



Land readjustment (LR)

Its potential for Africa

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- Research and consultancy
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 - *Of Planting and Planning: The making of British colonial cities* (1997)
 - *Planning Use Classes* (1989)
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 - land titling and peri-urban development

What is LR?

- A technique for land development which
 - assembles and re parcels land
 - recovers infrastructure costs
 - redistributes financial benefits (betterment) between land-owners and development agency
- Also known as:
 - land pooling
 - re parcelation
 - repartition
 - land consolidation

Stages in LR

1. Initiation

- usually petition by majority of property-owners to the local authority
- minority dissenting landowners can be forced to contribute land
- designate area of land
- appoint public agency or private association of landowners
- appropriate enabling legislation (directors of association, conduct of meetings etc.)

Stages in LR

2. Plan

- Master plan
 - ignore previous ownership pattern
 - subdivision
 - future uses
 - re-plan road layout & road closures
 - public spaces
 - demolition of buildings

Stages in LR

3. Costs

- Measure plot areas before and after readjustment
 - computer programmes locate the readjusted plots and calculate revised areas
- Estimate total market price of saleable plots
- Estimate infrastructure costs, including administrative, interest etc.
- 'Cost equivalent' plots should cover infrastructure and project costs

Stages in LR

4. Reallocation

- Return balance of plots back to landowners
 - typically 60% of the land area contributed
 - located as nearly as possible to original position
- Undertake development
 - outside developers?
- Sell cost-equivalent plots, retaining reserve land, as project proceeds

History: Germany

- Origins with Lex Adickes 1902 (Frankfurt-am-Main)
 - rapid urban growth created housing land shortage because of land fragmentation
 - Mayor of Frankfurt, Franz Adickes, sponsored Act
 - regroupment petitioned by owners of half of the land or by LA
 - 40 per cent limit on land area expropriation without compensation
- Extensively used for post-war reconstruction (1954 Act).

LR (kukaku seiri) in Japan

- Introduced 1919 from Germany
 - Great Tokyo earthquake 1923
- Post-War reconstruction
 - Applied to 30 % of urban areas
 - MacArthur land reforms created 2m owner-occupied farms
 - multi-level or vertical replotting in high-density urban areas
 - 1963 New Towns Act used LR
 - only way to fund basic infrastructure with land owner contribution
- Decline in recent years
 - end of speculative land bubble of 1980s
 - small land-owner opposition
 - loss of land area without compensation claimed violated constitutional rights.

LR in India

- Introduced by 1915 Bombay Town Planning Act
 - previously improvement trusts and infrastructure charge
 - betterment
 - costs of implementation and public land deducted
 - 50:50 split land-owners: local authority
 - applied to suburban housing development on light railway
- Post-independence
 - successor states of Maharashtra (1966) & Gujarat (1976)
 - Socialist state of Kerala

LR in Israel/Palestine

- Introduced by British Mandate
 - 1921 Town Planning Act
 - Former Ottoman *tanzimat* law
 - expropriation for highways
 - communal land repartitioned
- Large-scale application for Jewish settlement on coastal zone
- 1965 Israel Planning and Building Law (art. 7)
 - combine plots with or without consent
- Recent opposition
 - property-rights protectionism

LR elsewhere

- South Korea
 - introduced by Japanese colonial power
- Other Asian countries
 - Taiwan, Indonesia, Nepal, Thailand, Malaysia
 - biennial conference sponsored by Japanese
 - Osaka December 2002
- Central Rotterdam after 1940 bombing
- Attempts in United States
 - Washington, DC
 - Hawaii
- Louvain Nouvelle University, Belgium

Why not in Britain?

- Discussed by planners but never adopted in law
 - British tradition of large estates
 - property inheritance by primogeniture
 - enclosures movement
 - compulsory purchase and compensation provisions
 - strong regulatory framework for infrastructure
 - Public Health Acts and Private Street Works Act 1892
 - Model Clause 42 in planning schemes
 - LA adjusts boundaries, agreed between the parties with a deed of exchange
- Post-1947
 - discussed but rejected in Uthwatt Report 1944
 - Section 106 agreements (planning gain & obligations)

Potential of LR

- Increasing relevance to developing countries
 - rapid urban growth
 - land titling programmes
 - secure tenure policies (De Soto)
- Possible applications:
 - peri-urban informal settlements
 - inner city regeneration
 - antiquated subdivisions (California, Florida)
 - Environmental/coastal protection zones
 - after disasters (earthquakes, fires, wars)

Pre-requisites for LR

- politically acceptable to land-owners
- established (and rising) land market
- recognized valuation rules
- public confidence in implementing agency (usually municipality)
- land ownership validated through a formal land titling system
- legal machinery
- technical expertise

Access to land and secure tenure

- Land, poverty and exclusion
- UN Habitat campaign for secure tenure
- World Bank land titling agenda
- From squatter settlements to informal settlements
- Hernando de Soto
 - *The mystery of capital* (2000)
 - 'give people a land title and the world is their oyster'
(Alan Gilbert)

De Soto's 'six property effects'

1. Fix the economic potential of assets
2. Integrate dispersed information into one system
3. Make people accountable
4. Make assets fungible
 - n capable of being divided, combined or mobilized to suit any transaction
5. Network people
6. Protect transactions

African peri-urban areas

- lacking utilities and infrastructure
- institutional fragmentation
- 'cloudy' land title
- ineffective regulation
- social fragmentation
- speculative subdivision & development

Benefits of LR

- Land for public purposes at no cost
- Infrastructure provision at no direct cost
- Planned development
- Political acceptability to land-owners
 - they participate in the benefits
- Economies of scale for large projects
- Discourages land speculation

Disadvantages of LR

- Slow procedures
- More suited to high-value plots
- Requires expertise
- Interferes with property rights
- Valuation rules

DfID Research Project R8062

- Land titling, poverty alleviation and peri-urban development
 - Botswana
 - Trinidad
 - Zambia
- Types of intermediate land title
 - tribal land board customary grant (Botswana)
 - certificate of comfort (Trinidad)
 - council lease (Zambia)
- Social impacts of land titling
 - interview plottolders in peri-urban areas