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## ОБГРУНТУВАННЯ АДМІНІСТРАТИВНИХ РІШЕНЬ ЩОДО ВИКОРИСТАННЯ РЕКРЕАЦІЙНО-ТУРИСТИЧНОЇ ТЕРИТОРІЇ ТА РОЗВИТКУ АЛЬТЕРНАТИВНИХ ВИДІВ ДІЯЛЬНОСТІ

**Актуальність.** Всі взаємовідносини у сфері природокористування починаються з законодавчої бази про охорону природи та її окремих компонентів, де визначається функції держави з регулювання природоохоронної діяльності, а також визначені права і обов'язки природокористувачів. В більшості розвинених країн світу це закон про охорону природи або природоохоронні акти, якими встановлено загальні засади і цілі політики, які покликані забезпечити концептуальну однорідність і цілісність всієї законодавчої практики в галузі використання, охорони та відновлення природних ресурсів. Щодо системи та методів адміністративного управління використанням природних ресурсів то вони опираються на: систему законодавчих актів країни й регіону; систему нормативно-директивних і методичних (обов'язкових до застосування) документів державних органів; систему планів, програм, проектів, завдань; систему оперативного керівництва.

**Мета та завдання.** Метою статті є обґрунтування інституційних реформ задля забезпечення виконання природоохоронного законодавства, розподілу повноважень природоохоронних органів на національному, регіональному та муніципальному рівнях щодо процедури прийняття рішень і їх виконання.

**Результати.** Неузгодженість функцій контролю за використанням природного ресурсу, а саме відсутність горизонтального зв'язку між контролюючими органами влади призводить до того, що багато органів які контролюють один і той самий природний ресурс. Насамперед прослідковується неконтрольованість туристичної діяльності з використанням рекреаційних ресурсів. Таким чином основним завданням державного адміністративного управління має стати оцінка в кількісному та якісному еквівалентах наявних та потенціальних природних ресурсів та визначення стратегічних напрямів поведінки з ними, їх використання та охорони суб'єктами підприємницької діяльності та домогосподарствами. При цьому необхідно визначити за допомогою яких механізмів досягнути оптимального використання рекреаційно-туристичних ресурсів при мінімізації збитків довкіллю, мінімізації витрат та максимізації соціального, економічного та екологічного ефектів їх використання.

**Висновки.** Враховуючи економічний ефект, який може отримати держава доцільним є не лише враховувати економічний потенціал рекреаційно-туристичної території, а й розвиток альтернативних видів діяльності на ній. Контролювати підприємства які знаходяться на даній території та ведуть свою господарську діяльність з використанням або ж видобуванням і подальшим перепродажем рекреаційного ресурсу. Принциповим є перерозподіл податків від господарської діяльності на відновлення рекреаційних ресурсів на обласному рівні. Необхідно прописати методичні пояснення щодо податкових зобов'язань та пільг підприємствам які залученні до цього процесу зважаючи на статус території на якій виник процес рекреації з урахуванням лікувальних характеристик території та видобутку природних ресурсів на цій території.

**Ключові слова:** рекреація, туризм, рекреаційно-туристичне природокористування, рекреаційно-туристичні ресурси, адміністративне управління.

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## SUBMISSION OF ADMINISTRATIVE DECISIONS OF USING RECREATION AND TOURIST TERRITORY AND DEVELOPMENT OF ALTERNATIVE ACTIVITY TYPES

**Topicality.** All relationships in the field of nature use begin with the legislative framework on the protection of nature and its individual components, which defines the functions of the state regulating environmental activities, as well as defined rights and responsibilities of environmental users. In most developed countries, it is a law on nature conservation or environmental acts that establishes the general principles and objectives of a policy designed to ensure the conceptual uniformity and integrity of all legislative practice in the use, protection and restoration of natural resources. System and methods of administrative management in using natural resources are based on: system of legislative acts of the country and the region; a system of normative-directive and methodological (obligatory to use) documents of state bodies; system of plans, programs, projects, tasks; operational management system.

