

COORDINATOR: ADOLFO CAZORLA

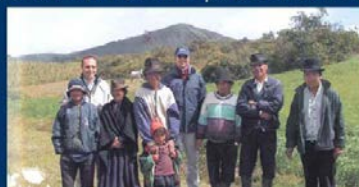
# *The Social Reform at Land Consolidation Projects*

Working with People: Planning  
Experiences in Latin America and  
Europe

Ignacio de los Ríos-Carmenado  
José María Díaz-Puente



"Working with people"  
Un método de éxito para el desarrollo



Dr. Adolfo Cazorla Montero  
Universidad Politécnica de Madrid



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CASE STUDY Nº1

### **Chapter 3. The Social Reform at Land Consolidation Projects**

The following application case study as a result of a planning practice on Social Reform has been extracted from the experience of the teamwork of the Department of Projects and Rural Planning of the Polytechnic University of Madrid. In the field of land reallocation projects, this experience has been applied in several municipalities of the Community of Madrid during the last years. Thus, a chronological counselling process to the regional Government has been verified through several feasibility studies that are decision-making tools within this planning model.

#### **3.1. Presentation**

By referring to the land consolidation in Spain, it refers undoubtedly to **one of the most revolutionary techniques and with great outcomes on Spanish rural world**: projects of regrouping of land parcels. At present, these projects are also designated as **land consolidation** or **land reallocation**<sup>1</sup>.

The land consolidation projects have been developed as an unit of action by the State that remain as a model characteristic from the Social Reform, although they have currently a different framework. The foundations of this process are so old than the agriculture itself. In Roman age, several systems of measurement and organized surface distribution appeared such as the *centuario* and *strigatio* (De los Ríos, 1996).

By regrouping of land parcels refers to the process of **land consolidation** in a certain area that is usually promoted by public entities. It has as a result of the establishment of a new land property structure, in which the number of parcels from each owner has been reduced in order to optimize both size and location of the parcels through a change of some productive criteria.

Ever since on December 1952 the Spanish Courts approved the first *Law Project about Regrouping of Land Parcels on Spain*, defended by Minister Cavestany, Spain's several rural zones have gone through deep structural, social and economic changes as a consequence of the land consolidation projects.

At present and as UE's Rural Development Regulation states, the structural deficiencies and reduced dimension of the agricultural exploitations are still important problems that affect the economic and social profitability of the agriculture activity, so important in certain zones of our country. The European Union Council considered in the Council Regulation (EC) N°1257/1999 about the aid to rural development that *the agriculture structure on the Community is characterized by the existence of a high number of agricultural exploitations that lack the structural conditions necessary to guarantee fair incomes and good standards of life to farmers and their families*.

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<sup>1</sup> At the moment, the modern legislation of rural development has integrated the concept of regrouping of land parcels. Also, it has been designated as land consolidation projects. In the development of the case study it refers to both terms, by keeping the term "Regrouping of Land Parcels" as referred to the historic process itself.

The regrouping of land parcels or land consolidation is associated to the processes of land property transfer and pretends to be an answer to the fragmentation that could be produced on the property structure by successive transfers of land property through several generations. Also, it constitutes an answer to the requirements of a new productive structure caused by the variations of the production techniques and uses that are made.

In agricultural field, the land is by far the productive factor that does not suffer any change, but it represents the main limiting factor for the planning of agricultural exploitations due to other factors such as the type of use, techniques or workforce availability are more susceptible to adapt to the changing circumstances of each historic moment.

In the case of modern Spain, the planning of this kind of projects starts undoubtedly with the elaboration of the first Rural Properties Cadastre by the Marqués de la Ensenada in the second half of the XVIII century. It lays the foundations for the treatment of the property through modern criteria. Simultaneously and by answering to the questions equal to the previous ones, Melchor Gaspar de Jovellanos had already announced the problems caused by the excessive division of lands so that he asked strongly for a legislation and process that avoid this kind of problem:

*"The original divisions of lands caused large estates but the subsequent subdivisions of lands has been getting worst and will be worst if a limit is not established. According to this, there is a law that regulates the property and the relationships between owners and settlers; I want a law to stop the fatal subdivision of lands from Asturias, and another law to divide the great country estates from Andalucia"* (Ministry of Agriculture, 1963).

The same interest had the main farmers of the end of the XIX century, like Joaquín Costa or Fermín Caballero, who were strongly involved in the land parcelling problem because *"they wrote a text of two hundred folios bound paper by paper in two hundred volumes from different works and each one from different librarians"* (Caballero, 1980). But it is necessary to wait until the XX century so that this interest was written in a legal text that began the planning of the land consolidation projects. Also, a Commission was created in Spain in 1907 in order to *"study the territory subdivision, their purposes, conditions and effects in judicial, social and agricultural field, as well as to propose the solutions to the problems that this excessive land subdivision caused to farmer's life, family stability and agricultural process"* (Ministry of Agriculture, 1963). Its outcome was the Law Project of 1907 for the Regrouping of Land Parcels, *"less extreme and original than Caballero's proposal, but more closer to the proposal followed in the fifties"* (Alario, 1991). In this Law Project the creation of *"land estates belonging to one owner or agricultural exploitations belonging to families"* (Lera, 1957) was a reference as basic unit of planning process.

In the Second Republic it made headway on the development of the process through several legal resolutions<sup>2</sup> and with the creation of new organisms<sup>3</sup> being in charge of putting into practice the planning of projects. But, it is necessary to wait until the creation of the National Service of Economic and Social Land Reform in 1938 and the

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<sup>2</sup> *Irrigation Works Law* on April 13<sup>th</sup> 1932 and *Law of Foundations for Agricultural Reform* on September 15<sup>th</sup> 1932.

<sup>3</sup> Creation of the *Irrigation Service* and *Agricultural Reform Institute*.

National Institute of Colonization in 1939 to put this planning into practice up to 1952. However, it is important to point out that the regrouping of land parcels is showed – since a long time ago – as a priority objective both National Service of Social and Economic Land Reform and National Institute of Colonization (Ortega, 1979).

But the innovation in the process of regrouping of land parcels made that since its origin came into conflict with several traditional and legal criteria that were in force in that moment. For example, the first Law that was published in 1952 in Spain proposed the necessity to renew several resolutions giving the creation of successive adapted texts that were later modified in 1955, 1962 and 1973.

The processes of regrouping of land parcels in Spain have become so difficult, expensive and long-term. However, this agricultural practice reached a remarkable importance in the decades 50, 60 and 70 and to a large extent due to the important reform of social structure that experimented the Spanish rural zones at that period of time, including a high number of land property transfer.

The land consolidation can not be understood as a simple process of property replacement made by public entities, as it stated in the Law of 1962, the recognition of private property stands out as a basic right for support, stability and development of persons, families and society (De los Ríos, 1996). Nevertheless, the legislation gives to managers of this public planning certain exceptional tools to promote collaboration processes and to overcome possible oppositions groundless to processes viable and considered of special interest for the development of this sector.

This kind of projects is characterized for being a process with a strong multicriteria approach and integrates several cultural, social, economic and territorial factors that determine a new land structure and agricultural exploitations in a certain zone.

The evolution of social, economic and cultural conditions through the time has caused that these planning models are adapted in this kind of projects. In this adjustment one of the lines of work made by the Department of Projects and Rural Planning<sup>4</sup> of the Polytechnic University of Madrid was established and it has served as a foundation to the elaboration of this case study.

### **3.2. Case Study Context**

This application case is presented as a result of the experiences obtained by the teamwork of the Department of Projects and Rural Planning of the Polytechnic University of Madrid, (actually called GESPLAN Group)<sup>5</sup>, with the achievement of a series of feasibility studies for land reallocation in several municipality terms of the Community of Madrid.

This case study has an applied research context, in where the contributions of three research lines of the Department of Projects and Rural Planning (GESPLAN) meet each other: planning models, formulation methodologies and projects assessment about

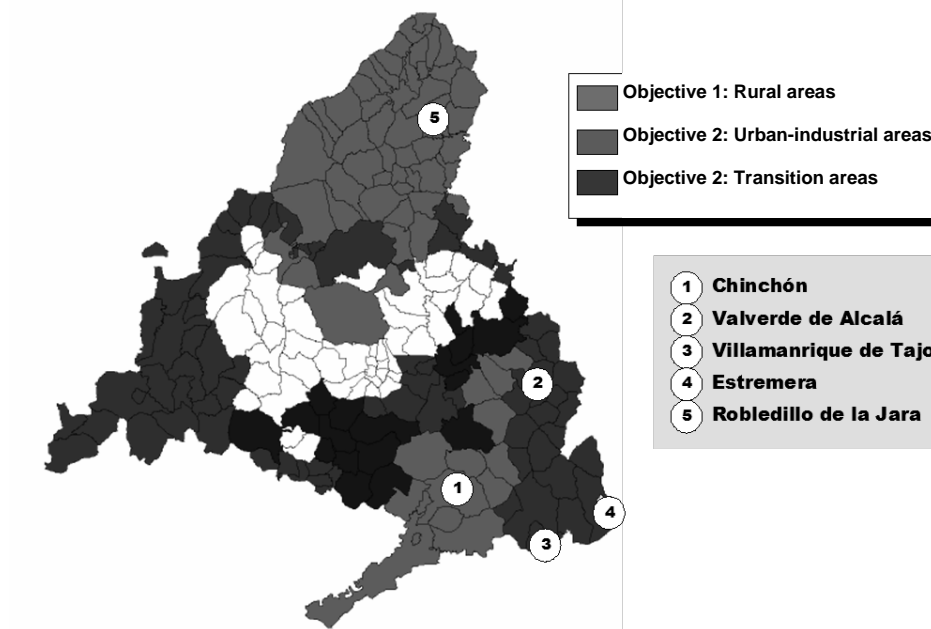
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<sup>4</sup> See Presentation of Part Two.

