an exclusively individual nature or forms of utilization of the cultural resource that may be detrimental to collective interests. In fact, the valorization of cultural resources cannot disregard the direct involvement of the community of reference, since its sustainability over time lies precisely in the active participation of local actors, improving their conditions of well-being. Therefore, the valorization of cultural resources must start from a shared assessment of the collective interest, reducing the risk that some valorization interventions may be influenced by particular interests and oriented to purely utilitarian and speculative objectives.

The involvement of the local area refers us to the third guise of cultural enhancement, namely that of *identity value*. It is undeniable that one of the consequences of the enhancement of a cultural resource is the recovery of the identity value of the resource and, as an indirect effect, the strengthening in the local community of the sense of belonging. Moreover, as in a virtuous circle, the identity value of cultural heritage can actually foster its protection and promote its sustainable use. This is why the role of institutions is crucial in safeguarding the identity values of a community with regard to cultural heritage by encouraging the direct participation of local actors.

Finally, it is necessary to face the issue of tourism valorization, which appears to be strongly connected to the identity aspect of the cultural resource in question. In fact, in a way, these are two connected processes (Pollice and Rinaldi, 2018): on the one hand,

valorization nurtures a collective awareness of the historical-artistic value of the resource that is the subject of it, emphasizing its identity role. On the other hand, the local community is gratified by the interest that the resource arouses in tourist flows, rediscovering its sense of identity.

The tourist enhancement of a cultural resource cannot be limited to interventions related only to the specificity of the resource for the purpose of tourist enjoyment, but a systemic approach is required that includes a broad strategic project on the territory. The impact of tourism enhancement reflecting the first case appears to be null or irrelevant if the area does not have an adequate accommodation system. Therefore, it becomes essential to ensure that in this valorization process, synergy is created between the tourism component, the cultural resources in question and the related local community, in order to make the tourist attractiveness of the local offer as a driver of development for the local economy. In conclusion, without prejudice to the state's competence in the field of protection, it is evident how necessary it is to involve the regions, provinces and municipalities in the definition of common strategies for the enhancement of cultural heritage (in line with the Cultural Heritage and Landscape Code), encouraging dialogue between all the institutions involved in the different areas of the cultural chain. Thus, it proves important to act from a systemic perspective that can also activate forms of integration between public and private investments. Despite the various reforms of the organizational sector of cultural heritage, often characterized by changes concerning the public apparatus, not enough space has actually been left for the invoked horizontal subsidiarity of private individuals.

#### *1.2.4 Protection, Enhancement and Governance for The Purpose of Defining Public-Private Relations*

The concept of the economic value of the cultural good seems to have been acquired by now; although, this value is traditionally linked to profit and the private sector, as of today it is also recognized to be connected to the realization of public interests, which in this case have to do with the enjoyment and maintenance of the cultural heritage.

It is with the landing of the economic connotation of the cultural good that a different relationship is established between forms of protection and enhancement activities, in

which one is not at odds with the other. The idea is accepted that both functions, having the cultural good at the center, intersect and enhance each other, since protection is not exclusively related to the preservation of the good and valorization not being necessarily synonymous with the exploitation of the good.

Protection and enhancement no longer travel on parallel lines but, represent a conceptual pair as a consequence of the uniqueness of the object of both protection and enhancement activities. The organic vision that the cultural good requires penetrates the state administrative organization (previously focused exclusively on the aspect of protection) and the relations between the public and private sectors, for which the current legislation provides for collaboration and integration.

As has been seen, maximizing public enjoyment of a cultural asset activates economic resources, which appear to be essential at the state to meet the considerable costs of preserving cultural heritage; moreover, as enjoyment is a source of tourist attractiveness and visibility, it also functions as a lever of territorial development.

To make this happen, all relevant public administrations need to put in place tools of stable collaborations to prepare appropriate plans for the best finalization of cultural heritage protection and enhancement activities. This also includes collaborations with private parties who can support and increase the economic enhancement of the asset by carrying out activities in the public interest and improving participatory mechanisms.

The increasing focus of the legal system on the enhancement of heritage, thus overcoming the traditional static dimension of protection, has certainly made it possible to expand the spaces for public-private collaboration in the management of cultural heritage.

This process of inclusion has led to the definition of a series of models centered on public-private partnerships, from which an increase in efficiency and a favorable condition for entrepreneurial development can result, without undermining the cultural and social integrity of the asset. In the face of this, private involvement has always been viewed with a critical eye because of the fear that speculative intent would override primary public purposes. In the moment the state proved unable to offer an adequate response to the growing demand for the enhancement and enjoyment of cultural heritage, a window

opened for private intervention for which resistance was not long in coming. In fact, the space reserved for them was initially reduced to the mere management of additional services (which cannot be considered valorization in the round), or to the financing of cultural assets, often for reasons related solely to the income deductibility of donations to cultural institutions. Over the past two decades, the entry of private individuals has helped to improve the standard of quality in the provision of cultural services, giving rise to a virtuous process of stimulating efficiency in the public sector itself (Moliterni, 2019).

A first index of criticality that has not helped promote this valuable collaboration is precisely related to the unnatural juxtaposition of the functions of protection, enhancement, and management of cultural property.

Although there are definitions, as we have seen, in practice their boundary line is rather uncertain, leading to the conclusion that "the functions of protection are enriched by those of valorization and both are supported by the activity of management"<sup>10</sup>.

However, this kind of rigidity on the functional level has also been projected onto the organizational level; state interlocutors within the cultural heritage recovery processes have been duplicated, as the relevant responsibilities have been entrusted to separate entities and offices within the same state administration of cultural heritage.

In addition to making the spread of partnership relationships problematic due to excessive organizational complications, the rigidity of this protection-enhancement juxtaposition has led to an underestimation of the complexity of many cultural heritage recovery and enhancement processes. In fact, these processes impose a synergy and natural integration between the logic of protection and the logic of valorization, especially with a view to collaboration with private parties. On the other hand, it is difficult to think of a conservation intervention in its own right and separated from the concrete functional choices of use and enhancement of the cultural asset, especially in a context of scarcity of public resources.

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<sup>10</sup> Adunanza 26th August 2002, n. section 1794/2002, Consiglio di Stato, par. 3.1, URL: <https://www.astrid-online.it/static/upload/protected/Cons/Cons-di-Stato-parere-soc-Min-BBCC-1794-2002.pdf>

What seems to emerge is that these theoretical criticalities in declining the different functions related to cultural heritage can be traced back to the plurality that characterizes precisely the concept of valorization, which was established fairly recently through its first legislative definition in Legislative Decree No. 112 of March 31, 1998 (which identified it as "any activity aimed at improving the conditions of knowledge and conservation of cultural and environmental heritage and increasing its enjoyment"). Prior to this date, it represented a merely formal reference.

As we have seen, the scope of operational extension of the notion of enhancement is vast and not perfectly delineated. In fact, this is considered simultaneously a public function to be ensured by the administration and an activity to be managed directly or indirectly (through concession to third parties).

In conclusion, it is exactly these conceptual uncertainties that continue to affect cultural policies and that have not contributed to clarity on the actual spaces that public and private actors are required to cover when activating a collaboration.

Today, the focus is increasingly on efficient Public-Private collaboration, applying the *principle of horizontal subsidiarity*, defined by the Council of State as "a propulsive criterion in coherence with which the relationship between public and private parties must henceforth develop, within civil society, even in the realization of purposes of a collective nature"<sup>11</sup>.

Within this public-private collaboration, the first entity figures as responsible under the political-administrative profile and guarantor of the public interest, while, the responsibility of the second entity falls under the managerial-productive profile, making the entrepreneurial as well as financial contribution.

It therefore becomes essential to abandon the episodic nature of the interventions carried out by this type of partnership in favor of an integrated and systematic vision.

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<sup>11</sup> Plenary Meeting July 1, 2002, Opinion No. 1354/2002, cited in Piras P. (2002), "La 'borsa dei beni culturali e del turismo sostenibile': il bene culturale quale risorsa", Aedon: Rivista di arti e diritto online, URL: <https://aedon.mulino.it/archivio/2002/3/piras.htm#3>



### 1.3 Adaptive re-use of abandoned Cultural Heritage and Social Identification

#### 1.3.1 Public Expenditure and Abandonment of Cultural Heritage

The dense presence of cultural heritage on the Italian territory in relation to the increasingly limited public funds available to take care of it has led to a total or partial abandonment of this heritage. In fact, in the two-year period 2020-2021<sup>12</sup> Italy's public spending on *Cultural Services* is around 5 billion euros: a sum significantly lower than that of France and Germany, for example (respectively amounting to 16.6 and 15.3 billion in 2020). Although the sum committed by Italy has increased significantly over the two-year period (by 3.4 percent in 2020 and again by 3.3 percent in 2021), it remains among the lowest in Europe in relation to Gross Domestic Product: 2.9 per thousand, against an EU average of 4.8 per thousand in 2020. Interestingly, on the other hand, Italy is the EU country that spends the most on *Biodiversity and Landscape Protection*, despite the fact that this item is equivalent to only 1.3 per thousand of GDP and registers a decrease of 2.9 percent between 2019 and 2021. Therefore, in a ranking of public spending on landscape and cultural heritage, formed by relating the sum of both expenditure items (which in any case cover a broader area of intervention than that strictly referring to protection and enhancement) to GDP, Italy ranks in 2020 only 22nd among the 27 EU countries according to Eurostat. Moreover, as a result of the impact of the pandemic in 2020, the current spending of municipalities for the management of cultural goods and activities has been sharply reduced, falling to 17.3 euros per capita, thus 2.6 less than in the previous year (the indicator considers current spending for the mission "Protection and Enhancement of cultural and landscape goods and activities"). In a context of generalized reduction, inequality also increases. In fact, compared to 2019, the indicator accuses a decrease of 10.1 percent in the Northeast and 30.9 percent in the South, thus contributing to accentuate a territorial gap.

Thus, part of Italy's immense cultural heritage is in a state of degradation and marginality or unsatisfactory management. What is here referred to as "cultural heritage buildings"

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<sup>12</sup> Istat (2022), "Landscape and cultural heritage", in *Rapporto BES 2022: Il Benessere Equo e Sostenibile in Italia*, pp. 207-227

can be "former places of religious worship, aristocratic/ royal residences, community meeting places, industrial production sites, early modern office buildings, or military objects"<sup>13</sup>; these are precisely the sites that often suffer from a state of semi- or total abandonment.

The first step toward the preservation and enhancement of abandoned cultural heritage is precisely to learn about it. To this end, the Ministry of Culture- *General Directorate of Archaeology, Fine Arts and Landscape* has launched since 2019, through the Superintendencies, a reconnaissance of abandoned cultural heritage in the national territory. In addition to this, Law No. 160 of Dec. 27, 2019, established the fund for the "recovery of state properties of historical and cultural interest in a state of abandonment and the redevelopment of abandoned industrial areas where architectural artifacts of historical interest insist". As a result, a special commission was established to evaluate project proposals for the rehabilitation of state properties of historical and cultural interest in a state of abandonment. Through the related website<sup>14</sup> it is also possible for anyone to report the presence of abandoned places, and from the related database it is possible to get an idea of the large number of abandoned historic places.

To be more precise, the *Risk Map of Cultural Heritage* made by the General Directorate of Cultural Heritage Security at the Ministry of Cultural Heritage has listed 110,000<sup>15</sup> real estate assets of cultural value, and more than 60 percent of this heritage is in a state of abandonment or serious underutilization. Thus, there is a large amount of real estate in Italy, much of it publicly owned, that is abandoned.

Moreover, many historic buildings, rich in treasures of art, spirituality and culture such as churches and convents are in danger of disappearing, but in many cases, they could be saved precisely through revitalization projects; in this regard, many dioceses agree to give

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<sup>13</sup> Foster G. (2020), "Circular economy strategies for adaptive reuse of cultural heritage buildings to reduce environmental impacts", in *Resources, Conservation & Recycling*, pp.1

<sup>14</sup> Website URL: <https://beniabbandonati.cultura.gov.it/mission/>

<sup>15</sup> Albano R., Aliprandi D. (2019), "Il riuso di spazi dismessi a fini culturali e creativi: inquadramento generale", in *Rigenerare Spazi Dismessi: nuove prospettive per la comunità*, Fondazione Fitzcarraldo, pp. 15

a non-liturgical use to the house of worship while retaining its properties. For example, in Tuscany, the former 13th-century Augustinian monastery, "I Romiti del Torrente," offers charming accommodations to artists and creative types drawn by transforming the old chapel into a loft for exhibitions, workshops and concerts. Another example is the Hotel Antico Convento in Sicily, which has carved charming rooms out of the 40 cells of the friars of the former Capuchin convent, with the restaurant run by faculty and students of the Nosco school of Mediterranean cooking and whose proceeds from activities are reinvested for social causes. These are just a few of the many examples where heritage, in particular the ecclesiastical one in this case, can be saved.

In addition to former historic palaces and noble castles, theaters unfortunately also take part in this degradation; an estimated 428 have fallen into disuse on Italian territory. One in four theaters is closed, abandoned or uninhabitable<sup>16</sup>.

An interesting reality that reflects and denounces this situation of neglect and that tends to raise community awareness of the immense submerged real estate is that of the Italian association *Ascosi Lasciti*. The team consists of experts in photography, journalism, history, art and architecture. All these areas are brought together in one heterogeneous team based on the phenomenon of Urbex (urban exploration), aimed at rediscovering forgotten places.

Through their publications and their pictures, *Ascosi Lasciti* is really able to transmit the potential richness of these abandoned sites, showing frescoes or precious material inside the villas, palaces, convents which are destined to erasure.

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<sup>16</sup> Bandettini A. (2023), "Teatri in crisi: uno su quattro è chiuso, abbandonato o inagibile", La Repubblica, URL: <https://www.repubblica.it/spettacoli/teatro-danza/2023/10/08/news/teatri abbandonati o inagibili uno su quattro e a rischio chiusura-417270898/>

### 1.3.2 *The Importance Of Social Identification And Dialogue With The Territory To Revive Cultural Heritage*

A shared initiative between Cnel (National Economic and Labor Council) and Istat dating back to 2011<sup>17</sup> aimed to develop a shared definition of the progress and well-being of Italian society. Through a multidimensional approach of "equitable and sustainable well-being", twelve major areas were defined, among which landscape and cultural heritage stand out. In fact, at the urging of the European Commission since 2012 there has been widespread interest in the spillovers of investments in cultural heritage enhancement in areas such as well-being and health, social relations, relations between citizens and institutions, and territory.

Cultural policies recognize the recovery and enhancement of cultural heritage as a critical resource for territorial development. An interest has developed in placing the repurposing of heritage assets in a sustainable territorial and intersectoral development perspective, with contributions and services made available by other sectors. This then involved the involvement of a plurality of stakeholders in the enhancement of the assets in question: public entities, nonprofit and for-profit actors.

As was demonstrated in Section 1.2, enhancement must ensure the protection of the cultural resource, but it must also be able to be subject to some basic principles of sustainable development.

First of all, *intergenerational* equity and *intragenerational* equity must be guaranteed (Throsby, 2018). The former must ensure that the use of the resource does not result in alterations that jeopardize its enjoyability by future generations. This means that, in terms of sustainability, the integrity of the cultural heritage is a constraint on its enhancement. Intragenerational equity, on the other hand, stipulates that the enjoyment of cultural resources and the related economic benefits should affect the entire community of which the heritage is an expression, without creating discrimination. In this sense, enhancement should aim to remove any obstacle (not justified by specific protection needs) to

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<sup>17</sup> Istat (2011), "Cnel e Istat insieme per misurare il benessere della società italiana: individuate le 12 dimensioni del benessere", Press release, URL: <https://www.istat.it/it/archivio/44267>

enjoyment by any category of subjects. So, as has been ascertained, the valorization of cultural heritage must always eschew the pursuit of objectives of an exclusively individual nature or forms of utilization that may harm the interests of the community; but, above all, the valorization of the cultural resource must be in constant dialogue with the area of reference. It is essential that this process starts from a shared assessment of the collective interest, which includes a moment of convergence among local actors. This also requires a strong awareness of the local community and the sharing of the strategic objectives of the intervention; a condition that is often underestimated at the institutional level, accentuating a hostility of the local community towards the intervention. Thus, an *endogenous* type of valorization, as an expression of local actors, is preferred to an *exogenous* type of valorization, implemented by actors outside the area in which the local community is involved to a limited extent or not at all.

Therefore, the valorization of cultural resources must also be characterized by a territorial coherence and a strategic one, aiming at a synergic interaction between the different components of the territorial heritage. Through this approach, the risks that often accompany the idea of valorization, namely those related to special interests and oriented toward utilitarian and speculative goals, are also reduced.

Thanks also to the valuable 2005 *Faro Convention*, signed by Italy in 2013, a strong identity value emerges in relation to cultural heritage, promoting a participatory process of its valorization, for the purpose of building a peaceful and democratic society. Increasing the identity value of cultural heritage can promote its protection, enhancement and can promote its sustainable use. On the contrary, in the absence therefore of an identity link between the local community and cultural resources, the risk is that "heritage tends to be neglected, if not alienated and modified in its functions of use, in the presence of economically more convenient or less onerous forms of use"<sup>18</sup>.

This is why the role of institutions in safeguarding and promoting the social identity of the local community becomes crucial, considering that the latter is the ultimate beneficiary of these interventions.

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<sup>18</sup> Musacchio A., Perego F., Valentino P. (2000), "La storia al futuro", IV Rapporto Associazione Civita Giunti, pp. 5

A tangible result of the relevance of these identity aspects can be found in the activation of hundreds of associations whose purpose is to defend their heritage from abandonment and neglect. This associative movement is characterized by a great sensitivity and attention on the part of citizens to their cultural heritage. The task they set themselves is to take care of "minor" sites to promote the knowledge and enjoyment of those places. These associations are also able to operate thanks to the benevolent complicity of the heads of superintendencies or municipal offices in the area in question. Thus, in this process there are often individuals who have the institutional responsibility to protect those places but lack the resources to do so. In this context, one cannot fail to mention the associative reality of the *Fondo Ambiente Italiano* (FAI), which succeeds in promoting an awareness of Italy's cultural heritage, which is a fundamental part of citizens' identity. For example, the purpose of their project "I Luoghi del Cuore" is to solicit citizen to identify a building they love and that is in need of intervention. This is a powerful tool to stimulate citizens' and local authorities' involvement in cooperating to protect heritage. This bottom-up approach is helpful to strengthen the sense of identity of citizens with their territory, making them feeling part of a community and making them paying attention to what is considered to be "minor" heritage. After having decided the site on which to intervene, the FAI starts specific fundraising campaigns and it collaborates with associations of citizens and with local private and public institutions to restore and reopen sites.

Although FAI also manages to ensure usability on certain dates of the year or succeeds in raising funds for minimal routine site maintenance, its efforts, like those of many other citizens, are unable to systematically revive abandoned heritage. The associational world is able to effectively promote cultural sensitivity, but it is unable to solve the problem. Collaboration between public and private entities can fit into this scenario, but it becomes crucial that identity, social and territorial aspects are firmly established within the partnership.

### *1.3.3 Adaptive Reuse Of Abandoned Cultural Heritage And Urban Regeneration*

Following the collapse of real estate demand in 2008, which made it difficult to dispose of publicly owned real estate, groups and associations organized to find new spaces that

would give rise to cultural projects based on a new way of doing participation. Thus, spaces for sociality and cultural production were born within otherwise abandoned public property, producing a multidimensional value that is the basis for the sustainable development of territories.

An example is given by the *Cariplo Foundation* with its program "La città intorno", which through public-private partnerships has embarked on the so-called "city making", which sees the meeting of urban regeneration and social innovation. The purpose of this program is to promote a model of cultural-based urban regeneration by focusing on three aspects in particular, which primarily concern the direct protagonism and involvement of communities, aiming for self-generation of value, and tending toward regeneration without gentrification. So, this program enables the promotion of a shared socio-cultural value project in a given public asset.

This approach to cultural heritage is characterized by a deep sense of identification and social innovation in which the local community is directly involved in the processes of cultural heritage enhancement.

As we have seen, the social involvement is a key element, since the challenge of recover abandoned local spaces can mobilize urban communities through voluntary social initiative to favor a reuse of the heritage. Participatory practices play a key role and the bottom-up approach can lead to positive changes through an inclusive urban development. These collaborative regeneration pathways are gaining increasing relevance on the territory for city development policies.

With reference to what has been said, the United Nations adopted the *2030 Agenda*, which is an action program that aims to ensure a better present and future for the planet and its inhabitants. Signed in 2015 by 193 countries including Italy, the Agenda is divided into 17 "Sustainable Development Goals" (SDGs), framed within a larger program of action consisting of 169 targets to be achieved in the environmental, economic, social and institutional spheres by 2030. Among the SDGs, Objective 11 deals with sustainable cities and communities; hence, it is related to the aspects that are being discussed here. In fact, its aim is to make cities and human settlements inclusive, safe, resilient and sustainable. In particular, target 11.3 goes "by 2030, enhance inclusive and sustainable urbanization

and capacity for participatory, integrated and sustainable human settlement planning and management in all countries” and target 11.4 seeks to “strengthen efforts to protect and safeguard the world’s cultural and natural heritage”.

One of the main challenges concern better use of urban territory by reducing the volume of new constructions, using resources more efficiently, improving social and environmental conditions through the empowerment of local economy.

Preserving historic buildings from obsolescence leads to significant economic and social involvement effects for cities and territories. The cultural value of the site should also always be safeguarded with a view to sustainable tourist fruition. In fact, in urban regeneration projects the central element is culture, which is the starting point to build a shared vision and a system of common values within a community.

In this context, the concept of adaptive reuse is becoming central in function of a regenerative process, which has the potential capacity to transform a situation of “waste” into one of “resource”. Adaptive reuse consists in acting on the existing heritage to reactivate those buildings that have lost their original function. It is a way to promote a sustainable urban development, reducing land consumption and expansion. The new use should bring improvement of the building in the first place; but there are also some other aspects that will benefit from this like market value, use, environmental, cultural and social value.

The aim of adaptive reuse is to revitalize urban areas through new functions and new socioeconomic actors. All the stakeholders involved- technical, political, cultural, economic, public and private- may have conflicting objectives, hence it is fundamental to coordinate and balance all these different interests in order to obtain consistent results. In this framework, an appropriate decision support procedure is fundamental. It is also important to assess the compatibility of new functions with the technical and intrinsic characteristics of the existing heritage, together with the objectives of urban development and revitalization. The choice of the new function should also take into account the economic and social objectives. Designing efficient strategies for abandoned cultural heritage valorization is a complex process and it requires to take into consideration



multiple decision variables, which have to do with its identity and historic peculiarities, and various stakeholders with different objectives; sometimes, the latter may be in conflict, fostering a dichotomy between economic and socio-cultural perspectives. In order to avoid this dichotomy, some multi-criteria decision aiding approaches exist to help in ranking valorization strategies of cultural heritage assets, aiming to promote their conservation and, at the same time, creating cultural and economic benefits.

#### *1.3.4 Circular Economy*

It is clear how the cultural heritage of cities is one of the main drivers of development; in fact, it would be a mistake now intending it as a mere legacy to be handed down to posterity. In this context, adaptive reuse of cultural heritage can play a pivotal role in increasing the life cycle of the heritage and, at the same time, it can support innovative dynamics of local development. The reuse of abandoned public places are an essential contribution in generating a model of economy that is circular, able to transform dereliction into new economic, cultural, social and environmental benefits deriving from the recovery of the produced capital and from the enhancement of the human capital involved. This would presuppose an integrated enhancement intervention on public goods, based on reciprocal inference between the asset and the relative context, contributing to a stable regeneration of the surrounding area. Adaptive reuse can lead to a circular economy, in which synergetic and inclusive processes are activated through new forms of urban productivity and socio- economic innovation.

A circular economy model stands in contrast with the standard linear economy model. There are many definitions of circular economy but one of them is the “production and consumption processes that require the minimum overall natural resource extraction and environmental impact by extending the use of materials and reducing consumption and waste of materials and energy” (Foster, 2020). Specifically, in our case, the useful life of public cultural assets is extended through an adaptive reuse and consumption is redefined by including sharing provisions instead of individual ownership.

In favor of the above, *EU Horizon 2020* funded the project “Circular models Leveraging Investments in Cultural heritage adaptive reuse” (CLIC). The project addressed significant

challenges of cultural heritage and landscape adaptive reuse, implementing innovative circular financing, business and governance models. It aimed at demonstrating the economic, social and environmental convenience of cultural heritage adaptive reuse, in terms of long lasting economic, cultural and environmental wealth. It basically focused on transforming waste/abandoned sites into attractive ones through adaptive reuse. In particular, the project considered four types of cultural assets: dismissed churches, abandoned industrial buildings, farm buildings and cultural landscapes. The ambition of CLIC was to contribute with operational tools to the implementation of Agenda 2030 goals and, more in general, to improve urban regeneration strategies, taking cultural heritage as the entry point of the circular economy model. The models for adaptive reuse of cultural heritage that the research proposed were also coherent with the European Green Deal and with the New European Bauhaus<sup>19</sup>, fostering virtuous loops among sustainability, community inclusion and quality of intervention on the cultural asset.

Today, the new challenge for the public administration is to regenerate the building heritage by involving the local stakeholders and the community, in order to guarantee the enhancement of the historical and cultural values making a strategic investment in a logic of sustainable urban development. Hence, the final aim is to promote the restoration and conservation of abandoned cultural heritage assets, as well as creating directly related cultural and economic benefits. In order to be efficient, these processes should combine the efficient re-use of abandoned cultural heritage assets and the restoration of its original functions, together with the enhancement of new opportunities for their interconnections with the community and with cultural tourism circuits.

### *1.3.5 The Forgotten Legacy And Its Potential*

Only a tiny fraction of interventions on cultural sites having as their objective both their physical rehabilitation and the activation of new uses have achieved their expected goals; despite the fact that the redevelopment project itself was sound and financially supported.

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<sup>19</sup> The new European Bauhaus was launched by President von der Leyen in September 2021. It adds a cultural dimension to the Green Deal and accelerates the green transition with tangible changes on the ground, combining the values of aesthetics, sustainability, and inclusion.

In fact, about 70% of the public cultural sites and spaces distributed throughout the country currently lie abandoned or under-utilized despite their structural rehabilitation.

What needs to be questioned is the actual applicability of the 'project-based' approach to contexts characterized by a high degree of complexity and uncertainty as in the case of the territories in question. Since heritage enhancement projects aim at medium- to long-term development goals, it is important to govern this condition of uncertainty by developing projects that are open and ready for change.

Applying a linear cause-and-effect approach is as effective as considering stand-alone, time-bound interventions. This approach becomes complicated when applied to complex and dynamic systems such as territories in which cultural heritage is involved as a driver of change. Each move (cause) in this complex system represents the potential trigger of a multiplicity of possible alternative responses (effect), some predictable as well as some not. Thus, the rehabilitation of a historic building, for example, will only be able to become an attractor if it is able to create space for synergies with the various stakeholders involved, including economic and tourist operators, to avoid "hit and run" tourism, which has little impact in terms of economic spillover for the local productive fabric and is annoying for citizens.

Obviously, there can be no lack of community involvement, without which any cultural heritage enhancement project in terms of local development is doomed to failure. This interaction should be seen as bringing innovation, new perspectives and added value to the project. But, how to achieve this interaction? Through a working method that includes operational phases dedicated to both discussion with local actors and co-design of activities and interventions, through public meetings, workshops, surveys, and interviews. With this in mind, any observations and contributions serve not only as monitoring and evaluation of the progress of activities, but also as alerts for corrective actions or to recalibrate communication or audience development strategies. Certainly, the risk that the visions that have emerged may not be reconcilable or that there is no possibility of synthesis exists, but perhaps it is worth taking it, so as to avoid any attitudes of resistance or hostility to a project that has already begun. After all, how can one think of involving local stakeholders only as end-consumers and not as protagonists?

This type of intervention not only presents a series of interdependent actors with individual or common goals, but it is also the result of public and private interests of internal political dynamics. Despite the complexity of the system, the positives of intervening to revitalize abandoned public places characterized by cultural-historical value by engaging in dialogue with the local area are many. Some of these can be traced:

- To a greater degree of identity and cohesion of the local community strengthened by the intervention.
- To a countering of demographic aging in and around inland areas and brain drain in the cities.
- To the enhancement of the cultural heritage and the food and wine or craftsmanship excellence of the area.
- To an incentive for international or proximity tourism.
- To contributing to job creation and social welfare.

These are just some of the impacts that a given intervention can have on the territory.

The considerations made so far show that the scenario in which to operate for the enhancement of public goods is complex. It always comes back to the fact that matching conservation with enhancement and public interest with private interest is not easy. It becomes crucial, therefore, to balance tradition and innovation with public and private, boosting the attractiveness of the investment (economic) and, at the same time, limiting the presence of incompatible uses (social). Hence, complementarity and compatibility are key concepts.

In this perspective, good practice on the use of Public-Private Partnerships (PPP) is promoted for the revitalization of historical buildings. In fact, this partnership allows organizations to combine the unique assets and skills of the public and private sectors to protect and enhance heritage resources. PPP gains relevance in this context precisely because it is only under a condition of balance among multiple parties with different objectives (in particular, social utility and financial profit) that projects concerning the adaptive reuse and appropriate functional reconversions of abandoned heritage are able to satisfy a collective interest.

It is certainly not easy to make this whole complex system work, but, given the magnitude of the issue and the related benefits, perhaps it is worth it. The public-private partnership can be a valuable resource in the enhancement of the public cultural heritage, whose intervention is not limited to the heritage asset itself, but it can boost the economy of the whole area.



## **2 Public-Private Partnership for the Enhancement of Immovable Cultural Heritage**

### **2.1 Introduction of Legal Framework of Public-Private Partnership**

The types of enhancement projects we have considered in Chapter 1 aim not only to revitalize the cultural asset, but also to develop an adaptive reuse in the context of urban regeneration.