**Aim and tasks.** The purpose of the article is to justify institutional reforms in order to ensure the implementation of environmental legislation, the division of powers of environmental authorities at the national, regional and municipal levels on the procedure for decision-making and its implementation.

**Research results.** The lack of coordination control functions using natural resources, namely the lack of a horizontal connection between the supervisory authorities, leads to the fact that many bodies control the same natural resource. First of all, the uncontrolled tourism activity with the use of recreational resources is observed. Thus, the main task of the state administration should be to assess the quantitative and qualitative equivalents of existing and potential natural resources and determine the strategic directions of their management, their use and protection by business entities and households. In this case, it is necessary to determine with which mechanisms to achieve the optimal use of recreational and tourist resources while minimizing environmental damage, minimizing costs and maximizing the social, economic and environmental effects of their use.

**Conclusions.** Taking into account the economic effect that the country can have, it is expedient to take into account not only the economic potential of the recreational and tourist territory, but also the development of alternative activities on it. Control the enterprises located in this territory and conduct their economic activity with the use or extraction and subsequent resale of the recreational resource. Principal is the redistribution of taxes from economic activity to the restoration of recreational resources at the urban level. It is necessary to provide methodological explanations regarding tax provisions and benefits to enterprises involved in this process, taking into account the status of the territory in which the recreation process has arisen, taking into account the medical characteristics of the territory and the extraction of natural resources in this territory.

**Key words:** recreation, tourism, recreation and tourist nature use, recreation and tourist resources, administrative management.

**Problem statement and its connection with important scientific and practical tasks.** The use of recreation and tourist resources does not require significant investment in extraction and preparation of these resources for use in the process of treatment and rehabilitation, therefore, such activity is economically profitable. Therefore, the conceptual basis of recreational and tourist nature use should be interpreted as recreational and tourist use of nature - a complex of measures related to ecologically safe using natural resources in order to improve human health, restore its physical and psychological well-being, expanding the ecological and cultural worldview, which contributes to the economic growth of the state and the material well-being of business entities.

At the heart of institutional governance lies state ownership of natural recreation and tourist resources, regulatory and economic levers and methodological recommendations that require consideration of property rights not only for the natural resource itself, but also for the subject providing recreation and tourist services. Accordingly, vertical and horizontal coordination of the system of state administrative management with natural recreational and tourist resources and economic entities and the control over the implementation of state decisions should be established.

**Analysis of recent publications on the problem.** Questions of organization sustainable using recreation and tourist potential of the territories have been reflected in the writings of such scientists as Pechlaner H., Bieger T., Weiermair K., Burkinsky B.V., Martynenko A.I., Khumarova N.I., Danylyshina B.M, Mishchenko V.I, Kozlovsky E.V., B.R. Koshowa and others. More of researches are directed on resolving the issue with increasing pressure on recreational resources around the world, including through privatization, the development of large-scale tourism infrastructure projects. Part of the problem is the presence of contradictions in legislation and policies that impede the effective implementation of administrative management of recreational resources. The main task to be solved today in the field of tourist and recreation use is the choice of expediency functioning of a particular enterprise with the involvement recreation potential of the territory. We note that the use of recreation and tourist potential has a special

peculiarity, which consists in the need to consider objectively existing synergies between economic, social and environmental components.

**Allocation of previously unsolved parts of the general problem.** An unresolved part of the issue is the provision of proposals for administration by the state of entrepreneurial activity and the choice of alternative entrepreneurship in recreational and tourist areas. The article analyzes the components of the conceptual apparatus of recreational and tourist nature use and administrative management in the Ukrainian and international legislation. Analyzed state and regional governmental authorities control recreation resources and it is determined that at the same time there is a discrepancy between the functions of control over the use of natural resources.

**Formulation of research objectives (problem statement).** To assess the recreation and tourist potential of the territory, it is necessary to determine a list of indicators characterizing the potential components that can be evaluated. At the same time, an important factor is the economic effect of alternative types of economic activity for the state in the conditions of ecologically dangerous loading on recreational and tourist territory. Thus, it is necessary to investigate what kind of revenue in the form of tax revenues will be received by the state from the activities of enterprises located in the recreation and tourist area and the total loss from emissions, discharges and storage of garbage will affect the activity of these enterprises in the territory.

