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BSR INTERREG III B Project
"COMMIN - Promoting Spatial Development by Creating Common MINDscapes"
Comparison of Planning Systems



Table 5: Participation

| Sub-theme | | 1 Statutory requirements for information on the initiation of planning (answers sorted by levels) | | | 2 The entitlement to inform and the right to get access to information (answers sorted by levels) | | |
|-----------|----------------|---|--|--|--|--|--|
| Country | Question | 1) What are the statutory requirements for the information on the initiation of planning? | 2) What are the statutory requirements for the information about the plan proposals before the plan's adoption? | 3) What are the statutory requirements for the information about the plan adopted? | 1) Are there statutory requirements for public access to information? | 2) Should the public in general, the owners of real property in particular and the neighbours in particular be informed about planning activities and decisions? | 3) Is the planning authority obliged to answer questions or demands individually? |
| | Planning level | | | | | | |
| BELARUS | national | There are no statutory requirements for the information on the initiation of planning at national level. | A statutory requirement for the information about the plan proposals at national level is the announcement of proposals for national binding provisions in organizations and state bodies, regional and local authorities concerned. | At national level, a statutory requirement is the proclamation of an adopted national plan according to governmental information procedures (incl. mass media) and information dissemination among organizations and state bodies concerned. | Documents and recordings in the possession of the authorities are public, unless their publication has for compelling reasons been specifically restricted. De jure everyone has the right of access to public documents and recordings through the appeal to authorities. At the same time, there are no special publications to get public acquainted. | Yes, concerning planning activities and decisions at national level, there is the "Public information principle", according to the Planning & Building law. | Yes, at national level, the planning authority is obliged to answer questions or demands individually. |
| | regional | There are no statutory requirements for the information on the initiation of planning at regional level. | A statutory requirement for the information about the plan proposals at regional level is the announcement of proposals for national binding provisions in organizations and state bodies, regional and local authorities concerned. | At regional level, a statutory requirement is the proclamation of an adopted regional plan according to governmental information procedures. The relevant local authority (Regional Executive Committee) is responsible for proclamation. | At national, regional, local master and local detail level, the statutory requirements for public access to information are the same (s. "national level"). | Yes, the local authority is responsible to inform the public about planning activities and decisions at regional level. | Yes, at regional level, the planning authority is obliged to answer questions or demands individually. |
| | local master | There are no statutory requirements for the information on the initiation of planning at local master level. | A statutory requirement for the information about the plan proposals at local master level is that the relevant local authority (City/ town Executive Committee) is responsible for organization of public hearings. | At local master level, a statutory requirement is that the relevant local authority (City/ town Executive Committee) is responsible for proclamation of the master plan. | At national, regional, local master and local detail level, the statutory requirements for public access to information are the same (s. "national level"). | Yes, the local authority is responsible to inform the public about planning activities and decisions at local master level. | Yes, at local master level, the planning authority is obliged to answer questions or demands individually. |
| | local detail | There are no statutory requirements for the information on the initiation of planning at local detail level. | A statutory requirement for the information about the plan proposals at local detail level is that the relevant local authority (City/ town Executive Committee) is responsible for organization of public hearings during the detailed plan's development. | At local detail level, a statutory requirement is that the relevant local authority (City/ town Executive Committee) is responsible for proclamation of the detailed plan. | At national, regional, local master and local detail level, the statutory requirements for public access to information are the same (s. "national level"). | Yes, the local authority is responsible to inform the public about planning activities and decisions at local detail level. General administrative provision: If the decision of a matter may have a significant effect on the living or working conditions or other conditions of others than the parties, the authority shall reserve such persons the opportunity to receive information on the bases and objectives of the consideration of the matter and to express their opinion thereon. | Yes, at local detail level, the planning authority is obliged to answer questions or demands individually. |
| DENMARK | national | As a statutory requirement for the information on the initiation of planning at national level, after each election to the Folketing (Denmark's parliament) the minister for the environment submits a national planning report to the Folketing Denmark's parliament, environmental and regional planning committee. | As a statutory requirement for the information about the plan proposals at national level before the plan's adoption, the report is submitted as a proposal with potential alternatives. Public debate is solicited and the Folketing Denmark's Parliament traditionally debates the national planning report. | | Yes, there are statutory requirements for public access to information at national level. | Yes, the public in general should be informed about planning activities and decisions at national level. | |
| | regional | | As a statutory requirement for the information about the plan proposals at regional level before the plan's adoption, the regional spatial development plan must be subject to public comment for at least 8 weeks before it can be adopted in final form by the regional council. | | Yes, there are statutory requirements for public access to information at regional level. | Yes, the public in general should be informed about planning activities and decisions at regional level. | At regional level, the planning authority is not obliged to answer questions or demands individually but it is often done. However the individual questions are always taken up at the regional council and noted in the minutes which are possible to find in the webpage. |
| | local master | There are statutory requirements for the information on the initiation of planning at local master level. The public should be informed before a plan proposal is elaborated (early public participation). | As a statutory requirement for the information about the plan proposals at local master level before the plan's adoption, the proposal must be published and debated for at least 8 weeks before being adopted in final form. | | Yes, there are statutory requirements for public access to information at local master level. | Yes, at local master level, the public in general, the owners of real property in particular and the neighbours in particular should be informed about planning activities and decisions. | At local master level, the planning authority is not obliged to answer questions and demands individually, but it is often done. However the individual questions are always taken up at the municipal council and noted in the minutes which are possible to find in the webpage. |
| | local detail | | As a statutory requirement for the information about the plan proposals at local detail level before the plan's adoption, a local proposal must be published accompanied by a report on the purpose and content of the plan as well as relation to the municipal plan or other plans. The public must have at least 8 weeks to comment on a local plan proposal before the municipal council may adopt it finally. | | Yes, there are statutory requirements for public access to information at local detail level. | Yes, at local detail level, the public in general, the owners of real property in particular and the neighbours in particular should be informed about planning activities and decisions. | At local detail level, the planning authority is not obliged to answer questions and demands individually, but it is often done. |