The nature of the public goods considered in these enhancement projects is characterized by complex approaches; it involves determining the profile of greater social preference with respect to alternative options, and it requires balancing heterogeneous and often conflicting interests. Many binomials can be considered in this context: conservation-transformation, protection-enhancement, public administration-civil society, individual interest-collective interest, and public sector-private sector. Today, the complexity of the valorization of public and cultural property in support of the promotion of the re-use of cultural heritage requires different administrative, technical, scientific, and humanistic skills; these different types of knowledge and their respective actors should overcome their limits and seek interrelationships in order to respond to the needs of the contemporary world.

In this context of cooperation, this research presents the public-private partnership (PPP) as an instrument for the enhancement of cultural heritage.

#### *2.1.1 Normative Framework of Private Public Partnership*

The question of the relationship between "public" and "private" plays a central role in cultural policy in Italy, particularly regarding the promotion of strategies for the protection and enhancement of cultural heritage. Over the years, this issue has been addressed in various ways, both at the legislative and administrative levels and in practice, creating challenges and opportunities. At the roots of this issue lies the dichotomy between authority and freedom (Moliterni, 2019), that is, between the public cultural interest (of the administration) and the freedom of the private individuals who were confronted with

it (owners, dealers, collectors). The centrality of the issue in relation to cultural heritage is evident from the very possibility of making the functional element of the destination for the public enjoyment of cultural property coexist with the private ownership of it. However, the most relevant profiles for the management of public-private relations in the cultural heritage sector are precisely those of the publicly owned cultural goods, to which private subjects guarantee a contribution in terms of expertise, professionalism, management skills and financial availability. The legal regulation of these relationships reveals significant challenges that, while transcending the cultural heritage sector, take on specific facets in this area, focusing primarily on public cultural property.

One of the main complications is precisely the fact that, despite the existence of a legal framework, cultural services (as public services) are also subject to the legislation governing the public sector. It is therefore important to present both systems, starting with the general framework of public-private partnership.

Starting from the very definition of "public-private partnership contract" proposed by the Public Contracts Code, which can be summarized as "forms of cooperation between public authorities and private parties for the purpose of financing, building and managing infrastructure or providing services in the public interest" (Petraroia, 2018), technical-administrative aspects already emerge that it is important to analyze, even if it is not easy to untangle the maze of regulations governing the sector<sup>20</sup>.

Cooperation between the public and private sectors has become increasingly important and has been the subject of doctrinal and jurisprudential debate throughout the history of the creation and development of administrative law.

In the modern era, needs have arisen that could not be satisfied by the various contractual schemes by which the State can promote economically significant works (the most widely

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<sup>20</sup> In Article 180 of Legislative Decree No. 50/2016, the following definition of "public-private partnership contract" is given: "*the contract for pecuniary interest, concluded in writing, by which one or more contracting entities entrust to one or more economic operators, for a period determined in accordance with the duration of the amortization of the investment or the financing methods established, a set of activities consisting in the construction, transformation, maintenance and operational management of a work, in exchange for its availability or its economic exploitation, or the provision of a service related to the use of the work itself, with the assumption of risk by the operator in accordance with the modalities established in the contract*".



used have turned out to be the contract<sup>21</sup> and the concession). Several needs led to the search for innovative schemes that could in some way relieve the public administration. On the one hand, there is the need to reduce government costs and to comply with European standards; on the other hand, there is the need for horizontal cooperation between citizens and institutions. The latter is an expression of the constitutional principle of subsidiarity (Art. 118, last paragraph, Const.), which tends to promote an alliance between public and private actors with a view to a new way of elaborating and developing common strategies of action in relevant areas of general interest (Nicotra, 2020).

The category of public-private partnership takes the form of an open and flexible category and presents itself as a solution to the needs just mentioned, both from an economic and legal point of view. Such cooperation, if properly regulated and promoted, is advantageous in many respects. The main potential of this category has to do with the above-mentioned needs: the public administration has the opportunity to invest in more projects, thus stimulating the economy without exposing itself more than necessary. On the other hand, private individuals have the opportunity not to be mere executors of a work that has already been designed without their contribution, but to act as potentially equal contractual partners. It is precisely in this way that the possibility of realizing the principle of horizontal subsidiarity can be promoted, according to which the party closest to the territory has greater knowledge and is therefore better able to respond to contextual needs.

An early manifestation of sensitivity to this type of public-private collaboration can be seen in the Italian legal system with Law No. 241 of 1990, which introduced the possibility for public administrations to enter into agreements with private parties to regulate the joint execution of activities of common interest (Profeta, 2019). An important step at the supranational level was the publication of the “Green Paper on PPPs and Community Law on Public Procurement and Concessions” in 2004. The purpose of this act was to provide an initial organic framework for all those forms of cooperation that had developed spontaneously in the regulatory frameworks of individual states. This objective thus

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<sup>21</sup> Translated as “appalto” in Italian.

responded to the need of the European institutions to regulate the issue of public-private agreements in order to avoid the evasion of competitive discipline and to avoid the contradictions of interpretation due precisely to the lack of a common definition between the various national legal systems. Through this partnership agreement, a new role of the State in the economy was proposed, from operator to regulator, characterized by an obvious advantage in terms of the acquisition of additional economic resources and the use of know-how outside the public sphere.

In this context, the Green Paper introduced an important concept by considering PPP as a flexible tool for public administrations, but with its own limitations and characteristics, so that it should not be considered as a standard solution to systematically compensate for budgetary constraints in the public sector. Nevertheless, as point 3 of the Green Paper suggests, the increase in the use of such operations can be attributed to several factors, including the need to secure the contribution of private financing to the public sector in response to the budgetary constraints faced by Member States and the desire to benefit more from the know-how of private parties in the framework of public life. Moreover, "the development of PPPs should also be seen in the context of the more general evolution of the role of the State in the economic sphere, from that of direct operator to that of organizer, regulator and supervisor"<sup>22</sup>.

### *2.1.2 Projects Feasible Through PPPs and the Concept of "Risk"*

The use of PPP can be considered whenever a public administration intends to entrust a private operator with the implementation of a project for the construction of public works or utilities and the management of related services, within the framework of a long-term cooperation in which the necessary resources are jointly allocated and the risks are proportionally shared between the parties.

Therefore, it is important to analyze the types of projects that can be carried out under PPP, the concept of risk, the main categories that fall under the concept of partnership, and the concept of project financing.

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<sup>22</sup> Point 1.1, paragraph 3, European Commission, 2004, Green Paper on Public-Private Partnerships and Community Law on Public Procurement and Concessions

The projects that can be implemented through PPP interventions can be classified mainly into three types that will reappear during this analysis, namely: "hot" operations, "lukewarm" operations and "cold" operations (Nicotra, 2021).

The former represent projects characterized by a high revenue-generating capacity, allowing the private sector to cover the investment costs during the concession period and achieve the expected return. The involvement of the public sector in these works is limited to the identification of the conditions necessary for the implementation of the project, taking care of the initial stages of design, authorization and concession tendering. The accurate determination of the concession period becomes essential for this type of works, as it affects the profitability of the project and serves as a discretionary element that can transfer wealth from the public sector to the private sector or vice versa. Some examples of "hot" operations are highways, kindergartens, as well as network service concessions such as electricity and gas (Spagnuolo, 2017), which therefore have an inherent capacity to generate earnings through user revenues.

The second category of operations, or "lukewarm" operations, are projects that do not generate sufficient cash flows to fully recover investment costs and ensure profitability for the private sector. In these cases, the government provides additional resources in the form of grants or subsidies to compensate for the below-market economic conditions. The "lukewarm" operations, as the name implies, are those that fall between the "hot" and "free" operations, and are those that are only partially able to cover the expenses necessary for their construction and operation, such as hospitals or even museums (Norsa A., Trabucco D., 2011).

The last category of "cold" operations refers to projects in which the private concessionaire provides services directly to the public administration. These projects include all public works in which the private entity constructing and operating them receives its remuneration primarily or exclusively from payments made by the public administration, in the form of grants or agreed rates. Some typical examples of cold works are new municipal offices, hospitals, penal institutions, and any works whose direct user is the public administration (Spagnuolo, 2017).

In addition, according to the provisions of Articles 165 and 180 of Decree-Law No. 50/2016, projects that may be implemented through PPPs can be classified into two main types: a) projects in which most of the concessionaire's revenue comes from the sale of services on the market; b) projects in which the concessionaire's revenue comes from the fee recognized by the grantor and/or other forms of economic counterparts. While in the first case the market risk is generally borne by the economic operator, in the second case the grantor may retain most of the market risk. It is therefore necessary to introduce the concept of risk into the PPP relationship.

The PPP is characterized by the assumption and management of risks throughout the execution cycle. The Public Procurement Code (“Codice degli appalti” in Italian) and the ANAC (National Anti-Corruption Authority) guidelines clarify in paragraph 3 of Article 180 presented above that the PPP transfers to the private partner not only the construction risk, but also the availability risk and, in certain cases, the demand risk of the services provided for the period of operation of the work. These risks include delays in delivery, non-compliance with project standards, increased costs, technical problems and failure to complete the work. The definition of these risks is crucial for their proper allocation by the contracting authority, both in the economic and financial plan (EFP) and in the draft contract, which, together with the feasibility project, are the cornerstones of the partnership structure. Moreover, such clarity can reduce the risk of information asymmetry between the parties involved, which is a crucial aspect of PPPs.

In order to avoid such information asymmetry, the Public Procurement Code requires that the contract between the parties clearly defines the recovery of investments and costs incurred by the economic operator, linking it to the actual delivery of services or the usability of the works, or to the volume of services delivered in accordance with demand, respecting previously agreed quality levels.

The contract also regulates risks that cannot be attributed to the economic operator and establishes conditions for reviewing the contract in order to maintain economic and financial equilibrium and, if necessary, to terminate the contract.

However, despite the rules, risk sharing between public and private entities is often ineffective, as the European Court of Auditors has pointed out (Nicotra, 2021). In many cases, the remuneration of the private partner's risk capital does not adequately reflect the risks taken. For this reason, ANAC has developed guidelines to help public authorities monitor the correct allocation of risks during the PPP contract. This concept is a key element in PPP contracts, which, in addition to providing for the burden and transfer of risks, include economic-financial balance as a characterizing element. This balance implies the need to ensure both affordability, i.e. the ability of the project to create value over time and generate an adequate level of profitability, and financial sustainability, i.e. the generation of sufficient cash flows to cover the financing. The above guidelines emphasize the importance of clearly identifying and assessing the risks associated with the construction and operation of the works or services under the PPP contract. It is essential that these risks are allocated to the party with the greatest ability to control and manage them, and that a superficial allocation of risks to the private partner is avoided. However, the private operator will still have to bear the majority of these risks, while ensuring a fair and responsible distribution among the parties of the partnership.

### *2.1.3 Typologies of PPP*

The public-private partnership is characterized by several elements. First, it is characterized by the long duration of cooperation between the public and private sectors during project implementation. Second, it is characterized by the different ways in which project financing is often provided by the private sector, although it includes public funding. Another key feature is the important role played by the private operator, who is involved in different phases of the project, while the public partner focuses on defining public interest objectives and monitoring their achievement. Finally, as mentioned above, the sharing of risks between the public and private partners is a characteristic feature of PPPs.

In this respect, the European Commission's 2004 Green Paper, presented earlier, is a benchmark for the classification of partnerships in Europe. These are divided into two main categories: contractual and institutionalized.

Contractual partnership is based on the negotiation of relationships and the delegation of tasks to the private party, such as the design, financing, implementation and management of a public work (e.g. concessions or project financing). In this case, the private partner manages one or more phases under the control of the public authority, while the level of risk becomes crucial to the attractiveness of the transaction and can influence the behavior of the parties involved. In fact, a high risk for the economic actors makes the operation less attractive to them, while a low risk may incentivize opportunistic behavior on the part of the private party, resulting in negative impacts on the community. Consequently, the risk assessment document prepared by the private operator and analyzed by the public authorities becomes essential.

The institutionalized partnership, on the other hand, involves a joint corporate structure between the public and private sectors focused on providing a public work or service for the benefit of the community. In this model, the public sector retains a relatively high degree of control. In this context, the parties form a new entity to carry out the identified activity, and adherence to the principles of impartiality and transparency in the selection of the private partner is essential. An emblematic figure of institutionalized partnerships is the joint venture, in which the public and private parties participate in varying shares.

The traditional *concession* model is considered one of the best-known forms of partnership. This model, which is the emblematic example of PPP on a contractual basis, is characterized by the direct relationship between the private partner and the end user: the private entity provides a service to the community, acting under the control of the public entity but directly in its place (Nicotra, 2021).

The concept of concession model can be specified in terms of service concession, public works concession or enhancement concession (Federculture, 2013). In the first case, it is one of the most important forms of public service management, allowing the installation and operation of a public service without cost to the administration. In the context of cultural heritage, this type of public-private partnership (PPP) becomes relevant in the

management of ancillary services, which play a prominent role in the operation of cultural institutions, as will be discussed later<sup>23</sup>.

In addition, the public works concession is a form of PPP aimed at the design, execution and management of public works or public utilities. The introduction of forms such as the enhancement concession and the availability contract provides the administration with tools to exploit the potential of state-owned assets and to carry out and maintain, at the expense of the counterparty, works for public services in order to mitigate the negative impact on the constraints of the Stability Pact (Federculture, 2013).

Specifically, the enhancement concession is a public-private partnership instrument that allows the development and improvement of public real estate assets. It consists in granting private operators the right to use real estate for economic purposes for a certain period of time, with the obligation of redevelopment, functional conversion and ordinary and extraordinary maintenance<sup>24</sup>.

One such example is the Ex Caserma Cavalli Compendium in Turin (Federculture, 2013). The tender is for the concession to rehabilitate part of a real estate complex, with the aim of revitalizing it through rehabilitation and conservative restoration, as well as the introduction of new uses. The call was launched in June 2012, following the transfer of the complex from the State to the Municipality of Turin, on the basis of the possibility to transfer State assets free of charge to local authorities according to specific criteria. Subsequently, an Enhancement Agreement was signed between various institutions, defining the objectives for the protection and cultural enhancement of the complex. The Enhancement Program provides for restoration and maintenance work, as well as the implementation of social and cultural activities to ensure public use. The complex will be

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<sup>23</sup> In the case of service concessions, the general regulatory framework is based on the public procurement codes for works, services and supplies, while the regulatory framework for cultural heritage refers to the Ronchey Law of 1993, Legislative Decree No. 41/1995 and Legislative Decree No. 42 of 2004 of the Cultural Heritage Codes, Decree Law No. 159 of 2007, converted into Law No. 222/2007 – Urgent interventions in economic-financial matters, for development and fiscal equity, and Law No. 64/2010 – Urgent provisions on entertainment and cultural activities (Federculture, 2013).

<sup>24</sup> This form of concession is based on Article 3-bis of Legislative Decree No. 351/2001, as amended by Law No. 410/2001, and supplemented by paragraph 259 of Article 1 of Law No. 296/2006 (Federculture, 2013).

used mainly for educational, cultural and social purposes. The management of the activities will be entrusted to the concessionaires, under the supervision of the City of Turin, in order to ensure the proper use and management of the asset, with particular attention to public use.

Like the concept of concession, the concept of *project financing* (PF) has also been mentioned in the context of contractual partnership. The latter is presented as one of the application modes of PPP for the implementation of public infrastructure works and utilities. However, it is important to emphasize that this strategy can only be applied to public infrastructure projects that are actually feasible, of great public interest and can guarantee an adequate economic return. It is also essential that a project financing operation has the potential to generate profits. In other words, the concept of project financing refers to the financing of a project that, during its operational phase, is capable of generating sufficient cash flows to repay the debt incurred for its implementation and to repay the venture capital. The distinctive aspect of this approach is the long-term financing of a specific project initiative, resulting in a contractual partnership aimed at developing revenue prospects and cash flows to repay the initial investment (Nicotra, 2021).

It differs from public-private partnership in that the latter encompasses any form of cooperation between the public and private sectors for the design, construction, financing, operation and maintenance of public works or public utilities, while project finance is a structured financing method used in some PPP operations to finance infrastructure projects. In the Italian legal system, the public works concession is an instrument that allows the financing of public works in the context of PF. Public administrations benefit from the possibility of carrying out initiatives of collective interest without significant impact on the public budget and without assuming the financial and market risks, while private parties benefit from the separation of the project as an autonomous entity, limiting the impact of bankruptcy on their own budget and having access to external financing without worsening their debt ratios. However, this contractual technique also has critical issues, such as higher structuring costs due to the complexity of the contract, the



complexity of identifying and allocating risks, and the potential lengthening of the time to initiate intervention through this financial modality.

It is important to note that the use of project financing is particularly suitable for the management of cultural property when the decision is made to ensure the recovery of the asset, allowing for a more pronounced economic valorization. Project financing, which falls into the category of public-private partnership contracts, presents the challenge of identifying criteria to balance the limitation of public access with the exclusive use of the asset granted to the private sector to carry out profitable economic activities on the site.

One perspective that can help achieve an appropriate balance is to ensure that the exclusive use of parts of the asset does not compromise its original cultural purpose, if any (Croce, De Nitto, 2019). In this context, the structural and aesthetic-cultural impact of re-functionalization works should be carefully considered, especially in relation to the reversibility of the interventions. Positive attention should be paid to the possibility, offered by project financing, of entrusting to a single entity both the physical restoration and rehabilitation works and the management of the asset for a period sufficient to ensure the recovery and profitability of the initial investment. This approach would promote greater coherence between the different phases of the rehabilitation process and reduce the risk that the fragmentation of rehabilitation activities among different concessionaires would jeopardize the effective public use of the rehabilitated asset.

Moreover, among the PPP contracts provided for in Article 180, paragraph 8, of the Code is the *financial lease* of public works or public utilities. This type of contract allows the entity to have the availability of an asset for a certain period of time in exchange for a periodic fee, and to eventually redeem the asset at the end of the period. This contract allows the contracting government to enter into an agreement with a private operator to carry out public works through what is known as real estate leasing. This contract is an alternative form of PPP to concessions for the construction and management of works intended for the direct use of the public authority, as it is functional for the management of public services (“cold” operations), especially for works that do not require intensive

management or for which it is complex to envisage the involvement of the private party for the provision of services.

For leasing to be considered a form of PPP and not just an alternative to contracting, the administration must effectively transfer part of the risks of implementation and maintenance to the leasing operator and not simply use this tool to avoid immediate cash outflows. In this context, the administration obtains the use of the work from a private lender, with the option of acquiring ownership at the end of the contract by paying a redemption. The bidding process for this type of contract involves the application of the procedures established in the Code for the execution of public works or public utilities. The contract is awarded on the basis of the most economically advantageous bid and may also involve temporary associations of companies composed of financing and executing entities, with specific responsibilities for each member of the association.

One form of financial leasing is the building lease, which is a tool available to the government to finance public "cold" infrastructure, making it possible to spread the investment over several years. Some major projects have recently been financed with this solution, which can be used both for new works and for interventions in existing buildings. However, this financial instrument can undoubtedly also be used for interventions in the rehabilitation or upgrading of assets already owned by the public administration (Norsa A., Trabucco D., 2011).

In addition, because of the need to obtain private financing and to take advantage of private sector expertise and practices, the legislature introduced a new type of PPP called the "*availability contract*" (Nicotra, 2021). Under this contract, the contracting authority entrusts the private operator with the construction and provision of a private work for the provision of a public service, at the private operator's risk and expense, in exchange for a fee. "Making available" means that the private operator must ensure the continued availability of the work to the administration and take care of maintenance and the resolution of any problems even after completion. Unlike other PPP instruments, such as concessions or finance leases, the work remains privately owned under an availability contract. This type of contract can cover the construction of new works or the

improvement of existing ones, but excludes works to be carried out on public land, such as roads, ports or prisons, to avoid issues related to the ownership of the area at the end of the contract. While it is compatible with the construction of real estate areas to place exhibition spaces, economic and social housing (Nicotra, 2021). The permanence of the work in private property guarantees the execution of works functional to public interests and transfers to the private party only the construction and availability risks, excluding the management risks generally associated with concessions. The administration evaluates the bids according to the criterion of the most economically advantageous bid.

Concluding, by introducing new procedures that can be used (introduction of the availability contract, extension of the administrative procedures that can be used for project financing and introduction of special public-private partnership<sup>25</sup>), the recent measures are all aimed at strengthening the institution of partnerships. In addition, the 2006 Procurement Code did not provide an organic regulatory framework of this context, but merely outlined a common legal framework that could be extended to all public-private partnership contracts; on the other hand, limiting and making rigid the organizational models available to the public administration would have been a prospect that would have been at odds with the fundamental needs of partnerships, such as the need to have both operational and managerial flexibility (Profeta, 2019).

In any case, after reviewing the considerations on the discipline of public-private partnerships in general and in the context of cultural heritage, it is crucial to highlight the following aspect: the partnerships covered, such as those outlined by the Public Contracts Code and the Third Sector Code, which aim to regulate issues and profiles that only occasionally involve significant aspects for the cultural heritage sector, constantly raise questions about their compatibility with the specific needs of cultural heritage (Croce M., De Nitto S., 2019). Moreover, in this context, it is often complex to make a precise ex ante determination of the investments to be borne by the private sector and their total turnover, since cultural heritage is commonly classified as "cold operation" (Croce M., De Nitto S., 2019).

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<sup>25</sup> Cfr. par. 2.3.2.

Having thus presented the various forms of public-private partnerships, it is now appropriate to examine in more detail how this instrument has spread in the cultural heritage sector and what innovations are involved, with a focus on the issue of research, particularly with regard to abandoned or under-utilized immovable cultural heritage assets.

## **2.2 PPP Regulatory Framework for Cultural Heritage**

### *2.2.1 The Entry of Private Subjects into the Cultural Field*

The Italian legal system expresses the importance of certain goods, such as culture, scientific and technical research, the natural environment, and the historical and artistic heritage of the nation, assigning to the Republic the tasks of promotion and protection and including these values among the fundamental principles. Initially, the prevailing interpretation of article 9 of the Italian Constitution - which emphasizes the protection of the nation's culture and historical and artistic heritage - identified this article as an implicit basis for the protection of cultural heritage, limiting its access to non-State intervention or participation.

The space for private participation in the functions of enhancement and enjoyment of public heritage has expanded since the 1990s with the concession of so-called "ancillary services". The Ronchey Law of January 14, 1993 marks a turning point in the relationship between the public and private sectors in the field of cultural heritage, both in terms of raising the standards of enjoyment of cultural offerings (allowing the establishment of so-called "ancillary services" in cultural sites) and in terms of increasing public revenues from the management of cultural heritage. The third paragraph of art. 14 of the law in question then provides that the management of these additional services<sup>26</sup> may also be

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<sup>26</sup> These ancillary services that are specified in art.117 of Cultural Heritage Code include: (a) publishing and distribution services of catalogs, audiovisual and computer aids, any other information materials and reproductions of cultural goods; (b) services of library and archival goods for the provision of reproductions and the delivery of library loans; (c) management of record collections and museum libraries; (d) management of points of sale and the commercial use of reproductions of goods; (e) reception and information services; (f) cafeteria and checkroom services; (g) organization of exhibitions and fairs; (e) reception and information services; (f) cafeteria, catering and cashier services; (g) the organization of exhibitions, cultural events and cultural initiatives.

entrusted in concession to private entities, allowing their entry into the performance of activities related to cultural heritage, but limited to those complementary to the ordinary cultural offer of museums and sites.

Subsequent legislation allowed for broader private participation in the enhancement of cultural heritage, culminating in 2004 with the enactment of the Cultural Heritage and Landscape Code, which allowed private parties to actively participate through agreements and management of cultural services. Subsequently, the code was supplemented by specific ministerial regulations that clarified how cultural services could be entrusted to the public and expanded the forms of public-private cooperation.

Finally, the new Public Contracts Code of 2016 further expanded the forms of public-private cooperation in the cultural heritage sector, allowing the Ministry of Cultural Heritage to enter into agreements with public and private entities for the recovery, restoration, management, and enhancement of immovable cultural property.

According to the Cultural Heritage Code, the greater involvement of private entities is encouraged, but under the guidance of the public administration, since it is still the State, the Regions and other territorial public entities that must ensure the valorization of public cultural heritage. The regulations presented previously explicitly provide for the participation of private entities in the valorization of public cultural heritage, anchoring themselves in the principles of freedom of participation and plurality of entities.

As suggested in the first chapter, the broad and undefined nature of the concept of "valorization" as defined in the Cultural Heritage Code potentially suggests a vast space for the intervention and collaboration of private subjects. However, the legislator seeks to regulate the involvement of the private sector in the different phases in which the valorization process is articulated, such as the strategic phase, the planning phase and the phase of concrete management of valorization interventions.

In the strategic phase, which aims to define common strategies, only public territorial entities and potential private owners of the assets involved can participate.

The subsequent planning phase also involves private not-for-profit entities that have participated in the creation of participatory bodies (foundations) entrusted by the public owner entities with the elaboration and development of strategic plans.

In these "ascending" stages (Moliterni, 2021), the participation of private individuals is of a collaborative nature, aiming to contribute, together with the public bodies, to the definition of the strategic and development line of the cultural heritage and the reference territory. The emphasis on the participation of non-profit organizations is justified by their supposed proximity to collective needs and national welfare systems, as well as their ability to support public institutions.

The next phase, which concerns the practical management and implementation of the improvement measures, also allows the participation of for-profit entities, provided that they are selected through public procedures for awarding the concession of the improvement activities. Their participation tends to be an alternative to the direct management of regeneration activities and services by the administration.

This alternative is evident in the fact that the choice between direct and indirect management is made by evaluating the economic sustainability, effectiveness and capacity for improvement. However, unless the private sector can demonstrate a greater capacity for valorization, public management should be preferred, at least in theory (as stated in Article 115 of the Cultural Heritage Code).

In addition to participation in the programming and management phases, private parties can also contribute by limiting themselves to a purely economic-financial contribution. In particular, in addition to the various forms of donations and patronage, the Cultural Heritage Code proposes two main forms of intervention for this case: cultural heritage sponsorship contracts and agreements with banking foundations, which will be presented in the next chapter.

### *2.2.2 From Désétatisation Towards PPP*

In order to respond to a shift in cultural demand, similar to various sectors, there is a growing impetus in countries characterized by a highly centralized model to allow the active involvement of local private partners in heritage management. This tendency

towards *désétatisation* (Dubini et al., 2012) can be realized through devolution, where activities and responsibilities are transferred to lower levels of government, such as local authorities; decentralization, where cultural institutions are granted greater autonomy; or privatization, where these activities are outsourced to private companies.

Advocates of a centralized approach emphasize the risk of "hybridization" between culture and commerce, underscoring how an overemphasis on economic logic can jeopardize the delicate balance required for sustainable preservation, leading to a loss of identity and meaning; while, proponents of privatization often overestimate the willingness of private partners to invest in heritage management and the reputational benefits associated with involvement in heritage preservation, without adequately addressing the issue of ensuring stable resource flows for heritage preservation. In heritage management, outsourcing of enhancement activities has been the most common form of partnership, with preservation activities typically remaining within the competence of public authorities. However, challenges often arise in specifying and defining expected outcomes in terms of quality, as well as in the government's ability to negotiate, coordinate, and monitor contractors.

This heralds the emergence of a public-private partnership model based on trust and reciprocity. It is becoming increasingly clear that there can be no enhancement without conservation; moreover, a lack of attention to the management challenges associated with *désétatisation* contributes to a gradual delegitimization of the public entity. Concerns about opportunistic behavior by private partners can become self-fulfilling prophecies. In particular, private partners can actively participate in preservation-related activities without undermining the overarching logic of unified heritage preservation at the national level, making public-private partnerships effective instruments of cultural policy.

Several studies<sup>27</sup> indicate that the traditional tension between public and private logics can be resolved through cooperation and shared responsibility at the management level, as opposed to a rigid definition of exclusive areas of competence. Key factors facilitating successful public-private cooperation include a clear delineation of responsibilities for

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<sup>27</sup> Dubini et al., 2012, case studies on FAI "I Luoghi del Cuore", San Cristoforo alla Certosa in Ferrara and Herculaneum Conservation Project.

each actor, well-defined timelines, criteria for resource allocation, shared commitment, and the adoption of bottom-up approaches (Dubini et al., 2012).

Private actors are encouraged not only to play the role of funding agencies, but also to use their project management skills to initiate a series of interlinked initiatives and to integrate different competencies. At the same time, public actors should not limit their role to outsourcing activities to private partners but should engage in a constructive relationship focused on the needs of heritage and citizens.

### *2.2.3 Criticalities and Proposals*

What emerges in the literature is that the partnership approach, when applied to this sector, aims to develop a heritage awareness project through a joint process between the public administration and private entities, including third sector entities. These entities, in accordance with the principles of horizontal subsidiarity (Art. 118 Const.), are able to ensure the pursuit of public interest objectives through activities aimed at promoting cultural diversity, social inclusion, participatory care and the involvement of the community in the planning of educational activities. This involvement can also take place in ways outside the traditional channels, promoting a spirit of urban research, discovery and regeneration (Spena, 2022).

In relation to the previous paragraphs, it is essential to point out that the concession of abandoned, degraded or poorly used assets requires, in view of their specificity, adherence to a broad concept of cultural valorization. Such valorization should be understood as a unified process that involves the whole asset and the activities that, as a whole, contribute to its rehabilitation. In particular, the discipline outlined in article 115 of the Cultural Heritage Code seems to be more related to the entrustment of services related to the property than to the entrustment of the entire property for management (Croce, De Nitto, 2019). In paragraph 8, a concession of the property is provided for the exercise of enhancement activities, but this regulatory provision does not comprehensively cover the case where the concession of the entire property has its own functional autonomy. At the regulatory level, a tool other than Art. 115, which allows the concession of all public property, also when it is of a cultural nature, is provided for in art. 3-bis of Legislative



Decree no. 351 of 25 September 2001. This provision gives the private partner the possibility to use the asset also for economic purposes. This concessionary relationship is characterized by the exclusive use of the asset by the concessionaire, as it is not, by nature, aimed at enhancing public enjoyment. Since the enhancement of its cultural value is not the primary purpose of the relationship, the precise scope of the rule has contributed to creating a specific ambiguity between the economic and cultural enhancement of the asset (Croce, De Nitto, 2019).