So the purpose of the article is to justify institutional reforms in order to ensure the implementation of environmental legislation, the division of powers of environmental authorities at the national, regional and municipal levels on the procedure for decision-making and its implementation

**An outline of the main results and their justification.** All relationships in the field of nature use begin with the legislative framework on the protection of nature and its individual components, which defines the functions of the state for regulating environmental activities, as well as defined rights and responsibilities of environmental users. In most developed countries, it is a law on nature conservation or environmental acts that establishes the general principles and objectives of a policy designed to ensure the conceptual uniformity and integrity of all legislative practice in the use, protection and restoration of natural resources. Regarding the system and methods of administrative management of the use of natural resources, they are based on: the system of legislative acts of the country and the region; a system of normative-directive and methodological (obligatory to use) documents of state bodies; system of plans, programs, projects, tasks; operational management system. Ensuring the creation of conditions for high-quality administrative management of recreational and tourist nature use should include some institutional reforms to ensure the implementation of environmental legislation, the allocation of authority of environmental authorities at the national, regional and municipal levels as regards the procedure for decision-making and its implementation. Thus, it is necessary to conduct a comparative analysis of the interpretation of the concepts of "recreation", "tourism", "recreation and tourist nature use" in Ukraine and foreign countries (Table 1).

Table 1

**Basic definitions of definitions: recreation, tourism, "recreation and tourist nature use"\***

Practice	Definition		
	recreation	tourism	recreation and tourist nature use
<b>Ukrainian</b>	restoration, physical spiritual restoration forces, improvement of the population due to the organization of various types of recreation; restoration outside the permanent place of residence in the places determined by the legislation of the protected areas and objects of mental, spiritual and physical forces of the person, carried out by means of general health, cultural and cognitive recreation, tourism, health	any journey for recreation and acquaintance with new interesting regions or objects; temporary departure of a person from the place of residence for health, cognitive, professional-business or other purposes without carrying out paid activities in the place where the person leaves (according to the Law of Ukraine on tourism)...	a complex of measures connected with the use of natural resources in order to improve human health, restore its physical and psychological well-being, expand the ecological and cultural outlook

Practice	recreation	tourism	recreation and tourist nature use
	improvement, amateur and sport fishing, hunting, etc. (according to the Order of the Ministry of Ecology and Natural Resources of Ukraine On Approval of the Regulation on recreational activities within the territories and objects of the nature reserve fund of Ukraine)		
<b>International</b>	any occupation, during free time, except for spitting [1] leisure that is fun and organized to achieve social goals [2]	the activities of people traveling and staying outside the normal environment for rest, business or other purposes for no more than one year in a row [3]	this is a set of diverse events involving natural resources in the framework of public, private and voluntary initiatives aimed at preserving the natural environment and making profit; the policy of integration of economic and ecological components in the process of economic activity is implemented; responsible recreational activity that preserves the environment and improves the well-being of the local population (International Society of Ecotourism)

\* - based on sources [1-4]

The definition of the concept of "recreation and tourist nature use " is very similar, but in international practice there is an emphasis on the material components and the Ukrainian of the environment. Foreign practice of developed countries, legal practice is based on the integration of economic and environmental components in the process of economic activity, and they build a system of administration taking into account these two components. The disadvantage of the domestic definition is institutional dissonance with the conceptual apparatus of recreational and tourist nature use, which leads to the administration of the separate implementation of functions related to the protection of the environment and the economic development of economic entities.

According to the interpretation of the economic dictionary, administrative management - ensuring the implementation of management processes through methods and means of direct influence on managed objects, which function as a whole and oriented towards the achievement of a single common goal. The administrative system of management is characterized by direct influence on the managed objects with the help of official organizational and administrative documents (orders, orders, etc.) and management actions. Thus, the state administrative management of natural resources is a form of state activity in formulating the policy of organizing the practical activities of state bodies, ensuring the technological process of preparation, adoption and implementation of managerial decisions on subjects of recreational management (AWG).

