



## LAND BANK OF GALICIA (SPAIN): MAIN SUCCESS POINTS AND DIFFICULTIES AFTER 3 YEARS OF WORKING

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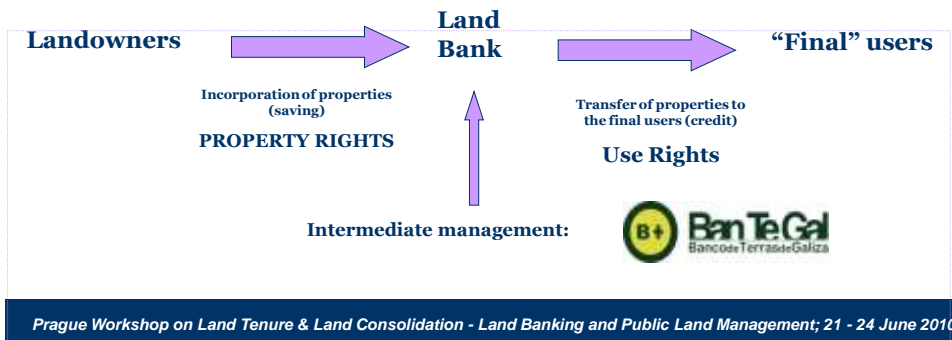
## Overview

- Introduction
- Success
- Main problems
- Planned changes

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## Introduction

- 3 years of functioning of BanTeGal
- no formal evaluation
- changes proposed to the approach (law)
- Basic principle:



## Success

- land bank includes 8.726 parcels with area of 3.903 ha
- 12% of parcels rented along these 3 years
- total area rented is about 1100 ha, what corresponds to 39% of area included in bank
- improvement of structures of farms that have leased land from the Bank



	Nº of parcels	Area (ha)
Parcels included in the L.B.	10.71	2008
Excluded parcels	10.13	1187
Total	20.84	3195

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- updating of inventory and research of conditions of land in the State Land Fund
- improving management of Fund
  - identifying current use (legitimate or not)
  - identifying elements of cultural heritage for protection
  - clearing/cleaning of abandoned land to prevent forest fires

### CHANGES IN THE PARCELS:

State of a plot, of 5 hectares of area before being rented by a farmer. The plot has a lot of scrubland and inside its perimeter has 3 ancient tombs buried under the land and the scrubland.

The farmer rented the parcel, cleaned it and prepared it to plant maize. The Archaeological Service of the Department of the Cultural Heritage of the Government was asked to establish the protection perimeter of the tombs and the rules to use the land in this perimeter.

### BEFORE BEING RENTED:



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AFTER BEING RENTED: The parcel has not scrubland and the ancient tomb is delimited. The parcel can be used for agricultural purposes except the perimeter with archaeological value, in which only pasture and a not very



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- **Social acceptance of the Land Bank.**
  - no research yet available, but land bank is considered to be accepted by society
  - general public as well as institutions and different governments consider it as an important instrument to fight against abandonment of agricultural land
  - different campaigns have been made in the last years with the objective of making it known by general public and agricultural institutions/associations as well as trying to get the confidence of the people/institutions into the Land Bank
- **Consolidation of the relations between the Land Bank / Ministry of Rural Affairs and research centers**
  - support of different departments of Galician universities
  - different studies about land abandonment and mobilizing land
  - give indications to define action plans and future strategy of the Land Bank

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- **Cooperation with regional, national and international organization in projects related to land development instruments**
  - cooperation with other initiatives of land banks in Spain as the Land Bank of Asturias and the Basque Country
  - cooperation in INTERREG IVC projects: FARLAND and F:ACTS!
  - cooperation with FAO through the participation in the FAO workshop of land tenure and land consolidation of 2008 as well as the organization of a workshop in Galicia in 2010
  - cooperation with FAO in implementing land consolidation projects in SEE countries