What emerges is the concrete need to find an appropriate balance between the concession of the exclusive use of assets and their intrinsic public purpose: the economic management of a cultural asset can be considered acceptable if it aims to facilitate its financial self-sufficiency in order to promote its better preservation, knowledge and public enjoyment. On the other hand, if the actions aimed at the recovery of the historical-artistic heritage were to be directed exclusively to the benefit of private interests, they would deviate from the initial decision to culturally valorize the object of the concession, and instead be configured as a concession for exclusive use. In the latter case, it is reasonable to base the determination of the royalty on the market value.

An example in which the general interest of maintaining public ownership of the property appears to be clearly sacrificed is the first partnership activated within the *Valore Paese - Dimore* project, promoted by the Agenzia del Demanio<sup>28</sup>, concerning Villa Tolomei in Florence. In this situation, the functional restoration of the complex, based on the preservation of its historical-artistic elements, is aimed at the establishment of a luxury hotel business. While the establishment of a hospitality facility can contribute to increasing the socio-economic value of the property and triggering urban redevelopment processes, the activity seems to be primarily aimed at promoting the inflow of private investment.

It is essential that the State Property Agency conduct a valuation of the asset in accordance with the prices charged on the free market for similar types, characteristics and uses of the

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<sup>28</sup> This project aims to "enhance the value of disused public heritage, strengthen the tourist and cultural offer and the development of territories, promote Italian excellence such as landscape, art, history, fashion, design, food and wine, and promote virtuous forms of public-private partnership".

property. It is then up to the Ministry of Cultural Heritage and Activities (MiC), as the body responsible for safeguarding cultural interests, to adapt the valuation carried out by the Agency to specific needs. The collaboration between the two bodies is considered a key element in the valorization of the heritage, differentiating the instruments of partnership according to the specific functional needs of the different properties (Croce M., De Nitto S., 2019).

The choice of considering diffuse heritage<sup>29</sup> as a unitary category is justified by the fact that the objective of the administrative activity, namely its enhancement, can best be achieved by formulating a broad management and cultural project involving the heritage as a whole, rather than individual departments. This choice allows a great deal of flexibility in the implementation of the project.

In this sense, the need has been felt to overcome the limitations of the concessionary models provided for the outsourcing of services and enhancement activities of highly frequented sites, allowing the outsourcing of the entire asset and orienting the collaborative relationship towards more flexible rules.

In the case of monumental complexes without collections, archives or other types of movable cultural property, the consideration of the material and immaterial qualities inherent to the property assumes an independent relevance. Therefore, although a simple visit may constitute a cultural experience, it seems appropriate to consider the usefulness of a more incisive cultural promotion strategy that not only ensures the accessibility of such assets, but also takes advantage of their potential attractiveness.

Historical and artistic properties play an important role as a "context" element for the potential development of the cultural activities housed within them. It reflects on the possibility of activating a virtuous mechanism in which the presence of cultural activities, such as art, literary or theatrical workshops, as well as dance and music classes, not only

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<sup>29</sup> This expression, which is not reflected in normative texts, is intended to highlight the strong relationship that links the protection and enhancement of cultural heritage to the natural and territorial context in which it is located. It is a useful expression to include in a single category cultural assets that may be characterized by a limited or complete absence of fruitfulness or by a state of particular degradation (Croce, De Nitto, 2019).

increases the opportunities for getting to know the property itself, but also becomes an added value for cultural activities and a vehicle for their wider dissemination (Croce M., De Nitto S., 2019).

For this very reason, the development of policies for the cultural valorization of assets, together with those aimed at promoting cultural activities, should be considered in a comprehensive and integrated manner. However, there is a difficulty in the implementation of this perspective under the current regulations. Firstly, the "concession to third parties" provided for in article 115 of the Cultural Heritage Code, in addition to not being an autonomous concession model specific to the sector, seems inadequate to meet the functional needs of a widespread heritage. Therefore, it is necessary to use concessionary tools regulated by other sectoral regulations, such as the Public Contracts Code and the Third Sector Code (Croce M., De Nitto S., 2019).

However, this solution is inherently problematic, as it brings with it all the critical issues associated with referrals between different sector disciplines. Nevertheless, as will be shown in the following paragraphs, new forms of partnership have begun to develop in response to the needs outlined above.

From the framework described, the reason remains why it is plausible to consider that public-private partnerships dedicated to diffuse cultural heritage deserve an autonomous discipline. This consideration stems from the specific needs that characterize this particular category of assets (Croce M., De Nitto S., 2019).

### **2.3 Characteristics of Public and Private Parties in PPP for Cultural Heritage**

At the root of many misunderstandings and the real difficulty in ensuring an appropriate balance between the presence of the public entity and the role of the private sector in the context of cultural heritage is an issue that can be reduced to the dichotomous dynamic between public (cultural) interest and private (profit-making) interest. Regardless of the misunderstanding arising from the idea of valorization understood as "economic exploitation of the good", it is essential to emphasize that private sector participation in the field of cultural heritage responds to a variety of principles, values and interests, some of which are of constitutional relevance. These elements must be taken into account when

addressing the issue of public-private partnerships for the rehabilitation of immovable cultural property. First, the private sector, if it operates in a stable and professional manner in the context of cultural property, represents a source of high-level expertise that should be able to contribute to the protection and enhancement of our heritage.

Second, the involvement of the private sector also reflects the principle of horizontal subsidiarity embodied in Article 118 of the Constitution, which allows citizens to participate and cooperate with public authorities in the exercise of "activities of general interest". This principle finds one of its deepest expressions in the cultural context.

Third, within the cultural heritage sector, private sector participation is strictly functional to the realization of the constitutional principle of cultural pluralism. This principle aims to preserve the individual right of free access to diverse sources of knowledge. This fundamental principle also finds clear support at the European level, where it is specifically aimed at safeguarding cultural diversity among member states and promoting support for intercultural dialogue (Moliterni, 2019).

From this perspective, cooperation with the private sector can be an essential prerequisite for ensuring the participation of citizens in the life and cultural identity of the country, as well as facilitating a renewed approach to the often inaccessible "diffuse" heritage.

It is clear that the question of how to regulate the involvement of the private sector in the field of cultural heritage involves very different constitutional needs, objectives and values, going beyond the traditional dichotomous view of "public vs. private interest", that is often misinterpreted as a clash between culture and the logic of profit.

### *2.3.1 Heterogeneity Of Private And Public Parties*

Given this peculiar relationship between social value and the economic dimension, it is essential to abandon the *monolithic* idea of the private sector (Moliterni, 2019). This concept does not take into account the strong heterogeneity and complexity that characterizes the landscape of actors actually active in the cultural sector.

When referring to forms of public-private partnership in general, it is necessary to further specify the lexicon when it comes to "private parties". In fact, the types of actors to which this expression can refer are too numerous and diverse. Among them, we can identify

individuals; private legal entities, profit or non-profit; economic actors with predominantly private capital and resources; non-profit social benefit organizations (NPOs); foundations (other than those established by law or with predominantly public resources), including "ordinary", "holding" and "banking" foundations; associations, with or without ONLUS status.

It is clear that even when we use the term "public", we are referring to extremely diverse subjects, including institutions and entities defined in Article 114 of the Constitution (local, territorial and related entities); entities with public legal personality, including, for example, functional autonomies such as chambers of commerce and foundations established by law; state universities; economic operators with predominantly public capital and resources, such as non-economic public entities and public economic entities (Petraroia, 2018).

The primary distinction in considering the inclusion of private entities in partnership arrangements with public administration is connected to the nature of the expected activities rather than the kind of entity involved. There are numerous instances where the entity has a nonprofit status but engages in economic activities. In such cases, the cost structure remains the same regardless of whether the entity is for-profit or not-for-profit, with the divergence being observed in the tax regime to which they are subject. In addition, of course, there is the prohibition for non-profit organizations to distribute profits.

Each of the identified subject types has distinct characteristics.

Public entities (which carry out activities of public nature) are known for their procedural rigidity during the management phase, coupled with limited flexibility due to legal constraints. This, in turn, is often associated with challenges in acquiring the necessary expertise.

Private for-profit entities may carry out activities of public interest with economic revenues, such to be considered economic activity and they typically exhibit greater flexibility and operational efficiency. However, this efficiency must be reconciled with an adequate return on investment, which carries the risk of overshadowing the community interests that should prevail in the management of services of general interest.

Non-profit organizations, on the other hand, are born out of shared values among their members. While these entities typically engage in non-economic, voluntary activities, they also have the ability to manage economic activities in line with their objectives. From an organizational point of view, they exhibit an intermediate level of efficiency between public institutions and private for-profit entities. This is due, on the one hand, to the absence of procedural constraints typical of public institutions and, on the other, to the voluntary nature of members' participation in activities without economic return (Della Spina L., Calabrò F., 2019).

### *2.3.2 For Profit and Not for Profit Private Entities*

The decision to adopt the distinction between for-profit and non-profit no longer seems entirely appropriate for regulating the intensity of private sector involvement in cultural heritage, especially in a context where the quality (and professionalism) of the collaboration should be more important than the question of profit-making. Moreover, the very categories referred to by the legislator, such as "private non-profit legal entities", no longer seem able to cope with the extreme complexity and heterogeneity of the non-profit sector. In the nonprofit sector, there has long been a significant process of "institutionalization" and a clear predisposition of many nonprofit entities to engage in activities of economic significance. Therefore, here too, there is a need for more flexibility, a key feature for different partnership relationships, considering that the subjective categories currently used have been superseded both by practice and by more recent interventions that have redefined the nonprofit sector, including redefining the boundary with the for-profit sector.

It is important to note that the rules of the Civil Code are no longer the only regulatory reference point for the regulation of "nonprofit entities". A turning point was reached in 2016, when the legislature delegated the government to intervene organically for the "reform of the third sector, social enterprises and the regulation of universal civil services". The delegation was mainly implemented through the Third Sector Code (Legislative Decree No. 117/2017), which introduced a legal definition of "third sector entity" (ETS) at the regulatory level. This designation, or status, is granted to any non-

profit organization that meets the requirements listed in Article 4 of Legislative Decree No. 117/2017 and chooses to register with the newly created Single National Registry (RUNTS).

The RUNTS, established at the Ministry of Labor and Social Policy, will be managed on a territorial basis by the regions and autonomous provinces. The status of ETS, which replaces that of "non-profit organization" with fiscal and tax implications, represents a normative category that does not coincide with or include all manifestations of "private non-profit". Registration in the registry is optional, but it becomes a mandatory requirement for access to the funding discipline provided by the Third Sector Code. Some special ETS figures include voluntary organizations, social promotion associations, and social enterprises.

It is appropriate to carefully examine the involvement of private parties in the two ascending phases of valorization interventions, focusing on the regulatory framework outlined in article 112 of the Cultural Heritage Code. These steps have already been presented in the previous sections, but it may be useful to analyze them further having clarified the concepts of private for-profit and nonprofit, in order to bring out the related critical issues and possible solutions. Hence, Cultural Heritage Code distinguishes three different phases of valorization: strategic, planning and management. However, despite the various reforms made to this article over time, the clarity and consistency of its overall wording is not always clear. It should be noted that the difficulty in clearly separating the stages of the improvement process may stem from the very nature of this process, which represents a single entity.

The strategic phase, as defined in article 112, paragraph 4, is reserved for public bodies, including the State, regions and other territorial entities. This phase consists of entering into agreements aimed at defining common strategies and objectives for redevelopment identified at the regional or sub-regional level. The overall objective is to create an integrated model of redevelopment strategy that takes into account the possible indirect effects of programs for the preservation, restoration and increased accessibility of cultural assets on the economic and productive development of the territorial context. However, a

limitation of article 112 concerns the participation in strategic agreements, which is allowed only to the owners of the assets involved in the recovery plan.

In the next phase, called programmatic, in which the strategic plans for cultural development and the programs resulting from the agreements are drawn up, not only the owners of "cultural goods that can be the subject of valorization" are entitled to participate, but also nonprofit organizations that do not own cultural goods but have as their statutory purpose to intervene in this field (art. 112, paragraph 8), with some limitations.

The two stages mentioned above highlight the different possibilities available to the private party, depending on its entrepreneurial or non-profit nature, as well as its position as owner or non-owner of the asset to be intervened. Private for-profit partners have the opportunity to finance initiatives, as in the case of sponsorship, and to manage project-related services on assets whose use is the responsibility of public entities, except in cases where they own the asset being developed. Private entrepreneurial partners are generally involved in the contracting out of public services in cultural places and in the outsourced management of services related to enhancement activities, through procurement contracts or service concessions.

However, the entrepreneurial private party is not identified as a privileged interlocutor in concessions for the private use of state property, nor in operations of redevelopment or conversion of public property, including cultural heritage. These operations seem to be reserved primarily to non-profit organizations (Pangallozzi, 2022). In any case, the possibilities provided by the legislation on cultural patronage and liberal donations remain open to any private individual.

The institutions of participation in the two "ascending" phases provided for by the Cultural Heritage Code must now be compared with the provisions of the new Third Sector Code, which are also applicable to the cultural sector. In order to compare the two disciplines, it is necessary to make some terminological clarifications: co-programming, as it is understood in the language of the Third Sector Code (art. 55, para. 2), seems to coincide with the phase called "strategic" in the Cultural Heritage Code. Both have as their objective the identification of needs and strategic development objectives, as well as the elaboration of plans conceived on a territorial scale.



On the other hand, the phase of co-design outlined in the Third Sector Code seems to overlap with what is defined as "programmatic" in the approach of the Cultural Heritage Code: in fact, both concern the identification of individual services and other interventions necessary for the implementation of strategic planning.

In order to ensure the proper application of the partnership institution, it is essential that the administration, as required by the legislation itself, define in advance the general and specific objectives of the intervention, its duration, its essential characteristics, as well as the criteria and methods for identifying partner organizations. It is also essential that the administration always retains decision-making authority and that the evaluation criteria in the calls for proposals are not discriminatory or overly strict<sup>30</sup>.

With regard to the cultural heritage sector, it should be noted that the differences between the disciplines in the two Codes seem to create two alternative paths for the involvement of private parties in the cultural heritage sector. The coexistence of these paths may appear problematic both logically and legally (Croce M., 2019). The first path, outlined by the Cultural Heritage Code and aimed at all non-profit organizations that pursue statutory objectives related to the enhancement of cultural heritage, limits private participation to the implementation planning phase of interventions (excluding the participation of non-owner private parties in "strategic agreements") and does not allow for integration between the moment of planning and the moment of entrusting services and activities (art. 115, para. 3).

The second cycle, provided for in the Third Sector Code and thus reserved exclusively for third sector entities (Ets), extends the involvement of these entities to the strategic planning phase. In addition, it allows them to entrust the practical implementation of interventions and services to the same private individuals who participated in their planning (art. 55, para. 3).

Despite these differences, it seems likely that the provisions of the Cultural Heritage Code will prevail, given the special nature of the discipline. The literature points to the need to take into account the peculiarities of cultural heritage, whose public purpose and

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<sup>30</sup> ANAC, "Guidelines for contracting out services to third sector entities"

instrumentality for the promotion of cultural development require reflection on the ability of the private entities involved to promote the enhancement of the cultural value of the property (Croce M., 2019). In this context, the difference between the norms of the Cultural Heritage Code, which are addressed to non-profit entities that have chosen the cultural heritage sector as their field of intervention, and the norms of the Third Sector Code, which do not establish a direct link between the statutory objectives of Ets and the sectors subject to co-programming and co-design, has proved to be relevant.

## **2.4 Potentials and Limitations of PPP for Cultural Heritage: an integrated SWOT Analysis**

### *2.4.1 Advantages*

The complexity and heterogeneity of the public-private relationship in cultural heritage enhancement emerges clearly from this analysis. The tension between the public nature of cultural heritage and the objective of stimulating socio-economic and cultural development has led to the development of a participatory dynamic. However, there are still challenges and difficulties in consolidating and improving cooperation between the two sectors.

It has been mentioned how existing regulations often limit or confuse administrations and other stakeholders, making it difficult to choose viable solutions. In addition, the complexity of cultural heritage management requires a delicate balance between public and private interests, which is often complicated by the diversity of actors involved, each with their own objectives and agendas.

Interestingly, partnership phenomena of various kind has been mainly contractual and managerial in nature, with less presence in the planning and strategic sphere, where public actors maintain a central role (Petraroia P., 2018). This may indicate that partnerships are more focused on operational management and less on planning and defining long-term strategies.

The analysis of these partnerships shows that, despite efforts to make collaborations more stable and functional, there are still obstacles to overcome, particularly with regard to the composition of interests. The challenge remains to find a balance that preserves the

valuable and public nature of cultural heritage while maximizing the potential for growth and development that collaboration with the private sector offers.

The prospect of viewing partnership as a way of operationally sharing goals of common interest is certainly timely. Strengthening this cooperation can lead to mutual empowerment, enabling both the public administration to pursue the public interest more effectively and the private sector to satisfy its own particular interests. In particular, the use of innovative forms of contracting becomes important when PPP is seen not only as a means of financing interventions and services in the public interest, but also as an opportunity for active collaboration between different actors.

Innovative forms of contracting can play a key role in promoting participation in the decision-making process, enabling stakeholders to make innovative and operational contributions to local development processes and projects. This active collaboration not only improves the quality of governance, but can also help resolve the potential conflict between the interests of private investors and the diffuse interests of the community.

In this way, the partnership becomes not only a means to achieve practical goals, but also a vehicle for creating positive synergies that can promote sustainable development and heritage enhancement while maintaining a balance between public and private interests. The key to success lies in the ability to build collaborative relationships based on mutual trust and shared long-term visions (Moliterni A., 2019).

The benefits listed for public administrations using PPP (Public Private Partnership) are relevant and often cited as reasons for adopting this collaborative model. Benefits for public administrations using PPPs include (Petraroia P., 2018):

- *Expanding investment opportunities:* PPP allows public administrations to initiate projects of public interest without having to bear the entire cost of implementation. This is particularly important given the limited financial resources available to many public bodies.
- *Increasing the interest of private operators:* involving the private sector as a "partner", rather than as a mere executor of already defined projects, stimulates the interest of private operators to propose innovative and economically viable

solutions. This can lead to greater efficiency and creativity in project implementation.

- *Risk Transfer*: PPPs involve the transfer of risk to the private operator. This may include construction risk, availability risk (in the case of long-term concessions) and, in the case of profitable operations, demand risk for the services provided. This mechanism encourages the private operator to manage risks effectively to ensure the success of the project.
- *Maintaining economic-financial balance*: PPP emphasizes the importance of economic-financial balance. This means that the project must be economically viable, creating value over the life of the contract, and financially sustainable, generating sufficient cash flow to cover costs and ensure repayment of financing. Economic and financial equilibrium is critical to the proper allocation of risk among the parties involved.

In summary, PPPs aim to harness the expertise and resources of the private sector to deliver public projects more efficiently, while reducing the direct financial impact on the public budget. However, it is essential to manage contracts carefully and ensure that they are fair and transparent for all parties involved.

While the benefits for the public sector are often emphasized, PPPs can also be beneficial for private entities. First and foremost, they offer private organizations the opportunity to contribute to societal goals, thereby increasing their overall social impact. In this respect, the relationship between the cultural sector and the private sector has become particularly important as corporate social responsibility (CSR) has become a key issue for corporate image.

Second, these collaborations have the potential to provide private partners with access to tax exemptions, thereby providing financial benefits to the private entities involved. In addition, private partners benefit from privileged access to the public administration and its tools, which are invaluable for their operational efforts. In addition, a notable benefit of such partnerships for private entities is the positive economic impact they generate through enhanced brand image and branding initiatives (Albertelli, 2023).

In the course of the research, another aspect emerged that deserves to be emphasized in this context of analysis: the PPP is an expression of the principle of horizontal subsidiarity, which recognizes the subsidiary role of civil society in activities of general interest, such as the recovery of abandoned cultural assets, which are potentially crucial for the area of reference. The importance of the economic crisis that has hit Italy (as well as the rest of Europe and beyond) in the wake of the Covid-19 pandemic and the global wars should not be overlooked, as it has led Italy to seek cost-effective solutions for its budget.

In terms of the benefits of using PPPs, they can be identified in the fact that the use of private capital and resources can benefit both the public administration and the end users of the services. These benefits can be both economic, by reducing the overall cost of implementing and managing the heritage restoration project, and by increasing the efficiency, effectiveness and quality of the services provided. The positive interaction between the public sector and the private entity allows them to benefit from the specialized skills of the private sector, thereby optimizing performance and operating costs. In addition, PPPs make it possible to address administrative and management challenges that the public sector may face by leveraging the competitive skills of private actors.

#### *2.4.2 Criticalities*

It is undeniable that although the normative conditions for combining good administration with a sound technical and business culture for the development of culture and the preservation of cultural heritage are now finally in place, there are still limitations.

A first aspect to be carefully considered is that this type of collaboration is too often interpreted through the filter of ideological prejudices that equate the enhancement of cultural heritage with the entry of the private sector as a commodification of culture.

Another notable aspect is the power imbalance resulting from the focus on public benefits, which often portrays the public sector as weak and dependent on private support. This imbalance can hinder the establishment of a truly collaborative and equitable relationship. Achieving the right balance between public and private involvement through effective governance is a significant challenge. It requires skillful negotiation by the public sector

and the introduction of appropriate incentives to encourage private involvement (Dubini et al., 2012).

The lack of integrated operational protocols and the absence of technical standards and guidelines that are comprehensible to all parties involved are clearly evident. This deficit hinders the promotion and development of mutual trust between the public and private sectors, especially in sensitive areas such as cultural identity (Petraoia, 2018). Finding the right balance is not just a matter of mediating between the seemingly conflicting demands for strict protection and speed in the procedures for evaluating and approving interventions on cultural heritage. Rather, it is to seriously address the complexity of the processes of recognition, management and co-evolution of cultural heritage, while safeguarding its identity and actively involving the population. This goal cannot be achieved either by excessive centralization of decisions or by excessive technical discretion on the part of individual, often self-referential, officials. The lack of methodological reference frameworks and structured operational protocols is evident.

The European Court of Auditors (ECA) has identified a number of critical issues, in particular the widespread lack of skills in public administrations in the design and management of initiatives. This operational deficit undermines the achievement of the results legitimately expected from the adoption of PPPs<sup>31</sup>. Although this tool can help to ensure the relevance and appropriateness of administrative action in the territories, promoting the coalition of resources and interests oriented towards the public good, especially in the context of the preservation, promotion, enhancement and public enjoyment of cultural heritage, critical questions remain regarding the implementation of the partnership itself.

It is undeniable that the public and private sectors, while sharing an ultimate goal, may pursue different interests. For example, a private company will seek to maximize its own profit, while the public administration is institutionally committed to pursuing the public interest by ensuring the proper conduct of administrative actions, providing adequate services, and containing expenditures. There is a risk that the private party will act

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<sup>31</sup> Corte dei Conti UE, Special report, Public Private Partnerships in the EU: Widespread shortcomings and limited benefits, n. 9/2018.

primarily for its own profit, neglecting the public interest, and this eventuality can also occur in the cultural sector. In the absence of a common interest, conflicting values between the public and private sectors can create insurmountable differences.

To mitigate this risk, it is essential to select the private partner in accordance with the competitive principles of transparency and equal treatment. An up-front, comprehensive and transparent assessment of projects, costs, revenues and benefits over time horizons appropriate to the technical life of the works becomes essential. This implies respecting the project's timeframe and modalities as conditions for achieving the expected cash flows. Another critical issue may arise from information asymmetries in the relationship between the public and private partners, leading to difficulties in optimal risk allocation. Public administrations may face challenges in identifying contractual obligations, making financial and economic assessments, and monitoring contract performance.

Nevertheless, it is important not to underestimate the importance of the growing prominence of public-private partnership (PPP) models as a response to changing societal expectations. There is now a demand for cultural institutions to be active participants and leaders in transformative efforts, rather than passive observers. In particular, concepts such as sustainability, equity, inclusivity, and participation have gained prominence in the cultural sector. This shift has received recognition and attention from various cultural, social, political, and economic institutions, including the European Council (EC) through the Faro Convention and the United Nations (UN) with the 2030 Agenda for Sustainable Development.

Furthermore, PPPs can serve as a viable solution to address the widespread problem of abandonment that affects many cultural properties. This approach addresses the challenge posed by the high cost of heritage conservation, coupled with the insufficient human resources available for management and the lack of effective strategies for the valorization of widespread cultural heritage.

### 2.4.3 *Conclusions*

Therefore, in order to identify practical developments, it is useful to summarize the general fundamental requirements for an appropriate public-private relationship (Petraroia, 2018):

- Clarity in the rules governing the establishment of agreements, in line with their objectives.
- Transparent manageability of fees.
- Use of unambiguous contractual instruments, especially with regard to means, purposes, roles, resources, tools, methods, controls and reporting.
- Respect for the principles of publicity and equal opportunities as a basis for compliance with competition law.

All this is a guarantee of legality and mutual trust between public entities and suppliers of goods, services and works; patrons; partners (private and public); sponsors (private); and owners, concessionaires, managers of cultural goods and services, institutes and cultural sites (private and public).

Finally, the dual nature of PPPs can be a double-edged sword: if the partnership is not structured appropriately, it may result in an unequal and hierarchical arrangement that negates the benefits of the agreement. Conversely, if the power dynamic is equitable, with shared commitments, responsibilities, and goals, and both parties contribute their expertise to achieve common goals, the partnership is more likely to produce favorable outcomes.

In conclusion, private investment in the cultural sector should lead to active participation as co-leaders in a process that influences social, economic and employment development. This process can only be achieved through synergy between the public and private sectors and a virtuous planning approach that places the project within a holistic vision. Such a vision should encompass all aspects, including communication, enhancement, preservation, visibility for the company, return for the community and the overall investment, sustainability over time, accessibility for all audiences, functionality and replicability.



It follows an integrated SWOT analysis regarding the instrument of PPP, in which both private and public positive and negative aspects are summarized.

Strengths	Opportunities
Investing in public interest projects without PA bearing the full cost; Proposing innovative and economically sustainable works; More careful observance of the so-called financial-balance as a prerequisite for proper risk allocation; Expression of the principle of horizontal subsidiarity; Response to a shift in societal expectations that require equity, inclusivity, participation; Contribution to social goals by privates (CSR); Improved brand image of private parties;	Benefits to private parties (rootedness in the area), administrations (financial and otherwise), public (will benefit from the redeveloped asset); Opportunities for operational sharing of objectives of common interest; Benefit from the private party's know-how and specialization, optimizing operational costs and performance; Possible entrenchment of the private party in the area can promote the appropriateness of administrative action.
Weaknesses	Threats
Possible gap of interests between public and private, in which the private takes economic advantage; Lack of integrated operational protocols; Presence of information asymmetries; Lack of expertise in design and management at the operational level; Remuneration of the private partner's risk capital may not adequately reflect the risks taken.	Risk that it is simply considered as an alternative mode in response to emergency situations with the lack of public funds; Risk that the public's conservative "no" will prevail over the redevelopment of the asset, considering the private's advantages at the expense of the public good; Risk that the private party will be disincentivized to cooperate, due to long bureaucratic times; Risk of politics interfering with the conduct of collaboration.

Table 1: PPP integrated SWOT Analysis

## 2.5 Novelties concerning PPP for Re-Use of Abandoned Cultural Heritage

An in-depth analysis of public-private cooperation for the rehabilitation of "abandoned", "disused" or immobile cultural assets with limited public use is justified by the specific functional needs associated with them. Such assets require actions and interventions to reopen them to the public or to restore them that are very different from those required for sites that are already widely visited. In this context, it becomes necessary to develop a broad management and cultural project, for which the use of more flexible forms of partnership is essential, allowing the private sector to take over the management of the entire asset. This approach avoids confining the processes of cultural heritage valorization

within the narrow limits of entrusting individual services (as provided for in article 115 of the Cultural Heritage Code) and fragmented interventions of protection and valorization. In establishing partnership relationships, it is essential to achieve the economic-financial balance of the activity by providing for an appropriate duration and the possibility of determining the fee to be paid to the administration through more flexible criteria. These criteria should take into account the cultural function of the property and the type of intervention planned by the private party for its valorization. Rehabilitation should be conceived in an open and dynamic way, taking into account the implementation of a broad rehabilitation process, considering not only various material interventions on the asset itself, but also the cultural activities that may take place within it.

In this context, it is worth highlighting the introduction, in two codes other than the sectoral code, of models characterized by considerable flexibility, which seem to be better suited to the needs of a broad valorization of cultural assets that are abandoned, disused or characterized by low public use. Both of these innovations in public-private partnerships are beginning to address some of the critical issues previously highlighted, which can be identified in both the public and private sectors. There are emerging signs of greater flexibility in the use of the instrument for the rehabilitation of abandoned immovable cultural property and greater involvement of private entities in the various phases analyzed in the preceding paragraphs.

#### *2.5.1 Art. 71 of Third Sector Code*

A first instrument considered, outside the Cultural Heritage Code and with a limited subjective application (reserved to non-profit organizations), is the concession provided for in art. 71, par. 3 of the Third Sector Code. This provision allows the concession of immovable cultural property "for which no fee is currently paid and which is in need of restoration" with the aim of rehabilitation and transformation. The concession is characterized by a medium-long duration, linked to the achievement of the economic-financial balance of the initiative, but in any case, not exceeding 50 years. This is innovative in several respects.

First of all, the rule allows the private party to be entrusted with the entire asset and not only with the spaces necessary for the operation of the granted activities. The object of the concession is therefore the entrustment of the cultural heritage and its management project, aimed at ensuring its proper conservation, as well as its opening to the public and its best valorization. However, it is important to note that the innovation introduced by the rule is limited to third sector entities, as it cannot constitute a general model for the entrustment of cultural assets. It should also be noted that, even with regard to non-profit entities, the subjective scope of the provision is uncertain: difficulties have been encountered in its application with regard to the possibility of including non-profit entities with an entrepreneurial character, such as social enterprises, within the scope of the rule. Second, this article is characterized by its specific focus on disused or unused cultural property: for the "rehabilitation and conversion" of such property, the private concessionaire is required to carry out restoration and renovation works at his own expense. The cost of these operations may be deducted from the fee payable by the concessionaire. On this point, it would be appropriate to provide for the possibility of transferring the asset free of charge, considering that in some cases the presence of a fee could be an obstacle to the start of processes of heritage enhancement (Croce, De Nitto, 2019).