State administrative authorities in the recreational and tourist sector in Ukraine can be characterized as follows (Table 2).

Analyzed the data presented in the table, we note that today the recreation and tourist nature is subordinated to many ministries and departments, while the inconsistency of the functions of control over the use of natural resources is observed, namely:

- there is no horizontal connection between the supervisory authorities;
- there are many authorities that control the same natural resource;
- there is an uncontrolled tourism activity with the use of recreational resources.

Table 2

**State administrative management authorities of ukrainian recreation and tourism sphere**

Name of authority	An excerpt from the goals and objectives of the recreation and tourist nature use	Subordinated bodies
<b>State level</b>		
Ministry of Agrarian Policy and Food of Ukraine	formation and implementation of state policy in the areas of protection, use and reproduction of water bioresources, forestry regulation	State Forest Resources Agency of Ukraine; State Agency of Fisheries of Ukraine; State Service of Ukraine on Geodesy, Cartography and Cadastre
<b>Continuation of Table 2</b>		
Ministry of Ecology and Natural Resources of Ukraine	protection of the environment, rational use, reproduction and protection of natural resources, restoration and protection of lands, conservation, reproduction and non-exhausting use of bio- and landscape diversity, formation, conservation and use of the ecological network, organization, protection and use of the nature reserve fund, rational use of subsoil; state supervision (control) of compliance with the requirements of legislation in this area	State Ecological Inspection of Ukraine; State Service of Geology and Subsoil of Ukraine; State Agency of Water Resources of Ukraine
State Service of Geology and Subsoil of Ukraine	keeps records of deposits, stocks and manifestations of minerals; state balance of mineral resources; the state inventory of deposits and manifestations of minerals; state registration of groundwater and water cadastre	State enterprises of the sphere of management of the State Service of Geology and Subsoil of Ukraine
Ministry of Economic Development and Trade of Ukraine	ensuring the formation and implementation of state policy in the field of tourism and resorts (except for the implementation of state supervision (control) in the field of tourism and resorts)	Department of Tourism and Resorts
Ministry of Culture of Ukraine	ensuring the formation and implementation of state policy in the spheres of culture and arts, protection of cultural heritage	
Ministry of Regional Development, Construction and Housing and Communal Services of Ukraine	Approves: state building regulations, in particular on restoration, conservation, repair and adjustment of architectural monuments and urban planning, planning their territory and defining the boundaries, modes of use of their zones of protection; the procedure for monitoring the quality of drinking water and the technical condition of objects of centralized drinking water supply	State Architectural and Construction Inspection of Ukraine
<b>Region level</b>		
Department of Ecology and Natural Resources	ensuring the implementation of state policy in the areas of environmental protection, rational use, reproduction and protection of natural resources (land, subsoil, surface and groundwater, atmospheric air, forests, fauna and flora), conservation, formation, conservation and use of the ecological network ; implementation of regulation in the areas of environmental protection, rational use, reproduction and protection of natural resources, protection and use of territories and objects of the nature reserve fund of Ukraine	
Department of Tourism, Recreation and Resorts	ensuring implementation of the state policy in the field of tourism and resorts on the territory; reparation of proposals for projects of regional programs of tourism development and resorts, taking measures for implementation of these programs; promotion of tourist activity in the region and formation of modern tourism infrastructure; development and implementation of measures for the protection of local tourism resources	