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| Sub-theme | | 1 Statutory requirements for information on the initiation of planning (answers sorted by levels) | | | 2 The entitlement to inform and the right to get access to information (answers sorted by levels) | | | |
|--------------|----------------|---|--|---|--|--|--|--|
| Country | Planning level | Question | 1) What are the statutory requirements for the information on the initiation of planning? | 2) What are the statutory requirements for the information about the plan proposals before the plan's adoption? | 3) What are the statutory requirements for the information about the plan adopted? | 1) Are there statutory requirements for public access to information? | 2) Should the public in general, the owners of real property in particular and the neighbours in particular be informed about planning activities and decisions? | 3) Is the planning authority obliged to answer questions or demands individually? |
| | | ESTONIA | national | | Statutory requirements for the information on the initiation of planning at national level. Any notices regarding initiation of the preparation of a national spatial plan shall be published in the Appendix to the State Gazette. Also, the Ministry of Internal Affairs shall publish within one month after the decision to initiate planning a notice concerning the initiation of the preparation of the national spatial plan and communicate the objectives of the initiated planning in the daily nation-wide newspaper. | Statutory requirements for the information about the plan proposals before the plan's adoption at national level. The ministry administering the preparation of the national spatial plan shall present the main planning outline in the relevant newspaper. | Statutory requirements for the information about the plan adopted at national level. A notice concerning the adoption of a national spatial plan shall be published in the relevant newspaper. | Yes, there are statutory requirements for public access to information at national level. The Planning Act prescribes that planning activities are public. Public disclosure is mandatory in order to ensure the involvement of all interested persons and the timely provision of information to such persons and to enable such persons to defend their interests in the process of planning. The ministry administering preparation of a plan is required to ensure the preservation of information and materials collected in the course of preparation of the plan and that interested persons have access to such information and materials. |
| regional | | | Statutory requirements for the information on the initiation of planning at regional level. A county governor shall organise the public display of the county plan of the initiation of county planning concerning the territories of those local governments within two weeks as of the date on which the decision to initiate planning is made. Also, a county governor shall publish within one month after the decision to initiate planning a notice concerning the initiation of the preparation of the county plan and communicate the objectives of the initiated planning in the relevant newspapers. | Statutory requirements for the information about the plan proposals before the plan's adoption at regional level. The county governor shall, at least one week before displaying the plan to the public, publish a notice in the relevant newspaper setting out the time and place of the public display of the county plan and the time and date of the public discussion regarding the plan. | Statutory requirements for the information about the plan adopted at regional level. A county governor shall publish a notice concerning the adoption of a county plan in the relevant newspaper within one month as of the decision to adopt the plan. A county government shall send a copy of the decision to adopt a county plan and the adopted county plan to the local governments of the planning area and to the Ministry of Internal Affairs within one month as of the date on which the plan is adopted. | Yes, there are statutory requirements for public access to information at regional level. The Planning Act prescribes that planning activities are public. Public disclosure is mandatory in order to ensure the involvement of all interested persons and the timely provision of information to such persons and to enable such persons to defend their interests in the process of planning. The county governor administering preparation of a plan is required to ensure the preservation of information and materials collected in the course of preparation of the plan and that interested persons have access to such information and materials. | Yes, the public in general should be informed about planning activities and decisions at regional level using the relevant newspaper(s). Owners of real property in particular should not be informed, but concerning the information of neighbours, a county plan shall be prepared in co-operation between the county governor preparing the plan and the county governors of counties neighbouring on the planning area. Concertation of a county plan shall be sought from the county governors of counties neighbouring on the planning area. | At regional level, the planning authority is obliged to answer questions or demands individually. The county governor administering preparation of a plan shall inform persons who have sent proposals and objections by post or electronic mail during the time the plan is on display to the public of the opinion of the county governor on such proposals and objections and shall specify the time and place of the public discussion within two weeks after the end of the public display of the plan. |
| local master | | | Statutory requirements for the information on the initiation of planning at local master level. Local governments shall notify county governors of the initiation of comprehensive planning within two weeks as of the date on which the decision to initiate planning is made. Also, local governments shall publish within one month after the decision to initiate planning a notice concerning the initiation of the preparation of the comprehensive plan, provide information on the size and location of the planning area, and communicate the objectives of the initiated planning in the local newspaper. | Statutory requirements for the information about the plan proposals before the plan's adoption at local master level. The local government shall organise public discussions to present the initial planning outline, the draft plans and the potential impact of the implementation of a comprehensive plan. Accepted comprehensive plans shall be displayed to the public in the rural municipality or city centre, the larger settlements of the rural municipality or the settlement for which the plan is being prepared. The local government shall, at least one week before displaying the plan to the public, publish a notice in the relevant newspaper setting out the time and place of the public display of the comprehensive plan and the time and date of the public discussion regarding the plan. | Statutory requirements for the information about the plan adopted at local master level. Local governments shall notify county governors of the initiation of comprehensive planning within two weeks as of the date on which the decision to initiate planning is made. Also, local governments shall publish within one month after the decision to initiate planning a notice concerning the initiation of the preparation of the comprehensive plan, provide information on the size and location of the planning area, and communicate the objectives of the initiated planning in the local newspaper. | Yes, there are statutory requirements for public access to information at local master level. The Planning Act prescribes that planning activities are public. Public disclosure is mandatory in order to ensure the involvement of all interested persons and the timely provision of information to such persons and to enable such persons to defend their interests in the process of planning. The local government administering preparation of a plan is required to ensure the preservation of information and materials collected in the course of preparation of the plan and that interested persons have access to such information and materials. | Yes, the public in general should be informed about planning activities and decisions at local master level using the relevant newspaper(s). Owners of immovables located in and residents of the planning area shall be involved in the preparation of comprehensive plans. If the proposals made in a comprehensive plan result in a need to expropriate immovables or in changes to the existing land use or building rights on the plots against the will of the owner, the local government shall, by way of registered letter and at least two weeks before displaying the plan to the public, inform the owners of the immovables concerned of the time and place of the public display of the plan and of the public discussion regarding the comprehensive plan. Concerning the information of neighbours, a comprehensive plan shall be prepared in co-operation between the local government preparing the plan and the local governments neighbouring on the planning area. | At local master level, the planning authority is obliged to answer questions or demands individually, the local government administering preparation of a plan shall inform persons who have sent proposals and objections by post or electronic mail during the time the plan is on display to the public of the opinion of the local government on such proposals and objections and shall specify the time and place of the public discussion within two weeks after the end of the public display of the plan. |
| local detail | | | Statutory requirements for the information on the initiation of planning at local detail level. Local governments shall notify county governors of the initiation of detailed planning within two weeks as of the date on which the decision to initiate planning is made. Also, local governments shall publish within one month after the decision to initiate planning a notice concerning the initiation of the preparation of the detailed plan, provide information on the size and location of the planning area, and communicate the objectives of the initiated planning in the local newspaper. | Statutory requirements for the information about the plan proposals before the plan's adoption at local detail level. The need to organise public discussions to publicise the initial planning outline of detailed plan and the draft plans shall be determined by the local government. At least one public discussion shall be organised if the detailed plan is prepared for an area under heritage conservation or nature conservation, a region of significant urban development potential or an area concerning which a corresponding proposal was made in the course of processing the plan. Accepted detailed plans shall be displayed to the public in the rural municipality centre and the settlement concerned, or the city centre and the city district concerned. The local government shall, at least one week before displaying the detailed plan to the public, publish a notice in the relevant newspaper setting out the time and place of the public display of the plan. | Statutory requirements for the information about the plan adopted at local detail level. A local government shall publish a notice concerning the adoption of a detailed plan in the relevant newspaper within one month as of the date on which the plan is adopted. A local government shall send a copy of the decision to adopt a detailed plan and the adopted plan to the county governor and shall send information concerning the land use provisions, building provisions and restrictions on land use or building which enter into force upon adoption of the detailed plan to the state registrar of the land cadastre within one month as of the date on which the plan is adopted. | Yes, there are statutory requirements for public access to information at local detail level. The Planning Act prescribes that planning activities are public. Public disclosure is mandatory in order to ensure the involvement of all interested persons and the timely provision of information to such persons and to enable such persons to defend their interests in the process of planning. The local government administering preparation of a plan is required to ensure the preservation of information and materials collected in the course of preparation of the plan and that interested persons have access to such information and materials. | Concerning the information of owners of real property, a detailed plan shall be prepared in co-operation between the owners of the immovables located in the planning area and the owners or possessors of existing or planned utility networks in order to ensure that the planning area is supplied by utility networks. If it is known upon the initiation of detailed planning that the initiated detailed planning may bring about a need to transfer immovables or parts thereof, the local government shall, by way of registered letter, inform the owners of the relevant immovables of the initiation of preparation of the detailed plan within two weeks as of the date on which the decision to initiate planning is made. Also, if the proposals made in a detailed plan result in a need to expropriate immovables or in changes to the existing land use or building rights on the plots against the will of the owner, the local government shall, by way of registered letter and at least two weeks before displaying the plan to the public, inform the owners of the immovables concerned of the time and place of the public display of the plan and of the public discussion regarding the comprehensive plan. Neighbours in particular should not be informed. | At local detail level, the planning authority is obliged to answer questions or demands individually, the local government administering preparation of a plan shall inform persons who have sent proposals and objections by post or electronic mail during the time the plan is on display to the public of the opinion of the local government on such proposals and objections and shall specify the time and place of the public discussion within two weeks after the end of the public display of the plan. |



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| Country | Question | 1) What are the statutory requirements for the information on the initiation of planning? | 2) What are the statutory requirements for the information about the plan proposals before the plan's adoption? | 3) What are the statutory requirements for the information about the plan adopted? | 1) Are there statutory requirements for public access to information? | 2) Should the public in general, the owners of real property in particular and the neighbours in particular be informed about planning activities and decisions? | 3) Is the planning authority obliged to answer questions or demands individually? |
| | FINLAND | national | Statutory requirements for the information on the initiation of planning at national level: General administrative provision; public notice (introduced due to the SEA-directive). | Statutory requirements for the information about the plan proposals before the plan's adoption at national level: A draft for the guidelines shall be presented in public for 30 days. | Statutory requirements for the information about the plan adopted at national level: The Government decision about National Land Use Guidelines shall only be made after the matter has been made available to the public. | Yes, at national level, there are statutory requirements for public access to information according to the constitution: Documents and recordings in the possession of the authorities are public, unless their publication has for compelling reasons been specifically restricted by an Act. Everyone has the right of access to public documents and recordings. | Yes, the public in general should be informed about planning activities and decisions at national level. General administrative provision: If the decision of a matter may have a significant effect on the living or working conditions or other conditions of others than the parties, the authority shall reserve such persons the opportunity to receive information on the basis and objectives of the consideration of the matter and to express their opinion thereon. Neither owners of real property nor neighbours should be informed. |
| regional | | A statutory requirement for the information on the initiation of planning at regional level is the publicity of the initiation of the planning process. | Statutory requirements for the information about the plan proposals before the plan's adoption at regional level: Plan draft presented in public; Plan proposal presented in public for 30 days; right to object. | Statutory requirements for the information about the plan adopted at regional level: Generally: Minutes of the council meetings shall be publicly available for inspection. Specially: the decision to approve a plan must be sent immediately to those members of the municipality and objectors who so requested while the plan was available to the public. Generally: Proclamation of the plan coming into force. | Yes, at regional level, there are statutory requirements for public access to information according to the constitution: Documents and recordings in the possession of the authorities are public, unless their publication has for compelling reasons been specifically restricted by an Act. Everyone has the right of access to public documents and recordings. | Yes, at regional level, all interested parties shall be informed; i.e. anybody on whose conditions the plan may have a significant impact or whose sphere of activity the planning involves. For real property owners, the provision is the same, although landowners are explicitly mentioned in the provision. Neighbours are not specifically mentioned; the provision is the same. | Yes, at regional level, the planning authority is obliged to answer questions or demands individually if they make an objection about the plan proposal and request for a reasoned opinion on their objection. |
| local master | | A statutory requirement for the information on the initiation of planning at local master level is the publicity of the initiation of the planning process. | Statutory requirements for the information about the plan proposals before the plan's adoption at local master level: Plan draft presented in public; Plan proposal presented in public for 30 days; right to object. | Statutory requirements for the information about the plan adopted at local master level: Generally: Minutes of the council meetings shall be publicly available for inspection. Specially: the decision to approve a plan must be sent immediately to those members of the municipality and objectors who so requested while the plan was available to the public. Generally: Proclamation of the plan coming into force. | Yes, at local master level, there are statutory requirements for public access to information according to the constitution: Documents and recordings in the possession of the authorities are public, unless their publication has for compelling reasons been specifically restricted by an Act. Everyone has the right of access to public documents and recordings. | Yes, at local master level, all interested parties shall be informed; i.e. anybody on whose conditions the plan may have a significant impact or whose sphere of activity the planning involves. For real property owners, the provision is the same, although landowners are explicitly mentioned in the provision. Neighbours are not specifically mentioned; the provision is the same. | Yes, at local master level, the planning authority is obliged to answer questions or demands individually if they make an objection about the plan proposal and request for a reasoned opinion on their objection. |
| local detail | | A statutory requirement for the information on the initiation of planning at local detail level is the publicity of the initiation of the planning process. | Statutory requirements for the information about the plan proposals before the plan's adoption at local detail level: Plan proposal presented in public for 14 or 30 days; right to object. | Statutory requirements for the information about the plan adopted at local detail level: Generally: Minutes of the council meetings shall be publicly available for inspection. Specially: the decision to approve a plan must be sent immediately to those members of the municipality and objectors who so requested while the plan was available to the public. Generally: Proclamation of the plan coming into force. | Yes, at local detail level, there are statutory requirements for public access to information according to the constitution: Documents and recordings in the possession of the authorities are public, unless their publication has for compelling reasons been specifically restricted by an Act. Everyone has the right of access to public documents and recordings. | Yes, at local detail level, all interested parties shall be informed; i.e. anybody on whose conditions the plan may have a significant impact or whose sphere of activity the planning involves. For real property owners, the provision is the same, although landowners are explicitly mentioned in the provision. Neighbours are not specifically mentioned; the provision is the same. | Yes, at local detail level, the planning authority is obliged to answer questions or demands individually if they make an objection about the plan proposal and request for a reasoned opinion on their objection. |