Finally, the legislator, with the regulation under consideration, emphasizes the link between the valorization of the historical and artistic heritage and the promotion of cultural development. The beneficiaries of this model of cultural heritage management are identified on the basis of the activities of general interest carried out in accordance with their statutes. This tool allows public administrations to revive the use and valorization of unused cultural assets, with particular emphasis on increasing their cultural utility. This is done with a view to encouraging the involvement of a variety of private entities whose focus is specifically oriented towards the dissemination of art and culture, as well as the promotion of socially relevant activities in a more inclusive and participatory logic.

### 2.5.2 *Special Public-Private Partnership (SPPP)*

A second instrument considered is the new form of special partnership introduced by Art. 151, para. 3 of the Public Contracts Code, which is mainly dedicated to cultural heritage and has been implemented in 2016.

While articles 112 and 115 of the Cultural Heritage Code regulate the indirect management of cultural assets through the contracting of services and the concession of development activities to third parties in a joint and integrated manner, the current legislation indicates that the instrument most oriented to forms of cooperation in territorial development is the *Special Public-Private Partnership* (SPPP). These are special forms of partnership, contractual and non-institutional in nature, which do not lead to new forms of cultural heritage management, but define operational and organizational models aimed at the enhancement of cultural heritage.

Their structure identifies the functional aspects ("ensuring the enjoyment of the nation's cultural heritage and also promoting scientific research applied to its protection"), the potential subject of the contractual agreement ("the recovery, restoration, scheduled maintenance, management, opening to the public and enhancement of immovable cultural property") and the procedure for selecting the contractor, with reference to article 19 of the Public Procurement Code or "additional" simplified procedures.

It is shown that this new form of partnership offers solutions to the various problems that characterize the "traditional" concession model. In particular, the article highlights the broad scope of the objective, which, by overcoming the rigid opposition between protection and enhancement activities, avoids anchoring the former in a static and defensive vision and polarizing the latter in the logic of complementary and additional services aimed at ensuring the wider promotion of assets already open to public enjoyment. Obviously, since the interventions related to the typical activities of heritage protection (such as the rehabilitation or restoration of buildings) must be carried out in the process of the recovery of a cultural asset, even in the case of special partnerships, they remain subject to the rules established in Title I of Part II of the Cultural Heritage Code. Another interesting aspect is how the special partnership can potentially mitigate the rigid distinction present in the design of the Cultural Heritage Code between an "ascending"

phase - of planning for protection and enhancement needs and objectives - in which private sector participation is totally or partially excluded (except for non-profit or private ownership entities), and a "descending" phase - of managing enhancement activities and services - in which private sector participation is instead allowed.

In fact, SPPPs have a significantly longer average term of 20 to 25 years, which contrasts sharply with the typical 2 to 5 years associated with PPPs. This longer timeframe has several advantages. First, it allows for thorough planning, implementation and impact evaluation of partnership initiatives. Second, given Italy's often unpredictable political landscape, it provides a more stable foundation for public-private collaborations by insulating them from political volatility. This stability makes SPPPs more attractive to private companies seeking collaboration opportunities. Finally, the longer duration of SPPPs facilitates the use of a mix of public and private financial instruments, particularly the Arts Bonus, which is difficult to implement in shorter time frames (Albertelli, 2023). Another distinguishing feature is the possibility offered to the parties to renegotiate the financial obligations during the term of the relationship, allowing greater flexibility in the terms of the contract in response to operational circumstances. This overcomes the main rigidity associated with the concession relationship regulated by the Public Contracts Code. This legislation requires, as a basic condition, the preparation of an economic-financial investment plan, which includes the prior determination of the total investment cost and the timeframe for the implementation of the project. This is essential in order to define in advance the distribution of risks between the public and private parties.

The preparation of this plan is particularly burdensome for the private party, especially in the case of the development of abandoned assets. Firstly, as these are assets with no or limited public use, it is not possible to rely on the cash flow history of previous years. Second, if the assets also require complex rehabilitation work, it is difficult to accurately predict the amount of investment that the private party will have to make. This presents a risk similar to that defined in the Public Contracts Code as "construction risk," which relates to delivery delays, cost increases, and technical problems.

Finally, the special partnership is also characterized by the simplification of the procedures for the selection of the private contractor, in accordance with the provisions on

sponsorship (Article 19 of the Public Contracts Code). This aspect is an advantage that speeds up the selection process and allows the private party to have a better understanding of the state of degradation in which the asset is located, thus facilitating the initiation of the process of improvement of the asset itself.

In summary, this particular partnership model focuses not only on the specific management services, but more importantly on the asset and the enhancement objectives. This is done through a continuous dialog between different institutional levels and private entities, simplifying administrative procedures. In addition, in order to fully exploit the development potential of the area, a use of the asset based on increasing its utility value rather than its purely economic value should be promoted (Croce, De Nitto, 2019).

The flexibility of the instrument can facilitate the establishment of best practices to respond to an evolving cultural demand from civil society and achieve multiple objectives, while also encouraging atypical partnerships to ensure broader participation in the field of immovable cultural property. This marks a shift from a commercial to a social approach to heritage investment. The very operational flexibility of PSPPs, together with co-design, the provision of long duration and the absence of rigid contractual content, is an element of guarantee for the success of the processes of valorization of public real estate for cultural purposes. The fiduciary nature of the PSPP, not bound to a synallagmatic framework of "price versus performance", represents a collective empowerment towards the cultural heritage, its rehabilitation and enhancement.

Some of the most reliable data on the actual progress of projects to rehabilitate abandoned cultural assets through social partnerships can be found on the website of the "Viviamo Cultura" call. Launched for the first time in 2020<sup>32</sup>, this call has paved the way for innovative models of public-private partnership in the cultural sector. "Viviamo Cultura" finances the accompaniment of projects of cooperatives involved in the management and

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<sup>32</sup> The call "Viviamo Cultura - Everyone's Heritage" is promoted by Alleanza delle Cooperative, with the collaboration of ANCI (Association of Italian Municipalities), with technical partner Fondazione Fitzcarraldo and with the support of General Fond, FondoSviluppo and CoopFond.

enhancement of less visited cultural heritage<sup>33</sup>. The proposal for participation should summarize the following elements:

- The reputation and experience of the proposer in the areas of activity involved in the valorization process for which he or she assumes responsibility.
- The level of knowledge of the proposed property, its current status and its potential value.
- The scope and integration of the cultural project.
- The relationship with the territory and the target community.
- A simplified final program for the macro-items of the investment, with an expected economic-financial framework for the first 3-5 years and floor plans of the internal divisions of the asset with the intended uses.
- The coherence and relevance of the commitments made and requested by the public partner.

In terms of duration, as expected, PSPPs typically involve long-term collaborations, with the average duration of the first 20 cases being more than 20 years, renewable for equivalent periods. As stated in the relevant guidelines, the actual commitments made and detailed in the agreement will be the result of a "tailor-made" process to be carried out as part of the negotiation procedure between the parties.

In addition, the negotiation process will be supported by professional expertise for the winning cooperatives and their potential public partners.

Through this form of collaboration, numerous places of cultural value can be returned to the communities and reactivated, becoming also an engine of sustainable development. In the last edition, which ended in June 2021, six projects were awarded and led to the revitalization of places such as Palazzo Beneventano in Lentini in Sicily, Palazzo Panitteri in Sambuca di Sicilia, Casetta Toselli in Cuneo, Palazzo dei Filippini in Agnone, Ex Chiesa di Santa Maria del Tricalle in Chieti, Castello di Calice al Cornoviglio and Castello di Madrignano near La Spezia.

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<sup>33</sup> Website link of the call "Viviamo Cultura": <https://www.viviamocultura.com/>

## 2.6 Evaluation Methodologies of PPP for Re-Use of Unused Cultural Heritage

In recent years, there has been a broad political, social, and cultural debate about the value creation process associated with the enhancement of public real estate assets. This debate has focused on optimal ways to manage real estate, new uses, and spatial impacts associated with intervention decisions. Real estate valorization requires a detailed plan for physical rehabilitation and functional conversion. This plan must respect, on the one hand, the identity of the property and, on the other hand, the urban context, seeking a compromise solution between market needs, the cultural and social vocation of the property to be redeveloped, and the demands of the community.

One of the methodologies that can support the conservation and the choice of reuse of cultural heritage defining a collaborative strategy based on a bottom-up approach is the Multi-Criteria Decision Aid (MCDA)<sup>34</sup>. In fact, this analysis provides a theoretical framework fitting a context with different values at stake. It can manage both quantitative and qualitative information; it can involve many actors and the different positions on adaptive reuse strategies. Another methodology that it is worth mentioning in this perspective, together with the Stakeholder Analysis (SA), is the Discounted Cash Flow Analysis (DCFA), allowing to verify if the investment in the reuse of the asset for the private subject involved is feasible and sustainable. Moreover, the Strengths, Weaknesses, Opportunities and Threats Analysis (SWOT) is another methodological instrument useful for the development of sustainable valorization strategies addressing abandoned cultural heritage<sup>35</sup>. It is based on internal and external valuation criteria, and it contributes to maintain the strengths, find solutions for weaknesses, investing in opportunities and prevent threats. Even the Analytic Hierarchy Process (AHP) may play an important role, by deriving priorities and relative importance of criteria, sub-criteria, and alternatives in an analytical way.

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<sup>34</sup> Della Spina L. (2020), “Adaptive sustainable reuse for cultural heritage: a multiple criteria decision aiding approach supporting urban development processes”, in *Enhancement of Public Real-Estate Assets and Cultural Heritage*, MDPI, pp. 28

<sup>35</sup> Bottero M., D’Alpaos C., Mareello A. (2020), “An application of the A’WOT analysis for the management of cultural heritage assets: the case of the historical farmhouses in the Aglié Castle (Turin)”, in *Enhancement of Public Real-Estate Assets and Cultural Heritage*, MDPI



An interesting experimental model, known as *SOSTEC*, has been developed by the LaborEst laboratory and the spin-off Urban Lab, both affiliated to the Mediterranean University of Reggio Calabria<sup>36</sup>. This model serves as an economic feasibility project for the development of unused public buildings. It is specifically designed for cases where the public decision-maker wishes to assess whether the economic conditions support the use of public-private partnership agreements for the implementation and/or management of the project.

The reason this form of experimental analysis is challenging lies in its multifaceted nature, as it is an effective decision-making tool through the adoption of an integrated approach that combines several of the above types of analytical approaches into a single analysis.

The primary objective of the model is to examine the feasibility and economic sustainability of potential re-use scenarios for unused public buildings, in line with an overarching concept of territorial development. It is particularly applicable to buildings with cultural significance and is composed of three main sections: (1) cognitive surveys, (2) reuse hypotheses, and (3) financial-economic plan.

Through these sections, the structure of the model facilitates the derivation of reuse hypotheses based on an understanding of territorial dynamics, allowing the feasibility and sustainability of the proposed hypotheses to be verified.

### 2.6.1 *Cognitive Surveys*

In this section (1), the model not only incorporates the traditional socio-economic surveys (demographic trends, labor market, infrastructure and mobility systems, cultural and environmental heritage), but also takes into account the stakeholders' perspectives. This first part is divided into several subsections:

- *Territorial Framework*: Describes the territory of the municipality under study, accompanied by relevant graphical representations on appropriate maps.

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<sup>36</sup> This model is presented in Della Spina L., Calabrò F., (2019), “The Public-Private Partnership for the Enhancement of Unused Public Buildings: An Experimental Model of Economic Feasibility Project”, in *Enhancement of Public Real-Estate Assets and Cultural Heritage*, MDPI

- *Territorial context*: Analyzes the economic and social aspects of the territory under consideration.
- *Census of the material and immaterial cultural heritage*: Lists the tangible and intangible cultural heritage of the municipality.
- *Infrastructure and Mobility System*: Focuses on infrastructure and mobility systems, identifying key nodes, often illustrated with maps.
- *Existing Programming*: Surveys existing or recently completed programs, assessing established strategies, needs, goals, and previously identified solutions.
- *Asset Description*: Focuses attention on the asset to be assessed, providing a brief description and key identifying data.
- *Acknowledgement of Previous Projects*: Acknowledges projects that have been completed on the asset being redeveloped and aligns the improvement project with the goals of the overall program.
- *Stakeholder Perspective*: Conducts interviews to analyze the perceptions and expectations of various stakeholder categories (local government, business owners, professionals, associations, and the local community).
- *Identification of best practices*: Examines successful similar cases to gain insights into management models and types of PPPs, taking into account the limitations of the methodology.
- *Identification of problems and vocations*: Identifies the main problems and the vocation of the territory.

The main outcome of this first section is a stakeholder analysis and a comprehensive overview of the asset to be revitalized. The strategy and objectives already identified by the local community serve as a reference and allow the development of coherent hypotheses for potential synergies.

### 2.6.2 *Re-use Hypotheses*

This second section allows for a quick assessment of the fit between the inherent characteristics of the building and the formulated reuse hypotheses in four subsections:

- *Project Idea*: This first sub-section provides a concise description of the overarching idea of the project, aligned with the resources of the area.
- *Project Goals*: The strong idea of the project is further explained by specifying the objectives of the project, outlining the particular needs that the project seeks to address through the development of the asset.
- *Intervention Hypothesis*: Based on the cognitive research carried out, the first intervention hypotheses can be formulated, specifying the activities to be localized and the entities involved (both profit and non-profit, private individuals, institutions).
- *Functional schemes and content*: Graphical representations, such as plan diagrams, illustrate the intervention hypotheses and detail the additional functions to be incorporated.

### 2.6.3 *Financial Economic Plan (FEP)*

The purpose of the Financial Economic Plan (FEP) is to validate the feasibility and sustainability of the reuse hypotheses, thus identifying the economic conditions that can underpin the partnership agreement. In this context, "feasibility" refers to the assessment of the profitability of an investment, while "sustainability" (in its economic dimension) aims to verify the balance during the operational phase of the project. The FEP consists of four stages:

- *Evaluation of the investment costs*: First of all, it is necessary to identify all the investment items, divided mainly into construction/production costs for the building works and costs for equipment and furniture. These estimates are made in accordance with the building reuse hypothesis and include activities related to the recovery and re-functioning of buildings, hardware and software furniture and equipment for building usability, communication, marketing, etc.
- *Revenue Valuation*: Revenue valuation involves identifying the goods or services to be produced and estimating their unit sales price. For nonprofit management entities, membership dues, additional private contributions, fundraising, and any government grants for management must be considered.

- *Evaluation of management costs:* To determine the optimal management model for the proposed project, the sustainability of both for-profit and nonprofit entities must be verified. The management model uses an organizational chart to list activities, expected functions, and the role assigned to each human resource involved. Accordingly, management costs (supplies, services, maintenance, etc.) are evaluated and general operating expenses are considered.
- *Economic feasibility and/or sustainability of the project:* Based on the revenue and cost assessments, the economic feasibility of the intervention can be tested for profitability using a discounted cash flow analysis (DCFA). Economic sustainability during the management phase can be assessed by checking the budget balance in the fully operational year using a Cash Flow Analysis (CFA).

Discounted cash flow analysis (DCFA) is recognized as the standard tool for valuing real estate investments, relying on the present value of cash flows generated by the investment at a risk-adjusted rate. Despite its widespread use, DCFA has certain critical aspects, including the uncertainty associated with a future scenario tied to both endogenous and exogenous variables within the system.

Nevertheless, the willingness of the private entity to accept a cooperative arrangement with the public administration is rooted in the private benefits derived from the intervention. This depends on the initiative's ability to repay the initial monetary investment, compensate for management costs and generate a financial surplus.

#### *2.6.4 Final Remarks*

This experimental model serves as a valuable decision support system using an integrated approach that combines Stakeholder Analysis (SA), Multi-Criteria Decision Analysis (MCDA), and Discounted Cash Flow Analysis (DCFA). Its primary objective is the evaluation and selection of alternatives for the revitalization of underutilized historic heritage sites.

The model excels in identifying appropriate uses that are consistent with the needs of the area, local development policies, and the inherent characteristics of the asset to be revitalized. In addition, it facilitates the assessment of real conditions, such as profitability,

to determine whether private entities should participate in the investment or contribute to the management phase, thereby establishing the economic basis for partnerships.

As has been widely discussed, the new challenge for public administrations is to regenerate the built heritage by promoting community involvement and collaboration with local stakeholders, synergistically achieved through public-private partnerships (PPPs). These partnerships must effectively ensure the promotion of historical and cultural values that represent both a symbolic asset for the community and a strategic investment for sustainable urban development.



### **3 The Forms of Private and Public Intervention in Financing Cultural Heritage**

In Italy, there is still a tendency to consider investment in culture by the private sector as a one-way street, bringing economic benefits only to the private sector, perhaps even at the expense of the public good (Ghia, 2021). In many cases, the tutelary opposition of the protective administrative authority takes a predominant position against project initiatives with intrinsic regenerative potential aimed at the recovery of abandoned cultural heritage and the benefit of the surrounding community. Such rejection often occurs without a clear explanation of the underlying motivations, or in the absence of a thorough assessment of the potential of such recovery and enhancement projects through the application of appropriate evaluation methodologies.

This is why it is important for the institutions to allow the creation of that constructive synergy that facilitates both the obtaining of permits and the success of the process itself. Moreover, Italy is characterized by important regulatory references in favor of cultural investments, which should be interpreted from a business perspective in order to succeed in creating synergies with institutions dedicated to the protection and valorization of the heritage. In fact, patronage, which has always existed in Italy, should today be transformed into cultural investment; for a private individual, this means not only obtaining tax benefits or advertising visibility, but also being a protagonist in a process that affects social, economic and employment development. For this reason, it is important to be aware of the existing legislation and to make use of it in order to influence this evolutionary process, in which it is possible to give a future to the past, keeping in mind the uniqueness of Italian culture.

In short, the protection, preservation, enhancement and management of Italy's vast and widespread cultural heritage require large and constant sums of money. In order to guarantee the dynamism that characterizes the cultural heritage in question, and to ensure that it is accessible and enjoyed by all, the State makes use of all the public instruments, but also of the economic initiative of private individuals who are interested in investing in

culture, with the ultimate aim of realizing a collective interest, as expressed in the Constitution<sup>37</sup>.

Thus, tax incentives (in particular the Art Bonus tax credit and the Sponsorship deduction) have been developed for private entities wishing to participate in public actions for the protection, recovery, enhancement and enjoyment of cultural heritage. This has created a mixed system in which the State can call for the participation of private entities (individuals, companies, corporations, foundations) in activities related to cultural heritage.

In order to analyze the financing of culture and cultural heritage, it is necessary to consider the latter in its dimension as an attractor of financial resources. However, one should not forget the close link between the two meanings that coexist within such a polysemic term as "valorization". Therefore, by focusing on economic valorization and exploring its interactions with the State's duty of protection, it is possible to provide a mapping of the various financing tools available in the Italian legal system, referring to the context of abandoned cultural sites. It is therefore possible to outline the framework of forms of public funding, also referring to the European context, and to analyze the support tools available to private individuals; it is also important to pay attention to the recent developments following the crisis caused by Covid-19, as well as to the concept of crowdfunding and the relationship with the so-called "PNRR - Piano Nazionale di Ripresa e Resilienza" (National Recovery and Resilience Plan).

In this context, private participation can take different forms, which can be seen as an effect of the principle of horizontal subsidiarity.

The need for a heterogeneity of forms of financing and private participation is not only evident at the regulatory level, but also in the need to address a range of economic issues, to address market failures or to make access to cultural services inclusive. Despite the growing importance of private financial intervention in the cultural sector, the state continues to play an essential role in ensuring the sustainability of the system. Among the various reasons that should lead the state to intervene are the positive externalities

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<sup>37</sup> Legislative Decree no. 490 of October 29, 1999, published in the Official Gazette no. 302 of December 27, 1999



generated by the cultural sector, which, as this analysis has shown, can make a considerable contribution to social and economic development, being strategically located between creativity and entrepreneurship and capable of generating positive spillovers to other sectors. Moreover, it is now clear how culture can be constituted as a key resource for social innovation, taking into account sustainable development, demographic changes and cultural diversity.

Specifically, the state uses direct funding on the one hand and indirect funding on the other. For *direct funding*, which takes the form of financial measures or subsidies, for example, resources are used that are the fruit of tax leverage, but also contributions from the 5x1000. In addition, culture can also rely on spending authorizations and financial resources transferred to the MiBACT budget state from specific funds, such as the Infrastructure Investment Fund, introduced by the 2016 Stability Law "to strengthen infrastructure investment in the cultural sector" which will be presented in the following paragraphs.

As for *indirect funding*, a different mechanism is at work; these forms of funding do not consist of a direct disbursement of money, but of tax incentives that aim to create links between the public and private sectors, as in the case of the Art Bonus.

Turning to private funding, the analysis focuses on the main profiles involved, the role of sponsorship contracts, the growing importance of banking foundations and the possibility of turning cultural assets into income through concessions. In addition to the objective of mapping the forms of intervention of both sectors, it is interesting to understand how the State behaves differently towards the different private actors with whom it comes into contact.

Finally, it is useful to know and analyze the various degrees of private involvement in financing culture also from a public-private partnership perspective, as these financial measures are not mutually exclusive.

### **3.1 Art Bonus and the Mechanisms of Public-Private Partnerships**

#### *3.1.1 Art Bonus Procedure*

In general, fiscal leverage is certainly one of the tools used by the State to obtain the financial resources needed to safeguard cultural heritage. In particular, through indirect financing, such as tax breaks and exemptions, the State is able to encourage private participation and investment in culture and in the restoration and maintenance of property (especially real estate) of historical and artistic value.

Prior to the 2000s, legislative measures were adopted to encourage liberal donations by private individuals to culture. However, these measures did not really achieve their goal of encouraging acts of cultural patronage. The main reason for this failure is the lack of rationalization and bureaucratization of the procedures to be followed, which has had a negative impact on both the donor and the recipient. In these cases, there is a risk of not ensuring sufficient transparency and of undermining the link between donor and recipient, a fundamental link in the context of cultural patronage.

In an attempt to simplify the legal regime of donations, the legislator intervened with art. 1 of Legislative Decree No. 83 of May 31, 2014, what is now known as the "Art Bonus", which was created to promote new models of public-private cooperation in the financing of Italian public cultural heritage.

The Art Bonus is a mechanism of cultural patronage based on free expenditures that private individuals decide to allocate to cultural projects, driven by a tax relief system. This tool was introduced as a measure that was initially temporary, but became permanent with the 2016 Stability Law. Thus, it is a facilitating measure aimed at increasing liberal donations in favor of cultural heritage and its conservation, support and recovery.

The Art Bonus has not only brought a simplification of procedures, but also, from a quantitative point of view, a greater tax benefit for the donor. The benefit consists in the recognition of a tax credit equal to 65% of the amount donated, which can be recovered in three equal annual installments. If the donor chooses to make a donation of 1,000 euros under the Art Bonus program, since the tax benefit is in the form of a tax credit, the amount of tax payable will be reduced by 650 euros.

This tax credit is granted to individuals and non-business entities within the limit of 15 % of taxable income, and to business entities within the limit of 5 per thousand of annual income, divided into three equal annual installments. The latter is also recognized when the liberal cash disbursements made for the maintenance, protection and restoration of public cultural property are intended for the concessionaires or trustees of the property subject to such interventions.

According to the regulations, the liberal disbursements through Art Bonus must refer to specific interventions. Firstly, these interventions are aimed at the maintenance, protection and restoration of public cultural property. Secondly, they can support public cultural institutions and sites, as well as lyric-symphonic foundations, traditional theaters, concert and orchestra institutions, national theaters, theaters of significant cultural interest, festivals, theater and dance production companies and centers, distribution circuits, instrumental ensembles, concert and choral societies, circuses and traveling shows. Finally, it will be able to finance the construction of new facilities, the restoration and modernization of existing ones, of public bodies or institutions that carry out, without profit, activities exclusively in the performing arts.

In addition, over the years, the range of possible private sector interventions through the Art Bonus has been extended to include, in particular, topics financed by the Fondo Unico per lo Spettacolo (FUS), cultural heritage of religious interest and post-pandemic scenarios (Ghia, 2021).

For the integrated management of liberal disbursements related to specific projects, the dedicated Art Bonus portal has been online since 2014<sup>38</sup>.

On this portal, all the projects that have been uploaded by the conservation bodies in search of patrons to offer economic resources to support them are presented. It is practically a showcase, with two possible paths on its front page: one for the beneficiary organizations, where they can register the interventions to be supported and publish the donations received; and one for prospective patrons, where it is possible to find out which projects to support, how to donate and be included in the public list of donors.

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<sup>38</sup> Website link of Art Bonus platform: <https://artbonus.gov.it>

From a procedural point of view, it is obvious how the legislator has aimed at simplification. In this respect, once the donor has selected the action to be financed through the dedicated website, he/she must contact the chosen entity and then make the payment, always respecting the obligation to ensure sufficient traceability. Once the payment has been made, the donor only needs to keep a copy of the document certifying the disbursement in order to benefit from the facilitation.

In order to make the process not only smooth but also transparent, the 2014 legislation also provides for specific reporting obligations on the part of the recipient. In fact, the latter will have to report to the Ministry of Culture, on a monthly basis, the amount of liberal disbursements received. It will also have to publish the amount on its institutional website, where it will be necessary to specify the destination and use of the disbursements themselves. In addition, it will have to report this data in an ad hoc portal managed by the Ministry, in which each recipient of patronage will be associated with all the information on the state of conservation of the asset, any renovation or restoration work that may be taking place, the public funds allocated for the current year, the entity responsible for the asset and information on its use.

After the donation, the donor can decide to make the latter public by having his name included in the list of patrons on a special page. In this case, the legislator's desire to create a simplified procedure that focuses on the act of patronage itself becomes clear.

### *3.1.2 Cultural Patronage and Horizontal Subsidiarity*

The very fact of being able to make the donation public is part of social recognition mechanisms, including personal visibility for the donor, which are not irrelevant. These are among the conditions that turn the potential to donate into actual giving, along with the transparency and traceability of the use of disbursements and the smoothness of the tax benefit system for the donor.

According to the literature, there are three main categories of motivations that explain the donor's behavior: intrinsic, extrinsic, and reputational (Ghia, 2021).

The former arise from within and are not linked to any form of material reward other than the action itself. Extrinsic motivations arise from economic incentives and material

rewards offered by the state or organizations that receive individual contributions. Reputation, on the other hand, arises from the pursuit of social recognition.

Although the discipline of economics has traditionally focused on extrinsic and monetary incentives to encourage giving, there is now a greater awareness of the importance of reputational motivations and the search for social recognition in inducing people to give. In the case of the Art Bonus, for example, the individual donor may be driven by an emotional motivation, such as a desire to protect the work of art housed in the museum near his or her home or a sense of belonging to a landmark building in his or her neighborhood. In the case of a corporation, the most common motivation is often related to a marketing need. In fact, it is well known how corporate visibility increases when a particular brand is associated with a cultural site or the country's historical and artistic heritage.

In any case, in addition to the increase in available financial resources, what emerges from the new measures aimed at patronage is the centrality of the citizen, together with a strong link with the community, in full implementation of the principle of horizontal subsidiarity under Article 118 of the Constitution, aimed at encouraging the autonomous initiative of citizens to carry out activities of general interest. This principle emphasizes the new active role of citizenship in working for the general interest. In this panorama, it is crucial for the State to understand the cultural change it is facing, in which the citizen has an active and central role in the protection and promotion of the cultural goods that deeply characterize the territory of which he is a part. It is therefore important for the State to understand what is right for the common good and to work with citizens. An example of how the Art Bonus can strengthen the link between the community and the territory is the restoration of the Ringhiera Theatre in the suburbs of Milan, a city where it is mainly the monuments of the historic center that attract acts of patronage. As soon as the technical and economic feasibility study for the restoration of this building has been approved, at the beginning of March 2021, the procedure has been launched to include the work among those that can be financed by Art Bonus. In this way, individuals and companies will have the opportunity to support what is a place of culture and sociality at the heart of life in this neighborhood.

Subsidiarity is emphasized within the Art Bonus by elevating the patron to "master" the destination of the expenditure. In fact, the patron chooses the good and the type of intervention that corresponds to his or her personal assessment of merit and priority. It is precisely this "recovery of the sovereignty of the taxpayer" (Baldinelli, 2022), by reaffirming the relationship between cultural goods and the community, that could ensure a wider protection of the cultural heritage. By distributing potential patrons throughout the country, even assets with low visibility, such as the theater mentioned above, could potentially be saved from oblivion. It is therefore important to emphasize the potential of this link with the territory, including the promotion of assets that would not otherwise attract the large financial resources that could be obtained, for example, through sponsorship. In fact, sponsors will tend to choose assets with a more or less pronounced national resonance, since the ultimate purpose of this practice is to promote one's name, as we will see in the next section.

The relevance of the link between citizenship and territory also emerges from the Faro Convention, which insists on the concept of a "heritage community", understood as a group of people "who value specific aspects of cultural heritage which they wish to preserve and transmit to future generations through public action".

### *3.1.3 Crowding-in and Crowding-Out Effects*

In this context, it may be worthwhile to undertake a brief digression on the crowd-in/crowd-out effect. The crowding-in effect occurs when public support stimulates private donations, while crowding-out corresponds to a situation where public support inhibits donations. In the latter case, an increase in public subsidy may indicate that the organization is perceived as less needy, leading donors to redirect their contributions to entities without public funds. Government support diminishes the marginal utility an institution gains from other donations, potentially reducing the overall utility derived from contributing (Borgonovi, O'Hare, 2004).

In the cultural domain, the potential institutional crowding-in effect raises concerns about the impact of direct public funding on artistic programming and creative choices. If public grants attract additional private support, organizations without public backing might face

insufficient funding due to a lack of private support or may alter artistic decisions to enhance their eligibility for government support and avoid the former scenario.

A study conducted in the United States by Boronovi (2006) underscores the complexity of the crowding effect relationship, highlighting its multifaceted nature and how changes in the amount of public support awarded can have varied effects based on factors such as the size of the change, the initial level of public support, and the type of agency providing support. Public decision-makers seeking to maximize the impact of government spending should carefully consider their grant allocation strategies.

