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**The Consolidation of
Farms in Six Countries
of Western Europe**



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REALLOCATION OF FARM LAND IN THE NETHERLANDS¹

Historical Review

REALLOCATION in the Netherlands is something relatively new. Before 1924 there was no legal basis for it, and it could be done only with the voluntary concurrence of all the people concerned. It stands to reason that in such circumstances no large-scale regrouping was possible, and up to that time only three areas of a total size of 540 hectares were reallocated, the first of them dating back to 1915.

The year 1924 saw the first legal provisions dealing with the subject. Under them a vote had to be taken as to whether regrouping should be undertaken or not, and a double majority was necessary before a scheme could be carried out, that is, first a majority of owners and secondly a majority of owners representing the greater part of an area. That meant that regrouping could be held up either by a minority consisting of big landowners owning more than half of the area or by a majority of small owners owning less than half the land. Under the law of 1924 twenty-nine areas of about 10,700 hectares were reallocated.

The law of 1924 with its several drawbacks hindered large-scale regrouping, and in 1938, therefore, a new law was passed. This stimulated the reallocation of land very considerably and differed from the law of 1924 in the following respects:

1. It was made easier for interested parties to apply for reallocation;
2. It was no longer necessary to have a double majority before a decision to regroup land could become effective, the single majority being henceforth sufficient;
3. The cost of regrouping was much reduced.

¹ The word reallocation may be taken as corresponding to the word consolidation in previous articles.—Ed.

The official machinery needed to prepare and carry out the provisions of the law of 1938 already existed with a result that the speed of reallocation increased considerably after that date. Then unfortunately came the Second World War which interrupted the trend, though in the early part of the war the rate of execution of reallocation schemes continued to increase. Practical difficulties soon arose, however, because of shortage of materials and workers. After the liberation in 1945 work was resumed again as quickly as possible although the country was completely disorganized. The result was that the figures showing the progress of regrouping started to rise again despite the difficulties in the supply of labour and materials. The following figures for the years from 1924 to the present show the areas for which requests for reallocation have been made, those for which reallocation has been actually begun, and those for which reallocation has been completed.

<i>Year</i>	<i>Requested areas</i>	<i>Areas in execution</i>	<i>Completed areas</i>
	<i>hectares</i>	<i>hectares</i>	<i>hectares</i>
1924	320
1925	1,485	1,553	..
1926	510	1,719	..
1927	2,330	538	1,719
1928	6,157	1,738	..
1929	970	2,423	538
1930	662	3,187	202
1931	2,049	2,006	1,927
1932	700	1,673	333
1933	687	3,192	651
1934	900	2,281	1,022
1935	..	1,990	291
1936	2,269	1,931	59
1937	3,840	1,306	1,931
1938	11,082	3,260	1,304
1939	45,511	4,424	525
1940	32,056	18,167	648
1941	65,720	34,693	4,296
1942	17,701	39,306	845
1943	9,776	41,792	741
1944	50,238	40,662	1,919
1945	20,780	35,874	4,825
1946	45,930	33,933	3,394
1947	32,341	38,223	689
1948	24,884	41,086	8,360
1949	37,260	56,606	5,597
1950	38,106	68,379	1,034
1951	71,705	77,048	12,213