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| Country | Question | 1) What are the statutory requirements for the information on the initiation of planning? | 2) What are the statutory requirements for the information about the plan proposals before the plan's adoption? | 3) What are the statutory requirements for the information about the plan adopted? | 1) Are there statutory requirements for public access to information? | 2) Should the public in general, the owners of real property in particular and the neighbours in particular be informed about planning activities and decisions? | 3) Is the planning authority obliged to answer questions or demands individually? |
| GERMANY | national | There are no statutory requirements for the information on the initiation of planning at national level. | At national level, there are no statutory requirements for the information about the plan proposals before the plan's adoption. | At national level, there are no statutory requirements for the information about the plan adopted. | No, there are no statutory requirements for public access to information at national level. | Owners of real property should not be particularly informed about planning activities and decisions at national level whereas neighbouring municipalities and neighbouring countries will be informed. | No, at national level, the planning authority's obligation to answer questions or demands individually is without relevance. |
| | "Länder" | There are no statutory requirements for the information on the initiation of planning at "Länder" level. | At "Länder" level, statutory requirements for the information on the initiation of planning are that draft plans, explanatory memorandum and environmental report shall be presented in public at least one month. | At "Länder" level, a statutory requirement is the announcement of the adopted plan in official promulgation sheets, quite often the plans and memorandums are available on websites. | Yes, there is an obligation to provide information at "Länder" level, regulated in the Federal Spatial Planning act and Federal Building Code. | Owners of real property should not be particularly informed about planning activities and decisions at "Länder" level whereas neighbouring municipalities and neighbouring countries will be informed. | At "Länder" level, the planning authority is not obliged to answer in case of public demands, but in case of demands of public authorities. |
| | regional | There are no statutory requirements for the information on the initiation of planning at regional level. | At regional level, statutory requirements for the information on the initiation of planning are the same as at "Länder" level. | At regional level, a statutory requirement is the announcement of the adopted plan in official promulgation sheets, quite often the plans and memorandums are available on websites. | Yes, there is an obligation to provide information at regional level, regulated in the Federal Spatial Planning act and Federal Building Code. | Owners of real property should not be particularly informed about planning activities and decisions at regional level whereas neighbouring municipalities and neighbouring countries will be informed. | At regional level, the planning authority is not obliged to answer in case of public demands, but in case of demands of public authorities. |
| | local master | Requirements for the information on the initiation of planning at local master level are: announcements in newspapers or internet and later information about general aims and purposes of the plan and of alternative proposals for the re-organisation or development of the planning area and of the foreseeable impacts of the plan. | At local master level, statutory requirements are that the draft plan and the explanatory memorandum shall be presented in public at least one month. | At local master level, a statutory requirement is the announcement of the adopted plan in official promulgation sheets, quite often the plans and memorandums are available on websites. | Yes, there is an obligation to provide information at local master level, regulated in the Federal Spatial Planning act and Federal Building Code. | Owners of real property should not be particularly informed about planning activities and decisions at local master level whereas neighbouring municipalities and neighbouring countries will be informed. | At local master level, the planning authority is not obliged to answer in case of public demands, but in case of demands of public authorities (exception: the demands of more than 50 persons deal with the same -> in this case a general answer is possible). |
| | local detail | Requirements for the information on the initiation of planning at local detail level are: announcements in newspapers or internet and later information about general aims and purposes of the plan and of alternative proposals for the re-organisation or development of the planning area and of the foreseeable impacts of the plan. | At local detail level, statutory requirements are that the draft plan and the explanatory memorandum shall be presented in public at least one month. | At local detail level, a statutory requirement is the announcement of the adopted plan in official promulgation sheets, quite often the plans and memorandums are available on websites. | Yes, there is an obligation to provide information at local detail level, regulated in the Federal Spatial Planning act and Federal Building Code. | Owners of real property should not be particularly informed about planning activities and decisions at local detail level whereas neighbouring municipalities and neighbouring countries will be informed. | At local detail level, the planning authority is not obliged to answer in case of public demands, but in case of demands of public authorities (exception: the demands of more than 50 persons deal with the same -> in this case a general answer is possible). |

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| Country | Question | 1) What are the statutory requirements for the information on the initiation of planning? | 2) What are the statutory requirements for the information about the plan proposals before the plan's adoption? | 3) What are the statutory requirements for the information about the plan adopted? | 1) Are there statutory requirements for public access to information? | 2) Should the public in general, the owners of real property in particular and the neighbours in particular be informed about planning activities and decisions? | 3) Is the planning authority obliged to answer questions or demands individually? |
| | Planning level | | | | | | |
| LATVIA | national | A statutory requirement for the information on the initiation of planning at national level is the announcement in an official newspaper. | A statutory requirement for the information about the plan proposals before the plan's adoption at national level is the announcement in an official newspaper. | At national level, a statutory requirement for the information about the plan adopted is the announcement in an official newspaper. | Yes, at national level, there are statutory requirements for public access to information formulated in: Constitution, Law on Information, Spatial Plan Law. | Yes, the public in general should be informed about planning activities and decisions at national level. Owners of real property and neighbours in particular should not be informed. | Yes, at national level, the planning authority is obliged to answer questions or demands individually if it is in required written format. |
| | regional | A statutory requirement for the information on the initiation of planning at regional level is the announcement in an official newspaper. | A statutory requirement for the information about the plan proposals before the plan's adoption at regional level is the announcement in an official newspaper. | At regional level, a statutory requirement for the information about the plan adopted is the announcement in an official newspaper. | Yes, at regional level, there are statutory requirements for public access to information formulated in: Constitution, Law on Information, Spatial Plan Law. | Yes, the public in general should be informed about planning activities and decisions at regional level. Owners of real property should not be informed in particular whereas neighbouring regions and municipalities should be informed. | Yes, at regional level, the planning authority is obliged to answer questions or demands individually if it is in required written format. |
| | local master | A statutory requirement for the information on the initiation of planning at local master level is the announcement in an official newspaper. | A statutory requirement for the information about the plan proposals before the plan's adoption at local master level is the announcement in an official newspaper. | At local master level, a statutory requirement for the information about the plan adopted is the announcement in an official newspaper. | Yes, at local master level, there are statutory requirements for public access to information formulated in: Constitution, Law on Information, Spatial Plan Law. | Yes, the public in general should be informed about planning activities and decisions at local master level. Owners of real property should not be informed in particular whereas neighbouring municipalities should be informed. | Yes, at local master level, the planning authority is obliged to answer questions or demands individually if it is in required written format. |
| | local detail | A statutory requirement for the information on the initiation of planning at local detail level is the announcement in an official newspaper. | A statutory requirement for the information about the plan proposals before the plan's adoption at local detail level is the announcement in an official newspaper. | At local detail level, a statutory requirement for the information about the plan adopted is the announcement in an official newspaper. | Yes, at local detail level, there are statutory requirements for public access to information formulated in: Constitution, Law on Information, Spatial Plan Law. | Yes, the public in general should be informed about planning activities and decisions at local detail level. Owners of real property and neighbour land owners should be informed in particular. | Yes, at local detail level, the planning authority is obliged to answer questions or demands individually if it is in required written format. |
| LITHUANIA | national | | | At national level, a statutory requirement is information in the media. | Yes, at national level, there are statutory requirements for public access to information: Provisions of Public Discussion on the Documents (projects) for Territorial Planning. | Yes, the public should be informed about planning activities and decisions at national level. Owners of real property and neighbours in particular should not be informed. | Yes, at national level, the planning authority is obliged to answer questions or demands individually. |
| | regional | | | At regional level, a statutory requirement is information in the media. | Yes, at regional level, there are statutory requirements for public access to information: Provisions of Public Discussion on the Documents (projects) for Territorial Planning. | Yes, the public should be informed about planning activities and decisions at regional level. Owners of real property should not be informed whereas the neighbour counties should be particularly informed. | Yes, at regional level, the planning authority is obliged to answer questions or demands individually. |
| | local master | | | At local master level, a statutory requirement is information in the media. | Yes, at local master level, there are statutory requirements for public access to information: Provisions of Public Discussion on the Documents (projects) for Territorial Planning. | Yes, the local public should be informed about planning activities and decisions at local master level. Owners of real property should not be informed whereas the neighbour municipalities should be particularly informed. | Yes, at local master level, the planning authority is obliged to answer questions or demands individually. |
| | local detail | | | At local detail level, a statutory requirement is information in the media. | Yes, at local detail level, there are statutory requirements for public access to information: Provisions of Public Discussion on the Documents (projects) for Territorial Planning. | Yes, the local public should be informed about planning activities and decisions at local detail level as well as owners of real property and neighbours in particular. | Yes, at local detail level, the planning authority is obliged to answer questions or demands individually. |