As discussed, the Art Bonus, offering significant fiscal incentives to private individuals making donations to public cultural institutions, aims to encourage private contributions. Nevertheless, as a means of indirect financing of cultural activities, the implementation of the Art Bonus may require a thorough analysis of the phenomena known as "crowding-in" and "crowding-out" in order to optimize the use of this instrument and to design effective ways of financing the cultural sector.

#### *3.1.4 Limits of Art Bonus and Proposals*

Although it is clear that this financial measure is aimed at increasing and facilitating cultural patronage, it is inevitable to point out some features that make this instrument less inclusive than it seems.

First of all, it is important to note that the tax credit provided by the Art Bonus can only be applied to acts of patronage in favor of public property.

According to some, this important delimitation was intended to prevent abuses that could arise in the case of donations to private property or to avoid complications in identifying assets worthy of protection (Baldinelli, 2022). The law itself, by speaking of the "public ownership" of assets rather than their public nature, has provoked several criticisms. The main criticism of such a narrow application goes so far as to speak of outright discrimination, which also risks undermining the clear principle of recognition of social utility. The risk in this case is precisely that of generalization, arriving at the erroneous consideration that those who enjoy a private activity are exclusively the owners and not the generality of the associates; or as if these costs borne by private individuals do not

serve the public objective of preserving and enjoying cultural heritage and promoting the development of culture (Severini, 2015).

In this regard, it would be advisable to refer to the definitions contained in the Cultural Heritage and Landscape Code regarding the concept of "cultural property" and "cultural institutions and places" (Articles 10 and 101). These definitions also include property belonging to private non-profit organizations, as well as institutions and places owned by private entities that are accessible to the public and provide a private service of social utility. For this specific category of cultural property, it may be appropriate to consider a tax exemption threshold different from the current one (Baldinelli, 2022).

With regard to private foundations that currently manage public cultural property, there is the possibility of receiving donations for the maintenance, protection and restoration of public cultural property. On the other hand, it would also be important to provide for disbursements to support their activities.

At the same time, effective preservation and protection of cultural heritage is a basic, though not sufficient, condition for increasing the level of involvement in the cultural sphere. Therefore, it is necessary to focus not only on restoration, which is crucial, but also on all activities aimed at enhancing the value of the heritage and re-establishing the importance of stewardship. The latter is capable of generating employment opportunities and progress, as well as ensuring the effective accessibility and enjoyment of cultural heritage.

In this context, it is important to briefly consider the exceptional nature of the Art Bonus and to note that, as in the case of direct public funding, this initiative involves the management of a considerable amount of financial resources. It is crucial to emphasize that the proper use of these resources requires professionals with skills, integrity and awareness in the management of cultural heritage, in order to distribute resources in a responsible and sustainable manner. In addition to the preservation of cultural heritage, it is essential to complement it with adequate human capital prepared to face the new challenges of a highly interconnected world. Consequently, the cultural sector, both public and private, needs specialized professionals with high management skills who can lead



the transformation of a sector such as cultural heritage, which plays a crucial and decisive role in the economy.

In addition, despite the 2014 legislation imposing specific reporting requirements on the part of the recipient, there is opacity in the relationship between the recipient and the donor. First, there is a lack of clear rules governing the donor's direction of funds, resulting in greater discretion on the part of the recipient in the direction of funding. This deficiency weakens the decision-making power of the donor, who sometimes cannot even make an informed choice of the project to be funded, since potential recipients often do not show a strong inclination to describe in detail the interventions for which they seek funding.

Take, for example, the case of the Fondazione Teatro Comunale di Modena. In this case, the interventions are always described as "support for the activity", followed by the reference year. As much as this is in line with the normative datum, which uses the generic term "support", it is also true that it would be better to provide the disbursing entity with a description of the proposed interventions, thus achieving greater transparency.

In order to ensure a balance between the decisions of private donors and the authority of public institutions, it is crucial to ensure that donated resources are directed to public interest objectives and that management systems are fair. This means adopting a system based on planning for needs and explicitly defining the objectives to be pursued. In addition, proper bureaucratic behavior will be the best means of gaining the trust of individuals and companies who, for reasons of public visibility, are very sensitive to the association of their brand and image with successful operations and appropriate recipients. There are additional limitations and potential risks associated with indirect state subsidy mechanisms in the cultural sector in general, which the Art Bonus initiative falls under.

It should be considered that the provision of tax benefits could already lead to a decrease in direct government funding. In this context, the introduction of the Art Bonus could entail a concomitant decrease in direct funding, underscoring the fact that the increase in tax benefits does not automatically translate into an overall increase in funds available for the cultural sector. In such a case, the situation would arise in which the donors would take over the responsibility of determining the cultural institutions to be supported, thus replacing the State. This situation is not necessarily regarded as positive, but rather points

to an inherent risk that characterizes indirect forms of financial support, namely the potential lack of support for standards of excellence or innovation.

Another limitation is related to the potential reduction of direct government funding in favor of indirect funding. This change could lead to a risk that the benefits of the Art Bonus will be concentrated in cultural organizations located in areas with higher incomes, thus exacerbating a geographical divide between northern and southern regions, as will be discussed below.

### *3.1.5 Data and North-South Imbalance*

Another aspect to consider, which is evident in the data updated to September 2023<sup>39</sup>, is the discrepancy in the use of the Art Bonus between regions.

From 2014 to September 2023, Art Bonus collected 817,849,015 euros in donations from a total of 34,680 patrons, more than double the 14,823 in March 2020. Of the registered patrons, approximately 62% are individuals, 13% are non-profit organizations, and 25% are corporations. Of the total amount received, 58% went to the maintenance, protection and restoration of public cultural property; 40% to support public cultural institutes and venues, Lyric Symphony Foundations, Traditional Theaters and other performing arts entities (as required by law); and 2% to the construction, restoration and improvement of facilities of public performing arts entities and institutions.

According to Lucia Steri - Chief Communication Officer Art Bonus - Ales SpA<sup>40</sup>, "in terms of the Art Bonus, Italy is somewhat uneven, especially in the north and center, and less so in the south. Lombardy maintains its first place in terms of liberal donations, with a total of 296,268,745 euros donated for 7,848 patrons, followed by Piedmont (109,737,229 euros for 2,491 patrons), Tuscany (105,616,638 euros for 3,691 patrons), Emilia-Romagna (99,213,651 euros for 6,958 patrons) and Veneto (96,872,185 euros for 2,290 patrons).

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<sup>39</sup> Data extracted from the portal [www.artbonus.gov.it](http://www.artbonus.gov.it) and processed by Ales S.p.A. Data updated in real time as of 05.09.2023

<sup>40</sup> ANSA editorial, "Art Bonus, in Italy 770 mln liberal donations in 9 years," March 24, 2023, website link: [https://www.ansa.it/liguria/notizie/2023/03/24/art-bonus-in-italia-770-mln-erogazioni-liberali-in-9-anni\\_19b7b030-4f8f-4120-a9c8-a4384cfc85a6.html](https://www.ansa.it/liguria/notizie/2023/03/24/art-bonus-in-italia-770-mln-erogazioni-liberali-in-9-anni_19b7b030-4f8f-4120-a9c8-a4384cfc85a6.html)

They are followed by Liguria (27,927,924 euros), Lazio (25,997,377 euros), Umbria (13,872,621 euros), Friuli-Venezia Giulia (8,806,804 euros), Marche (7,519. 956), Trentino-Alto Adige (4,679,783), Puglia (4,450,441), Sardinia (3,314,073), Abruzzo (3,294,230) and Sicily (1,926,549 for 695 donors).

Below one million euros we find, in descending order, Calabria, Molise, Basilicata and Valle d'Aosta.

The figures confirm that the Art Bonus is a valuable instrument that has undoubtedly contributed to the convergence of private resources in the cultural sector over a period of nine years. However, there is no shortage of confusing elements that make this tax relief measure worthy of further modifications.

One potentially relevant intervention is the 2020 “*Call to the Arts*” initiative. The aim of the initiative is to simplify the conditions for access to credit, especially for municipalities in the south of Italy that are not yet inclined to take advantage of the Art Bonus. For this reason, a maximum of 20 million euros has been made available to municipalities for the granting of subsidized loans. The loans must be used to cover the financial needs for the completion of the projects, provided that they have received donations through the Art Bonus for at least 51% of the total cost of the intervention. However, for municipalities located in the regions of Basilicata, Calabria, Campania, Apulia, Sardinia and Sicily, the threshold is reduced to 30%.

Despite the fact that the intention was to strengthen the commitment of the municipalities in order to reduce the discrepancies in the use of the Art Bonus on the Italian territory, especially in those cases where the amount of donations was not sufficient to cover all the costs for the complete realization of the conservation interventions, the results updated until September 2023 have not improved much.

Therefore, as much as the Art Bonus aims at strengthening the link between citizenship and territory, it would be useful to take into account those cases where the link is not so direct: cases of international patronage (Baldinelli, 2022). In order to encourage these forms of contribution, it could be advantageous to introduce mechanisms that allow non-resident individuals to benefit from the tax advantages of the Art Bonus. This could be achieved by allowing the transfer of the tax credit, thus converting the tax benefit into

cash and facilitating international patronage. Such an approach would not only increase the financial resources available, but would also promote a broader form of subsidiarity by involving non-Italian citizens.

In any case, the Art Bonus is certainly a first step towards an Italy in which citizens can contribute to culture and receive visible tax benefits in return, even if these benefits are not yet sufficiently convenient. As the former Minister of Education, Francesco Profumo, states, "this generosity should not be ignored or dispersed; perhaps there is a need for some creativity on the part of institutions, both in the tax and civil law systems, to think about tools for aggregating donations and their systemic use in the cultural field"<sup>41</sup>. The key to maintaining and even increasing private generosity lies in the simplification of donation systems and an effective communication strategy that governments should adopt to engage both large and small donors in preserving the cultural heritage around them. In Italy, however, there is still a distrust of certain forms of participation and collaboration, and a tendency to inaction in the face of the complexity of some regulations, which are often too complicated. In addition, there is still the idea that the care of cultural heritage is a task for the State alone, far removed from the involvement of ordinary citizens. It would therefore be advisable to take a gradual approach, perhaps starting with a wider and more concise dissemination of the Art Bonus platform and its features, with a more appealing, agile and understandable communication approach aimed at everyone, with a particular focus on the new generations, who are already very sensitive to environmental protection and sustainability.

### **3.2 Cultural Sponsorships**

As discussed so far, in the public-private interaction, the latter has been transformed from a subject to be limited in the availability of cultural goods and their operation, to a subject that can play an active role in the management and valorization of heritage. This

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<sup>41</sup> ANSA editorial, "Art Bonus, in Italy 770 mln liberal donations in 9 years," March 24, 2023, website link: [https://www.ansa.it/liguria/notizie/2023/03/24/art-bonus-in-italia-770-mln-erogazioni-liberali-in-9-anni\\_19b7b030-4f8f-4120-a9c8-a4384cfc85a6.html](https://www.ansa.it/liguria/notizie/2023/03/24/art-bonus-in-italia-770-mln-erogazioni-liberali-in-9-anni_19b7b030-4f8f-4120-a9c8-a4384cfc85a6.html)

involvement aims to establish an effective link between horizontal and vertical subsidiarity.

At the same time, the widespread diffusion of mass cultural enjoyment has initiated a process of approaching and involving the private sector, both as a user, as a supporter of philanthropic organizations, and as a company that considers culture not only as a possible area of activity, but also as an investment to improve a company's image, strengthen a product, or emphasize its reputation and rootedness in a specific territorial context.

The focus on the private sector in this context is also motivated by the increasing difficulty of the public sector to financially support the entire field of cultural policies. Hence the need to activate additional forms of financing, such as sponsorship and the involvement of banking foundations.

The strongly economic character of sponsorship has raised several criticisms from those who have questioned the legitimacy of this instrument, perceiving it as a commercial drift of cultural heritage (Ghia, 2021).

### *3.2.1 The Sponsorship Contract and its Technical Aspects*

Cultural sponsorship involves the existence of a contract or sponsorship agreement between a company or a donor institution on the one hand (*sponsor*) and a public or private cultural operator (*sponsee*) on the other. The former undertakes to support the cultural good or project financially (by contributing economic resources), technically (by contributing products, services, professionalism), or in a mixed way. In return for the service provided by the sponsor, the recipient agrees to allow the sponsoring company to associate its name, brand, image, business or product with the sponsored good or activity. From a business perspective, sponsorship must be part of a broader strategy based on shared values and complementary objectives between the cultural project and corporate communications.

When sponsorship is applied to a cultural good, the discipline must take into account two basic requirements. The first is that sponsorship, while facilitating the implementation of an intervention for the protection or enhancement of the cultural property, does not conflict with the objectives of protection. The second is compliance with the rules of public

transparency in the selection of the sponsor, in order to protect competition and impartiality, especially in cases where the beneficiary is a public institution. This precaution is particularly relevant given the abundance of cultural heritage in public ownership and the constant scarcity of resources in public institutions.

There are several categories of cultural sponsorship, including financial sponsorship, technical sponsorship, and mixed sponsorship (Ghia, 2021).

Financial sponsorship involves cash contributions for the performance of work, services, and supplies related to cultural property. In this context, the sponsor may undertake to cover the cost of the contract or supply, including by assuming payment obligations to the administration, while remaining uninvolved in the actual execution of the project.

Technical sponsorship is a form of partnership that extends to the design and execution of part or all of the intervention, with the sponsor assuming responsibility for the necessary services, including instrumental works, services and supplies (e.g., services necessary for the organization of exhibitions in public cultural institutions). The sponsor has the right to independently select the party performing the work, without resorting to a tender, while ensuring the necessary qualifications and moral requirements required by the public administration, which plays a supervisory role.

In the case of mixed sponsorship, the sponsor may undertake to provide the technical design of an intervention and to finance the administration for the actual implementation of the project. Today, the term "sponsorship" is often replaced by "partnership" to denote a project developed in cooperation between the two parties, with mutual respect for each other's objectives (Ghia,2021).

Each of these forms of sponsorship can be applied to different areas of intervention, including restoration, maintenance of cultural assets, and support for institutional activities such as museums, libraries, archives, archaeological sites and parks, monumental complexes, opera and symphony foundations, and traditional theaters.

In order to ensure the correct execution of the sponsorship contract<sup>42</sup>, specific forms of control are foreseen. First of all, the Ministry of Culture plays a crucial role in the pre-

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<sup>42</sup> The sponsorship contract is, as the Internal Revenue Service states in Resolution No. 365 of November 14, 2002: "a bilateral contract for consideration under which the sponsored entity commits itself to the

contractual phase, verifying the congruence of the initiatives with the protection requirements of the cultural heritage. In cases where the sponsorship involves interventions in protected historic-artistic sites, a specific provision (art. 49 of the Cultural Heritage and Landscape Code) is applied, flanked by municipal regulations, which regulate the placement of advertising posters in order to prevent damage to the aesthetic appearance, decorum and public enjoyment of valuable areas.

In addition, feasibility studies or preliminary project presentations must be prepared, even in a simplified form, indicating the works, services and supplies for which the administrations intend to involve a sponsor for financing or implementation.

Thanks to the procedural simplifications introduced by Legislative Decree No. 50/2016 (Public Contracts Code), a cultural sponsorship contract can be negotiated directly between the public administration (a ministry, a local authority, a museum, an archaeological park) and a private sponsor, without resorting to a public evidence procedure, if the value is less than 40,000 euros. If this threshold is exceeded, the award of the sponsorship is subject to the publication of a notice on the website of the administration for at least 30 days, giving companies the opportunity to express their interest. After this period, the contract may be freely negotiated with the company that has submitted the most advantageous proposal, in accordance with articles 19 and 151 of Legislative Decree 50/2016 (Public Contracts Code).

In the case of financial sponsorship, if multiple bids are received, the contract will be awarded to the party offering the highest funding, with no discretion in the selection. The evaluation is economic in nature and may not take into account a lower advertising return requested by the sponsor.

Only in the case of technical sponsorship is a comparative evaluation based on the technical elements of the bids received allowed. In this situation, a technical discretionary evaluation based on qualitative criteria is allowed. Technical sponsorship also includes the design and implementation of part or all of the intervention at the sponsor's expense,

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sponsor to provide certain promotional services in exchange for consideration - which may consist of a sum of money, goods or services - that the sponsor must provide directly or indirectly".

configuring itself as a form of partnership, adding to the list of public-private partnership contracts.

Typically, technical sponsorship is preferred when the administration wishes to avoid the procedural burdens associated with tendering and the contract and construction phases.

Alternatively, the agency may choose financial sponsorship if it already has a project and is able to directly manage the bidding, contracting, and relationships between the parties.

In the case of proposals that are insignificant compared to the cost of the intervention, or promotional uses that are incompatible with the cultural heritage, the Administration may reject the proposal without any procedural constraints, except for a polite reply to the proposer.

Both public administrations and private entities play an active role in sponsorship, in accordance with the provisions of the Public Contracts Code. The main task of the public authorities is to encourage and invite private parties to support their cultural projects through sponsorship, by drawing up a list of potential goods or projects that can be sponsored. It is essential that the projects for which sponsorship is sought contain precise details, including the object of the intervention, the estimated cost and the benefits to the companies in terms of image and visibility. The Ministry of Culture establishes all the requirements for the design, execution of the works, supplies, supervision of the works and testing, ensuring that any company awarded a sponsorship contract is adequately protected and prepared to assume the responsibilities associated with the management of cultural property, which is often delicate and worthy of protection.

For public administrations, sponsorship represents a means of achieving significant savings in the management, protection and enhancement of cultural heritage. At the same time, it is a means of acquiring useful services, skills and communication opportunities from private sponsors in order to carry out its mission more effectively. The public administration thus plays a proactive role in seeking a strong network of companies willing to contribute to the support of the national cultural heritage in exchange for significant visibility benefits.



Finally, the economic evaluation of a sponsorship is a responsibility that involves both the private sponsor and the public administration involved. In particular, the PA will have to allocate investments in sponsorship that correspond to the costs of the work to be carried out (in the case of restoration or conservation work) or the production costs of events such as shows, exhibitions or concerts. According to Ales<sup>43</sup>, in-house company of the Ministry of Culture (MiC), an accurate evaluation of the economic proposal should be related to the possible benefits and communication opportunities it offers the sponsor, thus determining a "market price"<sup>44</sup>.

Similar to charitable donations, sponsorships are fully deductible from a company's business income and are subject to VAT at 22 percent, as they represent a purchase of services. From a tax perspective, it is important to distinguish between advertising or propaganda expenses and entertainment expenses. According to the Income Tax Consolidation Act, advertising expenses are fully deductible in the year in which they are incurred and relate to the promotion of the company's products and services. Such expenses involve a reciprocal arrangement whereby the sponsor agrees to make payments in cash or in kind in exchange for promotion by the sponsored entity. The primary objective of promotional expenses is to stimulate an immediate or gradual increase in sales, and sponsorships fall into this category as exchange contracts with consideration. Entertainment expenses, on the other hand, include the free provision of goods and services for promotional or public relations purposes that do not require consideration from the recipient. Under the same Income Tax Consolidation Act, only one-third of entertainment expenses are deductible.

### *3.2.2 Advantages, Risks and Proposals for Cultural Sponsorships*

The consideration of cultural sponsorship investments is of great importance, especially in relation to the value of the benefits and opportunities obtained. The sponsoring company benefits from advantages and opportunities that fall into the categories of corporate, marketing and internal communication, including targeted and qualified

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<sup>43</sup> Website link of Ales (Art, Work, Services): <https://www.ales-spa.com>

<sup>44</sup> In Vademecum curated by Ales "Sponsor Art, un incontro che parte dal cuore", April 2019

promotion of its corporate or product/service brand, presence in communication and advertising materials and activities related to the cultural project, media outreach through the press office and social media, relationship marketing initiatives involving customers and business partners, content for CSR activities and the opportunity to develop relationships with the local community, as well as content for brand content marketing activities.

It is now clear that through sponsorship, a company has the opportunity to contribute to the care and recovery of Italy's cultural heritage, obtaining a series of benefits of different types, which can therefore be summarized according to the following categorization (Ghia, 2021):

- *Fiscal advantages*: as already mentioned, the costs related to the sponsorship are fully deductible from the company's income.
- *Visibility and image return for the sponsor*: by increasing visibility, the company can establish its presence in the target territory, generating benefits on other products as well. This is an important opportunity for the company to demonstrate its presence at a corporate and social level, integrating what it produces, finances and sponsors into a communication strategy that expresses its corporate culture and organizational efficiency to the public.
- *Promotion of the Territory*: Supporting cultural institutions and promoting related activities helps to enrich the local cultural offer, generating benefits in terms of international visibility and tourist attractiveness.
- *Innovation and research*: Sponsorship provides opportunities for collaboration between cultural institutions and businesses, facilitating research and development of corporate products.

An example of increasing the attractiveness of the company is the organization of "events within the event" (Ghia, 2021); subject to compliance with the regulations for the protection of a cultural property, openings of the site whose rehabilitation or restoration is being sponsored can be organized at extraordinary times.

The regulations on cultural sponsorship aim to preserve competition and ensure that the association of the sponsor's name with the cultural property is done with respect for the property itself. The protection of the cultural property is not only the direct preservation of its physical medium, but also the need to prevent the private party from appropriating its identity meaning and intangible value through the superimposition of his name.

A critical issue concerns the compatibility of the content of the sponsorship contract with the delicate link between the actions of democratically representative public bodies and the fulfillment of their political mission. Indeed, sponsorship breaks the link between the public subject and the public object, introducing the private sponsor as a third element. In this context, it is not only the image of the sponsor that is involved in sponsorship contracts, but even more so the image of the administration. Sponsorship consolidates a form of image partnership (Valaguzza, 2015), which highlights the risk of excessive appropriation that leads to the identification of the private party in the cultural property, especially in operations of so-called “monument adoption”. In these operations, the link is created between the sponsor and the asset rather than between the sponsor and specific protection and enhancement interventions, significantly increasing the image return for the private party.

The intangible value of the asset is not only an element to be carefully considered when assessing its compatibility with the sponsorship initiative, but also a major cause of the practical problems that affect such contracts. These problems are related to the economic imbalances between the public and private sectors resulting from the contractual asymmetry between a public in need of financial resources and a private party interested in obtaining an image return.

Among the factors that contribute to this problem, caused by contractual asymmetry, we find the difficulty of determining in advance the counter-performance of the sponsee. Often, this consideration is significantly higher than that of the sponsor, due to the complex quantification of the image return obtained by the latter, which serves as a parameter for the performance of the sponsored party. According to the 2012 Ministerial Guidelines, the administration must seek to maximize the benefits obtainable from sponsorship. This essential requirement requires that the value offered by the sponsored

party be properly evaluated on the basis of its presumed attractiveness in the market. This makes it possible to avoid both the risk of unsuccessful selection procedures in the case of overestimation, and the attribution to the private contractor of services of higher value than the consideration received by the administration in the case of underestimation.

Imbalances in this direction have created additional problems, including the extreme lack of detail in the regulation of the contractual commitments made by the sponsor. This lack of detail, which results in a limited stimulation of competition (since it is difficult to submit counterproposals), can also be attributed to the generality of the notices published by the administration. Often, contrary to the provisions of MiBACT Circular 2016<sup>45</sup>, the administration does not provide in the sponsor search notices the essential elements that would allow potential bidding sponsors to understand the object of the intervention clearly and precisely, its estimated cost and the expected counter-performance in terms of image and advertising return.

Turning again to the contractual fragility of the administration, and referring to the 2016 resolution, the accounting judges examine situations of significant sponsorship, as in the case of the Colosseum. In this case, they highlight both the significant imbalance between the scope of the sponsor's contribution and the image return derived from the sponsorship, as well as the prolonged duration of the rights granted to the sponsor by the "Friends of the Colosseum" association, initially planned to coincide with the duration of the works, but subsequently subject to a significant extension. In addition, less celebrated cases are presented. For example, in the case of the contribution of the Fondazione Cassa di Risparmio di Perugia to the Umbria Soprintendenza per i beni archeologici, destined to decorate some rooms of the Museo Archeologico di Perugia with Etruscan urns, they point to the lack of temporal limits on the right to publicize the sponsorship. Similarly, the agreement between the Superintendency of Fine Arts and Landscape of the Provinces of Siena, Grosseto and Arezzo and the Museum Pole of the Region of Tuscany with the Banca Popolare dell'Etruria e del Lazio for the conservative restoration of the cycle of

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<sup>45</sup> The reference herein is to Resolution No. 8/2016/G of August 4, 2016.

frescoes by Piero della Francesca in the Bacci Chapel, inside the Basilica of San Francesco in Arezzo, indicates an economic imbalance between the services provided.

Specifically, in the last case, the bank committed to pay the total amount of 20,000 euros to the contractors by March 31, 2016, for a forty working day intervention that began on January 11, 2016. The bank, as financier, obtained the right to promote the restoration by associating its name and brand with the project. The Superintendency agreed to allow photographic reproduction of the restored frescoes for promotional purposes, and authorized video recording during and after the restoration to highlight the bank's brand. In addition, the Bank was authorized to make four visits to the site and was granted the right to highlight its role in the restoration on the website dedicated to the work of Piero della Francesca. The 2016 resolution shows that the amount of funding is significantly underestimated in view of the importance of the work and the potential image and economic benefits for the Bank.

To correct this imbalance, as pointed out by the Court of Auditors, it would be appropriate to integrate the legal framework by introducing a "standard contract" of sponsorship with a minimum and mandatory content (Baldinelli, 2022). This integration would, on the one hand, facilitate simplification and encourage investment by private parties; on the other hand, it would help to avoid the risk of instrumentalization of the cultural asset involved in the sponsorship. In addition, as pointed out by the accounting magistrates, it could also be hypothesized to entrust the sponsor with the management of the sponsored asset, defining in advance the operating procedures in the relevant sponsorship contract.

In essence, the goal is to find the right balance between the public cultural interest and the sponsor's economic interest. If a public institution fully understands its needs, what it requires and what it can obtain from the private sector, it will be able to clearly specify these aspects in the call for proposals and, if possible, even earlier in the planning phase. At this point, the rest of the process becomes automatic.

Greater attention by administrations to the planning phase would allow them to abandon the short-term approach focused exclusively on covering the immediate lack of public funds, which often leads them to accept sponsorship on unfavorable terms. Instead, the administration should regain a proactive role in the process, planning interventions

carefully. Through careful planning, the administration could promote synergistic cooperation between the public and private sectors, overcoming the episodic and fragmented approach to interventions.

This would make it possible to ensure complementarity between public and private resources, facilitating a more rational distribution of them, while implementing the same principle of subsidiarity that has been seen in the case of the Art Bonus, a fundamental feature of the public-private partnership, but within a more structured framework to prevent possible abuse by sponsors.

However, although public administrations can more easily manage sponsorship contracts for cultural goods and projects, there remains the difficulty of managing commercial activities that require specific skills that are not always present among PA staff (Ghia, 2021).

The complexity is further accentuated by the communication distance between the business world and the PA, underscoring the importance of training and proper information to establish a stable collaboration between the private sector and the public administration. These are different realities whose synergy is not only inevitable but also beneficial.

### **3.3 Other Forms of Public Private Intervention in Financing Cultural Heritage**

#### *3.3.1 Crowdfunding and Strategic Fundraising*

After examining the issue of cultural patronage and liberal donations, a "new" form of financing and donation, commonly known as "crowdfunding", is presented. This mechanism, which has gained considerable prominence over the years in the field of cultural patronage, puts the individual at the center, who may be an individual or a group interested in supporting projects of various kinds, including those related to culture, even with small sums of money. The direct appeal to the "crowd" takes place on dedicated online platforms, virtual places where the entire campaign is carried out and where supporters can sometimes receive rewards.

Influenced by ideas such as microfinance and crowdsourcing, crowdfunding uses the Internet to finance various projects by collecting relatively small contributions from a

relatively large number of individuals, bypassing traditional financial intermediaries, such as banks or business angels. The main difference with traditional fundraising for cultural projects is the use of the Internet, which also makes electronic payments smart. In recent years, the important and strategic role of social media has been added to the contribution of the Internet, consolidating the involvement of funders and making them participants in the evolution phases of the project. An added advantage of crowdfunding is the immediate possibility of obtaining direct funding, taking advantage of online marketing opportunities to enhance the project and promote its strengths, sometimes becoming a model of best practice. The involvement of potential donors, both public and private, aims to generate a continuous flow of financial, material and human resources for culture. However, it is important to avoid oversimplifying the dynamics, potential and risks of crowdfunding, as many cultural operators are often unaware of the characteristics of this tool.

Some of the potential risks of crowdfunding for culture can be linked to those of crowdfunding in general. For example, it is not certain that the goal set in the campaign will be reached and therefore the project may not always be successful. Also, in case of failure, the possibility of reputational damage cannot be excluded. In addition, the digital aspect and the lack of trust in it could lead to the perception that the project launched is a fraud (Pais I. et al., 2014).

Currently, one of the main areas of research is to identify all the elements that positively influence the success of a crowdfunding campaign.

The promoter is responsible for studying the project, assessing costs and realistic funding options. At an early stage, it is essential to conduct targeted research in order to select the platform best suited to the values and specifics of the project. It is important to plan the promotion of the campaign, constantly monitor its progress and manage any unforeseen events. Promoters must be ready to respond promptly to requests for interaction from funders and anyone interested in the project and its details. In addition, promoters should have social and interpersonal skills, as crowdfunding is primarily based on shared visions, which are necessary to attract the attention and trust of backers. The Web becomes a meeting place where conscious social capital, which is essential for crowdfunding, can generate the financial capital needed to implement the entire campaign. Planners need to

think not only about raising funds, but also about building, getting to know, and interacting with their audience through accurate and comprehensive storytelling that can continue after the campaign ends.