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- **Coordination with local offices of the Regional Ministry of Rural Affairs**
  - local offices of the Regional Ministry of Rural Affairs completely involved
  - but relation has to be improved through training, communication and general support
  - work with local agents of the administration is a key element for the success of the Land Bank
- **Consolidation of the work of the Land Bank**
  - land bank has consolidated three positions of staff (2 engineers and 1 lawyer), so there is more stability in the operation of the land bank
  - in order to reduce administration costs BanTeGal will be incorporated into AGADER (Galician Rural Development Agency), which has more resources that can be used as well as can give more support in legal and administrative aspects

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## *Main problems*

- **management of property:**
  - No coordination and communication between different institutions: land consolidation services, cultural heritage, nature conservation, cadastre
  - Technical difficulties with available data about land
  - Conflicts in the use of the parcels, there are parcels that were used by people (for private purposes) without any kind of authorization, and sometimes they don't recognize that the parcel belongs to the Land Bank so they continue to use it
  - Extreme land fragmentation make more difficult to manage the property

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- procedures of renting parcels (public and private) and including private parcels
  - many people don't know yet how the land bank works, especially in the cities (where many landowners are whose land is abandoned in the rural areas)
  - The Land Bank can't manage the parcels whose landowner is considered "unknown", as well as the parcels of people who emigrated to other countries and contact has been lost
  - Extreme land fragmentation is a negative/discouraging element for the owners, the owner think that nobody will want their parcel as it is very small
  - sometimes owners think that once they introduce their parcel in the bank it will be rented in few months. Especially for the smalls parcels this usually doesn't happened. Landowners think in short term periods however this is a long term measure.
  - By Law the Land Bank can only rent parcels for farming purposes to private people, however other purposes as forest or even nature conservation purposes are also asked by people, however the legislation doesn't admit these uses
  - In some areas the price of renting to be used by the Land Bank is considered too low by the landowners

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- The pre-emption rights can cause a reaction of mistrust in the landowners. As a consequence of the pre-emption rights given to the Land Bank, owners have to make notifications about the sale of parcels in rural areas (there are exceptions). During this time, no pre-emption right was used by the Land Bank

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- **organizational problems:**
  - The fact that the Land Bank is managed by an organization that has a legal status as a “Public Corporation”/”Public Limited Company”. Although it is 100% public and it is under the Government of Galicia, this status has implied more facilities to manage the properties and to establish procedures of renting and including parcels in the Land Bank, as well as to contract services.
  - However on the contrary, it has more difficulties to have access to other public information that it is very useful for the management of the Bank: for example the access of confidential information in the cadastral service, the access to information about CAP subsidies, etc. It is very difficult to access to this information but it requires to make more agreements between entities and there are more legal obstacles.
  - Team work: not having a consolidated team of people working in the Land Bank make more unstable the work and even more, people with different skills and trainings are needed. Nowadays in the approved staff position there is a predominance of agricultural engineering, however other people with knowledge in forest, rural sociology, communication ... are needed also.

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## ***Planned changes***

- **Changes in functioning of the Land Bank, new laws**
  - reorganization of public entities under the Regional Ministry of Rural Affairs to integrate 3 organizations: Bantegal (Land Bank), Sodeco (Public company for county development) and AGADER (Galician Rural Development Agency) on one entity (name?)
  - law on “land mobility” -> activities of Land Bank will be included
- **Structural Changes**
  - integrate BanTeGal into AGADER
  - new land uses like forest and nature conservation will be included
  - prices that are established by the Land Bank technicians will be used as referential prices only
  - pre-emption rights will be abolished
  - changes in the land consolidation procedure as well as in legislation about other instruments of land development will be made in order to include the Land Bank in some of the activities and to improve the coordination of the different institutions involved

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## ● Other Changes

- improved and reduced procedure to rent parcels
- negotiations with the Spanish Government on “unknown” properties will be opened soon
- procedure of renting lots of plots will be developed
- procedure to sell parcels will be developed
- to develop communication strategies focused on different levels: general public and local people