Table 5: Participation

| Sub-theme | | 1 Statutory requirements for information on the initiation of planning (answers sorted by levels) | | | 2 The entitlement to inform and the right to get access to information (answers sorted by levels) | | |
|-----------|--------------|---|---|--|--|---|---|
| Country | Question | 1) What are the statutory requirements for the information on the initiation of planning? | 2) What are the statutory requirements for the information about the plan proposals before the plan's adoption? | 3) What are the statutory requirements for the information about the plan adopted? | 1) Are there statutory requirements for public access to information? | 2) Should the public in general, the owners of real property in particular and the neighbours in particular be informed about planning activities and decisions? | 3) Is the planning authority obliged to answer questions or demands individually? |
| NORWAY | national | A statutory requirement for information on the initiation of planning at national level is the announcement of proposals for national binding provisions in municipalities concerned. | At national level, a statutory requirement for the information about the plan proposals before the plan's adoption is a public review of proposals for national binding provisions in municipalities concerned. | At national level, a statutory requirement for the information about the plan adopted is the proclamation of adopted national provisions according to governmental information procedures. | Yes, the statutory requirement for public access to information at national level is the public information principle. | Yes, the public in general should be informed about planning activities and decisions at national level as well as owners of real property in particular. | No, at national level, the planning authority is not obliged to answer questions or demands individually. |
| | regional | At regional level, there are general requirements for early information as to the planning authority's decision. | At regional level, there are general requirements for information of the main elements of the county plan proposal in a form appropriate for public debates as to the planning authority's decision. | At regional level, a statutory requirement is the proclamation of an adopted county master plan according to governmental information procedures. | Yes, the statutory requirement for public access to information at regional level is the public information principle. | At regional level, only groups concerned are considered in terms of information about planning activities and decisions. Owners of real property should not be informed in particular. | No, at regional level, the planning authority is not obliged to answer questions or demands individually. |
| | local master | At local master level, the announcement of planning is a statutory requirement for the information on the initiation of planning. | At local master level, a statutory requirement for the information about the plan proposals before the plan's adoption is public review. | At local master level, a statutory requirement for the information about the plan adopted is the proclamation of plans. | Yes, the statutory requirement for public access to information at local master level is the public information principle. | Yes, the public in general should be informed about planning activities and decisions at local master level. Owners of real property and neighbours in particular should be informed only when the plan is considered a basis for permitting. | No, at local master level, the planning authority is not obliged to answer questions or demands individually. |
| | local detail | At local detail level, the announcement of planning is a statutory requirement for the information on the initiation of planning. | At local detail level, a statutory requirement for the information about the plan proposals before the plan's adoption is public review. | At local detail level, a statutory requirement for the information about the plan adopted is the proclamation of plans. | Yes, the statutory requirement for public access to information at local detail level is the public information principle. | Yes, the public in general should be informed about planning activities and decisions at local detail level. Owners of real property and neighbours in particular should be informed. | No, at local detail level, the planning authority is not obliged to answer questions or demands individually. |



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Comparison of Planning Systems



Table 5: Participation

| Sub-theme | | 1 Statutory requirements for information on the initiation of planning (answers sorted by levels) | | | 2 The entitlement to inform and the right to get access to information (answers sorted by levels) | | |
|-----------|----------------|--|--|--|--|--|--|
| Country | Question | 1) What are the statutory requirements for the information on the initiation of planning? | 2) What are the statutory requirements for the information about the plan proposals before the plan's adoption? | 3) What are the statutory requirements for the information about the plan adopted? | 1) Are there statutory requirements for public access to information? | 2) Should the public in general, the owners of real property in particular and the neighbours in particular be informed about planning activities and decisions? | 3) Is the planning authority obliged to answer questions or demands individually? |
| | Planning level | | | | | | |
| POLAND | national | The broad public is not informed on the initiation of planning at national level. The Prime Minister appoints the State Council for Spatial Management, which is consulted in this issue. The Committee for Space Economy and Regional Planning of the Polish Academy of Science, The Polish Town Planners Association, the leading pro-ecological NGO's are informed as well. | Statutory requirements for the information about the plan proposals before the plan's adoption at national level: The State Council for Spatial Management is consulted. The Committee for Space Economy and Regional Planning of the Polish Academy of Science, and the professional associations and NGO's concerned are informed as well. The main instrument of public participation are informal, but to some extent binding meetings in all voivodships with the professional, business and political representatives. | At national level, a statutory requirement is the proclamation of the plan according to governmental information procedure, e.g. on website. | No, there are no statutory requirements for public access to information at national level. | No, at national level, the public in general, the owners of real property in particular and the neighbours in particular should not be informed about planning activities and decisions. | No, at national level, the planning authority is not obliged to answer questions or demands individually. |
| | regional | At regional level, a statutory requirement for the information on the initiation of planning is an announcement of the voivodship marshal in the nationwide press, in commune offices, county office, voivodship offices, marshal office. | Statutory requirements for the information about the plan proposals before the plan's adoption at regional level: The announcement defines a form, place and deadline for submitting motions concerning the plan, not shorter than 3 months since the day of its announcement. | At regional level, a statutory requirement is the proclamation of the voivodship parliaments' decision on the plan's adoption according to self-governmental information procedure, e.g. in printed form in limited edition or on website. | Yes, at regional level, there are statutory requirements for public access to information. The voivodship marshal should obtain an opinion about the plan from a Voivodship Committee for Town Planning and Architecture as well as from some NGO's. | At regional level, the public in general is informed on all planning steps according to self-governmental information procedure, e.g. in printed form or on website. Owners of real property and neighbours in particular should not be informed. | No, at regional level, the planning authority is not obliged to answer questions or demands individually. |
| | local master | At local master level, a statutory requirement for the information on the initiation of planning is that the head of a rural commune or mayor (city president) informs about that fact in the local press, through an announcement and in a customary way accepted in the given town/ location. | Statutory requirements for the information about the plan proposals before the plan's adoption at local master level: The announcement contains information about passing the resolution to enter the process of making the study (the local master plan), defines a form, place and deadline for submitting motions concerning the study, not shorter than 21 days counting from the day of announcement. | At local master level, the legislator does not provide for the obligation to announce the plan. Some communes do it voluntarily for marketing purposes. | Yes, at local master level, a statutory requirement for public access to information is general information. | At local master level, the public in general should be informed about planning activities and decisions in form of general information. Owners of real property should not be informed in particular whereas neighbours should be informed. The head of a rural commune or mayor (city president) requests an opinion on the project of a plan from governmental and self-governmental bodies of public administration in the area adjacent to the borders of a commune. | Yes, at local master level, the planning authority is obliged to answer questions or demands individually if they make an objection about the plan proposal and request for a reasoned opinion on their objection. |
| | local detail | At local detail level, a statutory requirement for the information on the initiation of planning is that the head of a rural commune or mayor (city president) informs about that fact in the local press, through an announcement and in a customary way accepted in the given town/ location. | Statutory requirements for the information about the plan proposals before the plan's adoption at local master level: The announcement contains information about passing the resolution to enter the process of making the local detailed plan, defines a form, place and deadline for submitting motions concerning the plan, not shorter than 21 days counting from the day of announcement. | At local detail level, the legislator does not provide for the obligation to announce the plan. Some communes do it voluntarily for marketing purposes. | Yes, at local detail level, a statutory requirement for public access to information is general information. | At local detail level, the public in general should be informed about planning activities and decisions in form of general information. Owners of real property should not be informed in particular. Neither neighbours should be informed particularly - only the building licence procedure provides such particular information. | Yes, at local detail level, the planning authority is obliged to answer questions or demands individually if they make an objection about the plan proposal and request for a reasoned opinion on their objection. |
| RUSSIA | national | There are no statutory requirements for the information on the initiation of planning at national level. | At national level, information on the initiation of planning is given with the aim to get public reactions. | At national level, for the information about the plan adopted the publication of territorial planning documents after its adoption is obligatory. | Yes, statutory requirements for public access to information at national level are: free public participation in urban planning & development and responsibility of public bodies. | Yes, the public in general should be informed about planning activities and decisions at national level. Only public owners of real property should be informed. | Yes, at national level, the planning authority is obliged to answer questions or demands to public owners individually. |
| | regional | There are no statutory requirements for the information on the initiation of planning at regional level. | At regional level, information on the initiation of planning is given with the aim to get public reactions. | At regional level, for the information about the plan adopted the publication of territorial planning documents after its adoption is obligatory. | Yes, statutory requirements for public access to information at regional level are: free public participation in urban planning & development and responsibility of public bodies. | Yes, the public in general should be informed about planning activities and decisions at regional level. Only public owners of real property should be informed. | Yes, at regional level, the planning authority is obliged to answer questions or demands to public owners individually. |
| | local master | There are no statutory requirements for the information on the initiation of planning at local master level. | At local master level, as a statutory requirement for the information about the plan proposal before the plan's adoption, the Master plan shall be submitted to public hearings. | At local master level, for the information about the plan adopted the publication of territorial planning documents after its adoption is obligatory. | Yes, statutory requirements for public access to information at local master level are: free public participation in urban planning & development and responsibility of public bodies. | Yes, the public in general should be informed about planning activities and decisions at local master level. Only public owners of real property should be informed. | At local master level, the planning authority's obligation to answer questions or demands individually is stipulated by municipal by-law. |
| | local detail | At local detail level, information on the initiation of planning is given with the aim to get public reactions. | At local detail level, as a statutory requirement for the information about the plan proposal before the plan's adoption, land planning documentation (detailed plans) shall be submitted to public hearings. | At local detail level, for the information about the plan adopted the publication of land planning documentation (detailed plans) after its adoption is obligatory. | Yes, statutory requirements for public access to information at local detail level are: free public participation in urban planning & development and responsibility of public bodies. | Yes, the public in general should be informed about planning activities and decisions at local detail level. All owners of real property should be informed. | At local detail level, the planning authority's obligation to answer questions or demands individually is stipulated by municipal by-law. |

