Land Readjustment as a tool for Urban Development in Greece: the implementation gap between Laws, Policies and Practice.

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Evangelia Balla, Senior Policy & Research Advisor
Member of the Scientific Council of N.C.M.A. S.A. (Hellenic Cadastre)
Land fragmentation a serious impediment to urban planning

Solutions

Land Readjustment

Previous owner

Change in ownership structure

Change in property structure

Owner who carries out development

Change in ownership/property structures

Potential secondary changes through parcelling and sale of new plots to the final owner

Viitaanen 2002

BERN

1797

1866

1900

1945

Aldo Rossi, 1966
The Greek context: Land & Spatial Policies

- **Land Policy**: systematic promotion of measures which favored land fragmentation and small proprietorship

- **Planning System**: plan-led, centralized, rigid, laws influenced by western doctrines, albeit its most innovative elements have not been applied

- Inadequate, inefficient and incomplete land policy mechanisms to support the implementation of planning

The Greek context: Land & Spatial Policies

- **Dominant Land development model**: based largely on small landownership (*the “cornerstone” of the Greek State*), the “blamed” dipole of “illegal land subdivision – illegal development”, the small capital accumulation in building industry, served as a substitute of inadequate social policy.

- **(Planning) reforms** remained meteor due to various interests around small landownership

- **Currently**: the economic crisis exert pressures for a paradigm shift to a “pro-growth” model

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Early implementation of LR

- 1917: Replanning of Thessaloniki after the Great Fire. The Thessaloniki’s LR Act “one of the most enlightened and progressive planning laws in the world at that time” (Mawson J., 1919)

- In 1923 it was incorporated in the planning law however limited use only after physical disasters

- “socially fair and convenient to cope with landowners’ reactions, albeit complex, arduous, lengthy (procedures) and demanding huge technical resources” (Technical Chamber, 1949)
Regulatory Framework after 1975

- Article 24 of Constitution - legal basis
- Articles 35-50 Law 947/1979 - legal framework
- Executing bodies - Public authorities or compulsory landowners associations
- Declaration of the area as a LRZ
- LR process: 6 stages (4 in case of publ. author.)
- A tiered scale of fixed rates for land and monetary contributions (based on plot’s area)
- Equal value criterion

The contemporary implementation of LR I

Land Readjustment in Glyfada

- The only completed project with LR in Greece: an area of ~32ha in greater Athens area

- 1993>Declaration of LRZ. The process completed in only 2 years

- Main problems detected: related with the proper implementation of the legal framework

600 landowners, 6.58% average land contribution, 413% increase in plots’ values not captured
Land Readjustment in Pikermi
(A Sisyphus project which lasts 28 ys.)

The contemporary implementation of LR II

1970’s acquisition of ca. 600ha by 6 Landowners' Associations

The area: oddly-shaped land pattern, forest lands, protection zones, streams, archaeological sites

1988 > the whole area declared as a LRZ

The Council of State refused to uphold the statutory plan (1998, 2000, 2006)

New law in 2014 (L.4280/14) to overcome the problems encountered so far

The contemporary implementation of LR III

q LR was used as an exception at the sidelines of the urban development of the country (only ~32 ha completed and ~600 ha in progress)

q The LR legal framework was partially used (along with that of Landowners Associations) and after ~40 years is incomplete, obsolete and ultimately is still dormant and underused.

q The problems encountered in cases where it was applied are related to the basic structural deficiencies of the domestic Land Administration and Spatial Planning system

q Land Readjustment: a mechanism which requires a strong intervention in land tenure...and therefore undesirable

A hybrid form of LR as the mainstream urban development process

- As of 1983: 50% of urban areas where “illegally developed” and lacked statutory plans
- Law 1337/1983 targeted to provide plans to ~380 cities
- “Implementation Acts” (IA): land reallocation and land readjustment actions to implement Town Plans on the ground.
- Currently same land and monetary contribution rates as with Land Readjustment mechanism
- 1983-1994: Implementation Acts for more than 9,000 ha
- As of 2005: 26.4% of Implementation Acts regarding 2,000 Urban Units had been completed (KEDKE, 2005)
- Less complex than LR albeit problematic as well, due to inefficient land and monetary rates, lengthy procedures (average time for approval of IA 4-6 years) etc..

q. Land Readjustment implementation in Greece, is **poor** caused ultimately by a sum of several underlying **factors** in **political, economic, social and cultural spheres**:

- divergent political agendas, state bureaucracy, quality of the legal framework, limited legitimacy of relevant law
- lack of economic resources and economic incentives, plan-led system
- Inadequate understanding of the needs being addressed, socio cultural pattern around land ownership, lack of a cultural tradition towards a cooperation among land owners i.e. individualistic attitudes, and towards a more participatory involvement of the land owners to the planning processes

v. “tacit social contract” Ê promoted and expanded the post war land development model
What causes strategies, laws or reforms to fail or succeed?

The implementation gap calls for understanding of (formal and unformal) institutions which impede the use of the most innovative practices and tools in the planning system.

Eradication of implementation gap: “when the supply of sound laws is met by corresponding demand on the ground to implement them” (CIPE, 2012)
Discouraging and dubious prospects to implement LR in its current form

Promising prospects long-term for potential use of tools based on the idea of LR for urban renewal and to address problems related to existing Landowners Associations
Thank you for your attention!

Evangelia Balla
MSc., MEng., PMP,
Urban-Regional Planner
Rural & Surveying Engineer
NCMA S.A., Greece
eballa@ktimatologio.gr

Disclaimer: the views expressed in this presentation are solely those of the author and do not necessarily reflect the views of the NCMA S.A.