

STAKEHOLDERS INVOLVEMENT IN LAND CONSOLIDATION IN GALICIA

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Land Consolidation in Galicia

- The first land consolidation area in Galicia was decreed in december 1954.
- Nº decreed areas: 917
 - Nº finished areas: 765
 - Nº non finished areas: 152
- Land consolidation surface:
 - Finished areas: 341.015 has.
 - Non finished areas: 143.166 has.

484.181 has.

Land Consolidation in Galicia

- Current cost per hectare: 3.600 €/ha.
 - Technical services: 1.000 €/ha.
 - Works: 2.600 €/ha.
- Lasting time in land consolidation: 13,5 years

TYPES OF LAND CONSOLIDATION

- Public Land Consolidation. Works are promoted by the Administration.
- Private Land Consolidation. Works are promoted by the owners.

PUBLIC LAND CONSOLIDATION PROCEDURE

- INICIO:
 - PETICIÓN
 - ESTUDO DE IMPACTO AMBIENTAL → DECLARACIÓN DE IMPACTO AMBIENTAL
 - LEVANTAMENTO TOPOGRÁFICO DAS PARCELAS
- DECRETO DE UTILIDADE PÚBLICA.
- BASES PROVISIONAIS
- BASES DEFINITIVAS
- } PARCELAS VELLAS
- ←
- REDE DE CAMIÑOS PRINCIPAIS
- PROXECTO DE CONCENTRACIÓN
- ACORDO DE CONCENTRACIÓN
- } FINCAS NOVAS
- TOMA DE POSESIÓN
- ←
- REDE DE CAMIÑOS SECUNDARIOS
- ←
- ACONDICIONAMENTO DE FINCAS
- ACTA DE REORGANIZACIÓN DA PROPIEDAD

PUBLIC LAND CONSOLIDATION PROCEDURE

- **STARTING:**
 - **BY APPLICATION**
 - By the Municipality or a group of owners
 - Ministry staff carry out several local meetings
 - Owners sign an “agreement on initiation” form: level of support
 - at least 2/3 owners, or
 - 50% farmers, or
 - Whatever number of farmers farming more than 75% surface (50% in case they propose to use it in a cooperative way afterwards)
 - LC services will analyze environmental and socio-economic viability of the project

PUBLIC LAND CONSOLIDATION PROCEDURE

- **STARTING:**
 - **BY THE GOVERNMENT**
 - Based on strategic reasons (big infrastructures, extremely high land fragmentation.....)
 - Ministry staff carry out several local meetings to estimate the level of local support. Not concrete "agreement on initiation" needed.

PUBLIC LAND CONSOLIDATION PROCEDURE

- **DECREE:**

By the Galician Government:

 - Declaration of public interest and social priority
 - Definition of geographical boundaries of area to be consolidated

PUBLIC LAND CONSOLIDATION PROCEDURE

- **MAIN BODIES:**
 - ❖ Ministry responsible of Rural Development policy
 - ❖ Local Board:
 - ❖ President: provincial Head of RD
 - ❖ Vicepresidents: provincial Head of LC and the Mayor.
 - ❖ Secretary: Lawyer (civil servant)
 - ❖ Vogals
 - ❖ Four farmers (elected by the assembly of owners) .
 - ❖ Technician of LC services
 - ❖ Technician of private company doing the planning phase
 - ❖ Technician of Local Agrarian Office
 - ❖ Land registrator of the area
 - ❖ Notary of the area.
 - ❖ Auxiliary working group: 10-20 farmers

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PUBLIC LAND CONSOLIDATION PROCEDURE

- **Local Board:**

- ❖ Approval of Provisional and Definitive Basis
- ❖ Elaborating reports on :
 - ❖ Allegations
 - ❖ Different planing phases (most important is the project of land consolidation itself: new layout of parcels)
 - ❖ Whatever relevant issue