<sup>5</sup> This case study is framed on one of the research lines of Department of Projects and Rural Planning of the Polytechnic University of Madrid: the integration of social, technical and environmental aspects in the process of rural development project planning.

rural development and **methodological tendencies of land reallocation**<sup>6</sup>. In the revision of these methodologies the adaptation to Social Reform model has been checked and at the same time to be a practical way that includes a high potential from the social point of view.

**Image 3.1: Study Zones for the Decision-Making Process in Land Consolidation Projects**



Source: Own elaboration.

The methodology developed at GESPLAN has been applied in many localities of the Community of Madrid at Feasibility Study level during the last years. A chronological counselling process to the regional Government has been made by offering a decision-making tool. In the attached map, five zones that were study cases<sup>7</sup> and belonged to different agricultural, territorial and political situations are showed as follows.

The zone 1 of the Vega de Chinchón is included within the objective 2 of EU's Structural Funds and it represents a priority zone for the implementation of the Rural Development Programme (2000-2006) of the Community of Madrid.

The zone 2 in the Municipality of Valverde de Alcalá was declared as objective zone 5b by the European Union during the period 1994-1999. At the moment, it is classified as a transition zone within the 2000-2006 programming period. These zones constitute dry lands that enlarge through a vast plateau of Páramo de la Alcarria.

The zones 3 and 4 are located on the irrigable area of Canal de Estremera, in where the National Irrigation Plan has considered these zones as one of the most important

<sup>6</sup> In this research line, the valuable professional experience of the Sr. José María Oñate stands out. He has more than forty years of professional experience in this field. Other professionals of services and organisms responsible for the regrouping of land parcels and contributed with important information to this research are the following: Sanz Jarque, J.J., 1963; Gamperl, H. Taking into account the expert knowledge, the design of a methodology for land reallocation has made within the context of a sustainable rural development (De los Ríos, 1996).

<sup>7</sup> Other first experience was made in the irrigable area of the Canal de Cabarrús at the Municipality of Madrid of Torremocha del Jarama. The execution of this project was in November 1986 and ended in 1995 with the delivery of new property titles of concentrated agricultural exploitations. The participation of the teamwork of the Rural Planning and Projects Department in this case was centered in the project's *expost* evaluation works in 1995.

irrigable areas. Also, they are qualified as areas irrigated with gravity irrigation system and unified management. These rural zones are included within the objective 2 of EU's Structural Funds but at transition level. The territorial delineation of zone 4 matches with the irrigable area which are the Canal de Estremera and with provincial limits in Cuenca and Guadalajara.

The zone 5, in the Municipality of Robledillo de la Jara, is located in the north zone of the Community of Madrid in La Sierra Norte region (in Lozoya basin). It is classified as objective zone 2 and thus, included in the action field of the Rural Development Programme of the Community of Madrid. Also, it is catalogued as the less-favoured mountain zone. It is about a forestry land division, totally different, and has as an objective to take advantage of some non-use forestry lands. This kind of land consolidation is pioneer because there are not similar projects in all national territory yet. In all these zones, the technical and scientific contribution by GESPLAN's formulation team as well as the experience acquired by the carrying out of the works gave as a result of the formulation of a model for the feasibility study in this type of projects.

New variables in the processes of the affecting population participation were introduced by integrating a process of social learning within the social reform model belonged to the land reallocation. The dynamization processes belonged to Social Learning are introduced within the framework of the Social Reform planning as follows:

### **4.3. General Characteristics**

Since the first moment, the land reallocation was established as a process of land regrouping *"by agricultural exploitations"*. Accordance to the law of Agriculture Development Reform, in this process an allotment of contiguous farms integrated in the same agricultural exploitation is made, although they belong to different owners.

This project was proposed on the basis of a **model integrated** in a rural planning context that took into account the socioeconomic development and rational use of natural resources. Also, a model of mixed analysis was chosen. Both quantitative and qualitative variables that were gathered through the participation process with the affecting owners were analyzed. Other determining project factor was the planning's ecological basis.

After data collection and data assessment (**analysis**) both quantitative and qualitative, the main problems and constraints of the initial situation (**diagnosis**) are determined and subsequently specific proposals were formulated in order to improve the competitiveness of agricultural cultivations and current zone situation. More specifically the main elements and indicators that were developed in this **Feasibility Study** phase were the following:

#### 1. Territory diagnosis

- Population density surface.
- Consumption Potential. Economic sectors.
- Distance to province capitals. Population Nucleuses.
- Annual demographic Rate.
- Total population. Active agricultural Population. Active population. Rural population.

- Population ageing. Rural population ageing index and rural ageing.
- Unemployment rate. Dependency rate (n° active/n° inactive) and substitution coefficients.
- Other rural indicators.

## 2. Agricultural diagnosis

- Zone perimeter and surface to be focused.
- Approximate number of farms and affecting owners.
- Current situation of agricultural exploitations and feasibilities. Number of agricultural exploitations.
- Number of priority agricultural cultivations. Number of agricultural exploitations belonging to associations.
- Average farm surface.
- Existence of public goods.
- Sectors and sub perimeters of special consideration.
- Existing plantations. Existing irrigated lands.
- Infrastructure deficiencies.
- Minimum units of arable lands.
- Land ownership regime. Mechanization grade of agricultural exploitations.
- Management systems and production commercialization.

## 3. Environmental diagnosis

- Areas of special importance by their ecological, landscaping and environmental values.
- Goods of cultural, historical or artistic interest that could be affected by the regrouping of land parcels. Livestock.
- Existing Urban Planning.
- Environmental units: sub perimeters. Environmental resources inventory.
- Hydrological resources. Protected zones. Environmental protection plans and programmes.

## 4. Social diagnosis and property study

- Meetings with municipality majors and authorities.
- Face-to-face interviews.
- Assessment of social acceptance in the regrouping of land parcels.
- Typology of the affecting people (owners, holders, farmers, professional agronomists, agricultural organizations, etc) by indicating number and percentages of those people who are involved with the land and support the regrouping of land parcels and their corresponding surface area.
- Farmers age and number of young farmers.
- Education level and agricultural training.
- Entrepreneurship and cooperation spirit.
- Farmers' residency.
- Land property grade.

## 5. Economic study of cultivations

- Gross Agriculture Margin of the agricultural exploitations, before the regrouping of land parcels.
- Farmers' income level.
- Secondary income activities.
- Minimum units of agricultural exploitations.

## 6. General Information Territory System

- Spatial representation of previous aspects.
- Infrastructures.

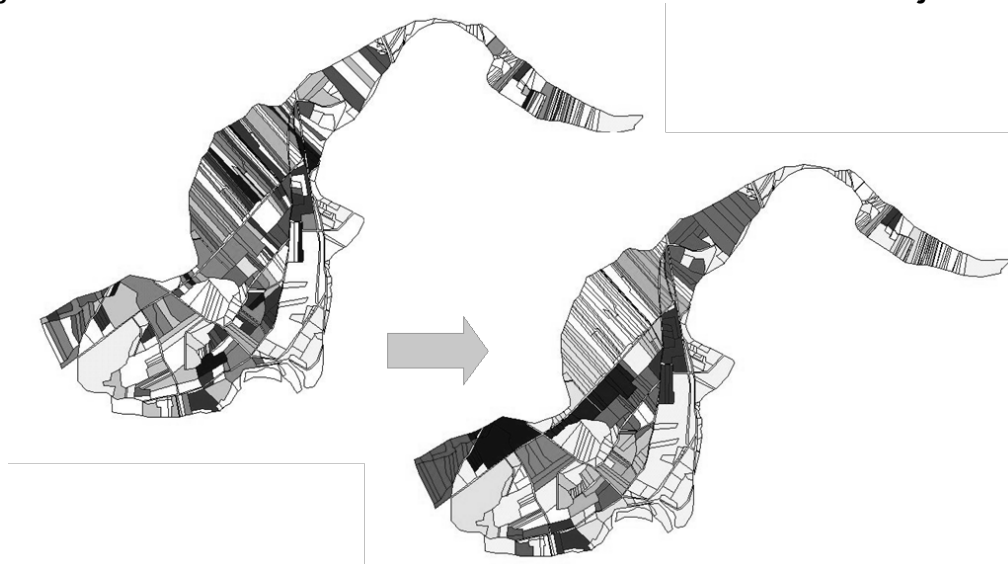
- Urban conditions.
- Soil uses.
- Current agricultural exploitations and lands.

**7. Analysis and Diagnosis Conclusions:**

- General criteria and guidelines about the regrouping of land parcels.
  - About the consideration of farmers' opinions.
  - About the land regrouping by agricultural exploitations.
  - About the treatment of elements such as livestock, irrigated lands, public forests, plantations, margins, etc.
  - About the classification of lands and possible excluded zones.
  - About the use of common land area.
  - About complementary actions: areas for tourism, forestry, urban nucleus expansion, industrial activities, big public work, etc.
- Zone situation:
  - Problems originated by the cultivation fragmentation.
  - Environmental problems.
  - Development programmes and initiatives.
- Owners and acceptance:
  - Social acceptance grade.
  - Typology and number of affecting farmers.
  - Alternatives to increase the social acceptance and quality for the regrouping of land parcels.

