Process of land consolidation in Poland – instruments and their effects

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The structure of presentation

- Introduction – what is a land consolidation and why is it important in land management?
- Material and methods
- Research results:
  - Legal instruments
  - Economic instruments
  - Effects
- Conclusions
Introduction

- What is?
  - .....a process of eliminating fragmentation of farms onto many fields of varying size and shape, frequently located in some distance from one another;
  - ...a tool of reduction of „patchwork” fields;
  - ... a tool of land management
Why is important?

For farms:

• Reduction big number of plots
• Adjusting land layout
• Existing infrastructure for needs
• Decreasing costs
• Allow to implement modern technologies

For local communities:

• leads to separation of functional and spatial areas
• reducing potential spatial, environmental and social conflicts
• stimulating development of functions realized by these areas

......so, it also fosters increase in efficiency and optimization of management in agriculture as well as multifunctional and sustainable development of rural areas
Why important in Poland?

- After EU accession the phenomenon of patchwork fields is increasing:

  - According to data from National Agricultural Census, the percentage of holdings having 10 or more plots of land in 2002 was 4%, whereas in 2010 it was 10.1%, covering 39.2% of all agricultural area.
Farms with 6 or more plots in 2002 and 2010
Okolice Kromieryża (Czechy)
strefa podmiejska Łodzi (Polska)
Okolice Buska-Zdroju (świętokrzyskie)

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Material and methods

- **Aim:** is to present legal and economic instruments used in Poland in process of land consolidation as well as to assess their effects

- **Methods:**
  - study of respective legislation;
  - analysis of statistical data, program documents and reports on structural funds implementation
Legal instruments

- Land Consolidation and Exchange Act from March 26, 1982 (Dz. U. z 2014 r. poz. 700 z późn. zm.)
- consolidation procedure and post-consolidation development are undertaken by the starost as a government administration task
Consolidation procedure can be initiated in two ways:

**upon request:**
- includes most farm holders on projected consolidation area;
- of farm holders, whose total acreage exceeds half of projected consolidation area;
- consolidation encompasses lands located in one or more villages or their parts which create consolidation area;

**ex officio:**
- after obtaining opinion of village administration council as well as any social and professional farmer organizations operating in the village;
- consolidation is requested by investor, whose activity caused or will cause effects enforcing consolidation works (e.g. construction of highways, power grids, melioration)
In either case the consolidation procedure is **conducted by the starost**, while **consolidation works** (project and geodetic) are **performed by geodetic and cartographic unit** indicated by voivodeship marshal;

**consolidation is done based on equality of land value** and not equality of acreage, therefore success of consolidation is determined by **proper determination of land value**
# Consolidation procedure

<table>
<thead>
<tr>
<th>Stage</th>
<th>Tasks</th>
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<tbody>
<tr>
<td><strong>Initiation of consolidation procedure - art. 7</strong></td>
<td>Procedure is initiated by starost’s resolution, read during meeting of consolidation participants. This resolution may be appealed.</td>
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<tr>
<td><strong>Selection of Consolidation Participants Board – art. 9</strong></td>
<td>Consolidation Participants Board, a community advisory board is elected by consolidation participants on meeting called by the starost.</td>
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<tr>
<td><strong>Determination of land assessment rules – art. 11</strong></td>
<td>Assessment rules of lands included in consolidation are passed by participants during meeting called by the starost.</td>
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<tr>
<td><strong>Appointment of the Committee – art. 10</strong></td>
<td>Committee, including Consolidation Participants Board serves consultative and advisory role in the following stages of consolidation. The committee is appointed through starost’s resolution.</td>
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<td><strong>Land assessment – art. 10</strong></td>
<td>Lands covered by the consolidation are assessed by the surveyor accredited by the starost. The assessment is made based on accepted land assessment rules.</td>
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<td><strong>Approval of assessment – art. 13</strong></td>
<td>Land assessment is approved by consolidation participants through a resolution adopted at consolidation participants meeting called by the starost.</td>
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<tr>
<td><strong>Proper consolidation works (geodetic)</strong></td>
<td>In case of approval of land assessment, the proper geodetic works are undertaken by accredited surveyors, including collecting preferences of consolidation participants.</td>
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<td><strong>Presentation of consolidation project to participants – art. 23</strong></td>
<td>The result of consolidation works is the consolidation project, covering planned modifications of borders of consolidated land. After the project is presented to the participants, they may deposit their objections to the project. Changes introduced to the project as a result of these objections require another presentation of the project on the grounds – art. 26.</td>
</tr>
<tr>
<td><strong>Approval of consolidation project – art. 27</strong></td>
<td>Consolidation project is approved by the starost. The decision is announced by reading it on meeting of consolidation participants and posting it for 14 days. This decision may be appealed.</td>
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<tr>
<td><strong>Final decision confirming consolidation project – art. 29</strong></td>
<td>This is the base for disclosure of new legal status in land register.</td>
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Economic instruments:

- Measurable benefits for farm (demand factors)
- State budget
- Local budget
- European funds
- Funds farm owners
Funds allotted for consolidation works in state budget for 2017 were ca. PLN 75 million (0.1% of all funds diverted to voivodes budgets), 69 million of which are designed for co-financing project involving funds from European Union.

This means, that the main stream of financing for land consolidation is currently in Rural Development Program 2014-2020 (PROW). Altogether, ca. EUR 139 million (ca. PLN 600 million) is allocated towards this objective, only 1% of whole PROW 2014-2020 budget.

In previous programming period (PROW 2007-2013) this was EUR 115.4 million.
Effects of land consolidation process

Fig. 1. Extent of land consolidation and exchange in years 1999-2010 (ha)

Source: own work based on (Kozłowski 2011)
By the end of 2014, 34 operations were finished with total cost of PLN 93 159 369,79, including 2 operations totalling PLN 11 384 406,46 pertaining operations initiated in previous programming period.

Realized operations involved 5 818 agricultural holdings with total acreage of 22 085,7 ha.

Total number of plots on record owned by holdings participating in consolidation procedure decreased to 65% of initial number.
Altogether, 110 decisions on providing support were made within “Land consolidation” activity (31% of assumed target value) for total sum of PLN 518 977 890,10.

Operations approved for realization will allow for consolidation of 91,2 thousand ha of land, including over 82,6 thousand ha of farming land and almost 8,6 thousand ha of forests.

This means that during that period, an average of ca. 13 thousand ha of land was consolidated yearly.
Conclusion

- Land Consolidation and Exchange Act does not obligate any public authority to assess needs and develop plans for consolidation and exchange of land.
- Consolidation procedures are usually conducted “upon request” from interested party or “ex officio” (usually in case of public investments).
- At the same time, financial support is generally limited to programs co-financed by European funds and thus cannot fulfil the needs resulting from still growing patchiness.
PRZED REALIZACJĄ

W TRAKCIE REALIZACJI

PO REALIZACJI
PRZED REALIZACJĄ

PO REALIZACJI
References

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Thank you for your attention