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Comparison of Planning Systems

Table 5: Participation

| Sub-theme | | 1 Statutory requirements for information on the initiation of planning (answers sorted by levels) | | | 2 The entitlement to inform and the right to get access to information (answers sorted by levels) | | |
|-----------|----------------|--|--|---|--|---|--|
| Country | Question | 1) What are the statutory requirements for the information on the initiation of planning? | 2) What are the statutory requirements for the information about the plan proposals before the plan's adoption? | 3) What are the statutory requirements for the information about the plan adopted? | 1) Are there statutory requirements for public access to information? | 2) Should the public in general, the owners of real property in particular and the neighbours in particular be informed about planning activities and decisions? | 3) Is the planning authority obliged to answer questions or demands individually? |
| | Planning level | | | | | | |
| SWEDEN | national | There are no statutory requirements for the information on the initiation of planning at national level. | At national level, there are no statutory requirements for the information about the plan proposals before the plan's adoption. | | Yes, there is a statutory requirement for public access to information at national level: the constitution principle of free access to official documents (offentlighetsprincipen). | Yes, at national level, the public in general should be informed about planning activities and decisions. Everybody has access to public documents. Neither owners of real property nor neighbours should be informed in particular. | Yes, at national level, the planning authority is obliged to answer questions or demands individually. |
| | regional | There are no statutory requirements for the information on the initiation of planning at regional level. | There are no statutory requirements for the information about the plan proposals before the plan's adoption at regional level concerning Regional Development Programmes. For Regional Plans, public reviews and public exhibition are required. | Statutory requirements for the information about the plan adopted at regional level are: For Regional Development Programmes information to those participating. For Regional plans public announcement. | Yes, at regional level, the statutory requirement for public access to information is firstly the constitution principle of free access to official documents (offentlighetsprincipen), secondly the rules for regional planning in the Planning and building Act. | Yes, at regional level, the public in general should be informed about planning activities and decisions. Everybody has access to public documents. All concerned by regional plans shall be informed according to the Planning and building Act. Neither owners of real property nor neighbours should be informed in particular. | Yes, at regional level, the planning authority is obliged to answer questions or demands individually. |
| | local master | There are no statutory requirements for the information on the initiation of planning at local master level. | Statutory requirements for the information about the plan proposals before the plan's adoption at local master level are: Public reviews and public exhibition. | A statutory requirement for the information about the plan proposals before the plan adopted at local master level is Public announcement. | Yes, at local master level, the statutory requirement for public access to information is firstly the constitution principle of free access to official documents (offentlighetsprincipen), secondly the rules for regional planning in the Planning and building Act. | Yes, at local master level, the public in general should be informed about planning activities and decisions. Everybody has access to public documents. All concerned by Municipal comprehensive plans shall be informed according to the Planning and building Act. Neither owners of real property nor neighbours should be informed in particular. | Yes, at local master level, the planning authority is obliged to answer questions or demands individually. |
| | local detail | There are no statutory requirements for the information on the initiation of planning at local detail level. | Statutory requirements for the information about the plan proposals before the plan's adoption at local detail level are: Public reviews first on the programme for the project and second on the plan proposal. Finally public exhibition. | Statutory requirements for the information about the plan the plan adopted at local detail level are: Public announcement and information to those concerned. | Yes, at local detail level, the statutory requirement for public access to information is firstly the constitution principle of free access to official documents (offentlighetsprincipen), secondly the rules for regional planning in the Planning and building Act. | Yes, at local detail level, the public in general should be informed about planning activities and decisions. Everybody has access to public documents. All concerned by Detailed development plans shall be informed according to the Planning and building Act, especially residents, landowners and owners of a flats in cooperative housing societies within the area. Owners of real property and neighbours should be informed in particular. | Yes, at local detail level, the planning authority is obliged to answer questions or demands individually. |



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Table 5: Participation

| Sub-theme | | 3 Particular participatory instruments beyond information in the planning process | | | 4 The public opportunity to challenge the plan after the plan is formally adopted | | |
|-----------|--------------|--|---|--|--|--|--|
| Country | Question | 1) Are there statutory instruments for public participation during the preparation of plans like number of hearings, meetings, etc.? | 2) Are informal participatory instruments beyond statutory approaches widely used and who can participate? | 3) Are there formal requirements for representation from consultative bodies, organizations etc.? | 1) Who can appeal in order to challenge the plan after it is formally adopted? | 2) What should be the legal basis for an appeal in order to challenge the plan after it is formally adopted? | 3) What are the consequences of challenges against a formally adopted plan for the further handling of the plan? |
| BELARUS | national | No, there are no statutory instruments for public participation during the preparation of plans at national level. | No, informal participatory instruments beyond statutory approaches are not widely used at national level. | No, there are no formal requirements for representation from consultative bodies, organizations or the like at national level. | At national level, nobody can appeal in order to challenge the plan after it is formally adopted. | At national level, the legal basis for an appeal in order to challenge the plan after it is formally adopted should be the fact that it is possible to challenge the plan when the process of plan's revision and correction is strated (after 5-7 years of implementation). | |
| | regional | No, there are no statutory instruments for public participation during the preparation of plans at regional level. | No, informal participatory instruments beyond statutory approaches are not widely used at regional level. | No, there are no formal requirements for representation from consultative bodies, organizations or the like at regional level. | At regional level, nobody can appeal in order to challenge the plan after it is formally adopted. | At regional level, the legal basis for an appeal in order to challenge the plan after it is formally adopted should be the fact that it is possible to challenge the plan when the process of plan's revision and correction is strated (after 5-7 years of implementation). | |
| | local master | No, there are no statutory instruments for public participation during the preparation of plans at local master level. | No, informal participatory instruments beyond statutory approaches are not widely used at local master level. | No, there are no formal requirements for representation from consultative bodies, organizations or the like at local master level. | At local master level, nobody can appeal in order to challenge the plan after it is formally adopted. | At local master level, the legal basis for an appeal in order to challenge the plan after it is formally adopted should be the fact that it is possible to challenge the plan when the process of plan's revision and correction is strated (after 5-7 years of implementation). | |
| | local detail | No, there are no statutory instruments for public participation during the preparation of plans at local detail level. | No, informal participatory instruments beyond statutory approaches are not widely used at local detail level. | No, there are no formal requirements for representation from consultative bodies, organizations or the like at local detail level. | At local detail level, nobody can appeal in order to challenge the plan after it is formally adopted. | At local detail level, the legal basis for an appeal in order to challenge the plan after it is formally adopted should be the fact that it is possible to challenge the plan when the process of plan's revision and correction is strated (after 5-7 years of implementation). | |
| DENMARK | national | No, there are no statutory instruments for public participation during the preparation of plans at national level. | No, informal participatory instruments beyond statutory approaches are not widely used at national level. | No, there are no formal requirements for representation from consultative bodies, organizations or the like at national level. | At national level, those who can appeal in order to challenge the plan after it is formally adopted are: the Minister for the Environment and everyone with a juridical interest in the result of planning, furthermore national associations with the purpose of preservation of environment and nature and specific user interest in the land use. | At national level, a legal basis for an appeal in order to challenge the plan should be a juridical interest in the result of planning. The appeal is handled by the Nature Protection Board of Appeal. | At national level, there are no consequences of challenges against a formally adopted plan for the further handling of the plan. |
| | regional | No, there are no statutory instruments for public participation during the preparation of plans at regional level. | Yes, at regional level, informal participatory instruments beyond statutory approaches are widely used and everybody can participate. | No, there are no formal requirements for representation from consultative bodies, organizations or the like at regional level. | At regional level, those who can appeal in order to challenge the plan after it is formally adopted are: the Minister for the Environment and everyone with a juridical interest in the result of planning, furthermore national associations with the purpose of preservation of environment and nature and specific user interest in the land use. | At regional level, a legal basis for an appeal in order to challenge the plan should be a juridical interest in the result of planning. The appeal is handled by the Nature Protection Board of Appeal. | At regional level, there are no consequences of challenges against a formally adopted plan for the further handling of the plan. |
| | local master | No, there are no statutory instruments for public participation during the preparation of plans at local master level. | Yes, at local master level, informal participatory instruments beyond statutory approaches are widely used and everybody in the municipality can participate. | No, there are no formal requirements for representation from consultative bodies, organizations or the like at local master level. | At local master level, those who can appeal in order to challenge the plan after it is formally adopted are: the Minister for the Environment and everyone with a juridical interest in the result of planning, furthermore national associations with the purpose of preservation of environment and nature and specific user interest in the land use. | At local master level, a legal basis for an appeal in order to challenge the plan should be a juridical interest in the result of planning. The appeal is handled by the Nature Protection Board of Appeal. | At local master level, there are no consequences of challenges against a formally adopted plan for the further handling of the plan. |
| | local detail | No, there are no statutory instruments for public participation during the preparation of plans at local detail level. | Yes, at local detail level, informal participatory instruments beyond statutory approaches are widely used and the people affected by the local plan can participate. | No, there are no formal requirements for representation from consultative bodies, organizations or the like at local detail level. | At local detail level, those who can appeal in order to challenge the plan after it is formally adopted are: the Minister for the Environment and everyone with a juridical interest in the result of planning, furthermore national associations with the purpose of preservation of environment and nature and specific user interest in the land use. | At local detail level, a legal basis for an appeal in order to challenge the plan should be a juridical interest in the result of planning. The appeal is handled by the Nature Protection Board of Appeal. | At local detail level, there are no consequences of challenges against a formally adopted plan for the further handling of the plan. |