Once the previous works were made and contrasted with the farmers of each zone, the **design of the new division of agricultural exploitations** was began by considering in a special way the opinion of the professional agronomists due to they have a great interest for the activity. As an example, image 3.2 shows the outcomes of agricultural exploitations that were made at the zone of Estremera<sup>8</sup>.

**Image 3.2: Outcomes in the Zone of Estremera After the Land Consolidation Project**



Source: GESPLAN.

<sup>8</sup> Town in Madrid Region (Spain).



Once each of these projects is designed and its main investment costs are estimated, the effects and impacts that the actions could generate after their execution were analyzed on a multicriteria Evaluation phase.

**Image 3.1: Assessment Criteria in Land Consolidation Projects**

<b>ASSESSMENT CRITERIA IN LAND CONSOLIDATION PROJECTS</b>		
<b>Criteria</b>	<b>Qualification</b>	<b>Qualification Criteria</b>
<b>P1 Legal framework</b>	<i>Reject</i>	Minimal starting requirements are not reached
	<i>Indifferent</i>	According to the law.
	<i>Acceptable</i>	Project is according to the law and also to the promoter surface requirements settled at the reference terms
<b>P2 Social viability (x 2)</b>	<i>Reject</i>	Public opinion is opposed to the Project or the doubts level and/or conditions level is high
	<i>Indifferent</i>	Farmers are mainly agree with the projet but participation is scare
	<i>Acceptable</i>	Farmers and owners are mainly favourable to the project
	<i>Very interesting</i>	Farmers and owners are absolutely favourable to the project.
	<i>Re-study</i>	Farmers and owners are favourable to the project but the social participation level is low. There is suggested to refocus that process
<b>P3 Territory criteria</b>	<i>Reject</i>	The area disagree with the criteria established at the Rural Development Programme
	<i>Indifferent</i>	Despite of the area agree with the criteria established at the Rural Development Programme, it is out of the Programme objective area
	<i>Acceptable</i>	The area agree with the criteria established at the Rural Development Programme and inside its objective area
	<i>Very interesting</i>	Project area is a priority acting area for the Rural Development Programme or others.
	<i>Re-study</i>	The agricultural active people is lower than 1.5% of the whole area active population, or the Project supposed social impact is low.
<b>P4 Condicionantes agronómico- estructurales</b>	<i>Reject</i>	Indicators do not show any deficiency at farm structure or property rights .
	<i>Indifferent</i>	Indicators show deficiencies y at faro structure or property rights which difficult production.
	<i>Acceptable</i>	Plots are two small and property is too much divided stopping farms competitiveness.
	<i>Very interesting</i>	Besides property atomization avoids the implementation of new infrastructures
	<i>Re-study</i>	Project shows that there are several sub-zones with different dispersion level. There is recommended to re-study the project zone by zone
<b>P5 Economical criteria (x 1,5)</b>	<i>Reject</i>	Only a little part of the exploitations are supposed to reach a priority size, thus the project s not able to assure even the maintenance of rural employment.
	<i>Indifferent</i>	There are disperse exploitations large enough to be directly benefited by the project
	<i>Acceptable</i>	Besides of condition above there is also possible to group some of them to improve the general management and income at the Project area.
	<i>Very interesting</i>	Besides of condition above social participation process has identified private initiatives which complement to the project
	<i>Re-study</i>	Local population is too old and the effectiveness of the project in a medium term is low
<b>P6</b>	<i>Reject</i>	Technical indicators are Under the regional average indicators value

ASSESSMENT CRITERIA IN LAND CONSOLIDATION PROJECTS		
Criteria	Qualification	Qualification Criteria
<b>Technical criteria</b>	<i>Indifferent</i>	Indicators are close to the regional average and every Project variable range is over 75%
	<i>Acceptable</i>	Indicators are over the regional average and their range is over 85% in any case
	<i>Very interesting</i>	Indicators are outstandingly over the regional average and their range is over 85% in any case
	<i>Re-study</i>	Technical criteria are acceptable but there are doubts about the project impacts because of the transformation area is under 150 ha at irrigation lands or 500 ha in dry lands
<b>P7 Environmental criteria</b>	<i>Reject</i>	Project implementation will affect protected areas ore is supposed to increase the erosion level
	<i>Indifferent</i>	Project does not suppose any damage to environment further than the common farming activity
	<i>Acceptable</i>	Project impact on sustainable agricultural resources management is positive
	<i>Very interesting</i>	Project allows to incorporate more efficient infrastructures for water and agricultural resources management
	<i>Re-study</i>	There are high environmental surfaces within the Project area which reduce the concerned surface to a level which makes doubtful the agriculture sustainability. There is suggested to explore other local development strategies different than agriculture

Source: Own elaboration.

The outcomes of this analysis are important for the making-decision process respect to the startup of the project; and therefore, they allow justifying their approval or rejection and establishing a hierarchy in the projects from their feasibility point of view. This analysis of each of the projects was made with the following criteria of legal framework, action priority and outcomes of the Feasibility study itself.

Assessment in **accordance with legal framework**: The law criteria are basic for the acceptance of the project. In the case of the affecting people a project acceptance and request must be obtained by more than 50% of the owners, more than 75% of professional agronomists or a request of a number of any owners, who has more than 75% of surface of the priority cultivations.

Assessment in accordance with political criteria and priority zone: These criteria will be variable according to physical and social region circumstances and current regional and local policy. If the project is going to be included in any Rural Development Programme, the criteria based on their own objectives must be used.

Assessment in **accordance with Feasibility Study outcomes**: The promoter of Regional Government along with GESPLAN's planning team analyzed the interest to undertake each of the planning projects according to the criteria that are gathered in the following table.

In summary, the table where the valuation is reviewed according to the seven criteria of the multicriteria assessment is showed. This information constituted a decision-making tool for the planning of public investments. The best outcomes - with high score - in Estremera and Villamanrique de Tajo fit in the two zones that at present are in investment execution phase, in which the validity of the model is demonstrated.

Image 3.2: Outcomes About the Multicriteria Assessment in Land Consolidation.

CRITERIA (P <sub>i</sub> )	Factor	Chinchón	Villamanrique de Tajo	Valverde de Alcalá	Estremera	Robledillo de la Jara
<i>P1. Legal framework</i>	1	R	A	R	A	R
<i>P2. Official acceptance</i>	2	I	I	r	E	I
<i>P3. Territory conditions</i>	1	E	E	I	A	r
<i>P4. Agronomical conditions</i>	1	A	E	A	E	A
<i>P5. Economic conditions</i>	1.5	A	A	A	A	R
<i>P6. Technical conditions</i>	1	I	E	A	E	I
<i>P7. Environmental conditions</i>	1	I	E	A	E	A
<b>Global score (ΣP<sub>i</sub>)</b>		<b>12</b>	<b>20</b>	<b>11</b>	<b>23</b>	<b>7.5</b>
<b>Selection score (IIP<sub>i</sub>)</b>		<b>0</b>	<b>1458</b>	<b>0</b>	<b>2916</b>	<b>0</b>

R: Rejectable (0); r: Suggestible (1); I: Indifferent (1); A: Acceptable (2); E: Special interest (3)

Source: Own elaboration.

### 3.4. Involved Actors

For the case of this type of projects, there are three types of actors just like other projects: promoter, planning team and affecting people.

In the first place, it would be the promoter with the possibility to differentiate into two types of regrouping of land parcels depending on the nature of promoters (De los Ríos 1996):

- The **regrouping of land parcels of public nature** can, at the same time, begin in two different ways: made by the competent public administration or by voluntary request from the majority of farm owners. In the first case, the promoter is the administration, while in the second case the function is combined, although the request comes from the population, the administration also plays an active role in the promotion of land regrouping.
- The **regrouping of land parcels of private nature** or regrouping of private land parcels, can be started when at least three owners request them and it is considered appropriate for the national economy. In this case the applicants give voluntarily their properties that consider appropriate<sup>9</sup>. In this case the promoters are the affecting owners.

Other group to stand out is the **technical team** responsible for the different phases of the project of regrouping of land parcels. In the case of Spain, this work is mainly made by the public administration specialized on this activity. In the showed case an interdisciplinary team from the GESPLAN was created with the objective to carry out an integrated activity.

<sup>9</sup> Law of Agricultural Reform and Development, 1973 (Art. 240).

**Image 3.3: Participative Workshop with Local Leaders for the Planning Works**

Finally, the wider group is the **concerned people** by the regrouping of land parcels of one zone, who have requested or not the improvement, being owners or simply holders, or legal situations existing on the plot of lands or estates of the zone to be concentrated. Within the owners of agricultural exploitations object of regrouping of land parcels, the key actors are the **professional farmers**. Due to the lack of interest that many rural communities must have and their own limited capacity to be developed, it emphasized to establish a contact with the **local leaders** that could put into effect the participation of the remaining owners.



Source: GESPLAN

Participative workshop with local leaders for the planning works (Daimiel, 2001).

A good knowledge of these key actors by the planning team allows knowing their activities and needs that aim to discover the possible action plan that must be assumed by the entire population (Cazorla, 1996).