REVIEW OF THE REALLOCATION IN THE NETHERLANDS

AT THE END OF 1951

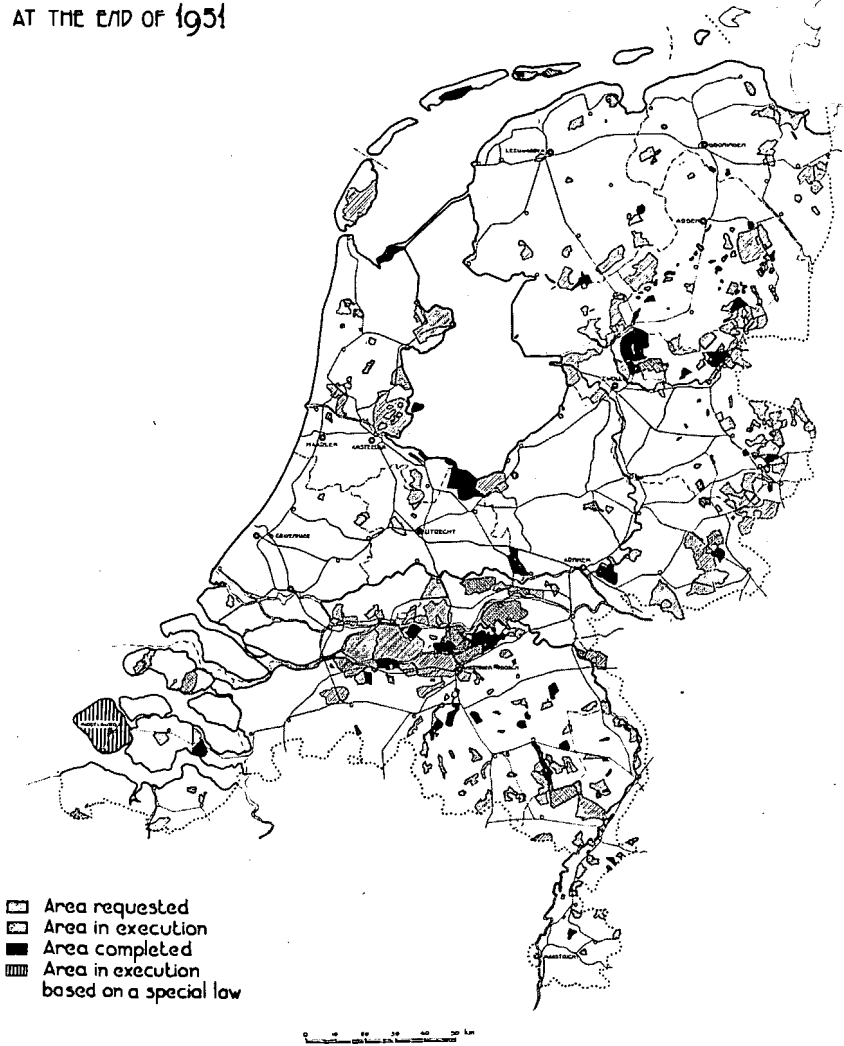


FIG. 1

NEED OF REALLOCATION IN THE NETHERLANDS

AREAS COMPLETED AND IN EXECUTION ARE EXCEPTED

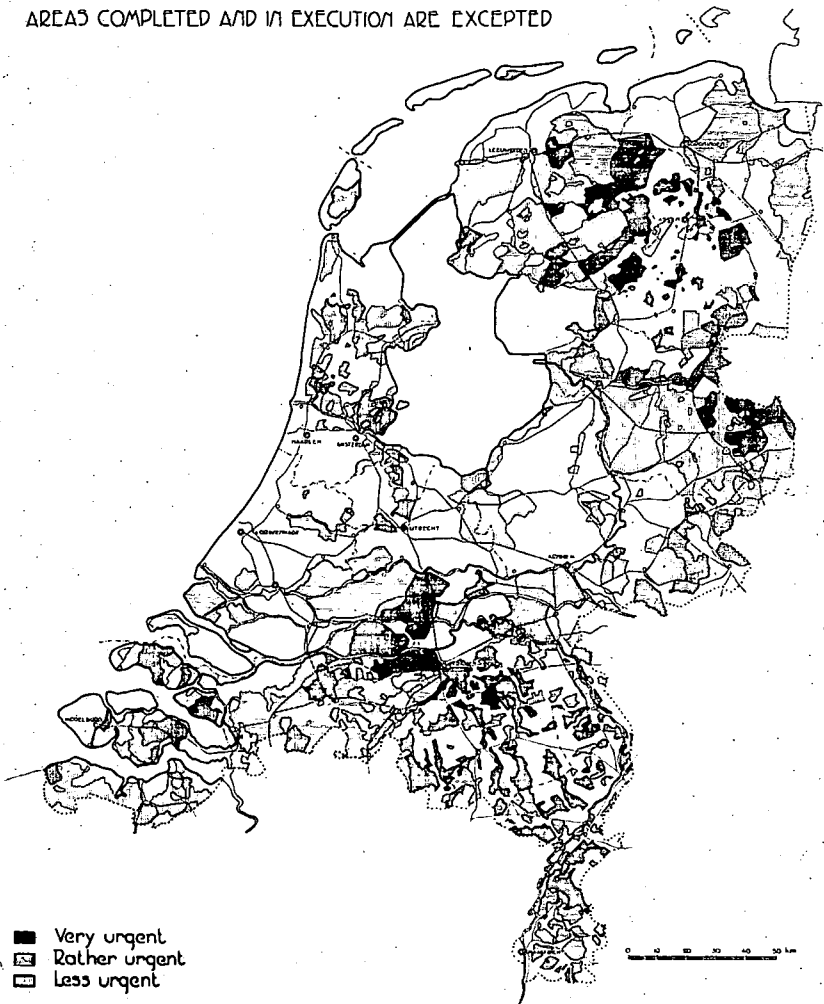


FIG. 2

Reallocation at the end of 1951

<i>Province</i>	<i>Areas in preparation at the end of 1951</i>	<i>Areas in execution at the end of 1951</i>	<i>Areas completed since 1924</i>
	<i>hectares</i>	<i>hectares</i>	<i>hectares</i>
Groningen	17,180	3,025	404
Friesland	13,424	2,092	2,707
Drenthe	30,679	6,280	3,617
Overijssel	60,637	14,209	8,549
Gelderland	51,749	24,137	9,738
Utrecht	6,772	..	6,946
Noord-Holland	35,249	5,295	2,718
Zuid-Holland	7,074
Zeeland	4,648	6,545	1,546
Noordbrabant	72,017	5,904	16,572
Limburg	22,430	9,561	2,266
Netherlands	321,859	77,048	55,063

During the course of these years there were changes not only in the legal basis but also in the character of the schemes. As time went on, reallocation assumed more and more the character of total land improvement. Thus, not only were properties regrouped, but necessary roads and watercourses were constructed, and the water-level was controlled with increasing efficiency by means of all kinds of new works, such as pumping stations for draining and water supplies, weirs, irrigation works, and so forth, according to the needs of the area. Access by roads was made as complete as possible while the agricultural road system was linked up and co-ordinated increasingly with the primary, secondary, and tertiary roads. In many cases public traffic roads were built at the time that reallocation was carried out, and wherever possible farmhouses were moved and rebuilt as needed. The plan for the regrouping of land was linked up with general town and country planning.

Finally, measures were taken for reclaiming, levelling, tile-draining, &c., the plots in order to get as much advantage as possible from the reallocation. This made it possible for the capital investment to return a maximum rent.

The reallocation, therefore, developed into a complete planning measure, linked in its wider aspects with the layout of the landscape and with scientific and defence requirements. All this has been done within the framework of the law of 1938, modified in some respects in 1941.

Legal arrangements

Without going into detail, the present legal arrangements may be briefly described. Two kinds of regrouping of land are recognized:

1. Regrouping by mutual agreement;
2. Regrouping by law.

1. *Regrouping by mutual agreement*

This can be carried out if all the owners affected (not less than three) agree to pool their properties and to redistribute them according to a pre-arranged plan which forms part of their agreement. In this arrangement persons may take part who do not put land into the pool but who bring in money and receive land in return, or vice versa.

Subject to the approval of the Minister of Agriculture, the parties may adopt some sections of the law of 1938 as applying to their case, and the appropriate provisions of 'legal reallocation' can then be used in the agreement.