There are several crowdfunding models based on the rewards offered to backers in exchange for funding. For example, in donation-based crowdfunding, there are no special rewards, and it is associated with the purest form of patronage. In reward-based crowdfunding, a non-monetary reward, such as an item or service, is offered. In royalty-based crowdfunding, the reward is monetary in nature and consists of a share of the profits or revenues associated with the investment, with no ownership of the project or repayment of capital. In Crowdfunding, the funding takes the form of an investment and the reward is in the form of venture capital (equity) or a loan (debt). For this specific scenario, since an investment is being offered, it is crucial that the campaign is carried out according to the criteria defined by laws and supervisory authorities, such as the Italian Securities and Exchange Commission (Consob) and the Bank of Italy.

The current prevalence and visibility of crowdfunding should not mislead or lead to an underestimation of the scope of this innovative tool. Despite the growing number of initiatives proposed and the proliferation of dedicated portals in the last decade, about half of the campaigns still fail to reach their goal (Ghia, 2021).

However, there are realities such as “*Loveitaly!*”<sup>46</sup>, an online crowdfunding platform dedicated to the promotion and protection of Italian cultural heritage. It is a non-profit association made up of volunteers and a scientific committee of archaeologists and art experts, whose role is to assess the quality of projects and decide whether or not to launch crowdfunding activities to enable recovery and restoration work. Loveitaly! was created by LVenture Group, a digital startup holding company listed on the Italian Stock Exchange, and operates in collaboration with national and local ministries and superintendencies. The platform is based on fundamental aspects for the redevelopment of abandoned assets, such as belonging to the territory, a strong social sense and community spirit.

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<sup>46</sup> Website link to “Loveitaly!”: <https://loveitaly.org/it/>



It is therefore necessary to recognize the existence of potentially innovative new project forms emerging "from below", often characterized by strong social impact and relevance. Presenting cultural crowdfunding as an innovative form of the sharing economy redefines the way culture is financed and enjoyed outside of traditional logics.

Analyzing the last two decades, it becomes clear that the emergence of fundraising and later crowdfunding shows how these activities have evolved with the realization of cultural practitioners that today there is a growing need to find new sources of livelihood and collaboration, thus reducing the traditional dependence on a single funder. To quote Massimo Coen Cagli, founder and scientific director of the Rome School of Fundraising and vice president of ASSIF (Italian fundraiser association), in a speech during the 3rd edition of the "*More Fundraising More Culture*" meeting (2022): "For us, giving to culture is not (only) a duty for everyone, nor a mere generous gesture of those who have more money at their disposal. On the contrary, it is a right. It is the right to do, as individuals and as a community, what we have always done: to build and maintain our well-being. It is the role given to us by the constitutional principle of subsidiarity. We want a funding policy that restores this right to individuals, that favors, facilitates, and recognizes the possibility of concrete participation in the support and management of the common goods".

Moreover, one aspect that emerges from Lubec 2023 conference<sup>47</sup> is that fundraising, interpreted from a totally contemporary perspective, is becoming an indispensable tool for the sustainability not only of individual projects, but also of the social institutions that guarantee their continuity and development over time. The experts present at the conference suggest the inclusion of fundraising as an essential element within partnerships of various kinds, especially referring to the special forms of public-private partnership illustrated in art. 151 of the Public Procurement Code, with the aim of developing and disseminating effective models of economic and managerial sustainability.

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<sup>47</sup> LuBeC is an international meeting dedicated to the development and understanding of the culture – innovation chain, hosted in Lucca (Tuscany).  
Website link of LuBeC: <https://www.lubec.it/en/>

An interesting example in which fundraising plays a strategic role is the Special Public-Private Partnership (SPPP). During the presentation of the "*Let's Live Culture*" call for proposals, Coopfond<sup>48</sup> Area Director Dora Iacobelli highlighted the importance of designing an appropriate fundraising system for the implementation and future sustainability of the project, explicitly including it in the business plan. The Rome School of Fundraising<sup>49</sup> interprets this need as a recognition of the central role of fundraising in the sustainability of culture, as opposed to its traditional nature as a remedy for the lack of public resources or the difficulties of making a profit in the private market.

In their experience, SPPPs represent a great opportunity for innovation in fundraising for culture. This is because such partnerships:

- They put at the center the return to public enjoyment of a common good, promoting the dynamics of activating the local community and the "communities" that already follow cultural organizations.
- They broaden the pool of potential donors through a strong co-responsibility of all partners in fundraising.
- They are particularly attractive to institutional philanthropy, which is interested in strengthening long-term projects based on multi-stakeholder collaboration and community engagement.

In summary, a partnership agreement should include a specific chapter on fundraising, outlining the design and implementation activities and specifying the roles of each partner in fundraising efforts, staff involvement, relationships, and facilitating communication and solicitation activities with potential donors.

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<sup>48</sup> Coopfond is a joint stock company that manages the Mutual Fund for the Promotion of Cooperatives, which is fed by 3 percent of the annual profits of all the cooperatives that are members of Legacoop (an association that now unites more than 10,000 active cooperatives in Italy), the residual assets of cooperatives in liquidation and operating profits.

<sup>49</sup> Massimo Coen Cagli, "Let's live culture ii call: public/private partnership for culture can grow through fundraising", 26 Apr, 2023, Article link: <https://www.scuolafundraising.it/bando-viviamo-cultura-partenariato-pubblico-privato-cultura-puo-crescere-grazie-fundraising/#>

### *3.3.2 Support Provided by Banking Foundations*

In attempting to provide a comprehensive mapping of funding sources, it is crucial to take into account the significant role played by banking foundations in the cultural heritage sector, especially with regard to the rehabilitation of immovable cultural heritage. At present, these actors are of considerable importance and have gained considerable weight in the financing of cultural heritage, acting both indirectly through grants to sectoral entities and directly through the independent design and implementation of projects, developed independently or in partnerships.

The strong link between foundations of banking origin and the world of culture is highlighted by the data presented in the latest ACRI (Association of Foundations and Savings Banks SpA) 2022 Report. According to this report, the Arts, Activities and Cultural Heritage sector is confirmed at the top of the list with 7,849 interventions for a total amount of 246.9 million euros. The main objectives of the foundations' institutional activities are to promote the social and economic growth of their target areas. Their action is not limited to the disbursement of funds, but also includes the initiation of interventions capable of creating value and identity, establishing links in communities and promoting the dynamics of cooperation between different actors. The aim is to contribute to social innovation and to activate synergetic processes between local public and private institutions and actors, supporting the creative capacities of local actors. In this context, culture is considered a crucial element for the well-being and growth of citizens, contributing to the realization of a more equitable and inclusive society. The operational strategy of the Foundations is based on the creation of network systems through collaboration between local cultural enterprises, institutions and economic and social realities in the area, with the aim of achieving management efficiency and economic sustainability.

According to this study, the sector "Conservation and enhancement of artistic, architectural and archaeological heritage" ranks second among the subsectors. This result underlines the foundations' ongoing commitment to support programs for the restoration of historical and architectural heritage. These programs select initiatives that include not only structural work on buildings, but also medium- and long-term project plans. These

projects are characterized by prospects of economic sustainability over time, activities and services aimed at integration with the community of reference and reconversion of the recovered asset. It is a system of integrated interventions that includes specific actions such as conservation, management, valorization, communication and promotion of the cultural asset.

It is clear that the conservation and enhancement projects promoted by foundations are multifunctional in nature. While they focus on the cultural property itself, they also aim to achieve additional objectives, such as promoting tourism and integrating with local communities. This close connection highlights a key aspect: foundations promote the principle of subsidiarity, bringing citizens closer to the assets in their local area, where foundations have their roots.

An illustrative example is the role played by Fondazione Cariplo in territorial development. The Foundation has effectively managed to involve a variety of actors, facilitating relations between public bodies, non-profit organizations and for-profit entities. Through initiatives such as the "*Cultural Heritage for Development*" call for proposals, the Foundation has supported projects with a strong public-private partnership, creating a mechanism to support and consolidate relationships between different institutions, with the aim of making interventions and partnerships sustainable in the long term.

The link between foundations and local realities has made them relevant not only from a financial point of view, but also in terms of planning interventions. This is demonstrated by article 121 of the Cultural Heritage and Landscape Code, entitled "Agreements with banking foundations", which provides for the possibility for the Ministry, the Regions and other territorial public bodies to conclude agreements with foundations. The purpose of such agreements is to coordinate interventions for the enhancement of cultural heritage and to ensure a balanced use of available financial resources. This tool, in addition to avoiding fragmentation of interventions and waste of resources, promotes collective action as a constant stimulus for improvement, involving and empowering multiple parties.

In addition to financial support, private individuals provide expertise and knowledge of the area, contributing significantly to the identification of necessary actions and the organization of interventions according to urgency. This shows how the synergy between the public and private sectors leads not only to a greater availability of resources, but also to a better understanding of local realities. This approach makes it possible to take into account the specificities and needs of local communities.

Another relevant aspect is the uneven distribution of foundations in Italy, with a greater concentration in the northern regions and a more limited presence in the south. This disparity in the density of foundations has a direct impact on the volume of disbursements and the number of interventions, with significant differences between regions (Baldinelli, 2022).

### *3.3.3 Recovery Plan for Culture*

In April 2021, the Council of Ministers gave the green light to the National Recovery and Resilience Plan (NRP), also known as the Recovery Plan, an ambitious socio-economic revitalization project for Italy. The plan is part of the EU's Next Generation program, a 750-billion-euro package, about half of it in grants, agreed with the European Union in response to the pandemic crisis.

Within the NRP, investment in the cultural sector is embedded in a broader framework called "Digitization, Innovation, Competitiveness and Culture". The main objective of the Plan is to promote the digital transformation of the country, to support innovation in the production system and to invest in the key sectors that define Italy globally: tourism and culture. The Plan's actions, characterized by environmental sustainability, strong digitization and cooperation between public and private actors, aim to improve the accessibility of cultural sites, while promoting the attractiveness of small towns, increasing the energy efficiency of cultural venues and strengthening territorial cohesion. The planned interventions, in line with the transversal objectives and principles of the Plan, include the renovation of key assets of the Italian cultural heritage and the promotion of new services, with a focus on social participation as a lever for inclusion and regeneration. The proposed governance model is multi-level, in line with the Faro

Convention and the European Framework for Action on Cultural Heritage. The recipients of resources are, as appropriate, the State (in particular the Ministry of Culture, operating at central and peripheral levels), local authorities and businesses.

Funds for culture are allocated in *Mission 1* ("Digitization, Innovation, Competitiveness, Culture and Tourism") within *Component 3* ("Tourism and Culture 4.0"). The latter is divided into three main intervention areas or measures: Cultural Heritage for the Next Generation; Regeneration of Small Cultural Sites, Religious and Rural Heritage; and Cultural and Creative Industries 4.0.

In detail, under *Measure 2* ("Regeneration of small cultural sites, religious and rural heritage"), the estimated resources amount to 2.72 billion euros<sup>50</sup>. Investment 2.1 MIC3, the first among the investments, is known to be dedicated to the financing of projects aimed at revitalizing and enhancing the attractiveness of small villages and has already been completed, having committed the entire billion euros available to it.

According to the official website of the Ministry of Culture, on the page dedicated to the NRP, the distribution of tourist flows in Italy is usually concentrated on a few internationally renowned "attractors". The consequences of this polarization include the risk of the most popular cultural sites being worn out or exhausted over time, jeopardizing their preservation and sustainability in the long term. On the other hand, many other places of great artistic and cultural value remain excluded from tourist flows.

To counteract this dynamic, interventions in support of tourism and culture under the NRP will not be concentrated exclusively in large cities. A specific line of intervention will be dedicated to the promotion of tourism and cultural development in rural and peripheral areas. Investments will be aimed at enhancing the rich historical, artistic, cultural and traditional heritage of Italy's small towns and rural areas. This will contribute to the recovery of the cultural heritage, the stimulation of entrepreneurial and commercial initiatives and the revitalization of the local socio-economic fabric (e.g. by promoting the revival of traditional trades such as handicrafts), the fight against the depopulation of areas and the preservation of the landscape and traditions.

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<sup>50</sup> Mic, Piano Nazionale di Ripresa e Resilienza, website link: <https://pnrr.cultura.gov.it/>

In parallel, there are plans to invest in the rehabilitation of historic parks and gardens, the seismic safety of places of worship, the restoration of the heritage of the Worship Buildings Fund, and the creation of shelters for works of art damaged in disasters (Recovery Art). In addition to these investment projects, the Ministry of Tourism's "Caput Mundi - Next Generation EU" investment for major tourist events will also provide funds for the regeneration and restoration of cultural heritage.

The expansion and modernization of cultural offerings will have a significant impact on employment, especially in a sector with a strong presence of young people and women. These interventions will contribute significantly to the achievement of the Plan's generational and gender objectives.

The National Recovery and Resilience Plan (NRP) includes measures divided between regulatory reforms and economic investments, with a quarterly schedule from 2021 to 2026. Despite the uncertainty about the total use of resources related to the NRP and the timing of the implementation of interventions, the cultural sector shows a positive countertrend and Italy seems to be in line with the planned roadmap and the objectives to be achieved<sup>51</sup>.

Data show that by 2023, Italy will have achieved 18% of the goals set out in its national plan, but as far as culture is concerned, 70% of the PNRR resources have already been made available<sup>52</sup>. As of April 2023, out of a total of 6.68 billion earmarked for culture, about 4.65 billion have been used, representing 70% of the total. However, as of November 2023, a total of 28.1 billion has been spent, accounting for 14.7% of the total European NRP funds<sup>53</sup>.

It is important to note that many projects registered on the Regis platform are behind schedule. 75% of the implementation projects are reported to be behind schedule<sup>54</sup>, and

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<sup>51</sup> Nicola Barone, "PNRR, Cultura in controtendenza. Italia leader nell'UE per obiettivi raggiunti e uso delle risorse", 22nd Apr 2023, Il Sole 24Ore, link: <https://www.ilssole24ore.com/art/pnrr-cultura-controtendenza-italia-leader-nell-ue-obiettivi-raggiunti-e-uso-risorse-AEjSrjKD>

<sup>52</sup> Ibidem

<sup>53</sup> Memoir by the President of the Parliamentary Budget Office as part of the consideration of Act No. 182, "Assigned Business Concerning the Status Report on the Implementation of the National Recovery and Resilience Plan (NRP) updated as of May 31, 2023(Doc. XIII, No. 1)"

<sup>54</sup> Link Openpolis, 15 Jan 2024: <https://www.openpolis.it/abbiamo-speso-appena-il-74-dei-fondi-pnrr-previsti-per-il-2023/>

unless decisive action is taken to catch up, the country risks facing a complex situation in the last two years of the plan (2025 and 2026).

The processes are still underway and face difficulties, such as those encountered by the Ministry of Culture in the peripheral structures in terms of relationships and coordination. Projects related to the protection and management of cultural heritage are complex, time-consuming and sometimes expensive, and require sharing and participation. In addition, increasing costs due to the growth of the heritage over time, the inclusion of new types of heritage, inflation, and rising energy costs pose additional challenges to the NRRP.

To quote a speech by Rocco De Nicola (Rector Scuola IMT Alti Studi Lucca) at the Lubecc 2022 conference: "We must also think about interventions in the cultural heritage that will remain in the years to come. When we plan the interventions to be financed under the NRP, we need to create a system that involves as many actors as possible, thinking of cultural heritage as a fundamental part of our economy and bearing in mind that training in cultural heritage management and digitization play a fundamental role in this process". The complexity of these interventions underlines the need to allocate specific resources to integrated planning in the cultural field, with particular emphasis on the development of public-private partnerships (PPPs), which is proving to be an important operational lever capable of generating value for both the public sector and private partners.

Nevertheless, the use of PPP is still underestimated by both the public administration and the private sector, not only in the cultural sector<sup>55</sup>. However, the National Recovery and Resilience Plan (NRRP) and legislation, driven by European Union directives, recognize the importance of PPPs as a catalyst for the country's recovery.

PPPs funded by the NRRP can provide a multiplier effect through private investment, encouraging collaboration and shared responsibility between the private and public sectors. The focus on culture represents an opportunity to exploit Italy's unique heritage in all areas and sectors, highlighting the sustainability and economic and social importance of such interventions.

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<sup>55</sup> Schneider E., "Le opportunità del PNRR nel settore dei beni culturali", 27th Jan 2023, *Norme e Tributi Plus*, link: <https://ntplusdiritto.ilsole24ore.com/art/le-opportunita-pnrr-settore-beni-culturali-AE5k2ZbC>



The public entity can benefit significantly from cooperation with private economic operators, particularly in terms of the technical and design skills needed to carry out the planned works. Private operators, thanks to their entrepreneurial skills and accumulated know-how, can propose innovative projects that allow the Public Entity to implement strategic interventions, including complex and innovative ones, taking advantage of the expertise of the private sector.

From the economic-financial point of view, the National Recovery and Resilience Plan (NRP) allows public entities to combine the funds they receive with sums from private individuals. Within the framework of the PPP (Public-Private Partnership), the private operator can assume the cost of carrying out all or part of the work. This model makes it possible to optimize the use of resources by involving the private sector in a synergetic way.

The establishment of the PPP offers the public entity the opportunity to improve its negotiating skills, transforming its traditional role from a purchaser of services to an actor that interacts with the private sector to identify the most advantageous model for achieving the objectives of the NRP. Importantly, the selection of the private partner is done in compliance with the rules on publicity and protection of competition, through the use of public evidence procedures, as required by Legislative Decree No. 50 of 2016<sup>56</sup>.

The experience of recent years has shown that the Public Private Partnership (PPP) is a delicate instrument that requires specific skills to avoid possible complications for both public and private operators. Despite the attractiveness of PPP forms, it is necessary to manage them carefully in order to ensure the success of the projects and to avoid possible critical problems.

The amount of funding allocated to the culture and tourism sector by the National Recovery and Resilience Plan (NRP) is a significant incentive. However, the effectiveness of projects will depend on the ability to translate ideas into concrete actions. In this context, the importance of human capital and the specific skills of the actors involved becomes fundamental.

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<sup>56</sup> Ibidem

According to Francesco Profumo, an Italian academic<sup>57</sup>, it is crucial that NRP operators are equipped with project management skills to manage complex and multidisciplinary projects. In addition, knowledge of procurement and contracts is crucial to ensure the proper implementation of initiatives, while monitoring and reporting skills are essential to comply with the required technical procedures.

Training plays a central role in this context, helping to develop the skills needed for effective project implementation. Relational skills are particularly important in a context such as the NRP, where collaboration between public and private entities plays a key role in the success of initiatives.

#### 3.3.4 EU Role: Hints

"The Union's action shall be designed to encourage cooperation between Member States and, if necessary, to support and supplement their action in the following areas: improving the knowledge and dissemination of the culture and history of the European peoples, conservation and safeguarding of cultural heritage of European importance [...]"<sup>58</sup>. The importance of culture is recognized as a cardinal value within the European Union (EU). In this context, the European Commission has developed several initiatives aimed at promoting and enhancing cultural sites in the European territory.

These initiatives include the "European Heritage Label", awarded to cultural heritage sites of symbolic European value; the "European Destination of Excellence", aimed at enhancing the visibility of non-traditional and emerging destinations; and the well-known "European Capital of Culture". The latter, in addition to its symbolic value, is intended to have a concrete positive impact on the cities involved, contributing to their regeneration and increasing the number of tourists.

Financially, the EU has two main categories of instruments to promote culture. On the one hand, there is a directly managed fund called "Creative Europe", which is specifically designed for culture. On the other hand, there are Structural and Investment Funds (EIS

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<sup>57</sup> In a speech at the Lubec 2022 conference.

<sup>58</sup> Article 3, Treaty on European Union (TEU).

Funds), which do not consider culture as an end in itself, but as a means to achieve other objectives, such as urban and regional development (Ghia, 2021).

The 2014-20 programming has focused on the relationship between supply and demand at the local territorial level, identifying areas of attraction that take into account all existing resources, including cultural, tourism, natural, landscape and socio-economic. In this perspective, culture has been considered as a cross-cutting issue between different thematic objectives, rather than as a separate thematic axis/priority, becoming one of the drivers of different territorial strategies.

However, some critical issues have emerged in this context, including the predominance of investments in infrastructure works at the expense of services related to their management and realization, difficulties in integrating protection and enhancement actions, as well as challenges related to sustainable financing of interventions, territorial integration and public-private relationships (Ghia, 2021).

In the preparation of the 2021-27 programming, the main issues on the agenda continue to concern the selectivity of interventions, financial sustainability, territorial integration and the involvement of the public and private sectors (De Luca, 2023). The new programming aims to enhance the value of cultural resources as a lever for strengthening social inclusion, citizens' well-being and opportunities for active citizenship, thus providing an opportunity to overcome some of the limitations encountered previously.

The legislative package governing the European Cohesion Funds, adopted in June 2021, includes three main regulatory instruments: the Common Provisions Regulation, the European Regional Development Fund (ERDF) and the European Social Fund Plus, as well as other ancillary instruments. The European Court of Auditors pointed out that, according to a survey<sup>59</sup>, cultural investments are not a priority for the ERDF, which is more focused on socio-economic considerations, considering culture as an instrumental tool compared to economic objectives. This approach, which emphasizes economic objectives in the selection of projects for funding, entails significant risks, given the

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<sup>59</sup> European Court of Auditors, “Special Report 08/2020:EU cultural investments”

difficulty of reconciling economic, social and cultural objectives, with a trade-off between them (Baldinelli,2022).

The conflict between these objectives is evident in what the Court of Auditors has called the "dilemma between sustainable tourism and the economic and social objectives of cultural heritage sites". While the promotion of tourism is seen as a way to generate socio-economic benefits through ERDF investments, an increase in the number of visitors to cultural sites can lead to their deterioration, especially in the case of mass tourism. This raises concerns about the preservation of cultural assets, which may be neglected in favor of economic and social objectives.

ECA recommendations in the context of the European Regional Development Fund (ERDF) highlight the need to support projects that include strategies to improve the financial sustainability of cultural sites. This could include diversifying revenue sources to enable cultural sites to cope with risks such as cuts in public spending. This approach emphasizes an integrated approach to cultural funding involving three main and complementary actors: the cultural sites themselves, the public sector and the private sector.

The recommendations emphasize the importance of private sector involvement. In particular, Recommendation n.2, entitled "Encouraging the use of private funding to safeguard Europe's cultural heritage", calls on the Commission to collect best practices from Member States on alternative sources of funding and to consider developing a system based on private funding for cultural heritage sites. It coordinates potential cultural initiatives with other EU cultural initiatives and emphasizes the importance of a synergetic approach between public, private and cultural sites for the success of projects.

### **3.4 Concluding Remarks on Public and Private Financial Intervention for Culture**

This chapter has focused on both public and private forms of funding for the cultural sector in general, with a particular emphasis on the resources allocated to abandoned or underutilized immovable cultural property, the subject of this research. However, as the analysis of the case studies presented in the next chapter shows, the renovation of historic

buildings or the implementation of cultural programs aimed at bringing such sites back to life require significant financial investments. Therefore, in addition to the use of the public-private partnership as a collaborative tool, it is essential to gain a thorough understanding of all potential revenue sources in order to create a "funding mix" that can best support the project in question. To this end, all the forms of financing described here prove to be valid and valuable, with particular reference to the Art Bonus, which, as demonstrated by the example of the Teatro Tascabile in Bergamo, has been efficiently used to successfully finance the renovation of the former Carmine Monastery, constituting a relevant source of financing for the activities carried out.

Rethinking the relationship between the public and private sectors in the financing of cultural heritage is an important step, as the analysis carried out shows. Cooperation between these two sectors is of paramount importance, especially with regard to immovable cultural heritage of a historical-artistic nature and its rehabilitation, revitalization and inclusion in a broader process aimed at the well-being of the community. On the one hand, it is crucial to consider the private individual as an entity serving the administration and the community. The economic contribution of the private individual should be aimed at ensuring a better preservation of the national cultural heritage, without the exclusive purpose of financial gain for the private individual himself. On the other hand, it is equally important to recognize the role of the private sector as an actor capable of providing useful expertise in the process of cultural heritage enhancement.

Synergistic cooperation between the public and private sectors, with the active involvement of the private sector, can lead to positive results in the management and preservation of cultural heritage. The active participation of the private sector is not limited to financial contribution, but also includes the sharing of skills, resources and know-how, thus contributing to an integrated and sustainable approach to cultural heritage enhancement.

The principle of subsidiarity emerges as a key element in public-private relations in the financing of cultural heritage. An important example of the application of this principle is the Art Bonus, which emphasizes the importance of involving the private sector in the preservation of cultural heritage.

In a context of renewed harmony with the private sector, it is crucial for the State to act as both a financier and a coordinator of cultural heritage. Public intervention must remain a central element of cultural policy, not only in Italy but also in many other EU member states. At the same time, the state should assume the role of coordinator, establishing clear rules to govern relations with private individuals.

Sponsorship and the Art Bonus are concrete examples of how prudent management of resources can not only ensure their rational use, but also contribute to strengthening the confidence of the private funding sector in the State. Proper regulation and management of private funding initiatives in the cultural sector can be crucial to ensuring the transparency, effectiveness and sustainability of such partnerships over time.

Maximizing revenue from sponsorships, additional privately managed services, and concessions should be carefully considered. However, it is crucial to balance this economic perspective with the priority given to the enhancement of assets over immediate financial returns. This shift would represent a change in perspective from an approach focused on profiting from heritage to one aimed at ensuring long-term support for cultural heritage (Baldinelli, 2022), even in the absence of immediate financial returns.

It is hoped that this will lead to a vision in which culture is not only the subject of emergency instruments such as bonuses, but is seen as an area of investment rather than expenditure. In this context, it would be appropriate to focus on supporting smaller institutions and neglected cultural sites, which are often located in peripheral and less re-known areas, but have considerable potential for local communities and society as a whole.

In addition, it is crucial to address the issue of training and skills needed to manage such collaborations, which require management, promotional and administrative skills. In order to establish fruitful cooperation with the private sector, it is necessary to have a reliable framework in which the public interest remains at the center. Despite the growing importance of private parties in this context, the State must always be recognized as the ultimate guarantor of the protection of cultural heritage and the public interest it represents.

## 4 Case Studies

As discussed in detail in previous chapters, Italy is an extremely culturally rich country. In spite of this, there are still many realities that are not properly enhanced, in a state of disuse or even abandonment. These are historic palaces, castles and former religious buildings, which, although they may appear to be marginal assets, are in fact resources with considerable potential to act as a catalyst for the regeneration of the territory in which it is located. Instead of continuing to build, it is essential to raise awareness of the cultural value of these structures and the potential reuse that can be proposed within them, always with a view to integrated valorization and horizontal subsidiarity.

Leaving certain assets to the passage of time, with no prospect of reuse, is a waste of potential and resources for the local community and beyond.

It is in this context that public-private cooperation comes into play as a tool for revitalizing the cultural heritage in question, making use of the resources and expertise of both sectors and focusing on a single objective: the return of these assets to the community in innovative and dynamic forms.

It may be useful, therefore, to propose concrete examples where this collaboration has been successful in reviving a part of the abandoned heritage, giving it a new life and generating a positive impact on the surrounding area and the community.

The three case studies examined below focus mainly on the implementation mode of the Special Public-Private Partnership (SPPP), as defined in paragraph 3 of article 151 of the Public Contracts Code. A prominent reason for this analysis is the fact that this partnership paradigm is configured as a tool more oriented towards forms of cooperation for territorial development, as opposed to the previous discipline contained in the Cultural Heritage Code, the Public Contracts Code and the Third Sector Code. Under the latter, public property could be granted to third sector entities for restoration purposes. The special public-private partnership, characterized by its contractual rather than institutional nature, introduces a dimension of co-responsibility between public and private entities, emphasizing the socio-economic and territorial aspects of the concept of enhancement.

Unlike ordinary partnerships, SPPPs are not based on a logic of exchange (price or concession in exchange for service), but on an open collaboration aimed at common interests, such as those of a cultural nature in the context of the valorization of public assets. This approach is based on the co-design and participation of the relevant territorial community, involving a public entity that owns a property and a private partner as the operational contact of the territorial entity in the valorization project, which assumes the operational risk of the process of fruition and valorization of the cultural asset (Spena M.C., 2022).

#### **4.1 Ex Monastero del Carmine and Teatro Tascabile di Bergamo (TTB)**

##### *4.1.1 Historical Background*

In the center of Bergamo Alta stands the former Monastero del Carmine, a monumental complex built from the second half of the 1300s. The construction of the monastery began with the acquisition of land by the Carmelites; the actual building reached its peak between the late 15th and early 16th centuries and was completed in the following century with the construction of the stables, the chapter house and the new library. The architecture is organized around a cloister defined by Angelini as "among the most typical and perhaps the most characteristic for the elegance of architectural forms and the harmony of measures"<sup>60</sup>. Since the 18th century, however, the monastery began a phase of decay due to division and lack of maintenance, which culminated in 1954 with the declaration of unfitness and subsequent state of abandonment.

After this period, the competent authorities initiated some interventions to restore the site, which remained largely unused until 1996. In that year the ancient building became the home of the Teatro Tascabile di Bergamo (TTB), a cooperative society based on the model of group and workshop theater, through an ordinary concession model.

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<sup>60</sup> Monastero del Carmine, Bergamo, FAI "I Luoghi del Cuore", website link: <https://fondoambiente.it/luoghi/monastero-del-carmine?ldc>





*Ill..1 Ex Monastero del Carmine*



*Ill..2 Teatro Tascabile di Bergamo*

The latter was founded in 1973 by Renzo Vescovi on the model of the European workshop theaters of the second half of the 20th century. This approach is based on the extensive interaction of the members and is inspired by the art workshops of the Renaissance. TTB has two distinct dimensions: on the one hand, the production of performances and engagement in the Bergamo area; on the other hand, a commitment to pedagogy and rigorous research into the various techniques of the actor's art.

Internationally recognized, the Teatro Tascabile has received invitations from 43 nations on 4 continents to participate in the most prestigious theater festivals, according to the dedicated page on the Art Bonus platform<sup>61</sup>.

When it moved to the former convent in 1996, the TTB continued its activities as a laboratory theater. Here it focuses on research in contemporary theater, actor's dramaturgy, open space theater and Eastern classical dance theater. The theater pays special attention to the transmission of theatrical knowledge to new generations, integrating theoretical and practical knowledge of theatrical art.