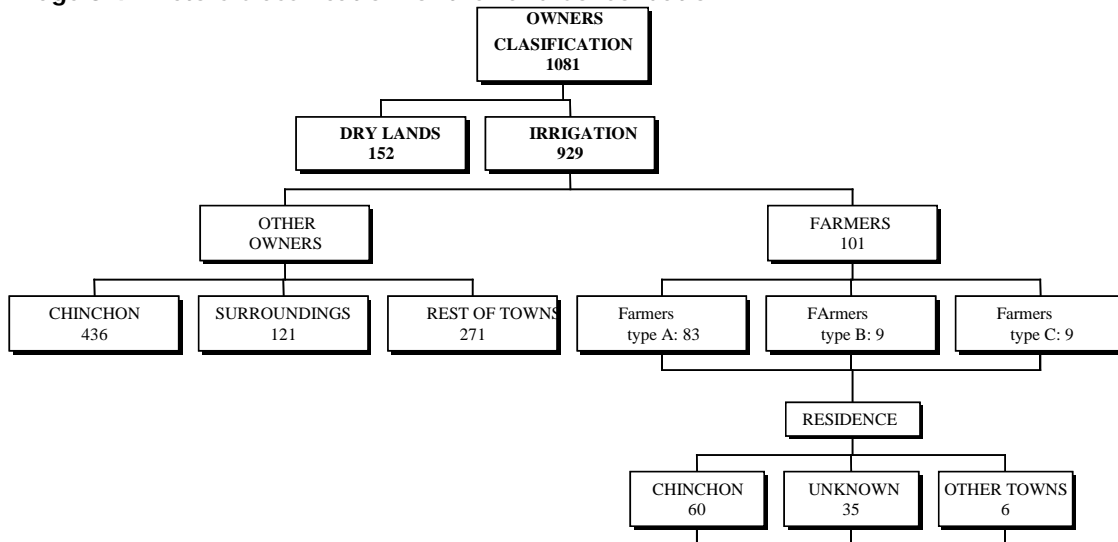
This previous knowledge of social reality will allow undertaking a selection of the affecting owners to incorporate progressively their participation and opinion in the technical process of the design about their own agricultural exploitations. With this knowledge these owners must be classified according to their **residency** (owners who live in the region, in where the regrouping of land parcels is situated, and owners who do not live there), according to the **time spent by people on agricultural activities** and according to the **origin** of their incomes. Therefore, we can determine the following groups:

- *Full time dedication to the agricultural activity* with the 100% of their incomes, whose origin is situated at the same activity (farmers type A).
- *Part-time dedication to the agricultural activity*, with other complementary activities. In this group, it will be also necessary to classify according to the part of income proceeding directly from the agricultural activity and the estimated time of work dedicated to the same. For that reason, the concept of priority agricultural exploitation will be used by differentiating the farmers: with priority agricultural exploitation (farmers type B) and without priority agricultural exploitation (farmers type C).
- *Owners that are not involved in the agricultural activity* because they rent their lands or are out of production (remaining owners).

As an example, a scheme with the classification of 1.081 owners and farmers is showed after making the social study at the Chinchon's project zone. The criteria imposed by the Community of Madrid's Regional Government made that this kind of actors' classification to increase the valuation of the people's opinions that have a professional dedication to the agricultural activity as opposed to the owners that are

not involved to the agricultural activity. In this way, a first criterion given by the promoter was to establish as a priority the opinion of the owners who live in the zone and have professional dedication to the agriculture activities during the planning process.

**Image 3.4: Actors Classification for the Land Consolidation**



Source: GESPLAN, 1997.

### 3.5. Developed Processes

Once the project zone is chosen, it is further proceed to the elaboration of an authentic Feasibility Project that allows accepting or rejecting the possible investment. Due to the political, physical and social circumstances different in space and time, it is complex to fix in a legislative way the criteria to establish the valuation and the interest of project; however, if it is possible and must be made in a new resolution to give in detail the minimum contents in itself.

**This Technical** Feasibility Study will must contemplate, besides the agricultural, socioeconomic and environmental aspects, an accurate **social study** that allows identifying the authentic change actors. This study must answer to generic matters that show generally manage problems through the planning process of this type of planning projects: social acceptance, environmental problems and related, urban conditions, sub perimeters and sectors of special consideration and approach of infrastructures to develop in this zone. Therefore, the technical study previous to the investment will must conform an authentic Zoning Planning that could serve as a basis of the social and environmental declarations.

The methodology of the Feasibility Study comprises a series of stages that articulate the project information (territory, environment, social, politics, economy, etc.) with a systematic approach of interrelated phases and applying different instruments and techniques that allow executing the specific tasks for the final design of land consolidation project.

Each one of the Study phases is linked with some specific purposes and to obtain them some specific tasks must be executed through the application of certain technical and sociological instruments.

Especially on the Formulation Process of Land Consolidation Plan are the **determining factors from the social point of view**. By considering in a special way the people who dedicate to the agriculture activity in the process of project formulation is incorporated as a basic action reference the concept of **priority agricultural exploitation** either familiar or associative. This model of priority agricultural exploitation is defined – in the Law 19/1995 of Modernization of Agricultural Exploitations – by subjective criteria linked to the holder as well as by other criteria in an objective way, so that to ensure globally the economic viability of agricultural exploitation and justify the possible concession of public supports.

Among the subjective criteria for the consideration of the priority agricultural exploitation is found at the same Law the concept of **professional farmer**. It is understood as a holder of an agricultural exploitation who obtains at least 50% of total income of agriculture activities or other complementary activities, as long as the part of income directly to its agricultural exploitation is not less to 25% of its total income and the working time dedicated to the agriculture activities is above to the half of its total working time.

With these concepts and with the objective to increase the social effects of land regrouping by agricultural exploitations, at the beginning of the project is considered the following:

- Opposed to the traditional criteria of the number of owners, the number that can be considered professional involved in the agriculture activity, and
- Opposed to the surface of affecting owners, the criteria of the surface of priority agricultural exploitations.

And definitely, the following conditions assumed in the model can be imposed by the public promoter for the viability of the project in order to guarantee the **social acceptance** by showing a request of the project that represents simultaneously:

- More than 50% of the owners.
- More than 75% of professional agronomists.
- More than 75% of surface of priority agricultural exploitations.

To maintain the criterion mostly democratic of the majority of owners, it does not affect the effectiveness of the process because any criterion could be applied there. These conditions try to ensure the essential objective of these technical projects, i.e., the setting up of agricultural exploitations and adequate land dimensions and to eliminate the agricultural exploitations that result no economic or otherwise, to increase the surface of agricultural exploitations.

The design of the project determines how to define the new agricultural exploitations by taking into account in the first place, the farmers with high-dimension agricultural exploitations. The setting up of priority agricultural exploitations facilitate the social process to obtain fiscal incentives to the transmissions of country houses by buying, succession or donation and at the same time to contemplate special incentives in the whole transmission of priority agricultural exploitations or when it makes in benefit of young farmers.

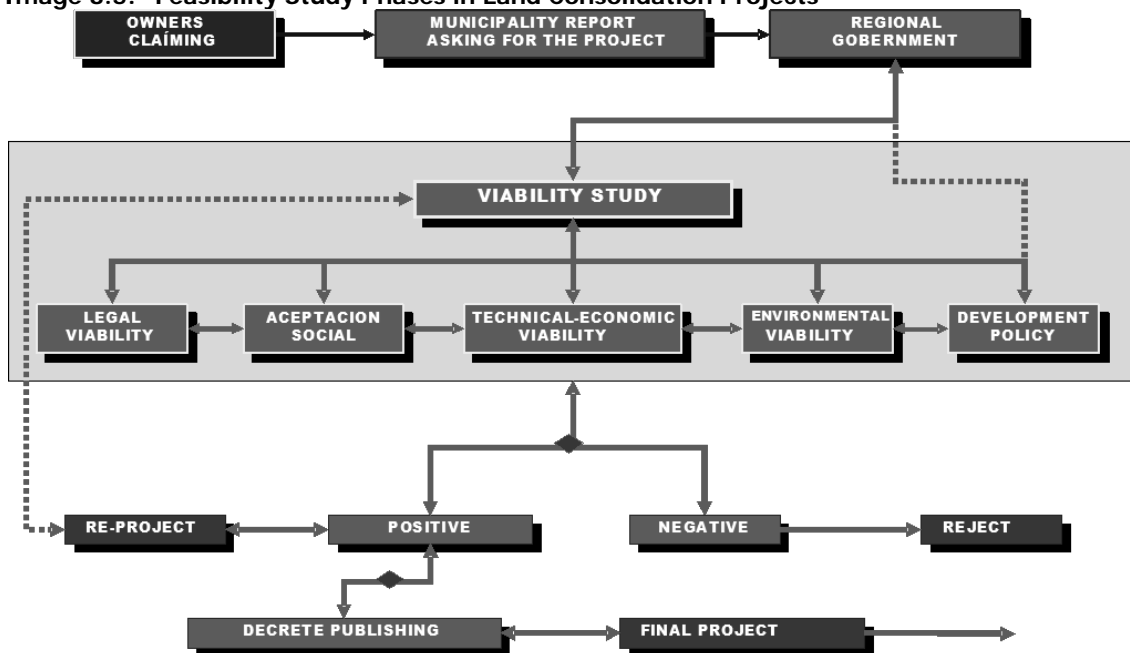
The approach recommended on the **design phase** allows sharpening the prescriptions that have determined at the end of diagnosis Phase and it emphasizes the detailed verification in project's social viability according to the conditions imposed by the promoter. The mission of the formulation team will consist to study the technical viability and environmental and social impact on proposal opinions. Also, to know the social potential of the population in order to face the complementary activities of rural development that can be implemented in the zone.

