

From Rural to Urban Land Consolidation - an Analysis of Recent Urban Cases Treated in the Norwegian Land Consolidation Court

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SUMMARY

Traditionally land consolidation in Norway has pursued in rural areas. The first trace of urban competency in the legislation is found in the land consolidation act from 1950, but the jurisdiction was very limited and few cases heard in court. The act was amended on in July 2006 to include urban areas with a more comprehensive jurisdiction, but at that moment the land consolidation act still was characterized by agriculture as the main focus and renewal of the legislation was necessary. The renewed Norwegian land consolidation act came into force in 2016. The act had undergone major changes.

In this paper, we will analyze some urban cases treated in the Norwegian Land Consolidation Court. We investigate challenges in land consolidation in urban areas. We focus on four different measures. 1) Modifications to property and perpetual easements, 2) Establishing of joint ownership, 3) Division of property in personal joint ownership and 4) Distribution of net added value from rezoning.

We conclude, among other things, with that land consolidation is of great importance for urban development, but there are still challenges in the land consolidation act. Urban land consolidation was not a key issue in this preparatory works of the act. This comes strongly into view in distribution of net added value from rezoning.

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