Land Consolidation in North Rhine-Westphalia
- From Farland to Tripartite –

Martina Hunke-Klein, Ralph Merten

Symposium on Land Consolidation
09. – 11.11.2016 in Apeldoorn
FARLAND –
Future approach to land development
2005 – 2007, INTERREG

Challenges 2005
• More agricultural competition
• Environmental situation
• Land use/land consumption

Answers 2007
• Land consolidation more integrated
• Balancing public and private objectives
• Flexible, decentralized procedures, adequate technology

11 organisations, 7 countries

Tripartite –
Cooperation of the Netherlands, North Rhine-Westphalia, Flanders (and Wallonia), 2009 – 2016

Resemblance in spatial, geographical, socio-economic context

NRW: Rhein-Ruhr metropolitan area rural and forestal areas
German Tool Box: Land Consolidation Act

1. to improve the production and working conditions in agriculture and forestry (private interests)
2. to promote the general use and development of land (public interests)
3. a mix of agrarian special planning and land re-adjustment
4. different applications are chosen with view to the comprehensiveness especially of the public interests

No change after FARLAND
+ Roles defined, early start,
+ reliable (financial, legal) and safe procedure

Instruments by Land Consolidation Act (LCA)

Standard procedure
private benefit

- Comprehensive Land Consolidation
- Simplified Land Consolidation
- Accelerated Land Consolidation
- Voluntary Land Exchange

Special procedure
public benefit

Land Consolidation in Case of Permissible Compulsory Acquisition

Increasing simplifications of administrative work and acts
Increasing degree of voluntariness

Focus of German Land Consolidation

1. Re-allotment of parcels as private interest to create economically shaped plots

Including measures
- to give access to agricultural parcels
- to build water bodies
- to improve ecological conditions

public infrastructure: stringent LC procedure to implement and to prevent expropriation

Precondition:
• Approved plans
• for roads, dykes, railroad …
Land use conflict: LC to balance **public and private** interests

- Public interests of nature development, water development and water retention, recultivation after mining
- Private rights safeguarded: allocation of land of equal value
- **New/different challenges 2015 (large scale!)**
Land use conflicts of 2015: NRW Flood control concept

- store high floods peripheral by
  • renaturation, infiltration, retention
  • whole river catchment area

- pursue for adequate land-use
Land use conflicts of 2015:
(European) Water Framework Directive

- renaturation of riverbeds
- space for water retention
- Selective improvements on 14000 km in NRW!
Land use conflicts of 2015: (European) NATURA 2000

Interlinkage of wildlife sanctuaries

Improvement of habitat for endangered species

- e.g. hold back water in spring
- extensive farming in consideration of natural heritage?!

wading birds - core areas
Actual challenges to NRW land consolidation - agriculture -

**Challenges:**
- **Owners ≠ users**
  (Lease ratio up to 60 – 75% of area)
- **Farms get lesser and bigger**
  - regional differences!
  - Annual decrease of 3% of farmers

**To do:**
- amend the LC instruments with view on the leaseholders
- use LC in an **iterative way**

before: owner structure  
after: 2 owners and their rented plots
Actual challenges to NRW land consolidation - land use -

Challenges:

- **rising sale prices**
  (Ø +60 % in 5 years)
- **rising leasing fees**
  (Ø +40 % in 7 years)
- **mobility of land decreasing**
  (NRW 2014: 0,25%/year)
- **enormous competition**
  - farmer – farmer
  - farmer – public bodies

To do:

- expand anticipatory land banking
- expand preemption rights
  (in connection with nature, water, environment)
- Give specific **attention to the farmers** before and during LC
- offer **alternatives** to the world market (f.e. eco-system services)
- start early!

Actual challenges to NRW land consolidation - land use -

Challenges:
- Requirement of **mutual agreements** (political demand) with planar projects on a large scale?!

To do:
- **Use the flexibility** to reach the public purpose: „soft light green/blue target area“
- **regional consensus** more important than the agreement of each individual
- allow **enforcement in particular cases** as far as land of equal value can be allocated
Actual challenges to NRW land consolidation - land use -

Challenges:
- Ongoing **land consumption** at the expense of agriculture

To do:
- Offer **synergetic solutions** (multifunctionality of measures on the same spot:
  - compensation
  - continued ecological functionality – CEF
  - …)
Tripartite – The Future

• use the network
• exchange ideas on land consolidation as contribution of integrated rural development
• follow the neighbours

… LC quick and dirty or integrated and precise

… follow the neighbours: celebrate the (bi-)centenennial 2021

… buy time, buy land, make it bigger…
Thank you for your attention!