Acting according to the successive approaches with the affecting farmers and according to the selection criteria of aforementioned people, different **participative processes** are inserted with their corresponding technical adjustments, as the final project design is obtained at Feasibility Study level. These developed phases that improve the design of the technical project along with the affecting people are the following (De los Ríos, Cazorla, 1996):

- Previous classification of owners.
- First approach with the professional agronomist.
- Previous adjustment of agricultural exploitations at first stage.
- Second social approach with farmers at second stage.
- Previous adjustment of agricultural exploitations at second level.
- Final project design of land regrouping by agricultural exploitations.

Once the project is designed and their main costs are estimated, it will proceed with the **Evaluation Phase** in order to evaluate with a **multicriteria** approach, the effects and impacts that the project can generate when it is executed. The outcomes of this analysis are important for making-decisions regarding the start-up of this project. Therefore, they allow justifying their approval or rejection and establishing a hierarchy of the projects from their feasibility point of view. In the Image III-13 different components are showed from the viability is analyzed: legal framework, social acceptance, technical-economic aspects, and environmental viability and development policies.

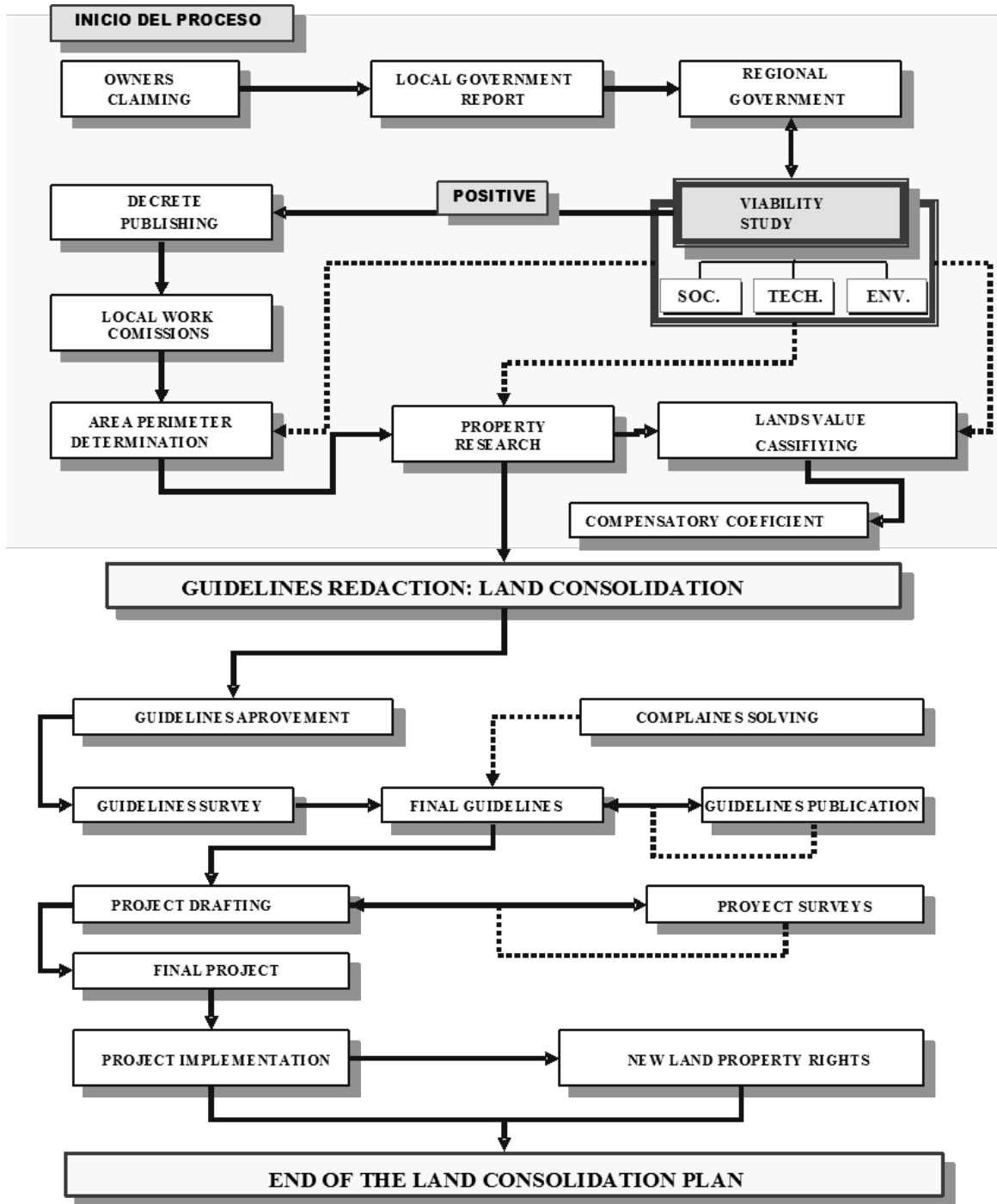
**Image 3.5: Feasibility Study Phases in Land Consolidation Projects**



Source: De los Ríos, 1996.

The Image 3.6 summarizes in accordance with the Law of 1973 the project's management process of regrouping of land parcels in case that the **Feasibility Study** would be positive. This process constitutes a series of procedures and works in accordance with some phases stated by the administration that are established from the request or beginning of the file until the on-site layout and taking ownership of new estates and their respective inscription in the Registry of Land Property. After an initial phase, the Foundations of Regrouping of Land Parcels will be elaborated and finally to the Land Property Reorganization.

**Image 3.6: Management Procedure in Land Consolidation Projects**



Source: De los Ríos, 1996.



On the other hand, we can not forget that simultaneously with the process of land consolidation, it is necessary to make infrastructure's improvement works. These works are implemented to modify and extend the road network, drainage, canalisation of streams, etc. These works are classified as follows:

*Works of general interest* (that benefit the conditions of all region or zone and are necessary for the project execution): network of main roads used for new estates, land drainage, research and collection of subterranean water use, reforestation and riverside forests necessary for the elimination of artificial geographic features that impede an adequate crop on replaced lands, canalisation and protection of banks of river channels and other works that can be included in this group by a general decree as they refer to the zone and are considered necessary for the project execution.

*Complementary Works* that, although they do not have any relationship to the regrouping of land parcels contribute to a successful economic and social development and give benefits in all farmers in the zone or some group: shelter for cattle, storages for farm machinery, raw materials or agricultural products, other buildings and facilities for cooperative or associative purposes, water supply and urban electrification. Besides, works such as preparation and improvement of existing irrigated lands, creation of new irrigation surfaces, improvement and systematization of lands, breaking up lands for agricultural use, uprooting of trees and wild shrubs plantations; new plantations of forest or agricultural species; creation of grasslands and pasture lands and other works that can be included in this group by a general decree as they can benefit to all farmers in the zone or at least some group.

### **3.6. Planning Practice**

The execution of the process of land consolidation or regrouping of land parcels is maybe the planning activity in the public sector that has had a great tradition within the agricultural sector. This practice is determined by a great series of conditions that intervene in the process and they could originate into different conceptions of this type of planning. Considering the point of view of a **planning integration** with other measures, two major planning tendencies can be distinguished: the **integral land regrouping** and the **simple land regrouping** (De los Ríos, 1996).

- A **planning in a restricted way**: meant as a simple parcelling-out of land parcels in order to constitute bigger extensions, without to include other complementary projects as the new road network or other kind of works. This type of planning belongs to the **simple method** or simplified procedure and its only objective is to put together the group of small lands - scattered and separated - into great economic crop surfaces by outlawing all remaining works.
- Other planning process in an **average view**: with a stronger parcelling-out of land parcels, including a new road network and small improvement works.
- Finally, an **integral planning** with a wider view: an authentic organization of small and medium rural land property that allows obtaining improvements in rural areas, not only from the production point of view, but also the affecting people, making more grateful the life in the field (Sanz Jarque, 1963). The so-

called **method of integral improvement** pretends not only to create agricultural exploitation surfaces enough extended and favourably organized, but also to reorganize the characteristics of roads and facilities of irrigated lands, to improve the crop types and labours, to fix the internal structure by enlargement of each agricultural exploitation and as the best solution to establish the closed agricultural exploitations. This allows breaking dispersed heritages to be organized once again like the autonomous agricultural exploitations belonging to one owner. With the objective to solve in all country the problem of land distribution, by creating agricultural exploitation surfaces enough for achieving a technological agriculture (Gramperl, 1957). At present, this planning also includes other rural development measures to be orientated to the innovation, diversification and multifunctionality of the agriculture.

Since the approval of the Council Regulation N° 2052/88, related to the funds functions concerning to structural objective and its efficiency, the adaptation of the agricultural structures acquires a new dimension in Europe. The so-called Reform about Structural Fund Rules is put into action. The regrouping of land parcels is fully integrated in this new Regional Community Policy.

Under this European Union's overview, the EAGGF Guidance section was the best choice to finance common actions given to accelerate the adaptation of agricultural structures, particularly on the overview about the Reform of Common Agriculture Policy. Among the contemplated actions from 1988-year as financial ones, the measures given to improve the efficiency of agricultural exploitation structures stand out and specially investments to reduce production costs, to improve the farmer's life and work conditions, to promote the diversification of their activities, to protect and improve the natural environment, including the accompanying measures. The financial participation of this Fund as **Integrated Operative Programmes**, included actions of regrouping of land parcels and their related works. In 1999, with the approval of the Regulation (EC) 1257/1999 about the aids to Rural Development, the measures to improve the lands and land reallocation are currently included in the **Rural Development Programmes** for the period 2000-2006<sup>10</sup>.