In particular, its activities can be divided into five categories: theatrical performances (for a maximum of 100-130 spectators), street performances (in open spaces or otherwise unconventional), oriental theater, theater culture (initiatives of a theoretical, historical,

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<sup>61</sup> Teatro Tascabile di Bergamo on Art Bonus platform, link: <https://artbonus.gov.it/ttb-teatro-tascabile-di-bergamo-attivita-culturali.html>

educational nature through performances-demonstrations, films, lectures, seminars), projects and special events.

In addition, in 2013, in collaboration with the University of Bergamo, the Tascabile inaugurated the Renzo Vescovi Library Fund, which will be joined in 2019 by the Nicola Savarese Fund. Both can be consulted on the website of the TTB and can be found in the catalogue of the multimedia library of the University of Bergamo.

The Theatre is registered in the regional register of social cooperatives since 2011 and in 2016 it received the Gold Medal and Civic Merit from the City of Bergamo for its contribution to the prestige of the city through its commitment.

TTB's main objective is to create dialogue and openness between different cultures and communities, promoting the mixing and sharing of values in an open dialogue with the city, understood both as an institution and as a community.

In order to achieve this meaningful objective, TTB has expressed its willingness to develop a project for the recovery and enhancement of the monumental complex that promotes maximum participation and inclusion, both at the civic, cultural and labor levels. In this sense, in 2018, the Tascabile has established with the City of Bergamo the first special public-private partnership in Italy for the recovery and cultural enhancement of the Monastery of the Carmine.

#### *4.1.2 The Evolution of the Project*

As anticipated before, the Teatro Tascabile di Bergamo is a social cooperative that engages in the production of cultural activities to pursue the general interest of the community, promoting human growth and social integration of citizens. The social enterprise model followed by TTB is translated from a managerial and administrative point of view into the ethical, cultural and methodological values that define its identity, characterized by key concepts such as research, craftsmanship, pedagogy and collectivity. These values form the basis of the theater's relationship with the local area, markets and stakeholders, with the aim of producing culture in a sustainable way and giving the company a distinctive ethos.

TTB's design focuses on the relationship between business and the non-profit sector. In this context, the special public-private partnership is a tool for simplifying procedures and adopting an innovative vision in the recovery and valorization of public heritage. From the project's point of view, the alliance with the local government, the relational capital of the TTB and the ability to attract the interest of the private sector will be strengthened. In addition, the *#yourCarmine* project contributes to the development of small local economies and co-marketing initiatives between TTB and sponsors.

In order to implement an effective regeneration of the spaces of the former Monastery, the relevant institutions have sought to apply various legal instruments for the management of the monumental complex. In this effort, a focused research has been carried out in order to find the most suitable and flexible solution for the peculiarities of the site as compared to the ordinary concession for precarious use, which regulates the rights and obligations of the TTB in the former Carmine Monastery. It should be recalled that the ordinary concession mode is one of the most frequently adopted contract types by public administrations in public-private partnerships (PPPs). This mode differs from works and services procurement by the method of remuneration of the private party involved. In concession contracts, the private contractor assumes operational responsibility for the management of the work or service and is remunerated solely through the right to manage the works and/or services under the contract. It should be noted that this right may be accompanied by the payment of financial compensation (Pardisi I., 2017).

Initially, on April 3, 2012, the Ministry of Culture, the Agenzia del Demanio and the Municipality of Bergamo signed an enhancement agreement for the former Carmine Monastery and the former Sant'Agata Prison complex, pursuant to article 112, paragraph 4, of Legislative Decree no. 42/2004 (T.U. of the Cultural Heritage), with the aim of protecting and enhancing the aforementioned monumental complex. Subsequently, in order to implement this agreement, the Municipality issued a call for proposals for the selection of regeneration proposals, but this procedure was unsuccessful due to the lack of suitable proposals. Therefore, on June 29, 2017, a separate Memorandum of Understanding was signed specifically for the former Carmine Monastery, recognizing TTB's willingness to submit a proposal for its management in the medium to long term.

In this context, the idea of using a new instrument was born: the Special Public Private Partnership. It should be recalled that the latter is an institution provided for in the Public Contracts Code of 2016 and confirmed in the New Procurement Code of 2023 (art. 151 and 134 respectively) and represents an operational innovation in Italy capable of countering the abandonment of more than 205,000 cultural assets, of which more than 71% are in a state of serious under-utilization, lack of public use or abandonment<sup>62</sup>.

Although the text explicitly refers to the initiative of the Ministry of Culture, the latter clarified in laws of June 9, 2016 and July 9, 2017 that local authorities can also activate this institution for cultural assets directly in their possession, which represent more than 70 percent of the cultural real estate heritage in Italy<sup>63</sup>. Accordingly, at the end of 2017, the TTB submitted a special partnership proposal to the City of Bergamo with the aim of transforming the existing forms of agreement related to the former Monastero del Carmine into such an institution.

By enabling an equal and fiduciary alliance between public administration and cultural operators, the PSPP promotes the reuse of cultural assets for cultural purposes. It is a tool for cultural operators to return stable cultural services to the community, contributing to the well-being of people.

After the proposal was published and the TTB project was recognized as being in the public interest, on October 26, 2018, the Municipality of Bergamo and Teatro Tascabile di Bergamo, with the support of the Fitzcarraldo Foundation, signed the first special public-private partnership agreement in Italy, inaugurating a new model of collaboration between public and private entities for the recovery and care of historical assets through cultural activities.

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<sup>62</sup> “Partenariato Speciale Pubblico Privato”, #tuoCarmine, Website Link: <https://carmine.teatrotascabile.org/pspp/>

<sup>63</sup> Giangiorgio Macdonald, “L’innovativo istituto del partenariato speciale con il Teatro Tascabile di Bergamo”, in *Labsus*, 6th January, 2020, Article link: <https://www.labsus.org/2020/01/linnovativo-istituto-del-partenariato-speciale-con-il-teatro-tascabile-di-bergamo/>

#### *4.1.3 Highlights of SPPP*

Analyzing the steps taken for this redevelopment of the property and observing the way the public property is managed, some significant elements emerge.

From the very beginning, a collaborative and open approach can be observed: the Ministry's broad view of the possible use of the Institute on the initiative of the local authority indicates a desire to promote the effective use of the Institute, which had been lacking until then, and an awareness of the Ministry's difficulties in autonomously managing complex projects related to the territory, while maintaining its protection powers.

At the procedural level, the publication of the special partnership proposal by the Municipality of Bergamo underlines the transparency and participation sought by the Municipality in order to implement the best project for the enhancement and regeneration of the common good. The public announcement makes it possible to receive alternative and complementary proposals, thus improving the operating conditions of the project.

With regard to the content of the special partnership, an interesting peculiarity is the creation of a Technical Table composed of representatives of the TTB and the Municipality, with the possible participation of a representative of the Superintendence in the case of matters of competence. This joint body operationally manages the agreements, evaluates and approves the cultural plans and construction interventions proposed by the TTB.

The evolving nature of the special partnership is the result of a continuous comparison and adaptation of activities according to the changing needs of the community and the available resources. The 20-year duration, with the possibility of renewal and five-year reviews, indicates the flexibility in the implementation of the program in relation to the resources obtained. This aspect would have been impossible under the previous approach of a concession in precarious use, given its incompatibility with medium to long-term structural investments by the private entity.

As already mentioned, it is important to note how the special partnership seems to reverse the traditional approach of ordinary agreements for the regeneration of cultural property, in which the economic aspect plays a predominant role. In the case of the institution

studied here, the project dimension of revitalization is combined with the objective of creating both socio-cultural and economic sustainability.

In addition, the free transfer of the Carmelite Monastery to the TTB overcomes the obligatory fee and allows the private party to carry out recovery, restoration and renovation activities at its own expense.

The innovation of this special partnership lies in its unprecedented approach to cultural heritage management, combining public and private interests to achieve a common good. This means "reversing the neglected state of the diffuse cultural heritage", as stated by lawyer Franco Milella, member of the Board of Directors of the Fitzcarraldo Foundation<sup>64</sup>. The Fitzcarraldo Foundation's reflections underline the importance of activating the community in order to ensure the recovery of value and the sustainability of the recognition of public and cultural heritage.

Public-private cooperation through the special partnership focuses on the civic-social element and represents a significant change in its flexibility and adaptability, allowing it to be enriched with specific application content based on experience and best practices.

#### *4.1.4 Resources and Interventions Implemented over the First Three Years of Partnership (2018-2021)*

The program of interventions for the enhancement of the Carmelite Monastery included, in the first lot, the re-functioning of the Capitol, the adaptation of the Renzo Vescovi Theatre, the foyer-library and the dressing rooms of the actors. To achieve these objectives, an expenditure of 300,000 euros and a time frame of 36 months had been estimated, while the first batch of interventions required 586,000 euros and a time frame of 14 months, to be completed in December 2020<sup>65</sup>.

After the church and the cloister, the chapter house was the most important part of the monastery, as it was the place where the monks met. Built in the 16th century, it has an irregular floor plan and a barrel vault with various pictorial decorations. The interventions

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<sup>64</sup> Ibidem.

<sup>65</sup> Report "Interventi sull'immobile: dossier di presentazione del primo quinquennio (2018-2023)", Bergamo, 21st November, 2023

carried out include the installation of an air conditioning system (which also contributes to a better conservation of the pictorial decorations), a new wooden floor laid on the old cement tile floor, and the installation of an extremely flexible electrical and lighting system. Today, the Chapter House can accommodate 40 people for conferences, meetings, lectures, exhibitions and "chamber" performances (Ill.3).



*Ill.3 Chapter House*



*Ill.4 Theater Renzo Vescovi*

The former refectory of the Carmelites is a large room with a rectangular floor plan, resting on an imposing stone barrel vault and covered by a brick pavilion vault. The new name of this room is dedicated to TTB's founder, Renzo Vescovi, who died in 2005. The restoration has been carried out in a dialogue between history and the present, adapting the space to the needs of a modern theatre hall, in compliance with current safety regulations. Among the twelve roundels representing the most important figures of the Carmelite Order, the frescoed roundel of the Virgin of Mount Carmel with Child was restored. The hall was equipped with a new underfloor heating system and wooden parquet flooring. The new metal grille, designed to disappear into the vaulted ceiling of the pavilion, is the grid on which the new lighting is installed, characterized by modern, highly efficient adjustable

systems. The work has been completed by a grandstand with comfortable seating for ninety-nine spectators instead of the former sixty (Fig. 4).

The original kitchen of the monastery refectory has been transformed into a foyer-library: on the one hand, the place where the audience waits before entering the auditorium for the performance, and on the other hand, on a special mezzanine, the place for consulting the texts of the Eurasian Theatre Library. All theatrical laboratories, such as the TTB, build a library fund in their house, which is represented by this library.

During the restoration of this room, special attention was paid to the preservation and enhancement of the original plasterwork. Replacing the opaque window frames with new glazed frames allowed natural light to enter the room, improving the quality and usability of the space (Fig.5).



*Ill.5 Foyer-library*



*Ill.6 Dressing Rooms*

Finally, the Anti-Refectory of the Monastery is a rectangular room with pictorial decorations on the walls that refer to the different phases of the construction, among which we find the coat of arms of the Carmelite Order with fake architectural elements, dating back to the early 17th century. This room has undergone a thorough structural analysis,



with special load tests and structural consolidation work. A new mezzanine in metal carpentry houses special dressing rooms for actors. (Fig.6).

This first set of interventions tapped a mix of funds. The highest percentage that TTB drew from was the Art Bonus (31%), on which the Tascabile had two lines, one for restoration and one for cultural activities. With the Art Bonus campaign, which ends in 2021, TTB raised 184,275 euros from 41 patrons.

The rest of the funds came from the public administration (City of Bergamo and Regione Lombardia): 29% from own resources between cultural activities related to the spaces (seminars, school, lectures, performances, etc.) and commercial activities related to the spaces (renting of them); 12% from foundations (Fondazione Cariplo, Fondazione UBI Banca Popolare di Bergamo Onlus, Fondazione della Comunità Bergamasca)<sup>66</sup>.

Among the main items of expenditure that characterized this lot, we find the cost of construction works (407,038 euros), design costs (49,904 euros), restoration works and security charges (44,700 euros and 2,600 euros respectively), carpentry works (26,050 euros), technical material (23,194 euros), network and home automation (21,000 euros), furniture and equipment (11,607 euros), for a total of 586,000 euros spent.

Thus, the resources on which the project is based come from different forms and sources of funding, and each person and company that has participated in supporting the project will be donated a tile, which will be placed at the entrance to the cloister of the Carmine Monastery, forming the Wall of Donors. The latter represents a space of thanks and visibility to those who have believed and contributed to this project of restoration of a historical asset in a cultural key.

Finally, since 2020, there has been a clear and increasingly strong link between the promotion communication strategy and the expected results in terms of public involvement and the economic return of the action undertaken. In particular, the “*The Last Mile*” campaign has collected images and testimonies of the project in progress. This multimedia content on their website presents an inclusive, win-win narrative in which the

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<sup>66</sup> Ibidem.

citizen is truly involved and invited to continue supporting the project through various sources of support. Another interesting campaign is “*A Skating Rink in the Upper Town*”, which is now being repeated since 2021 with annual editions in the winter months. In this case, it is an interactive art installation in the cloister of the monastery, transformed for the occasion into a winter garden. On the one hand, the track respects the environment because it is made of polyester, which is recyclable, non-toxic and does not consume energy or water; on the other hand, it respects the space of the cloister because it does not include piped music, but visitors are provided with Bluetooth headphones. This intersection of sport, entertainment, art and culture will also include live music by several local bands and guided tours of the monastery in various languages, offered on weekends by students from the Faculty of Management of Tourism Systems at the University of Bergamo.

These initiatives allow for the creation of links and alliances to support the implementation of cultural activities, often creating a sense of belonging that acts as the glue for a lasting relationship between TTB, businesses and non-profit organizations, involving the community and helping to support the local economy.

#### *4.1.5 Resources and Interventions Within Five Years of Partnership (2018-2023)*

As can be seen from the program attached to the SPPP, the interventions in the second lot include new activities that complement and support the theatrical activity. Interventions will be made in the Atelier, which represents the heart of the "workshop", the place where craftsmen and artists work; everything that is "behind the scenes" but indispensable for the life of a theater. Part of the workshop are the rehearsal rooms, necessary to host the educational and training activities functional to the life of the theater; the warehouses, necessary for the storage and maintenance of costumes, props and technical materials; the offices and the artist's lodge, a space that will allow artists and scholars to be housed directly in the headquarters of the theater, facilitating socio-cultural activities in the monastery. In addition to these interventions, the cloister will be adapted for better use as a public space integrated into the urban fabric and as a place suitable for cultural activities. It is important to emphasize that within the monastery environment we find a repertoire

of valuable architectural, plastic and pictorial elements juxtaposed with inferior architectural interventions. In this context, it seems to be a priority to work for the safety and conservation of the original elements and then to proceed to the insertion of the installations and the construction of the new internal partitions, using the criterion of reversibility and minimizing the impact on the existing building material, in agreement with the Superintendence. In particular, as far as the cloister is concerned, the following interventions have been planned: the installation of temporary flooring to eliminate the discontinuity of the walking surface and to resolve the abrupt changes in height; the necessary arrangements to overcome architectural barriers (envisaging the installation of two elevators to make the spaces accessible), the construction of parapets to secure against the risk of falling from heights and barriers to prevent direct access to areas associated with dangerous elements (Fig. 7).



*III.7 The Cloister*

Interestingly, the final design of this second set of interventions anticipated in its implementation two of the four themes included in "Section III" of the program, namely vertical connections and Atelier expansion. In fact, although the restoration and rehabilitation works are organized by circumscribed functional lots, the design and

execution of the works are carried out from an overall vision aimed at the best and most complete use of the entire building, reflecting the flexibility guaranteed by this form of public-private partnership.

In terms of available resources, this second series of interventions will also feature a mix of funds. In 2022, 70,000 euros were invested in the "#yourCarmine" project for lighting, the creation of safe paths in case of emergency, and the removal of architectural barriers related to the cloister and its loggia.

In 2023, TTB has launched a series of calls for proposals; the first one, "Spaces in Transformation" of Fondazione Cariplo, aims to support processes of reuse of disused or underused buildings to experiment with new functions of a cultural nature and to return such places and the surrounding spaces to the enjoyment of the communities, in a lasting and sustainable perspective. The interventions proposed in this call for proposals concern the experimentation with a space in the guest quarters, the expansion of activities in the cloister, the experimentation with shared management with other local actors throughout the property, and the experimentation with new functions on the first floor of the monastery. The share of funding obtained from this first call amounts to 250,000 euros.

The second call "Tutela Beni Storico-Artistici" of the Fondazione Comunità Bergamasca granted 13,500 Euros for the final design expenses of the second lot, i.e. static and stratigraphic studies, load tests, systems design, restoration design and architectural design.

The third call of the ASM Foundation for "Interventions on the Artistic and Cultural Heritage 2023" was useful for the experiment of the guesthouse with two rooms with one bathroom each, made through self-construction workshops with the active support of citizenship, universities and local companies, amounting to 10,000 euros in funding. These sums go to finance the second series of interventions, characterized by two macro areas of expenditure, including Atelier and its Artist's Forestry (2,196,743 euros) and

Spaces of Connection (1,042,882 euros), for a total expenditure of 3 million 240 thousand euros<sup>67</sup>.

#### *4.1.6 Near Future and Conclusions*

After analyzing all these technical elements, we can draw some reflections on these first years of partnership in terms of economic and socio-cultural improvement and success factors. First of all, in terms of economic enhancement, it is clear how TTB has been able to raise funds through efficient diversification and reduced project timelines. The latter is due to the flexibility of the SPPP, to the constant support of the Fitzcarraldo Foundation, to the effective use of the Technical Table, which has allowed them to communicate constantly with the relevant stakeholders (e.g. the Superintendency), ensuring the effective implementation of public policy instruments.

Secondly, as we can see from the activities carried out by the theater, in terms of cultural and social enhancement, TTB has implemented a territorial engagement strategy over the years, collaborating with local businesses, other existing theaters and performance groups, and the local community (Albertelli, 2023). This participatory action, initiated by the theater, shows how any small local entity can make a real difference by participating in a project aimed at returning to the community an abandoned public good. In this sense, looking to the near future, TTB intends to carry out a kind of "cultural photosynthesis" capable of transforming an environment and returning it enriched.

In general, it is evident how both parties, along with the local community, have witnessed numerous benefits and advantages, thanks to the ability to co-create and implement a common vision, the use of a wide range of financial resources, the positive reputation of TTB in the surrounding territory, the support of important partners.

Of course, all this did not come without any problem, such as the absence of clear rules for this form of contract, which makes it difficult to standardize such results and apply similar partnerships in other cases (Albertelli, 2023). However, this case was based on some aspects that should be considered as the basis of a successful partnership in these

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<sup>67</sup> Ibidem.

terms and they are: constant horizontal collaboration, shared final goals and vision, co-creation and co-planning of the strategy, deep knowledge of the context in terms of local community needs and economic/cultural enhancement. Therefore, the effectiveness and efficiency of this case can potentially pave the way to other best practices for the enhancement of underutilized cultural sites, thanks to a deep collaboration between public and private parties.

In this context, a fundamental source of nourishment and strength, in addition to the flexibility of the particular public-private partnership, is also TTB's passion for the Carmine Monastery, which is to be made accessible to all.

Moreover, as far as the future is concerned, the programming of the Carmine for the three-year period 2024-2026 comes from a peculiar conception of the TTB itself: it aims to be a house theater for the actors and the people who work there, but also an open house for many, where the different artistic disciplines housed can be transformed into unexpected and lasting relationships, new experiences and awareness that relate precisely to the city. Finally, activities are actively underway to raise additional funds, intercepted by the new perspectives opened by the project in sectors complementary or related to culture, such as tourism, real estate management, communication and marketing of the area. Finally, the possibility of obtaining funds in line with the objectives of the European programs 2021-2027 is mentioned.

#### **4.2 Monastero Benedittino di San Nicolò l'Arena and Officine Culturali**

An interesting case of public-private partnership in the cultural sector concerns the University of Catania and a private cultural association - Officine Culturali - for the implementation of activities necessary to enhance the value of a site included in the UNESCO World Heritage List, where one of the University's departments is located. The case represents a form of public-private cooperation that is not limited to the implementation of enhancement activities, but has broader effects in terms of training new professionals, job creation and social regeneration, again with a view to cultural, social and economic development.

#### 4.2.1 Historical Background

The Benedictine Monastery of Catania (Sicily), known as the Monastery of San Nicolò l'Arena, is one of the largest Benedictine complexes in Europe and is located near the Cathedral of Catania. It is a jewel of late Sicilian Baroque and an example of architectural integration between eras. Inside there are two Roman domus, cloisters and a roof garden. Today it houses the Faculty of Humanities of the University of Catania and is a UNESCO World Heritage Site.

The complex was founded in 1558 by Cassinese monks<sup>68</sup>. During the 17th century, the monastery suffered the consequences of the terrible lava flow from Mount Etna in 1669 and the catastrophic earthquake of 1693. Nine years later the reconstruction began, and the plan of the monastery was enlarged: West Cloister (characterized by Carrara marble) was added to the East Cloister, with a garden in eclectic style. In addition, the lava bench was used to create the two hanging gardens, the Botanical Garden - the Villa of Wonders - and the Novices' Garden. Enlarged, decorated and remodeled, the monastery became one of the largest convents in Europe.



*Ill.8. West Cloister*



*Ill.9 East Cloister*

Another important aspect of this complex is the Factory Museum, created in 2000 with funds from the Coordinated Plan "Catania-Lecce", which is developed in the splendid

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<sup>68</sup> Monastero dei Benedittini website, link: <https://www.monasterodeibenedettini.it/il-monastero/>

spaces articulated on two levels around the former kitchen of the convent. The idea of the architect Giancarlo De Carlo and the University Technical Office was to create a Bendettini Museum, starting from the historical-architectural events of the former monastic complex, linking it to the context and the urban fabric.

The convent has been used for various purposes over the centuries, finally becoming a center of the University of Catania, which has been collaborating with Officine Culturali since 2010, signing a special public-private partnership with the latter in 2020.

Officine Culturali is a non-profit organization that aims to promote culture and heritage through the promotion, implementation and organization of artistic and social cultural initiatives. The founding group of this association is mainly made up of recent graduates of the Faculty of Humanities, who wanted to make this wonderful environment an inclusive and meaningful place for all. The founder is Francesco Mannino, who since 2018 has been a member of the Federculture board and in 2020 was elected Sicily coordinator of ICOM Italy.

Today, the members of this association are permanent employees of Officine Culturali; they are cultural workers who study, plan and carry out activities on a daily basis, periodically evaluating their effectiveness for the collective well-being.

#### *4.2.2 The Aim and the Evolution of the Project*

This case concerns the collaboration between a private organization, specifically the non-profit social enterprise (Third Sector Entity) "Officine Culturali", and a public institution, namely the University of Catania, in order to carry out the activities necessary for the enhancement and reopening of the former Benedictine monastery of San Nicolò l'Arena in Catania.

The site in question, which is part of the UNESCO World Heritage List, is owned by the University itself. The University, thanks to the valuable contribution of the Association, decided to open the former monastery to the local community and tourists in order to promote the site itself. Thus, by signing an agreement with the Association, the result was the opening of the site to local and foreign visitors, returning this asset to the community and enhancing it through new initiatives within it.



Specifically, the reasons that prompted the public entity to enter into this collaboration can be traced to the lack of sufficient human and financial resources to promote the site. In fact, the university had trained some students to be able to open the spaces in question, but lacked the organizational structure and autonomy necessary to implement a permanent service. This led to the first collaboration, sealed by an agreement in 2010, under which the association would be responsible for carrying out the activities necessary to ensure the best possible promotion of the site. In accordance with the legal requirements of the Cultural Heritage Code (Decree No. 42 of 22-01-2004), the Association is not paid for this service, but it does pay the public body a percentage of the donations it receives from visitors to the monastery and pays rent for the office it uses as a museum information point and bookshop. The first result of this arrangement was the opening to all visitors of parts of the monastery normally closed for security reasons.

The involvement of the university, as well as a reflection on PPP, also leads to a reflection on the involvement of the third mission of the university. This third mission goes beyond teaching and research and takes into account the positive impact that universities can have on society. The activities included in the Third mission, understood as the university's social engagement, include access to museums, concerts, and consulting activities carried out by staff and students (Mannino et al., 2015).

Thus, the goal of the private and public entity is to open the monastery by making it understandable and accessible to all, through guided tours, free distribution of maps of the site, a constantly updated website, a virtual tour of the site, and a museum bookstore where books and objects related to the place are found. In addition, the collaboration aims to breathe new life into the site so that it can truly welcome the community around it. Therefore, in addition to the daily activities, the association organizes educational activities to spread knowledge among young people, making them aware of the importance of their past. In addition, concerts, theatrical performances and other events are organized to increase awareness and active participation in the site, making it a place for the community to meet and integrate, collaborating with professionals from various fields.

Importantly, the engagement of both entities and the awareness of the heritage they manage have led both the University and the Association to act together to preserve the site and give it a new life by increasing community participation and involvement. In this way, they have prevented the site from being forgotten by the citizens, or worse, from being closed due to lack of resources.

#### *4.2.3 Highlights of SPPP*

In 2010 the Officine Culturali signed an agreement that defined the conditions for the promotion of the public use, first of the Benedictine Monastery, then, in 2012, of the Factory Museum (the "kitchens" with their precious archives) and of the Archaeological Museum, and finally, in 2015, of the Botanical Garden. It was clearly stipulated that the Association would help the University to make use of its cultural heritage, that all the costs related to the realization of the activities (communication of the assets and activities, costs of personnel, information materials, teaching materials, equipment, investments) would be borne by the Officine and that a part of the income would be paid annually to the University.

In 2018, following a proposal made by the Officine Culturali to the University, the University of Catania, in accordance with article 151, paragraph 3, of Legislative Decree 50/2016, published on its official register a notice for the selection of partners to establish a special public-private partnership for the enhancement of its cultural heritage. By becoming a partner of the University, the Association once again makes available the skills acquired over the years in terms of management, communication and realization, helping this important public institution in its responsibility to give new life to the public heritage. The main activities proposed in this SPPP concern the consolidation of the experience of use and enhancement of the Benedictine Monastery, the Museo della Fabbrica and its archives; the consolidation of enhancement activities of the Botanical Garden and the Museum of Archaeology; the activation of the management of the other Athenaeum museum hubs, taking into account the specificity of the sites and the needs for sustainability; and the implementation of additional supporting and ancillary activities to ensure the integration between the heritage sites in question. In order to ensure that the

association's members continue to care for the city's public heritage, sharing its choices with the administrations that hold it and with the relevant communities, the needs expressed by the various stakeholders have been meticulously observed.

Article 151 of the National Code of Public Contracts once again proves to be a powerful tool for participation in the management of public assets of cultural and social relevance, through simplified procedures for identifying the private partner, with a view to co-management and collaboration with entities that express and interpret the needs of the territory. The first university to use the tool, the University of Catania, signed a PSPP in 2020 with the Association Cultural Workshops (ETS social enterprise). Precisely thanks to this agreement Officine Culturali will be in charge until 2030 of the enhancement and enjoyment of the cultural and museum heritage of the University of Catania, based on plans for audience development and public engagement, educational effectiveness, social inclusion and customer satisfaction. In addition, a technical table will be set up to define the objectives and contents of the implementation agreements, which will be composed of the rector's delegates to the Third Mission and the University Museum System, the director of the department to which the museum or building concerned from time to time belongs, the managers of the Area of Institutional Relations and with the Territory and the Area of the Third Mission, a student representative and a legal representative of Officine Culturali or his delegate<sup>69</sup>.

According to Rector Francesco Priolo, "the partnership will allow places of great cultural value to become potential laboratories for experimentation in the development of updated educational practices, in which new models of cultural management and organization can be identified"<sup>70</sup>.

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<sup>69</sup> "Unict e Officine Culturali insieme per la valorizzazione del patrimonio culturale d'Ateneo", website of Università di Catania, article link: <https://www.archiviobollettino.unict.it/articoli/unict-e-officine-culturali-accordo-la-valorizzazione-del-patrimonio-culturale-dateneo>

<sup>70</sup> Ibidem

#### 4.2.4 *Impact of the Partnership*

According to Francesco Mannino<sup>71</sup>, President of Officine Culturali, the work carried out in collaboration with the University of Catania has produced three types of impact.

The first quantitative impact concerns the public and the municipalities. The few hundred visitors recorded in 2009 have increased to about 70,000. Within these data, it is important to highlight the phenomenon of cultural exclusion, according to which cultural participation in Italy is very low<sup>72</sup>. This has a serious impact on people's social life, since culture strengthens the awareness and autonomy of citizens. Moreover, in Sicily, the exclusion of minors reaches 80%<sup>73</sup>. These negative data are countered precisely by the work of the Association, which, as of December 31, 2022, has involved 6,928 minors, strengthening their knowledge and sense of belonging. This is why the Benedictine monastery has become a true common good for students, citizens and travelers. In this sense, the structural alliance between the cultural and educational sectors has allowed minors to benefit from educational services through play and educational paths, workshops and laboratories. These are people of school age who have benefited from activities designed, planned and implemented as an integration with school curricula and elaborated after constant consultation with schools, according to a strategic approach aimed at an alliance between the world of cultural heritage and the world of education. Collaboration has also been initiated with the referents of the O.U. of Child Neuropsychiatry and the Autism Center of Catania to discuss the possibility of experimenting with useful activities to encourage the involvement and participation of visitors with autism. Activities for families and their children were also planned and dedicated.

The second impact concerns the workers of Officine Culturali. The strength of the collaboration has allowed them to transform the knowledge of the members into skilled

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<sup>71</sup> Mannino F., “Il partenariato tra Officine Culturali e l’Università di Catania: una collaborazione pubblico-privato per la fruizione del patrimonio culturale”, *University Heritage*, article link: <https://universityheritage.eu/il-partenariato-tra-officine-culturali-e-luniversita-di-catania/>

<sup>72</sup> Ibidem.

<sup>73</sup> Ibidem.

work that they do in a historical building that they love. To date, the team has 9 permanent employees, 6 temporary employees and 2 paid internships.