Experience shows that this kind of regrouping is not very popular and is used mainly for small areas with small numbers of owners. It may be regarded as of minor significance.

2. *Regrouping by law*

The general responsibility for regrouping is put on a Central Commission formed partly of representatives of agricultural organizations and partly of officers who act in an advisory capacity. Consequently the Ministry of Agriculture (including the State Forest Administration), the Ministry of Finance (Land Registry), the Ministry of War, and the Ministry of Public Works are represented on the Central Commission. The secretariat of the Commission is in the hands of the Cultuurtechnische Dienst, a state-service of the Ministry of Agriculture. The responsibility for a reallocation scheme is put, in the first instance, upon a local commission, appointed by the provincial administration on the advice of the Central Commission. The local commission consists of a maximum of five members. The Minister appoints a land surveyor while other experts, such as county agents, officers of waterboards, and so on can be added by the Central Commission.

The provisions of the law can operate only after an official request has been made. This request must be sent to the provincial administration either by at least one in five of the owners affected, or by an

organization concerned with agriculture, or by a public body (e.g. state, province, municipality, or waterboard). The request is forwarded to the Central Commission for their advice, who, after investigation, draft a temporary plan for roads, watercourses, dikes, bridges, &c., for the area concerned. This temporary plan is then sent back to the provincial administration for adoption. The boundaries of the planned reallocation may differ from those of the original request. The provincial administration then publishes the plan and the list of owners in the municipalities in which the reallocation scheme is situated, and interested parties may raise objections within one month. Thereafter a meeting of all the owners concerned is held under the chairmanship of a member of the provincial administration and a vote is taken after he has given exact details of the area affected. Voting takes place on the basis of the land register. Those who, according to the register, are landowners within the area are personally invited to vote for or against the scheme.

The following rules apply:

- (a) those who abstain from voting are considered to have voted in favour,
- (b) in the case of joint-owners, each owner votes for his proportionate share,
- (c) in cases of long leases and similar tenures the area of a plot is not counted if the voting members do not agree with each other,
- (d) the decision in favour of a reallocation scheme is assumed when either a majority of owners, or owners representing the greater part of the area, have voted in favour.

If a scheme is rejected, the Minister of Agriculture with the advice of the Central Commission may still sanction it if its adoption seems essential in the public interest.

After a decision to reallocate has been taken, the local commission is appointed as quickly as possible, and the building of roads, watercourses, bridges, &c., can then begin. The land can be drained, levelled, cultivated, and so on. In furtherance of these works, soil may be removed, and buildings taken down, removed, or built. The owners have to submit to all this but they may enter claims with the local commission who settle the compensation.

As soon as the decision to carry out a reallocation has been taken, the court of justice concerned appoints an investigating judge. The

local commission has, as its first task, to ascertain which persons have rights in the area, and exactly what these rights are. For this purpose it is necessary to estimate the value of the fixtures and other rights of each owner. For this, the local commission nominates valuers who work to rules laid down by the Central Commission. The rights and valuations are listed and publicly exhibited and opportunity is afforded for complaints to be advanced. These are considered first by the local commission and, in default of agreement, by the investigating judge and finally by the Court. The rights of owners thus having been established, there is a definite starting-point for the final plan of reallocation. Next, the local commission has the task of working out the provisional plan of roads, watercourses, and dikes with their culverts, bridges, weirs, and so on. After approval by the Central Commission this plan is sent to the provincial administration for definite assent and for the ownership, control, and maintenance of the new works to be settled on the advice of the Central Commission. After this the local commission can begin with the redistribution of the rights of each owner within the framework of roads, watercourses, and dikes. In this way the final plan of reallocation comes into being.