Finally for the new rural Development planning period (2007-2013) the European Agricultural Fund for Rural Development<sup>11</sup> (**EAFRD**) keep focussed on the rural space improvement establishing three main objectives for the rural development policy:

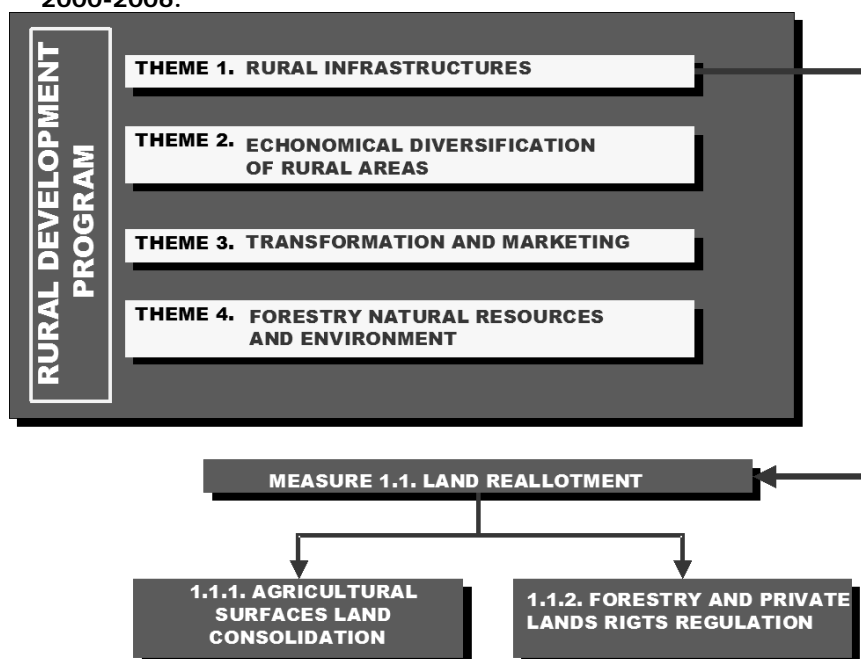
- Improve the competitiveness of the agricultural sector through aids to sector restructuring
- Improve the environment by means of aids to land management (including Natura 2000 spaces)
- Improve the live quality in rural areas and promote economical activities diversification with aids to agricultural sector and other actors at the rural environment.

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<sup>10</sup> The objectives to improve the structures necessary for the competitive and sustainable agricultural production, by using the land reallocation and use of natural resources, appear in the practice in all rural development programmes from the period 2000-2006 in Spain's Autonomous Communities. The direct beneficiaries of these measures are the farmers, livestock farmers and other inhabitants of different rural zones of the region.

<sup>11</sup> Council Regulation (EC) No 1698/2005 of 20 September 2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD)

**Image 3.7: Land Consolidation Pprojects Within European Union's Framework at the Pperiod 2000-2006.**



Source: Own elaboration.

This new context, more integrated and demanding, requires the land regrouping models with criteria adapted to the circumstances that allow the professional agronomists to face the growing liberalization of the markets, at the same time, to ensure the basic ecological equilibriums, open new ways to obtain complementary incomes<sup>12</sup>. The actions of land reallocation as the new rural development programmes have showed are still necessary to improve the conditions of many rural zones so that they favour the access both external and internal, optimize the conditions of agricultural productive system and contribute the architectural, historical and cultural heritage of the towns by strengthening their development opportunities.

The land reallocation projects along with other infrastructures related to the agricultural production development are included on the Chapter IX "Promotion of adjustment and development in rural areas" as laid down in Council Regulation (EC) 1257/1999 on aids to Rural Development. The attached graphic shows the structure of the Rural Development Programme of the Community of Madrid (2000-2006), with two scheduled actions within the land reallocation measure.

These two types of actions according to the Rural Development Programme of the Community of Madrid are:

- *Regrouping of land parcels by agricultural exploitations in agricultural surface.* Elaboration of Feasibility Studies in order to carry out the regrouping of land parcels and achievement of land regrouping by agricultural exploitation surfaces. There will be priority to make regrouping of land parcels in zones that could be transformed into irrigated lands.

<sup>12</sup> Law 19/1995 from July 4th about the *Modernization of Agricultural Exploitations*. Facts account.

- *Regrouping of forestry lands in private property and division of meadows.* Division and distribution of property again to improve the production of their structures and forestry and livestock management.

In any case, different conditions existing in the execution of land regrouping or land consolidation establish a defined action field that determines the methodological approach of different planning processes.

It can be said that this planning process about regrouping of land parcels shows the typical elements of Social Reform, although these methodologies have been developed to integrate Social Learning processes in the design phases (De los Ríos, 1996). This relationship is made by studying the adjustment of Social Reform criteria established on chapter 3 with the main characteristics of the application case. At that time, the following characteristics of the planning model as Social Reform were established as follows:

- Planning from above.
- Planning as scientific activity.
- Society transformation through policy guidance.
- The affecting people do not manage the making-decision process.

Also, the relationship between the proposal graphic model and the exposed case, as well as the effect about the system of social relationships will be studied.

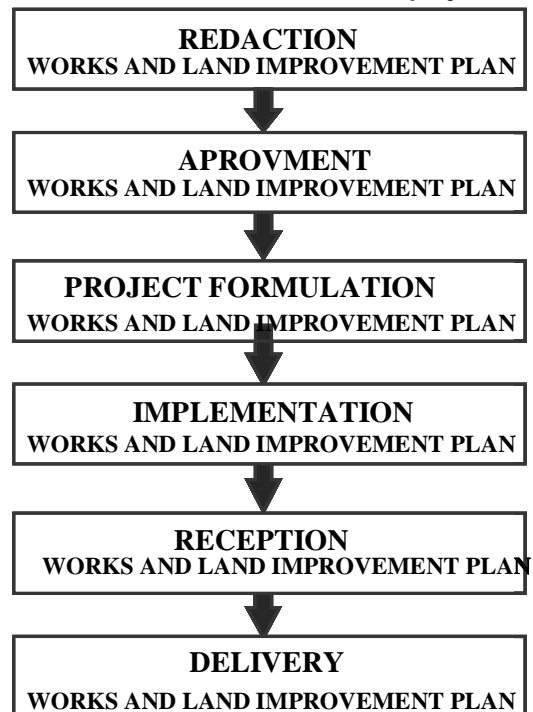
### 3.6.1. Planning from the Top

The processes of regrouping of land parcels have their origin in the Government power that pretend to "satisfy a public need" in order to reorganize certain affecting zones by structural problems through the corresponding legislation. This legislation establishes the appropriate channels so that the different organisms of public administrations begin the adequate processes.

So the adapted text of 1955 structured for the first time the ordinary procedure of regrouping of land parcels and the law of 1962 defined for the first time the formal channel of a series of acts, where the administrative action is ordinarily determined for the execution of regrouping of land parcels as a true administrative procedure. Also, it pretends to satisfy the public need in order to reorganize the affecting zones by smallholding and the dispersion of land plots.

The principles and methodological objectives of the law of 1962 are consolidated without huge changes in the text adapted to the law of Agricultural Reform and Development of 1973 (De los Ríos, 1996).

**Image 3.8: Top down approach at classic land consolidation projects**



Source: GESPLAN

At present the administrative procedure described by the legislation of 1973 is essentially the same, however, the planning framework has been enlarged. So, the concept of regrouping of land parcels is included in the UE's Rural Development policy within the Regional Policy and Cohesion. In this way, the rural development projects – where the land consolidation projects are included – constitute one of the instruments that contribute for the reduction of the existing economic and social differences in the community territory (European Commission, 1999a)<sup>13</sup>.

The regrouping of land parcels is like a public action instrument for some “needs” observed by the regional and/or local administration in rural zone. These needs are the non-economic production conditions represented by the dispersion of smallholding<sup>14</sup>. This observation could be both public and coming from the same affecting people due to the legislation has always permitted the possibility that the same people apply for the process beginning<sup>15</sup>. However, the experience shows how the responsibility of the start-up of the information and research processes previous to the execution of the regrouping of land parcels has historically an origin totally administrative. The basis of the Administration role in this planning is in the following statement made by an expert with more than 40 years of experience in this type of projects:

*Generally the group of opponents is more active than the followers at initial phase. It will be the main task of the personnel of the Administration to defeat their opposition through efficient information (Oñate, 1995)<sup>16</sup>.*

The objective of regrouping of land parcels to satisfy a necessity could justify the descending nature of the process. On the other hand, the smallholding structure, where this type of projects is originated, is a little bit favourable for the self-dynamization of the development processes and projects. It must no be forgotten that the regrouping of land parcels acts on the basic element of the productive structure in a rural zone, the land property: a factor does not suffer any change. The experience shows the greater the grade of parcelling of land property, the lower the land transformation becomes.

### **3.6.2. Planning is Understood as a Scientific Activity**

The second of Social Reform characteristics refers to the concept of **planning as a scientific activity** that is completely obvious in the case of regrouping of land parcels. In this process, the main objective is to provide with a final optimal situation, where the structure of land property and agricultural exploitations is more adequate to

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<sup>13</sup> The integration in a Communitarian Initiative also assumes the integration in its application framework that is showed in the following case. The case of this European Union's policy is belonged with the model of Policy Analysis.

<sup>14</sup> It is not wonder that the successive legislation has a similar period of time to others related to planning matters as the case of development plans. These plans are deeply explained in chapter third. The successive revisions of regulatory aspects about regrouping of land parcels keep a strong relationship with the successive revisions of the regional development criteria established in these plans and other complementary initiatives.