Name of authority	An excerpt from the goals and objectives of the recreation and tourist nature use	Subordinated bodies
General Directorate of the State Geodetic Committee	compliance with land legislation, use and protection of land of all categories and forms of ownership	City-Regional Department of the State Geodetic Committee
Regional Department of Forestry and Hunting	management and control over the conduct of forestry and hunting and hunting, as well as providing recreational services	State forestry enterprises of the region
Regional water resources management	introduction of planned water use and ensuring the rational use of water resources; state accounting of water use and state water cadastre; implementation of water management monitoring of surface waters;	
<b>Local level</b>		
Department of Ecology and Development of Recreation Zones	the exercise of the functions of the executive bodies of the Council in the areas of environmental protection, the management of recreational facilities, control over them and their development.	Communist Party "Center for Environmental Problems and Initiatives"
Land Resources Management of the Department of Communal Property	carries out measures on land reform in the city, promotes the development of the land market, organizes work on the implementation of an automated land information system for land registration of land for land cadastral documentation and land cadastre of the city	Communal Enterprise "Land Cadastral Bureau for Land Resources Management"
State Regional Geological Enterprise	Accounting and analysis of stocks of all types of minerals, inventory and inventory records.	
Department of Culture and Tourism	providing on the territory of the city realization state policy in the tourism sphere; carries out the conclusion of agreements on the collection of tourist fees with legal entities or individuals by entrepreneurs who provide temporary accommodation (overnight) services in the city	Tourist information center Communist Party "Parks of Region"

Thus, the main task of the state administration should be to assess the quantitative and qualitative equivalents of existing and potential natural resources and determine the strategic directions of their management, their use and protection by business entities and households. In this case, it is necessary to determine with which mechanisms to achieve the optimal use of recreation and tourist resources while minimizing environmental damage, minimizing costs and maximizing the social, economic and environmental effects of their use.

Should solve tasks related to improving the use of recreation and tourist potential, planning for the further development of recreation, making managerial decisions on the feasibility of further use of the territory with a recreational and tourist purpose and the development of alternative types of economic activity on it. At the same time, an important factor is the economic effect of alternative types of economic activity for the state in the conditions of ecologically dangerous loading on recreational and tourist territory.

Thus, it is necessary to investigate what kind of revenue in the form of tax revenues will be received by the state from the activities of enterprises located in the recreational and tourist area and the total loss from emissions, discharges and storage of garbage will affect the activity of these enterprises in the territory. On the basis of the analysis of such data, administrative decisions should be taken as to the feasibility of economic activity in the territories of recreational purposes (formula 1).

$$\mathbb{A} = \frac{Ib}{3} (1), \text{ where } (1)$$

$\mathbb{A}$  – expediency of alternative economic activity in recreation territory;

$Ib$  - budget revenue from enterprise activity, UAH;

3 – damage caused to the state as a result of discharges, emissions and garbage storage UAH.

It is necessary to take into account the fact that one enterprise can carry about emissions and discharges within the limits of the environmental protection legislation that do not harm the environment, while the aggregate of enterprises located in the recreation area may lead to excessive ecological load.

It is therefore important to take into account the following conditions:

if  $1 < \frac{1b}{3}$ , then the feasibility of an alternative company in the recreation and tourist area is;

if  $1 = \frac{1b}{3}$ , the expediency of conducting activities can cause an excessive environmental burden on the recreation and tourist area. At the same time, the state may propose to improve purification equipment at the expense of the enterprise, by granting it privileges or tax holidays;

if  $1 > \frac{1b}{3}$ , it is necessary to transfer economic activity from the recreation and tourist territory.

So, the level of recreational and tourist load should be sufficient to provide economic revenues for the subjects of this activity and not sufficient to cause damage or destruction of the environment. Thus, in the development of recreational and tourist activities, economic development must fit into environmental opportunities.

**Conclusions and perspectives of further research.** The main task of the state administration should be to assess the quantitative and qualitative equivalents of existing and potential natural resources and determine strategic directions of their handling, their use and protection by business entities and households. In this case, it is necessary to determine with which mechanisms to achieve the optimal use of recreation and tourist resources while minimizing environmental damage, minimizing costs and maximizing the social, economic and environmental effects of their use.

Taking into account the economic effect that the state can make it is expedient not only to take into account the economic potential of the recreational and tourist territory, but also the development of alternative activities on it. Control the enterprises located in the territory and conduct their economic activity with the use or extraction and subsequent resale of the recreational resource.

Principal is the redistribution of taxes from economic activity to the restoration of recreation resources at the regional level. It is necessary to provide methodological explanations regarding tax provisions and benefits to enterprises involved in this process, taking into account the status of the territory in which the recreation process has arisen, taking into account the medical characteristics of the territory and the extraction of natural resources in this territory.

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