PUBLIC LAND CONSOLIDATION PROCEDURE

- **BASES PROVISIONAIS E DEFINITIVAS:**

1st public hearing: allegations on provisional basis

2nd public consultation: appeals on definitive basis



PUBLIC LAND CONSOLIDATION PROCEDURE

- **LAND CONSOLIDATION PROJECT:**

Land owners communicate their preferences

Provincial LC service approves the first proposal

- **LAND CONSOLIDATION AGREEMENT:**

3rd public hearing: allegations on land consolidation project

4th public hearing: appeals on LC agreement

DG on RD approves the Agreement



PRIVATE LAND CONSOLIDATION PROCEDURE

- **INICIO CP DE CARÁCTER AGRARIO. Requisitos:**

- Superficie mínima:
 - 5 has. en zonas de cultivo intensivo ou horta
 - 30 has. noutros terreos, sempre que o monte non supere o 30 %
 - 75 ha. se o monte supera o 30 %
- O número de agricultores titulares de explotacións será mínimo 3.
- A superficie de parcelas incluídas no perímetro e que sexan propiedade de terceiros non superará o 10 %.
- Os **peticionarios deberán constituírse nunha agrupación (SAT, Cooperativa, etc) que teña como finalidade levar a termino a concentración. Esta agrupación solicita á consellería o inicio da concentración.**

PRIVATE LAND CONSOLIDATION PROCEDURE

- **INICIO CP DE CARÁCTER FORESTAL. Requisitos:**

As agrupacións de propietarios susceptibles de aproveitamento forestal promoven a concentración de carácter privado se cumpren:

- A superficie mínima será de 15 has., formada por un máximo de 3 unidades en couto redondo, cada unha delas cun 25 % como mínimo da superficie total.
- A superficie das parcelas de terceiros incluídas en cada unidade de superficie, non será superior ao 30 % do total.
- **Os propietarios de parcelas susceptibles de aproveitamento forestal deberán estar constituídos nunha agrupación con personalidade xurídica que teña como finalidade a xestión e o aproveitamento en común das parcelas.**

Os representantes da agrupación solicitanlle á Consellería a iniciación do expediente, e inclúen o compromiso expreso de todos os propietarios da aceptación da reorganización.

PRIVATE LAND CONSOLIDATION PROCEDURE

- **PROCEDEMENTO DE AMBAS CP PRIVADAS:**

- **Os interesados solicitarán á Consellería o inicio do expediente.**
- A Consellería informará sobre a viabilidade, conveniencia e aceptación.
- Si se acepta, os interesados teñen que presentar:
 - Plan de traballos técnicos.
 - Informe do Concello.
- **Aprobación pola Consellería** do expediente coa anterior documentación.
- Elaboración dos traballos por parte do equipo técnico
- Recibida a documentación, **a Consellería a aceptará ou non.**
- Se non fora aceptada, aos propietarios se lles requirirían as correccións pertinentes.
- Se fora aceptada, a documentación se remite ao concello ou concellos afectados para exposición pública.
- Recolleranse e estudaranse as alegacións contra a documentación e **a Consellería aprobará o Acordo**
- Unha vez resoltos os posibles recursos, se lle concederá **firmeza ao Acordo polo director xeral de desenvolvemento Rural**, incorporarse a Acta de Reorganización da Propiedade.
- Tramitaranse os títulos ante Notario e Rexistro da Propiedade previa entrega aos titulares.

DRAFT OF THE NEW LAND CONSOLIDATION LAW

¿Aims of new law?

- 1.-Incidir na reestruturación parcelaria como instrumento de mellora do aproveitamento da terra, mellorando as condicións das explotacións agrarias.
- 2.-Resolver os atrancos na tramitación do procedemento de concentración parcelaria.
- 3.-**Improving stakeholder involvement in the area of LC**
- 4.-Reducir os custos de execución dos procesos de reestruturación parcelaria, optimizando os recursos dispoñibles.
- 5.-Utilizar as novas tecnoloxías na relación cos administrados mediante comunicación telemática.

PUBLIC LAND CONSOLIDATION PROCEDURE

- **STARTING (more simple):**
 - BY APPLICATION
 - By municipality
 - BY 70% of farmers registered in the official farming register
 - BY THE GOVERNMENT
 - same than before

PUBLIC LAND CONSOLIDATION PROCEDURE

- **BODIES**
 - ❖ Ministry responsible of RD
 - ❖ **Advisory committee (new)**
 - ❖ **Holders board(new)**
 - ❖ Local board.
 - ❖ Auxiliar working group

PUBLIC LAND CONSOLIDATION PROCEDURE

- BODIES

- ✓ Advisory committee: representatives of different departments with policies affecting the area

- ✓ *Holders* board: all the owners **living** in the area and all the farmers (**living or not in the area**)

- It substitutes the assembly of owners