<sup>15</sup> The current different legislations as well as the Rural Development legislation reinforce the participation of the population in the processes of study and design for the regrouping of land parcels.

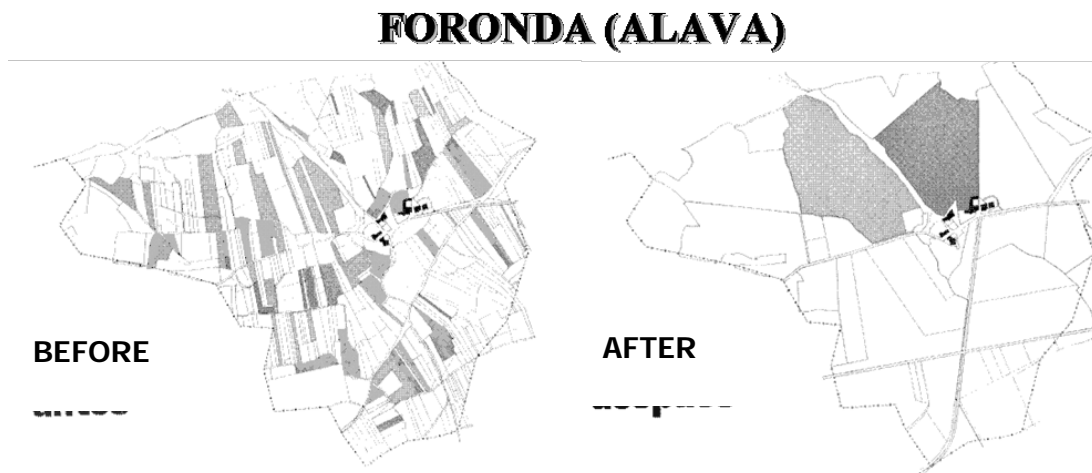
<sup>16</sup> Since the social point of view, two groups are always distinguished at the beginning of the project: those that support the regrouping of land parcels and those that are against to it.

the new productive tendencies and it involves the performance of the benefit and a great efficiency of the agricultural exploitations. The global society improvement is one of the basic criteria belonged to Modern Science. In the practice, the execution of this optimization process is meant as an important engineering labor, where all technical methods of the Services and Organisms for the regrouping of land parcels<sup>17</sup> take priority. This is showed in the following approach given by the Ministry of Agriculture of Spain:

*“The experience has become to establish an operative process chain so that it allows the attribution of elemental operations to specialized positions, elimination of interruptions or obstacles in different process procedures and the introduction of high performance machinery both administrative aspect and writing up projects or execution of works and territory improvements”* (Ministry of Agriculture, 1963).

Therefore, the labor of regrouping of land parcels consists of an **engineering project**, essentially “scientific”. From the technical point of view, the methodology consists of, in summarize, a new system of distributing land property by giving to each owner a surface with the same value that contributed, but in less number of land plots – so-called estates-, to be possible one land for each owner. The **several variables that intervene in a project** of regrouping of land parcels make more difficult the execution of this project<sup>18</sup>.

**Image 3.9: Zone Transformation after Implementing a Land Consolidation Project**



This technical project of regrouping of land parcels can be defined as the group of documents, where the new land consolidation in a zone for regrouping of land parcels is reflected in a provisional way. This division is constituted by the new replacement

<sup>17</sup> By the experience gathered by the Services and organisms of regrouping of land parcels the contributions made by Sanz Jarque (1963), Gamperl (1957), stand out.

<sup>18</sup> In 1977 Losa Hernandez said that the adjustment of project of regrouping of land parcels is – from the technical point of view - more complex than at the first time it could be due to there are a lot of factors involved: 1° to place each owner in the applied land; 2° the media distance of replacement plot is the same as the media distance of the contributed lands; 3° the form of plots is, if it is possible, rectangular and a certain dimensional length/ width or close to the optimal; 4° all replacement plots have access to the road.

estates. These documents must show, supported by the maps, the initial situation of the land property, the new distribution of the same with a list of owners and assigned replacement estates and the obligations necessary for the new land consolidation (Law of Agricultural Reform and Development, 1973, Art. 197).

**Image 3.3: Main Features of the Land Consolidation Projects**

<b>Approach</b>	<b>LAND CONSOLIDATION CHARACTERISTICS</b>
<b>ECONOMICAL</b>	Economical reasons. Improve faro structure to improve its productivity
<b>TECHNICAL</b>	Technical process focused o reducing the number of plots at each faro Giving to each farmer the same surface as before Complex process with numerous variables
<b>LAW</b>	Based on rural laws and public laws Concentration do not change property rights, only changes its object Administrative process regulated by law
<b>SOCIAL</b>	Can be used as a just property distribution process Social function of property Concentration needs social participation
<b>TERRITORIAL</b>	Territorial improvement process useful to some rural depressed areas Acts on the physical or territorial base of farms.
<b>RURAL PLANNING</b>	Acts in a global context of rural development in coordination with other rural development measures. Improvement of rural areas. Process needs a previous global rural planning process.

Source: De los Ríos, 1996

The different stages in each of the project phases are under to the acceptance by a large majority of affecting owners so that it is important the strict justification of each of the adopted decisions and subjected to public information before the next stage. The social process viability is a determining factor<sup>19</sup> for its execution, but this depends on the technical viability of the proposed process. In the Image 3.9 shows a land consolidation, where the outcome belonging to two owners of Zone of Foronda (Álava) is illustrated.

Although the regrouping of land parcels is a scientific activity with a technical approach, the concept includes different points of view that improve the planning process and gives the chance to work with more participative models.

### **3.6.3. Reorientation of Political Interests**

The process of regrouping of land parcels pretends the rural zone transformation through a structural policy related to the land property. It causes the modification of something so substantial belonged to the western culture like the land property. During the process occurs that holders of affecting agricultural exploitations lose, in a certain time, the property of the same. Subsequently, they recover some properties comparable to the given ones, but different concerning to dimension. This is only possible about the basis of an important conviction that pretends, as establishes Sanz Jarque:

*The social nature of regrouping of land parcels remains over the acknowledgement of land property as a basic right for the sustainable, stability and development or*

<sup>19</sup> The importance in processes social viability acquire special relevant in certain autonomous zones like the case of the Community of Madrid, in where this criterion has become an important factor for the project execution.

*progress of people, families and society along to the faculties of its owner, the requirement of a social function to fulfill (Sanz Jarque, 1963).*

*Therefore, the regrouping of land parcels can be understood not only as a technical operation to gather land plots and build roads, but also an economic-legal-social operation that has by objectives, to rationalize the production, diminish the expenses and increase the quantity and quality of the products; arrange legally the agricultural property, create enough family agricultural exploitations so that a farmer population, professionally dedicated to the land crop can be a positive and efficient element of the country and all of the community with adequate facilities, modern machinery, services and capable organization (Sanz Jarque, 1963).*

This modification about land property remains justified by the Public Administration only when it acts in order to find out the last objective of the general improvement of the population through the performance of its productive structures. The action makes an important reorientation of interests, both public and private, and the new structure of land property must be accepted by their owners.

#### **3.6.4. Concerned people do not Participate in Decision Making**

It can not be stated that the affecting people do not participate in the making-decision process as it used to make in the theory description of the Social Reform model. The population participation is undeniable and in certain cases, essential. However, the affecting people can not be involved in the "way" to manage the making-decision processes due to the nature - basically legally - within the Agricultural Rights and Public Rights. **The process management is made by the Public Administrative** within an **administrative procedure** that affects a variety of interested people within a certain territory. It is also executed by an authority way and its main effect is the replacement of the existing rights about the lands plots that are object of regrouping of land parcels (Gómez-Jordana, 1963).

This legal essence that impregnates and regulates the process, makes that the participation to be integrated in an excluding way, not constructive. In this way, the rejection by the population about the conditions established in different project phases causes merely a series of difficulties for the execution of the project, letting the creativity away. Maybe, the phase of the project, where the population's contributions are more influenced in the project design, is situated in the classification of the agricultural exploitations and in the valuation of its quality.

Therefore, it is about a type of projects, highly democratic, in where the formulation process has initially the approval of the affecting people, but a procedure already established by the Public Administration can not be modified. On the other hand, the technical design phase about the new location of the agricultural exploitations is frequently made without affecting people's participation (De los Ríos, 2002).

In summary, it can be concluded that in the case for regrouping of land parcels the affecting people participate in the making-decision process in a passive and less creative way, by accepting or rejecting the outcomes of each of the phases within an administrative procedure previously defined.



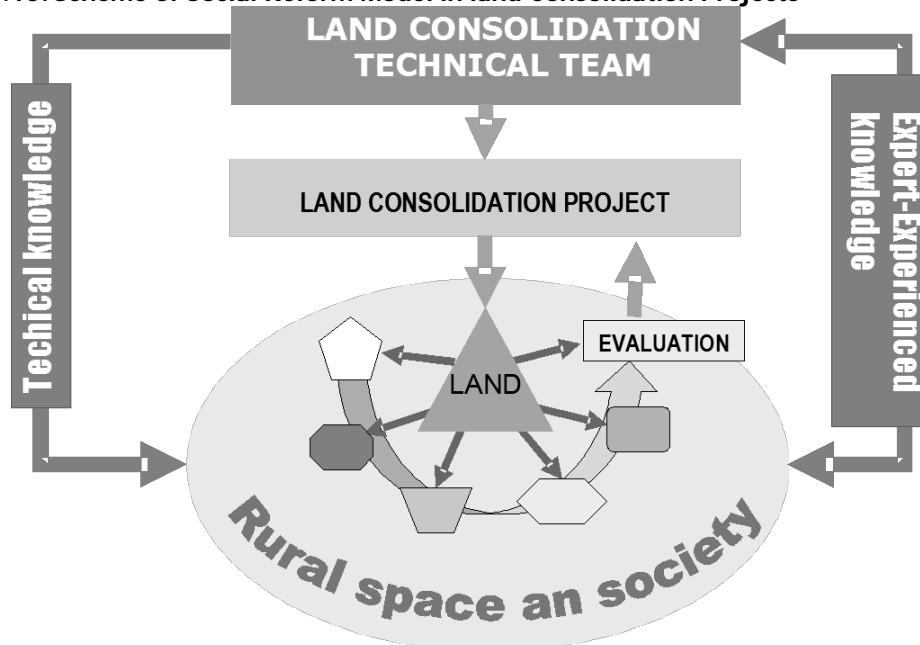
This faculty (last decision) attributed to the population does not pretend to make a participative process, but also to modify one of the main supports of our culture, that is the land property<sup>20</sup>.