The law makes the following requirements:

- (a) the value of the land required for new roads and watercourses is deducted from the total value of the land of the entire area. Of the remaining value each owner receives back his proportionate share. This may not differ by more than 5 per cent. from his original ownership unless he agrees. Differences of less than 5 per cent. are adjusted in money,
- (b) subject to the above provisions each owner has the right to receive back as much land of the same kind as he originally brought into the scheme,
- (c) there must be access to each plot by a public way and also access to main drains,
- (d) land-rights and leases have to be adjusted or given up, the necessary compensations being made in money,
- (e) mortgages, &c., are transferred to the new plots of the mortgagor,
- (f) plots may be allotted to the State against monetary compensation,
- (g) wherever necessary, plots may be entirely or partially freed from the cost of the reallocation.

After the reallocation plan has been drawn up by the local commission it is submitted for sanction to the Central Commission. It is then made available for public inspection. Complaints, which may be lodged by parties named on the list, are examined and settled by the local commission and, in default of agreement, by the investigating judge and finally by the Court. After the plan has been sanctioned by the Court everybody may enforce his rights by recourse to law. Finally, a document embodying the details of the reallocation is written by a notary public. This document is registered at the land registry office.

With regard to costs, the law provides that the state shall bear the cost of the Central Commission (the making of plans, &c.), the land register, the cost of meetings, publications, and the like. All other costs are advanced by the state, and after the scheme has been carried out, they are apportioned to the plots according to their size, though certain plots may be entirely or partially exempt from the costs. The amounts debited to the plots are repayable over a period of thirty years at 5 per cent., and are levied through the land tax. This so-called reallocation rent can be converted according to definite rules.

In the case of the transfer of land the debt is taken over by the new owner, and where the plots are divided the debt is apportioned according to the size of the new shares.

Execution and organization

As has already been noted, the Central Commission makes use of the Cultuurtechnische Dienst, the governmental service of land improvement with its seat at Utrecht. This service is subject to the control of the Minister of Agriculture. In addition to the head office at Utrecht it has thirteen provincial offices whose task is to plan and popularize improvement schemes and to supervise their execution. It also deals with the financing of the schemes and subsidizes them, but as it has a relatively small number of officials it makes use of private bureaux for technical assistance.

The execution of reallocation schemes, in so far as the surveying and registering of land is concerned, is undertaken by the 'land reallocation service' of the Land Register, which functions under the Minister of Finance whose surveyors are added to the local commission. All the activities of the governmental services are paid for by the state. The actual execution of the improvement works under the scheme is

left to private bureaux and contractors, while the supervision is done by the Cultuurtechnische Dienst.

The technical and agricultural aspects of reallocation

As was stated at the beginning, the aim is to achieve as great an improvement of an area as possible, and it goes without saying that the arrangements for different schemes may themselves be very different and may emphasize different aspects. The distinction has to be made between those measures of land improvement which are concerned with an area as a whole and those which are concerned only with single plots.

In the first place, an area is treated as a whole as regards water control. A plan for the watercourses is made and a complete drainage scheme provided for. Where there is no natural discharge, or where it is insufficient, pumping stations are set up. The plans for ditches are such that excess water can be drained off every plot of land. It is clear that the needs of drainage are determined by the variations in soil conditions and may be different for different areas. So far as possible, the aim is to provide against lack of water in times of drought in order to keep enough drinking water for cattle and to avoid damage of crops by drought. In this respect conditions may vary considerably. Wherever necessary and wherever possible, works are undertaken for supplying and distributing water and for keeping it at the required level.

The second measure which is taken for the area as a whole is the construction of new roads and the improvement of existing ones. A road system has to conform to the following requirements:

- (a) Together with the watercourses, it must form a grid-like system of such a kind that the land between roads can easily be divided into plots of suitable size and shape from the point of view of rational exploitation,
- (b) The distance between a farmhouse and its land should be as short as possible,
- (c) Carting must be possible in all weathers and on a scale required for intensive cultivation,
- (d) The land must be accessible, so far as possible, by public roads,
- (e) Because roads involve loss of ground and costs of construction

and maintenance, needs should be met by a minimum of roads,

- (f) The road system must form a logical whole and fit into the general road system.