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Table 5: Participation

| Sub-theme | | 3 Particular participatory instruments beyond information in the planning process | | | 4 The public opportunity to challenge the plan after the plan is formally adopted | | |
|-----------|--------------|---|--|--|---|--|--|
| Country | Question | 1) Are there statutory instruments for public participation during the preparation of plans like number of hearings, meetings, etc.? | 2) Are informal participatory instruments beyond statutory approaches widely used and who can participate? | 3) Are there formal requirements for representation from consultative bodies, organizations etc.? | 1) Who can appeal in order to challenge the plan after it is formally adopted? | 2) What should be the legal basis for an appeal in order to challenge the plan after it is formally adopted? | 3) What are the consequences of challenges against a formally adopted plan for the further handling of the plan? |
| ESTONIA | national | No, there are no statutory instruments for public participation during the preparation of plans at national level. | Informal participatory instruments beyond statutory approaches are not much used at national level. In case they are used, everyone can participate. | Yes, at national level, there are formal requirements for representation: County associations of local governments should be involved into the co-operation while preparing the National Spatial Plan. | At national level, in order to challenge the plan after it is formally adopted every person can appeal who finds that a decision to adopt a plan is in conflict with the Planning Act or other legislation or that his or her rights have been violated or freedoms restricted by the decision. | At national level, the legal basis for an appeal in order to challenge the plan after it is formally adopted should be that the decision to adopt a plan is in conflict with the Planning Act or other legislation or that someones personal rights have been violated or freedoms restricted by the decision. | |
| | regional | Yes, at regional level, there is a statutory instrument for public participation during the preparation of plans: a county governor shall organise the public display of an accepted county plan. | Informal participatory instruments beyond statutory approaches are not much used at regional level. In case they are used, everyone can participate. | No, there are no formal requirements for representation from consultative bodies, organizations or the like at regional level. | At regional level, in order to challenge the plan after it is formally adopted every person can appeal who finds that a decision to adopt a plan is in conflict with the Planning Act or other legislation or that his or her rights have been violated or freedoms restricted by the decision. | At regional level, the legal basis for an appeal in order to challenge the plan after it is formally adopted should be that the decision to adopt a plan is in conflict with the Planning Act or other legislation or that someones personal rights have been violated or freedoms restricted by the decision. | At regional level, the consequences of challenges against a formally adopted plan are: The county governor who adopted the county plan shall make a decision concerning the proposal and, if the proposal is found to be justified, bring the plan or the decision to adopt the plan into compliance with the Planning Act or other legislation and, by way of registered letter, inform the person who made the proposal of the decision and of the reasons for accepting or rejecting the proposal within one month after the date on which the proposal is received. In case the decision is appealed in administrative court, the authorities should follow the judgement. |
| | local master | Yes, at local master level, there are statutory instruments for public participation during the preparation of plans: public discussions should be organised by the local government to present the initial planning outline, the draft plans and the potential impact of the implementation of a comprehensive plan. Also, the public display of an accepted comprehensive plan shall be organised by the local government. | Informal participatory instruments beyond statutory approaches are not much used at local master level. In case they are used, everyone can participate. | No, there are no formal requirements for representation from consultative bodies, organizations or the like at local master level. | At local master level, in order to challenge the plan after it is formally adopted every person can appeal who finds that a decision to adopt a plan is in conflict with the Planning Act or other legislation or that his or her rights have been violated or freedoms restricted by the decision. | At local master level, the legal basis for an appeal in order to challenge the plan after it is formally adopted should be that the decision to adopt a plan is in conflict with the Planning Act or other legislation or that someones personal rights have been violated or freedoms restricted by the decision. | At local master level, the consequences of challenges against a formally adopted plan are: The local government who adopted the comprehensive plan shall make a decision concerning the proposal and, if the proposal is found to be justified, bring the plan or the decision to adopt the plan into compliance with the Planning Act or other legislation and, by way of registered letter, inform the person who made the proposal of the decision and of the reasons for accepting or rejecting the proposal within one month after the date on which the proposal is received. In case the decision is appealed in administrative court, the authorities should follow the judgement. |
| | local detail | Yes, at local detail level, there are statutory instruments for public participation during the preparation of plans: The need to organise public discussions to publicise the initial detailed planning outline and the draft plans shall be determined by the local government. At least one public discussion shall be organised if the detailed plan is prepared for an area under heritage conservation or nature conservation, a region of significant urban development potential or an area concerning which a corresponding proposal was made in the course of processing the plan. Local government shall organise the public display of an accepted detailed plan. | Informal participatory instruments beyond statutory approaches are not much used at regional level. In case they are used, everyone can participate. | No, there are no formal requirements for representation from consultative bodies, organizations or the like at local detail level. | At local detail level, in order to challenge the plan after it is formally adopted every person can appeal who finds that a decision to adopt a plan is in conflict with the Planning Act or other legislation or that his or her rights have been violated or freedoms restricted by the decision. | At local detail level, the legal basis for an appeal in order to challenge the plan after it is formally adopted should be that the decision to adopt a plan is in conflict with the Planning Act or other legislation or that someones personal rights have been violated or freedoms restricted by the decision. | At local detail level, the consequences of challenges against a formally adopted plan are: The local government who adopted the detailed plan shall make a decision concerning the proposal and, if the proposal is found to be justified, bring the plan or the decision to adopt the plan into compliance with the Planning Act or other legislation and, by way of registered letter, inform the person who made the proposal of the decision and of the reasons for accepting or rejecting the proposal within one month after the date on which the proposal is received. In case the decision is appealed in administrative court, the authorities should follow the judgement. |

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Table 5: Participation

| Sub-theme | | 3 Particular participatory instruments beyond information in the planning process | | | 4 The public opportunity to challenge the plan after the plan is formally adopted | | |
|-----------|--------------|---|---|--|---|---|---|
| Country | Question | 1) Are there statutory instruments for public participation during the preparation of plans like number of hearings, meetings, etc.? | 2) Are informal participatory instruments beyond statutory approaches widely used and who can participate? | 3) Are there formal requirements for representation from consultative bodies, organizations etc.? | 1) Who can appeal in order to challenge the plan after it is formally adopted? | 2) What should be the legal basis for an appeal in order to challenge the plan after it is formally adopted? | 3) What are the consequences of challenges against a formally adopted plan for the further handling of the plan? |
| FINLAND | national | No, there are no statutory instruments for public participation during the preparation of plans at national level. | It is hard to say whether informal participatory instruments beyond statutory approaches at national level are widely used as these new procedures are implemented for the first time in the follow-up round of the NLG which has just started. In case, everybody can participate. | No, there are no formal requirements for representation from consultative bodies, organizations or the like at national level. | At national level, it is a general right that any person to whom an administrative decision is addressed or whose right, obligation or interest is directly affected by a decision may appeal against the decision. (Here made by the Council of State) | At national level, the legal basis for an appeal in order to challenge the plan after it is formally adopted should be that it is based on legality grounds only. | At national level, the consequence of challenges against a formally adopted plan is a Supreme Administrative Court handling. |
| | regional | Yes, at regional level, a statutory instrument for public participation during the preparation of plans is the participation and assessment scheme. Otherwise there are no statutory instruments. | Yes, an informal participatory instrument beyond statutory approaches often used at regional level are informal plan presentation occasions or meetings. All interested parties can participate: i.e. anybody on whose conditions the plan may have a significant impact or whose sphere of activity the planning involves. | No, there are no formal requirements for representation from consultative bodies, organizations or the like at regional level. | At regional level, persons who can appeal in order to challenge the plan after it is formally adopted are: a party affected by a decision or whose rights, duties or entitlements a decision directly concerns, or a member of a local authority in question. | At regional level, the legal basis for an appeal in order to challenge the plan after it is formally adopted should be that it is based on legality grounds only. | At regional level, the consequence of challenges against a formally adopted plan is that they are further handled by the Ministry of Environment. |
| | local master | Yes, at local master level, a statutory instrument for public participation during the preparation of plans is the participation and assessment scheme. Otherwise there are no statutory instruments. | Yes, an informal participatory instrument beyond statutory approaches often used at local master level are informal plan presentation occasions or meetings. All interested parties can participate: i.e. anybody on whose conditions the plan may have a significant impact or whose sphere of activity the planning involves. | No, there are no formal requirements for representation from consultative bodies, organizations or the like at local master level. | At local master level, persons who can appeal in order to challenge the plan after it is formally adopted are: a party affected by a decision or whose rights, duties or entitlements a decision directly concerns, or a member of a local authority in question. | At local master level, the legal basis for an appeal in order to challenge the plan after it is formally adopted should be that it is based on legality grounds only. | At local master level, the consequence of challenges against a formally adopted plan is an administrative court handling. |
| | local detail | Yes, at local detail level, a statutory instrument for public participation during the preparation of plans is the participation and assessment scheme. Otherwise there are no statutory instruments. | Yes, an informal participatory instrument beyond statutory approaches often used at local detail level are informal plan presentation occasions or meetings. The largest variety of different informal tools is used at this level. All interested parties can participate: i.e. anybody on whose conditions the plan may have a significant impact or whose sphere of activity the planning involves; it is common to ask opinions from local inhabitant associations. | No, there are no formal requirements for representation from consultative bodies, organizations or the like at local detail level. | At local detail level, persons who can appeal in order to challenge the plan after it is formally adopted are: a party affected by a decision or whose rights, duties or entitlements a decision directly concerns, or a member of a local authority in question. | At local detail level, the legal basis for an appeal in order to challenge the plan after it is formally adopted should be that it is based on legality grounds only. | At local detail level, the consequence of challenges against a formally adopted plan is an administrative court handling. |