### 3.6.5. Graphic Image of the Case Model

In the image 3.10 the different elements involved in the process are schematically represented within the methodological scheme of the planning model (see chapter 2).

In this case “social reformers” would be the technicians and people responsible for the project of regrouping of land parcels - on the basis of their own “technical reason” and after the gathering of all agricultural and social information – to formulate the project of a certain zone. It causes a new land consolidation and as consequence of that, a reform in social relationship system.

**Image 3.10: Scheme of Social Reform Model in land Consolidation Projects**



Source: Own elaboration.

As it can be shown the **social participation** during the formulation process of technical project is so high<sup>21</sup>, so a new element such as experience concept is introduced that complements with the expert knowledge stemmed from the technical reason of the planning teamwork in charge of regrouping of land parcels. However, the presence of social participation in almost all different stages of the process<sup>22</sup> does not

<sup>20</sup> The land property rights when it does not practice are one of the main causes of underdevelopment in many rural zones around the world. For example, native population has not acceded to these rights due to it is an inexistent concept in its traditional culture and this population has not considered necessary at that time to introduce this concept during the transition to modernity.

<sup>21</sup> Based on the documents “definitive foundations”, the calculations are made necessary for the design of project of regrouping of land parcels. In addition to the aspects strictly technical, it is essential to incorporate the social participation that will bring added-value to the final document.

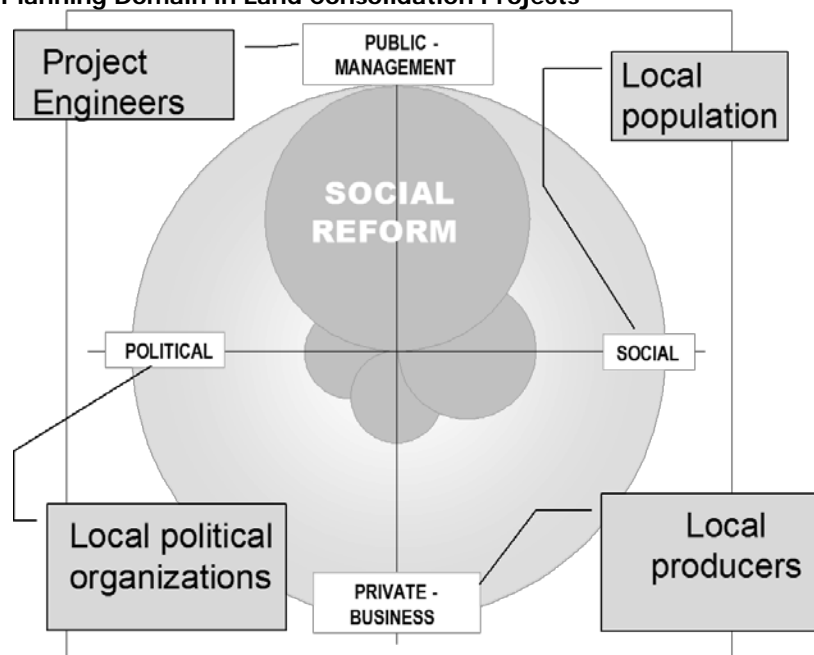
<sup>22</sup> For the study of allotment of new land estates, it is necessary the previous detailed knowledge of the zone and their land types. Also, it is important to have the farmers’ opinions which have previously involved in the process of land classification because they are the people who have more knowledge about

avoid that this type of projects are situated in Social Reform model due to the last decisions belong always to the planning team responsible for the regrouping of land parcels and always within of the legal framework established by the administrative procedure.

### 3.6.6. Case Planning Domain

According to the representation system proposed on the introduction of this part II, it can be reached to the scheme of image 3.11.

**Image 3.11: Planning Domain in Land Consolidation Projects**



Source: Own elaboration.

In the planning case as Social Reform, the planning scope that acquires more importance in the planning is public administration. This has a strong relationship with the economic, business and entrepreneurial process due to the assignment of resources is conditioned to the development of economic activities in the territory. In the scope of land consolidation, as it has been seen before, a large administrative process is produced that resulted in an economic effect, after the agricultural exploitation structure modification.

The origin of this process is determined to a political decision – by a Regional or Local government. It recommends the participation by the Administration, when the parcelling-out of land parcels in a certain zone causes great damages to the zone or the land reallocation project is considered very convenient or necessary for the improvement of irrigated lands. Also it can be made on behalf of the city councils and

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it. In this way, the social participation is again introduced in the design phase for the regrouping of land parcels (De los Ríos, 1996).

must justify the necessity for the action<sup>23</sup>. However, the influence of the political scope in the rest of the process is limited and only the administrative procedure is followed.

Also, the social scope acquires a less active role, by acting the affecting people as recipient of the technical reasons of the process. This people only give information during the participation phases and in the last term, they accept or reject some outcomes about the new property structure design that the expert team "offers".

### **3.7. General Conclusions**

The general conclusions that are generated in this case are the following:

- The development of the agricultural community policy leads to think that in the future new changes of the agricultural productive structure will be necessary. Thus, it is convenient to design the techniques for land consolidation in accordance with the new planning models.
- The last Agricultural Exploitation Modernization Law states the continuity of outstanding structural deficiencies that diminish the competitiveness in the agricultural sector.
- The current agricultural policy is a fixed factor of agricultural surface. New legal Images that prioritize concepts like "priority agricultural exploitation" or "professional agronomists" can facilitate the processes about land consolidation and reinforce the social objective.
- The new role of the farmer as a manager of a social heritage is gaining more importance as well as a producer, so this new activity must be taken into account by incorporating new criteria in the models about land consolidation models and agricultural exploitation planning.
- In the last decades, the necessity to include new social and environmental valuations has been stated in order to support the technical aspects in the development projects.
- The land consolidation is integrated within rural and regional development policies in the European Union. Thus, the new tendencies in rural development must contemplate these new planning processes for land consolidation using novelty methodologies adequate to the new challenges.

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<sup>23</sup> The land reallocation can be started or promote in two different ways in accordance with the legal framework upon the request of the interested people or official letter by the responsible public administration. In the case of the **request of interested people**, at the same time, three possibilities can be distinguished: request of many owners of the zone, request of a number of owners with more than 50% of surface to concentrate, if they establish a commitment to exploit their land plots in an associative way (Law of Agricultural Reform and Development, 1973). The **promotion by official letter** by the Administration can be produced when the parcelling-out of land parcels in a certain zone causes great damages so that the land reallocation is considered very convenient or necessary or when it is made on behalf of the town councils which will have to justify the necessity of this action.

- In this context, the planning team must be a group of professionals responsible for the actions of land consolidation plan by adopting a more entrepreneurial mission for the promotion of new activities together with the population in a more participative approach.
- The integration of the processes of **social learning** is perfectly well-matched and convenient with a planning process as Social Reform in the land consolidation projects. These processes are especially adequate to improve the social acceptance of the project.
- The concepts of professional agronomist, priority agricultural cultivation and land regrouping by agricultural exploitations are very important to define together with the Public Administration responsible for the terms of reference at the beginning of the process of land consolidation with the objective to increase the social effects of the same.

### **3.8. Experiences Obtained in the Planning Domain**

- The **participation of people** in a planning process does not assume to undertake a social learning process. As it has become a common situation in the practice of regrouping of land parcels in Spain, a participative process can be found, even though with certain intensity, within a different **planning framework** with scientific and managerial criteria of the process that come directly from the Administration as **Social Reform Case**.
- The **Social Reform** in its action pattern is presented as an answering process to a necessity observed in the society, however, in the proposed case is the non-efficient structure of land property. Before this necessity, the Social Reform **proposes a deciding operative way** that follows the performance of the used resources. For that reason, it uses a specialized technical team responsible for the performance through the design of the new structure of agricultural exploitations.
- The Social Reform in the current change context states a lack of funds in the scope of projects in rural zone, by being the study case a good example for it and the fact is that the **technical and social viability can not be maintained in the same criteria**. In the case of land consolidation projects the social viability acquires a special relevance up to the point to become an important decision-making element due to the last objective is the modification of the land property. This shortage can be solved through the terms of reference that introduce new social criteria in certain planning process phases.
- Even with the incorporation of the learning elements, the process of regrouping of land parcels answers to the characteristics and aims of the **planning model as Social Reform**. It is about a planning lead by an administrative procedure in a judicial way that is practiced by an "authority way or rule". The difficulties to modify the property structure through bottom-up processes make necessary the intervention of a public administration to lead all the process through an administrative procedure.