Finally, it must not be forgotten that roads and watercourses are factors determining the beauty of the landscape. Of roads it may be said that some of the variable conditions of soil and so on affect the way in which they are made, whereas their density varies particularly in relation to the sizes of the agricultural holdings. Superfluous roads can disappear, others can be reclaimed. Within the framework of roads and watercourses properties have to be consolidated and planned in such a way that plots are formed which are of the right shapes and proportions, having good ratios of length to breadth. The aim is to have plots as large as possible, and for this purpose old ditches that are no longer needed are filled in and new boundary ditches dug. The new plots must be as suitable as possible for machine cultivation. Whenever reclamation, levelling, and similar measures are required for the better reallotting of the land they are carried out by the local commission.

All the works so far described are carried out without the individual owners having any direct influence over their execution. The local commission acts in their name, considering the area as a whole. It is another matter, however, when it comes to works of land improvement which affect single new plots. These works are carried out in close co-operation with the owner concerned. Some plots have to be drained, others have to be reclaimed or levelled. Also, there are some which do not require any further works and where it is only a question of filling in old ditches. For all these works a plan is drawn up plot by plot together with an estimate of expenditure and a scheme for subsidizing the costs. Finally, it is possible to build or re-erect farm buildings on the new plots, in which case utility works (electricity) also can be carried out.

In conclusion, it may be said that the aim is to make reallocation as satisfactory from the point of view of land improvement as is possible within the framework of the law, so that, with methods of good husbandry, the highest possible yields can be achieved. The increases of yield which can be achieved by reallocation differ according to circumstances, but it is assumed that there will be an average increase of some 20 per cent.

The financial aspects of reallocation

When discussing the legal arrangements, mention was made of the amount of the costs which in principle have to be contributed by the owners. It is evident that these costs are such that, without definite aid on the part of the state, the owners would not undertake the reallocation. For this reason the Cultuurtechnische Dienst is given power to assume a part of the costs as determined in each case and for each area as follows. A list is made of all the work which needs to be undertaken and an estimate made of the betterment value expected to result from it. Thus the total private gains can be balanced against the total expenditure required. The former amount generally to between 25 and 40 per cent. of the total cost, leaving a gap of between 60 and 75 per cent. to be met by a subsidy. If this should seem high, it may be said that the social and economic value of reallocation may be put at from three to four times the private gain. According to whether the circumstances are more or less favourable, the costs of execution vary. For roads, watercourses, dikes, and similar capital improvements they may range from 400 to 1,500 guilders per hectare. In the case of a 70 per cent. subsidy, the amounts to be paid by the owners range from 120 to 450 guilders per hectare, corresponding to an annual burden ranging from 6 to 22.50 guilders per hectare over a period of thirty years. These figures do not include the costs of occasional special works for single plots, such as tile draining, reclaiming, levelling, and the like, which may vary from 500 to as much as 5,000 guilders per hectare. For these costs subsidies are also given, ranging from 50 to 75 per cent. The part of the costs which is not met by subsidies is charged to the single plot and added to the other costs of reallocation.

The need for reallocation.

The whole cultivated area in the Netherlands is about 2.5 million hectares. Of one-third of it, or about 850,000 hectares, it can be said that the holdings are insufficiently consolidated and do not meet the requirements of modern rational agricultural cultivation. If Dutch agriculture is to maintain its position, it is an absolute necessity that this area be reallocated within a reasonable time. It stands to reason that the urgency is not the same everywhere and those areas where reallocation is most urgent will be improved first, at least if the farmers concerned applied for it.

As shown by the figures on page 35 the areas for which requests for replanning have been made are more than 300,000 hectares whereas those for which reallocation has been completed are about 55,000 hectares. In the near future it is hoped to reallocate areas of about 20,000 hectares a year. By working at this capacity the job can be finished within about forty years.