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Comparison of Planning Systems

Table 5: Participation

| Sub-theme | | 3 Particular participatory instruments beyond information in the planning process | | | 4 The public opportunity to challenge the plan after the plan is formally adopted | | |
|-----------|--------------|--|--|--|---|---|--|
| Country | Question | 1) Are there statutory instruments for public participation during the preparation of plans like number of hearings, meetings, etc.? | 2) Are informal participatory instruments beyond statutory approaches widely used and who can participate? | 3) Are there formal requirements for representation from consultative bodies, organizations etc.? | 1) Who can appeal in order to challenge the plan after it is formally adopted? | 2) What should be the legal basis for an appeal in order to challenge the plan after it is formally adopted? | 3) What are the consequences of challenges against a formally adopted plan for the further handling of the plan? |
| GERMANY | national | No, there are no statutory instruments for public participation during the preparation of plans at national level. | Yes, at national level, informal participatory instruments beyond statutory approaches are widely used. | No, there are no formal requirements for representation from consultative bodies, organizations or the like at national level. | At national level, an appeal in order to challenge the plan after it is formally adopted has no relevance. | At national level, there is no legal basis for an appeal in order to challenge the plan after it is formally adopted. | At national level, there are no consequences of challenges against a formally adopted plan for the further handling of the plan. |
| | "Länder" | No, there are no statutory instruments for public participation during the preparation of plans at "Länder" level. | Yes, at "Länder" level, there is a large variety of different informal tools being used beyond statutory approaches. | No, there are no formal requirements for representation from consultative bodies, organizations or the like at "Länder" level. | At "Länder" level, municipalities can generally appeal in order to challenge the plan after it is formally adopted, private persons can appeal in special cases only. | At "Länder" level, the legal basis for an appeal in order to challenge the plan after it is formally adopted are judicial review proceedings. | At "Länder" level, a consequence of challenges against a formally adopted plan could possibly be a change in the plan with a new plan preparation and participation procedure. |
| | regional | No, there are no statutory instruments for public participation during the preparation of plans at regional level. | Yes, at regional level, there is a large variety of different informal tools being used beyond statutory approaches. | No, there are no formal requirements for representation from consultative bodies, organizations or the like at regional level. | At regional level, municipalities can generally appeal in order to challenge the plan after it is formally adopted, private persons can appeal in special cases only. | At regional level, the legal basis for an appeal in order to challenge the plan after it is formally adopted are judicial review proceedings. | At regional level, a consequence of challenges against a formally adopted plan could possibly be a change in the plan with a new plan preparation and participation procedure. |
| | local master | No, there are no statutory instruments for public participation during the preparation of plans at local master level. | Yes, at local master level, there is a large variety of different informal tools being used beyond statutory approaches. | No, there are no formal requirements for representation from consultative bodies, organizations or the like at local master level. | At local master level, in the case of a concrete judicial review generally everybody can appeal in order to challenge the plan after its formal adoption who appealed at the participation. | At local master level, the legal basis for an appeal in order to challenge the plan after it is formally adopted are judicial review proceedings. | At local master level, a consequence of challenges against a formally adopted plan could possibly be a change in the plan with a new plan preparation and participation procedure. |
| | local detail | No, there are no statutory instruments for public participation during the preparation of plans at local detail level. | Yes, at local detail level, there is a large variety of different informal tools being used beyond statutory approaches. | No, there are no formal requirements for representation from consultative bodies, organizations or the like at local detail level. | At local detail level, generally everybody who appealed at the participation (§ 3 Abs. 2) can appeal in order to challenge the plan after it is formally adopted. | At local detail level, the legal basis for an appeal in order to challenge the plan after it is formally adopted are judicial review proceedings. | At local detail level, a consequence of challenges against a formally adopted plan could possibly be a change in the plan with a new plan preparation and participation procedure. |

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Table 5: Participation

| Sub-theme | | 3 Particular participatory instruments beyond information in the planning process | | | 4 The public opportunity to challenge the plan after the plan is formally adopted | | |
|-----------|----------------|---|---|--|---|--|--|
| Country | Question | 1) Are there statutory instruments for public participation during the preparation of plans like number of hearings, meetings, etc.? | 2) Are informal participatory instruments beyond statutory approaches widely used and who can participate? | 3) Are there formal requirements for representation from consultative bodies, organizations etc.? | 1) Who can appeal in order to challenge the plan after it is formally adopted? | 2) What should be the legal basis for an appeal in order to challenge the plan after it is formally adopted? | 3) What are the consequences of challenges against a formally adopted plan for the further handling of the plan? |
| | Planning level | | | | | | |
| LATVIA | national | | | | | | |
| | regional | | | | | | |
| | local master | | | | | | |
| | local detail | | | | | | |
| LITHUANIA | national | Yes, at national level, there are statutory instruments for public participation during the preparation of plans: Consultation during the preparation of the concept of the plan, presentation of its environmental impact assessment, exposition and discussion concerning the drafted project. | It is hard to say whether informal participatory instruments beyond statutory approaches are widely used at national level. In case they are used, "the interested society" - the ministries, state institutions and other concerned organisations can participate. | No, there are no formal requirements for representation from consultative bodies, organizations or the like at national level. | At national level, any person can appeal in order to challenge the plan after it is formally adopted. | At national level, the legal basis for an appeal in order to challenge the plan after it is formally adopted should be - According to the law text: Trespass of the rights or vested interests of the state, public or of the person. - Practically: breach of procedures. | At national level, the consequence of challenges against a formally adopted plan is the initiation of cancellation of the plan decision. Otherwise it is submitted to a court. |
| | regional | Yes, at regional level, there are statutory instruments for public participation during the preparation of plans: Consultation with "the interested society", during the preparation of the concept of the plan, presentation of its environmental impact assessment, exposition and discussion concerning the drafted project. | It is hard to say whether informal participatory instruments beyond statutory approaches are widely used at regional level. The regional planning was very passive until now. In case they are used, "the interested society" - the ministries, state institutions and other organisations concerned, municipalities of the planned region and neighbour counties can participate. | No, there are no formal requirements for representation from consultative bodies, organizations or the like at regional level. | At regional level, any person can appeal in order to challenge the plan after it is formally adopted. | At regional level, the legal basis for an appeal in order to challenge the plan after it is formally adopted should be - According to the law text: Trespass of the rights or vested interests of the state, public or of the person. - Practically: breach of procedures. | At regional level, the consequence of challenges against a formally adopted plan is the initiation of cancellation of the plan decision. Otherwise it is submitted to a court. |
| | local master | Yes, at local master level, there are statutory instruments for public participation during the preparation of plans: Presentation of environmental impact assessment, exposition and discussion concerning the drafted project. Statutory consultations are not foreseen in preparation of local master plans. The drafted project and environmental impact assessment are presented for public (in the form of public exposition, conference). Everybody has the right to participate in the arrangements of presentation, also make proposals. | Yes, there are informal participatory instruments beyond statutory approaches at local master level: Organisers of planning in some cities seek the new participatory instruments (workshops, for example). Public uses informal participatory instruments (demonstrations, meetings, other protest actions, for example) rather often. | No, there are no formal requirements for representation from consultative bodies, organizations or the like at local master level. | At local master level, any person can appeal in order to challenge the plan after it is formally adopted. | At local master level, the legal basis for an appeal in order to challenge the plan after it is formally adopted should be - According to the law text: Trespass of the rights or vested interests of the state, public or of the person. - Practically: breach of procedures. | At local master level, the consequence of challenges against a formally adopted plan is the initiation of cancellation of the plan decision. Otherwise it is submitted to a court. |
| | local detail | Yes, at local detail level, there are statutory instruments for public participation during the preparation of plans: presentation of the drafted project, its environmental impact assessment. Statutory consultations are not foreseen in preparation of local master plans. The drafted project and environmental impact assessment are presented for public (in the form of public exposition, conference). Everybody has the right to participate in the arrangements of presentation, also make proposals. | From the side of the organiser of planning informal participatory instruments beyond statutory approaches are usually not used at local detail level. From the side of the public informal participatory instruments are widely used. Consultations statutory are not foreseen in preparation of detail plans. The drafted project and environmental impact assessment are presented for public. Participation in presentation is free. The land owners and the real estate owners whose land plots are about the territory under planning are invited particularly. A simplified manner of public involvement in the simple cases is possible. | No, there are no formal requirements for representation from consultative bodies, organizations or the like at local detail level. | At local detail level, any person can appeal in order to challenge the plan after it is formally adopted. | At local detail level, the legal basis for an appeal in order to challenge the plan after it is formally adopted should be - According to the law text: Trespass of the rights or vested interests of the state, public or of the person. - Practically: breach of procedures. | At local detail level, the consequence of challenges against a formally adopted plan is the initiation of cancellation of the plan decision. Otherwise it is submitted to a court. |