The third impact relates to the third mission of the university. A historic building needs care and respect. The strategy pursued by the association and the university has reduced the risks of vandalism and decay, made a unique site accessible and understandable, and created an opportunity for social entrepreneurship for its former students. Thus, this collaboration has transformed cultural heritage research into accessible knowledge for many people. Finally, in 2022, the monastery received an important recognition: the Tripadvisor Travellers' Choice. Thanks to this special public-private partnership, travelers from all over the world and Catanese have enjoyed activities and services dedicated to them, and have rated them highly.



*Ill. 10 The Library*



*Ill. 11 Cultural Initiative*

The goal of the partnership is to ensure that these quality standards are maintained for years to come, in the interest of the common good and the cultural participation of citizens. In addition to this award, this collaboration has been mentioned in various conferences and testimonies. In the 18th *Federculture Annual Report 2022* there is a contribution by Francesco Mannino dedicated to the work of Officine Culturali on the Third Sector and Cultural Welfare in the South. The Association was also represented during the 17th edition of *Ravello Lab - International Colloquia* in the panel "Cultural Work". Finally, within the framework of the review *M.I.N.D. The Gap - Cultural Forum* of the Zō Centro

Culture Contemporanee, there was a talk dedicated to the valorization and site-specific theatrical production, in which Officine Culturali participated.

#### 4.2.5 *Areas of Intervention*

The work of Officine Culturali has been based precisely on the inherent narrative capabilities of the site that contribute to the transmission of knowledge, a sense of civilization, entertainment and the construction of our society.

The association has carried out its activities within this site through tools such as marketing, social media strategy, technological innovation, diversification of services, storytelling and design; these tools have as their ultimate goal heritage education and community participation in the construction of content and, therefore, values.

The collaboration with Officine Culturali has allowed the reopening of the former monastery 7 days a week, allowing individuals to discover the place, its history and the history of the city. Certainly, guided tours are at the heart of the Association's activities. However, the activities they carry out inside the monastery can be classified into educational services, cultural planning, cultural participation, training and accompaniment.

Regarding *educational services*, it is clear that the association's activities are strongly related to research and education (lifelong learning). The site becomes a space in which to develop curiosity, observation skills, creating relationships through play, storytelling and the senses. Family, school and museum play a key role in the educational process of young people.

At the same time, *cultural planning* involves collaboration with other realities, associations, educational institutions and organizations operating in the areas, thus weaving a network of public and private partners and stakeholders. This aspect also acts on the local economy, financially involving local realities and entrepreneurs in the region. The participation and active involvement of the citizens in the creation of new communities working in and around the cultural heritage, transforming it into a common good, is fundamental. Each cultural activity is followed from the design of the project, with due analysis of the possible economic and social impact on the territory, to the

communication and narration of the methodologies put in place, to the monitoring of data and the dissemination of results. Officine Culturali directly follows every aspect of the activities carried out, introducing different professional skills to ensure that the projects designed are levers of change for the communities. It is also possible to support activities through partnerships, sponsorships, exchanges of professionalism, time and vision to create new links that can respond to the needs of the territories.

In order to broaden *cultural participation*, Officine Culturali experiments daily with initiatives, activities and moments of dialogue and confrontation. In order to fight against the phenomenon of educational poverty, which is one of the main objectives of the Association, the needs of the different audiences are placed at the center of a key of active and conscious participation, in the framework of a general vision of cultural welfare with social cohesion objectives. Services aimed at increasing and differentiating cultural participation focus on inclusive processes aimed at breaking down architectural, social, economic and cognitive barriers.

Finally, the Officine Culturali's team provides expertise in the field of heritage management and service design for the cultural promotion of the territory. Working alongside cultural and social realities, they enable the creation of new scenarios of self-employment, including through partnerships. Taking care of every single aspect, the association offers the possibility of implementation to organizations that want to carry out cultural and scientific events, exhibitions and initiatives for the promotion and valorization of the tangible and intangible cultural heritage. In terms of *training and accompaniment*, the Association is responsible for providing internships, seminars and collaboration for projects in the field of valorization, as well as accompaniment in the stages of growth and consolidation of new realities, supporting culturally based social development projects.

#### 4.2.6 *Enhancement Activities and Social Accounting*

It is interesting to present some of the activities carried out by the Association within the Benedictine Monastery, as they form a varied and numerous series of events.

For the review *Open Doors. Music, Theatre, Cinema* edition 2022, Officine Culturali presented the show "A Thousand Miles Away", an itinerant theater show that takes place

between the Monastery and the Church of San Nicolò l'Arena. Also included were the evening tour "The Secret Plan of the Benedictines" and the "Civic Festival of the Library Street Garden". The latter took place inside the garden and was an opportunity to share a project supported by the Waldensian Church with 8x1000 funds that Officine Culturali wanted to dedicate to the regeneration of the garden.



*Ill.12 Botanical Garden*



*Ill.13 Theatrical Representation*

Other projects related to the event *The Night of the Archives* (2022) were the "Monastery and the old course: a century of changes", in which the doors of the archives of the Benedictine Monastery were opened to tell about the changes and evolutions experienced by the monastic complex and the neighborhood that hosts it.

In addition, during the *European Researchers' Night* (2022), the archives of the Museum hosted the photographic exhibition "Imaging Antico Corso", in which residents of the neighborhood told the audience stories about people and places related to the images on display.

Within the project *La Polis delle Arti - A path to the peripheries of culture, between music and theater*, the activity for "Palcoscenico Catania" is a path of study and research in the Antico Corso neighborhood and the neighborhoods adjacent to the monastery, which led to the staging of a theatrical path of family stories, memories and places, entitled "Unni stai di casa: Tales from the neighborhood". Another activity in which 200 people participated in 2022 was the Christmas Treasure Hunt. It is important to note that the participants in these activities were not involved as spectators of the heritage enjoyment activities, but were actively involved in them.



The Association constantly monitors its own performance inside the Benedictine Monastery in order to identify critical points by collecting the impressions of the spectators. Officine Culturali operates in a system in which collaboration with other public and private institutions is essential. Obviously, in the case of experiences like this, it is necessary to face the question of economic and social sustainability: as a private social enterprise, it must constantly monitor its expenses, but also its income, to ensure its self-sufficiency and sustainability, creating stable jobs around the cultural enhancement project. All this is reported in the so-called "Social Report", according to Legislative Decree no. 112, art. 9, July 3, 2017, as a social enterprise is required to publish. In this way, Officine Culturali gives public evidence of what a third sector entity actually does to achieve civic, solidarity and socially useful purposes. Looking at the economic and financial situation of the Association in 2022, it becomes clear that the largest revenue comes precisely from the activities of guided tours of the Monastery and the Museum, which were enjoyed by 37,519 people on December 31, 2022. Another important part of the income comes from the sale of books and gifts in the bookstore inside the monastery. Recording a modest increase in sales is related to the presentations of books that they periodically offered. Moreover, most of the items sold are made by local artisans. Other income comes from the activities conceived and carried out by the Association in the monastery, including the possibility of celebrating one's birthday in the monastery or participating in site-specific theatrical performances, such as the last one that took place in the "cellars" of the monastery, "Ulysses in Hell". In addition, there were public contributions of 25,000 euros and private contributions of 114,663 euros. The source of public contributions coincides with the *Cultura Crea Plus* grant (€25,000). The origin of private contributions is divided into the following items: *BeeDINI project* contribution from Fondazione Con Il Sud (€63,906, 36); Waldensian church project contribution (€16,550); *Catania Polis project* contribution (€14,459.42); *Oltre confine project* contribution (€18,777.17); *Giovani al centro* contribution (€970.36).

As for the main costs that the Association faced, they mostly concern costs related to personnel and production of the achieved activities. In particular, human capital is the first element in which the organization has decided to invest, since it is a labor-intensive organization. The personnel is the professional engine that can transform human and cultural capital into social capital. This explains the greater burden constituted by personnel costs, which total 271,015 euros in 2022. In the same year, 34,426.97 euros were invested in the purchase of books and products aimed at animating the commercial and cultural activity of the Bookshop of the Benedictine Monastery. It has also been verified - in constant collaboration with the Mayor - the pursuit of the absence of profit, through the allocation of profits and operating surpluses exclusively to the performance of the statutory activity or to the increase of cultural assets.

#### *4.2.7 Final Remarks*

This case illustrates how cooperation between the private and public sectors, regulated by a specific public-private partnership, can lead to successful models in which private partners can play an inspiring role. In the case of the Benedictine Monastery, the Officine Culturali Association has been able to put its passion for the site to good use by implementing the many project ideas, guided by a thorough knowledge of the site and the level of study achieved by those who have made it their work. This is a site whose uniqueness has been recognized by UNESCO and which has been given a new lease of life thanks to this partnership between the University of Catania and the Officine Culturali. Even if it is not explicitly a real restoration, but rather a reopening to the public, thanks to this collaboration the public asset is truly back in the hands of the community, preventing its abandonment and promoting its reuse. At the heart of all the activities carried out is the cultural promotion of the area and the community, which is constantly listened to with a view to active participation and regeneration. The long-term vision is to experiment with innovative cultural management models capable of producing significant and lasting impacts, achievable through educational activities, training and accompaniment, planning and cultural participation. Transparency and storytelling are key elements to ensure that this experience can serve as an inspiration for other similar cases. These latter may involve

major investments in the recovery and re-functioning of abandoned or under-utilized buildings, to be complemented by forms and tools of support for cultural businesses and organizations; their aim should be of accompanying their growth and building sustainability between institutional activities of enhancement and complementary services in the medium and long term. The positive impact on the local community is evident, and the monumental site has the opportunity to be discovered, preserving its past and history, and at the same time engaging new people so that it can survive in terms of social inclusion and innovation, and employment in the cultural sector.

Resilience and adaptability become a reality, allowing the social sustainability of cultural heritage projects to be targeted. In this context, public-private cooperation becomes essential to harness all available resources (human, economic, cognitive) and to unite them for a single purpose: to save cultural heritage from abandonment and to give it a new life, preserving its past and reopening its doors to the community for proactive and conscious use.

### **4.3 Palazzo Beneventano of Lentini and Badia Lost & Found**

This case is set in a small town in Syracuse, Sicily, and features an abandoned historic building and an association rooted in the area. The latter has successfully worked to give this place a new life, opening its doors to the surrounding community and making it shine again. Unfortunately, to this day, the palace remains closed.

#### *4.3.1 Historical Background*

The Beneventano Palace is located in the Badia district of Lentini, near Syracuse. It is one of the most important aristocratic residences in Sicily, consisting of more than 50 rooms spread over an area of about 1,700 square meters, to which are added a large inner courtyard and a series of outdoor spaces. The building is one of the most important in the town of Lentini, not only for its size and splendor, but also for the people who owned it and those who contributed to its construction<sup>74</sup>. The palace was built in the 19th century

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<sup>74</sup> Palazzo Beneventano a Lentini (SR), *Italia Nostra*, website link: <https://www.italianostra.org/beni-culturali/palazzo-beneventano-a-lentini-sr/>

at the behest of Baron Giuseppe Luigi Beneventano, a character of great temperament who contributed to the rebirth of agriculture and the economy in general in the city. The project was the work of the architect Carlo Sada, one of the most famous architects of the time. The project stands on an area already occupied in the 13th century, when a large complex was built, part of the original layout of which is still preserved.

The northern entrance gives direct access to the large courtyard, to which the ground floor service rooms open and from which the staircase leading to the so-called piano nobile can be reached. This is organized according to a model that provides a corridor along which all the main rooms of the residence are arranged in a row: the living room, the dining room and all the rooms useful for receiving guests, inside which there is no lack of frescoed vaults and mosaic floors.

In 1976 the property was bought by the Municipality of Lentini, which first used it as a municipal kennel, then as a nursery and finally as a garbage truck deposit<sup>75</sup>.



*Ill. 14 Before Restoration*



*Ill.15 After Restoration*

Later, in the early 2000s, thanks to some European funds, the situation began to change and a partial restoration of the complex was initiated. However, this restoration did not lead to a new use and the work was stopped in 2011. Only in 2016, thanks to the initiative of the historian G. Franco and the art historian C. Pulvirenti and the Lentinese branch of

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<sup>75</sup> Ibidem.

the national association Italia Nostra<sup>76</sup>, the transformation of this noble palace and of the Badia district in general began.

#### *4.3.2 The Evolution of the Project*

Lentini is a town of about 25,000 inhabitants in the province of Syracuse, where in 2014 an informal and heterogeneous group of students and professionals was formed. What unites them is the desire to dedicate themselves to the activation of the Badia district, a symbolic place of their territory. The year 2016 marks a turning point for them and for the history of the palace, as the latter will be given to the associative group as a concession of use for three months in order to carry out their own cultural promotion activities. At the end of these three eventful months, the concession will be renewed for another two years, allowing the Association to manage the cultural program of the building. After its reopening to the public, the venue registered a high number of visitors and began to become the main theater of the cultural life of the village (Motta, 2023).

Moreover, in 2017, the Association expands into the territory by developing the project "Badia Lost & Found". The project aims to raise awareness about urban regeneration and experimental artistic practices through education, turning the Badia district into an open-air museum through the creation of numerous murals (more than forty around the city).



*Ill. 16 Mural*



*Ill. 17 Interior view of the Palace*

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<sup>76</sup> National association for the protection of the nation's historical, artistic and natural heritage.

Meanwhile, a new government took office in 2018 and reaffirmed the concession of the palace with a memorandum of understanding, which has allowed the cooperative to welcome tourists and initiate educational and cultural activities. Despite the precariousness of the latter, the experience of Palazzo Benevento makes the group mature the decision to make explicit the territorial nature of its activity. Thus, 2018 becomes the year in which Badia becomes autonomous from the national association Italia Nostra and decides to transform the volunteer experience into a professional one, choosing the name of one of the most important initiatives carried out up to that moment: Badia Lost & Found.

In the same year, the association decided to take part in a two-year training and accompaniment process, submitting its cultural center in Badia to the "Culturability"<sup>77</sup> call for proposals, supported by the Unipolis Foundation and the Ministry of Cultural Heritage. Although the Association was selected among the 15 finalist projects out of 351 applicants, it was not able to win because the structure of Palazzo Beneventano, where its activities take place, is not the subject of a public-private agreement recognizing the Cooperative as the managing body of the property.

However, the association continues its work in the area, listening to the needs of citizens, organizing workshops, tours and urban itineraries, making the cultural social and profitable.

#### 4.3.3 *The Special Public Private Partnership*

As a result of these events, in 2019, a request was submitted to the municipality for the recovery of the property and its management, precisely according to the rules established by article 151 of the Cultural Heritage Code. This was an investment project of several hundred thousand euros, supported by the preparation of a business plan and diversified resources. Proceeds from cultural initiatives, donations and crowdfunding, membership fees and economic rewards from public funds were considered as the main revenues<sup>78</sup>.

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<sup>77</sup> Culturability's calls for proposals aimed to support a new generation of cultural places across Italy, created through bottom-up reactivation processes and community activation.

<sup>78</sup> Roberta Capozucca, "*Partenariato pubblico privato, è tempo di sgombrare il campo dagli equivoci*", in *Il Sole 24 Ore*, 30 December 2021

After overcoming initial administrative resistance, the procedure to activate the special public-private partnership was finally launched in the summer of 2020. The duration of the cooperation was 25 years with the possibility of renewal.

In addition, the project of the Badia Lost & Found cooperative for the rehabilitation of Palazzo Beneventano is among the six winners of the first national edition of the "Viviamo Cultura"<sup>79</sup> call. Twenty-three cooperatives from all over the country responded to the call and only 10 finalists were selected to participate in the Fondazione Fitzcarraldo training. The redevelopment of public and urban spaces, through the implementation of new services, the creation of a coordination structure for cultural activities and the a public-private co-management plan, aims to create the hub of a cultural system for the entire area of interest. This system aims to recover and enhance a lost cultural heritage by integrating it with the diverse cultural resources of the area. This initiative promotes cultural revitalization and territorial networking, creating new employment opportunities, especially for young people. In fact, the emphasis is on raising young people's awareness of cultural heritage, both tangible and intangible, thus helping to counteract the phenomenon of depopulation and promote economic development in the region.

Thanks to this collaborative perspective and what preceded it, the cooperative has achieved important milestones, including the recognition of the Palace as a space for social experimentation through contemporary art.

In terms of numbers, between May 2016 and February 2020, there have been 31,512 visits, 811 educational workshops with schools of all levels, 202 multidisciplinary exhibitions, more than 100 events per year, including music, theater, performance and film festivals, and 28 street art interventions<sup>80</sup>.

The work around Palazzo Beneventano and the Badia district has not been limited to the enhancement of the spaces, but has also followed the mission of bringing the Sicilian public closer to the Palazzo and generating "new publics" for the city of Lentini. In this

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<sup>79</sup> The initiative, promoted by the Alliance of Italian Cooperatives (formed by Legacoop, Confcooperative and Agci), in collaboration with Anci, is dedicated to accompanying project ideas for the enhancement of cultural heritage, according to forms of public-private partnership.

<sup>80</sup> Faro Venezia, Association for the Promotion and Implementation of the Faro Convention, "*Badia Lost & Found*", website link: <https://farovenetia.org/badia-lost-found/>

way, the latter has emerged from the local and territorial context, gaining growing national recognition and a reputation for quality.

In particular, the use of the specific public-private partnership, as opposed to other forms of partnership, allows for the design of integrated interventions on the proposed cultural structure and activities, and gives the opportunity to design projects that can be truly rooted in the territory, due to the extended and renewable duration (which usually varies between 20, 15 and 10 years).

#### *4.3.4 Enhancement Activities and Interventions*

Badia Lost & Found's presence inside the palace has contributed to the revitalization of the place, coming to the aid of the City's financial resources for essential maintenance work to improve and manage the Beneventano Palace.

In particular, the Cooperative has ensured:

- The constant surveillance and protection of an asset that would otherwise be susceptible to vandalism, as has happened to other municipal assets; there have been numerous episodes of attempted intrusions (including recent ones) that have been regularly prevented and reported by the Badia Lost & Found team;
- The completion of the works left unfinished since the last renovation, without which the palace would have remained unusable;
- The maintenance and repair of all spaces that would have become unusable due to neglect;
- The provision of goods and equipment, as the Palace was not in a condition to receive visitors or events;
- The upgrading of the Palace, which prior to 2016 was largely unknown to the city and to regional and national cultural and tourist circuits;
- The free use of the Palace for other associative organizations in the area, allowing them to organize a series of events each year.



All the activities described above were carried out free of charge for the Municipality of Lentini, which, on the other hand, was responsible for the restoration of 4 gutters and a 30 square meter area of gutters, cladding and shingles<sup>81</sup>.



*Ill. 18 Photographic Exhibition*



*Ill. 19 Night Performance*

The improvements made to the Beneventano Palace by Badia Lost & Found have made the facility accessible to the entire community, including visitors, clubs, associations and the local authority. Thanks to the unlimited availability of members and volunteers, the facility has been used efficiently for all events authorized or planned by the Municipality, managing logistics, opening/closing, cleaning and routine repairs.

The presence of assets owned by the cooperative, including furniture and works of art placed in the monument over the years, has contributed to the aesthetic decorum of the building, concretely improving the social quality of the place.

All these activities have been financed by: contributions collected during the various cultural activities organized by Badia Lost & Found; donations from third parties and sponsorships in goods, artifacts and works; voluntary activities; membership fees.

#### *4.3.5 Near Future and Concluding Remarks*

The intention of Badia Lost & Found was precisely to collaborate with the public entity to ensure the cultural enhancement of the property and the sustainability of its public use

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<sup>81</sup> All data available on “*Quello che c'è da sapere sul Palazzo Beneventano di Lentini: Cinque Anni di Presidio di Badia Lost & Found 2016-2021*”

over time, to promote cultural accessibility and participation, to combat educational poverty, and to promote the development of tourism in the cities.

Nevertheless, the partnership agreement was suspended after a change in government. According to Giorgio Franco, president of the Badia Lost & Found Cooperative, one of the reasons for the rupture may be precisely the duration of the partnership, not understanding that an agreement shorter than a few years could not justify an investment capable of structurally and permanently restoring this public asset<sup>82</sup>. Another possible reason for this new impasse, again according to Franco, could be the widespread stereotype that leads the public administration to associate the public-private partnership with the privatization of the cultural asset. On the contrary, the legal nature of this instrument represents a facilitator and collective involvement in the cultural heritage, promoting its recovery and valorization, without in any way depriving the citizens of the enjoyment of the asset. Indeed, reopening offers the community more opportunities in terms of accessibility, enjoyment and diversity of programming. The private partner is not simply the beneficiary of an exclusive right of economic exploitation of the asset, but acts as a reference operator for the territorial entity that owns the asset, contributing to the process of returning the cultural use value to the local community.

What is certain is that a virtuous experience for the area has come to an end. As far as the Cooperative is aware, there has not been sufficient clarity of purpose on the part of the administration.

Whatever the dynamics, it is clear that the end of this collaboration is not in function of an already defined alternative project of renovation and cultural valorization of the palace. It would be a matter of abandoning the palace without a clear plan and without a permanent cultural garrison.

Within the document of revocation of the partnership<sup>83</sup> (2022), it is emphasized that "insurmountable" (unspecified) critical issues have emerged and that the administration considers it opportune that the Palace be made available to a wider range of associative or

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<sup>82</sup> Roberta Capozucca, *"Partenariato pubblico privato, è tempo di sgombrare il campo dagli equivoci"*, in *Il Sole 24 Ore*, 30 December 2021

<sup>83</sup> G.M. Resolution No. 107 dated 12.08.2022, *Palazzo Beneventano: revoca del procedimento di partenariato pubblico/privato*

cooperative realities active and operating in the territory. Moreover, again quoting from the revocation document, "it should be framed in a broader vision for the benefit of the community and should be reinterpreted from the perspective of a new management perspective: and the objective must not be to make money from culture, but to better manage one of the most important resources of the city".



*Ill.20 Upper Courtyard and Noble Floor (August 2023)*

Concluding, despite the cultural and social contributions that the Badia Lost & Found experience has made to the area, it has not been able to materialize because the special partnership opportunity has come to an end. On the other hand, a kind of social campaign was born to reopen the space to the community and to ensure its protection and valorization. For example, an observation of the comments expressed on Palazzo Beneventano's social channels, particularly on its *Facebook* page, reveals expressions of discouragement, indicating disappointment with the decision to end the partnership. Such comments also reflect a recognition of Badia Lost & Found for its effective management of the palace and its ability to involve the surrounding community.

In any case, Badia Lost & Found has become so rooted in the area that it is considered a civic landmark and a driving force in the cultural life of the country. Thanks to its success, it has attracted the attention of the surrounding municipalities and has become an example for those who want to recover forgotten places and enhance inland areas through cultural expression. It has also become part of the many actors in different parts of the Sicilian

region who work together to promote change in their respective areas, using culture as a main tool.

## Conclusions

In conclusion, Italy's remarkable cultural wealth offers significant opportunities for intervention, particularly in the revitalization of abandoned or underutilized immovable cultural heritage. Collaboration between the public and private sectors is fundamental, especially when it comes to rehabilitating, revitalizing, and integrating historic assets into broader community well-being processes. The rehabilitation and redevelopment of degraded or underutilized assets benefits the entire community.

In this context, the private partner is not simply the beneficiary of an exclusive right of economic exploitation of the asset, but acts as a reference operator for the territorial entity owning the asset. The private entity contributes to the restitution of cultural value to the local community by co-designing the principles, defining the conditions of use and promoting cooperation with the territorial entities. These uses can be temporary or permanent and free of charge to the territorial entity, thus defining an open and generative fiduciary relationship that has proven its effectiveness in cases already underway. This collaborative approach involves sharing financial resources and risks in proportion to the capacity of the partners, emphasizing shared objectives and decisions in day-to-day management.

It is essential to overcome the prejudice that associates public-private partnerships with the privatization of cultural goods. The legal nature of this instrument facilitates community involvement in the recovery and valorization of heritage, thus ensuring continued citizen access to assets. The reopening of heritage sites provides multiple opportunities for community involvement, enjoyment and programming.

The regulatory framework for public-private partnerships has shown several problems and uncertainties in practice, mainly due to the complex relationships with other regulatory sources and disciplines outside the Cultural Heritage Code. Currently, the rules actually applicable to public-private partnerships derive from a variety of regulatory sources and interventions beyond the provisions of the Cultural Heritage Code, including the Public Contracts Code and the Third Sector Code. In this context, the lack of coordination

between the different areas has contributed to a widespread climate of uncertainty regarding the actual operation and expansion of partnerships in the cultural heritage sector, especially with regard to abandoned public properties (Moliterni, 2019). In addition to the challenge of coordination with disciplines outside the Code, which reflects the broader issue of the specialization and specificity of cultural goods, activities and services in relation to other types of heritage and services, many critical issues in the concrete arrangement of partnerships in this sector stem from the underlying uncertainties that persist in the "logic" and structure of the cultural heritage system (Moliterni, 2019).

In particular, the special partnership (SPPP) established in Article 151 of the Public Contracts Code plays a key role, providing a contractual tool for cooperation in territorial development to pursue the general interest in the rehabilitation of valuable properties. First, the subject matter of the SPPPs consists mainly of enhancement measures together with conservation measures. The duration varies and is often divided into three scenarios of 20, 15 and 10 years. Hence, the main features that distinguish this instrument from the ordinary concession are precisely the integration of interventions and the longer duration. Moreover, the most important feature is the recurring provision of a technical table with mixed composition (sometimes extended to include representatives of the Ministry), an instrument interpreted as an indication of the flexibility that would continue to characterize the SPPP.

For the public administration, engaging in public-private partnerships implies an approach to management entrustment not based on competition, as in procedures where the public entity grants a price or an asset in exchange for the performance of the private entity, but on a fiduciary basis. The private entity's reputation, direct knowledge of the asset, and experience accumulated over the years in sustainability and civic co-design processes to restore its cultural use value will be assessed.

In addition, the evidence from the analytical instances of the case studies examined indicates that the goal of management activity, i.e., preservation and enrichment of cultural heritage, should be realized through the creation of a comprehensive management and cultural project covering the entire cultural heritage, rather than through individual services.

This project should provide considerable flexibility in its implementation. From this perspective, it is recognized that there is a need to overcome the rigidity of concessionary models for the outsourcing of services and enhancement activities of cultural sites, allowing the outsourcing of the entire asset and adopting more flexible rules in the collaborative relationship.

The adoption of a broader concept of valorization, emphasizing the cultural value of historical and artistic heritage, advocates initiatives to promote cultural activities, as illustrated in the case studies examined. In the case of monument complexes without internal collections, the promotion of workshops, exhibitions, theater, dance and concerts goes beyond the mere accessibility of the site, exploiting the intrinsic attraction of such assets. To develop a compelling cultural offering within immovable cultural assets, a good understanding of the site and analytical tools (such as Multi-Criteria Decision Aid, Stakeholder Analysis, Discounted Cash Flow Analysis, SOSTEC model) is essential.

Balancing tradition and innovation, public and private sector collaboration is crucial to increase investment attractiveness while limiting socially incompatible uses. Complementarity and compatibility are therefore key concepts.

In this context, it is crucial not to limit the contribution of the private sector to a purely financial intervention, but to recognize its role as a valuable contribution of expertise in the enhancement of cultural heritage. It is essential to address the training and skills needed to manage these collaborations, including management, promotional and administrative skills.

In a framework that promotes renewed cooperation with the private sector, the role of the state as both funder and coordinator of cultural heritage initiatives is central. Effective regulation and management of private funding initiatives is crucial to ensure transparency, efficiency and sustainability over time.

Exploring potential funding sources, including the Art Bonus, cultural sponsorship, crowdfunding, and strategic fundraising, requires careful consideration of the balance between economic prospects and heritage enhancement priorities. This paradigm shift emphasizes a long-term approach to supporting cultural heritage, even in the absence of immediate financial gain, and moves away from a profit-driven focus.

Concluding, cultural heritage has the potential to catalyze regeneration, emphasizing integrated enhancement and horizontal subsidiarity over extensive construction. Allowing assets to deteriorate without exploring reuse opportunities is a waste of potential and resources for the local community. The reuse of abandoned public spaces contributes to a circular economic model, transforming dereliction into new economic, cultural, social and environmental benefits. Public-private collaboration has emerged as a mechanism for revitalizing heritage assets, leveraging the resources and expertise of both sectors to return these assets to the community in innovative and dynamic ways.



## Appendix of Illustrations

- Ill.1\_ “Ex Monastero del Carmine”, credits to Fai, *Monastero del Carmine Bergamo*;  
<https://fondoambiente.it/luoghi/monastero-del-carmine?ldc>
- Ill.2\_ “Teatro Tascabile di Bergamo”, credits to Fai, *Monastero del Carmine Bergamo*;  
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- Ill.3\_ “Chapter House”, credits to credits to Teatro Tascabile di Bergamo, *Interventi sull’immobile. Dossier di presentazione del primo quinquennio (2018-2023)*, Bergamo, 21 November 2023
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- Ill.8\_ “West Cloister”, credits to Monastero dei Benedettini Catania;  
<https://www.monasterodeibenedettini.it/il-monastero/>
- Ill.9\_ “East Cloister”, credits to Monastero dei Benedettini Catania;  
<https://www.monasterodeibenedettini.it/il-monastero/>
- Ill.10\_ “The Library”, credits to Officine Culturali;  
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<https://prolocolentini.jimdofree.com/chiese/palazzi-storici/palazzo-beneventano/>

Ill.16\_ “Mural” credits to Roberta Capozucca, *Partenariato pubblico privato, è tempo di sgombrare il campo dagli equivoci*, in “Il Sole 24 Ore”, 30 December 2021

Ill.17\_ “Interior view of the Palace”, credits to Badia Lost & Found;  
<https://badialostandfound.com/#>

Ill.18\_ “Photographic Exhibition”, credits to Badia Lost & Found;  
<https://badialostandfound.com/#>

Ill.19\_ “Night Performance”, credits to Badia Lost & Found; <https://badialostandfound.com/#>

Ill.20\_ “Upper Courtyard and Noble Floor”, credits to Palazzo Beneventano Lentini;  
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