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Table 5: Participation

| Sub-theme | | 3 Particular participatory instruments beyond information in the planning process | | | 4 The public opportunity to challenge the plan after the plan is formally adopted | | |
|-----------|--------------|--|--|--|---|--|---|
| Country | Question | 1) Are there statutory instruments for public participation during the preparation of plans like number of hearings, meetings, etc.? | 2) Are informal participatory instruments beyond statutory approaches widely used and who can participate? | 3) Are there formal requirements for representation from consultative bodies, organizations etc.? | 1) Who can appeal in order to challenge the plan after it is formally adopted? | 2) What should be the legal basis for an appeal in order to challenge the plan after it is formally adopted? | 3) What are the consequences of challenges against a formally adopted plan for the further handling of the plan? |
| NORWAY | national | No, there are no statutory instruments for public participation during the preparation of plans at national level. | No, informal participatory instruments beyond statutory approaches are not widely used at national level. | No, there are no formal requirements for representation from consultative bodies, organizations or the like at national level. | At national level, nobody can appeal in order to challenge the plan after it is formally adopted. | At national level, the legal basis for an appeal in order to challenge the plan after it is formally adopted should be that in principal, decisions on substantial issues can be taken to court. | At national level, the consequence of challenges against a formally adopted plan is that it eventually becomes a court case. |
| | regional | No, there are no statutory instruments for public participation during the preparation of plans at regional level. | The use of informal participatory instruments beyond statutory approaches at regional level is depending on situation and levels of conflicts. | No, there are no formal requirements for representation from consultative bodies, organizations or the like at regional level. | At regional level, nobody can appeal in order to challenge the plan after it is formally adopted. | At regional level, there is no legal basis for an appeal in order to challenge the plan after it is formally adopted. | At regional level, there are no consequences of challenges against a formally adopted plan for the further handling of the plan. |
| | local master | No, there are no statutory instruments for public participation during the preparation of plans at local master level. | The use of informal participatory instruments beyond statutory approaches at local master level is depending on situation and levels of conflicts. | No, there are no formal requirements for representation from consultative bodies, organizations or the like at local master level. | At local master level, nobody can appeal in order to challenge the plan after it is formally adopted. | At local master level, the legal basis for an appeal in order to challenge the plan after it is formally adopted should be that in principal, decisions on substantial issues can be taken to court. | At local master level, the consequence of challenges against a formally adopted plan is that it eventually becomes a court case. |
| | local detail | No, there are no statutory instruments for public participation during the preparation of plans at local detail level. | The use of informal participatory instruments beyond statutory approaches at local detail level is depending on situation and levels of conflicts. | No, there are no formal requirements for representation from consultative bodies, organizations or the like at local detail level. | At local detail level, anybody who is affected by a decision or those whose rights, duties or entitlements are affected by planning decisions can appeal in order to challenge the plan after it is formally adopted. | At local detail level, in order to challenge the plan after it is formally adopted, appeals can be raised on planning decisions, on legal as well as substantial justifications. | At local detail level, the consequence of challenges against a formally adopted plan is that it is submitted to an appeal authority (constituted by the county governor). |



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Table 5: Participation

| Sub-theme | | 3 Particular participatory instruments beyond information in the planning process | | | 4 The public opportunity to challenge the plan after the plan is formally adopted | | |
|-----------|----------------|---|---|---|--|--|---|
| Country | Question | 1) Are there statutory instruments beyond statutory participation during the preparation of plans like number of hearings, meetings, etc.? | 2) Are informal participatory instruments beyond statutory approaches widely used and who can participate? | 3) Are there formal requirements for representation from consultative bodies, organizations etc.? | 1) Who can appeal in order to challenge the plan after it is formally adopted? | 2) What should be the legal basis for an appeal in order to challenge the plan after it is formally adopted? | 3) What are the consequences of challenges against a formally adopted plan for the further handling of the plan? |
| | Planning level | | | | | | |
| POLAND | national | No, there are no statutory instruments for public participation during the preparation of plans at national level. | Yes, there are informal participatory instruments beyond statutory approaches at national level. The project of the plan is widely discussed in national professional and political bodies. NGOs of national or international importance, professional and scientific associations can participate. | Yes, at national level, there are formal requirements for representation from consultative bodies, organizations etc.: They have to be registered NGOs of national importance. | At national level, nobody can appeal in order to challenge the plan after it is formally adopted. | see answer 1): A formally adopted plan can not be challenged. | see answer 1): A formally adopted plan can not be challenged. |
| | regional | No, there are no statutory instruments for public participation during the preparation of plans at regional level. | Yes, there are informal participatory instruments beyond statutory approaches at regional level. The project of the plan is widely discussed in national professional and political bodies. NGOs of national or international importance, professional and scientific associations can participate. | Yes, at regional level, there are formal requirements for representation from consultative bodies, organizations etc.: They have to be registered NGOs of national importance. | At regional level, nobody can appeal in order to challenge the plan after it is formally adopted. | see answer 1): A formally adopted plan can not be challenged. | see answer 1): A formally adopted plan can not be challenged. |
| | local master | Yes, at local master level, there are statutory instruments for public participation during the preparation of plans. The rules of public participation are formulated in detail, e.g. form and deadlines of announcements. Natural and juristic persons, whose motions have been rejected, have the right to appeal to the National Appeal Court. Only the resolution of the Court allows for submitting the project of the plan for adoption. | Yes, there are informal participatory instruments beyond statutory approaches at local master level. The project of the plan is widely discussed in national professional and political bodies. NGOs of national or international importance, professional and scientific associations can participate. | Yes, at local master level, there are formal requirements for representation from consultative bodies, organizations etc.: They have to be registered NGOs of national importance. | At local master level, nobody can appeal in order to challenge the plan after it is formally adopted. | see answer 1): A formally adopted plan can not be challenged. | see answer 1): A formally adopted plan can not be challenged. |
| | local detail | Yes, at local detail level, there are statutory instruments for public participation during the preparation of plans. The rules of public participation are formulated in detail, e.g. form and deadlines of announcements. Natural and juristic persons, whose motions have been rejected, have the right to appeal to the National Appeal Court. Only the resolution of the Court allows for submitting the project of the plan for adoption. | Yes, there are informal participatory instruments beyond statutory approaches at local detail level. There are organized meetings with persons and institutions concerned. Often they are demanded by the local community itself. Everyone who is concerned can participate, that means, who is an owner or user of a property localized on the planned area. | Yes, at local detail level, there are formal requirements for representation from consultative bodies, organizations etc.: They have to be proved concerning their relation to the planned area. | At local detail level, nobody can appeal in order to challenge the plan after it is formally adopted. | see answer 1): A formally adopted plan can not be challenged. | see answer 1): A formally adopted plan can not be challenged. |
| RUSSIA | national | Yes, at national level, there is a statutory instrument for public participation during the preparation of plans: the plan must be published three months (min.) before adoption. | Yes, an informal participatory instrument beyond statutory approaches at national level which does not exist yet is the federal territorial planning scheme. Anybody can participate. | Yes, there are formal requirements for representation at national level: the time limits and the content of publication. | At national level, anybody can appeal in order to challenge the plan after it is formally adopted. | At national level, the legal basis for an appeal in order to challenge the plan after it is formally adopted should be an impact on legal interests. | At national level, consequences of challenges against a formally adopted plan for the further handling of the plan conform with the court decision. |
| | regional | Yes, at regional level, there is a statutory instrument for public participation during the preparation of plans: the plan must be published three months (min.) before adoption. | It is difficult to say whether informal participatory instruments are used beyond statutory approaches at regional level as regional schemes are just in preparation. Anybody can participate. | Yes, there are formal requirements for representation at regional level: the time limits and the content of publication. | At regional level, anybody can appeal in order to challenge the plan after it is formally adopted. | At regional level, the legal basis for an appeal in order to challenge the plan after it is formally adopted should be an impact on legal interests. | At regional level, consequences of challenges against a formally adopted plan for the further handling of the plan conform with the court decision. |
| | local master | Yes, at local master level, there is a statutory instrument for public participation during the preparation of plans: By federal law there are obligatory public hearings which are accessible to anybody. | Yes, informal participatory instruments widely used beyond statutory approaches at local master level are negotiations, political actions of public bodies, investors and public at large. Anybody can participate. | Yes, there are formal requirements for representation at local master level: the time limits and the content of publication. Furthermore, there are other requirements according to municipal by-law. | At local master level, anybody can appeal in order to challenge the plan after it is formally adopted. | At local master level, the legal basis for an appeal in order to challenge the plan after it is formally adopted should be an impact on legal interests. | At local master level, consequences of challenges against a formally adopted plan for the further handling of the plan conform with the court decision. |
| | local detail | Yes, at local detail level, there is a statutory instrument for public participation during the preparation of plans: By federal law but obligatory public hearings. | Yes, informal participatory instruments widely used beyond statutory approaches at local detail level are negotiations, political actions of public bodies, investors and public at large. Anybody can participate. | Yes, there are formal requirements for representation at local detail level: the time limits and the content of publication. Furthermore, there are other requirements according to municipal by-law. | At local detail level, anybody can appeal in order to challenge the plan after it is formally adopted. | At local detail level, a legal basis for an appeal in order to challenge the plan after it is formally adopted is not stated. | At local detail level, consequences of challenges against a formally adopted plan for the further handling of the plan conform with the court decision. |

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Table 5: Participation

| Sub-theme | | 3 Particular participatory instruments beyond information in the planning process | | | 4 The public opportunity to challenge the plan after the plan is formally adopted | | |
|-----------|--------------|--|--|---|--|---|--|
| Country | Question | 1) Are there statutory instruments for public participation during the preparation of plans like number of hearings, meetings, etc.? | 2) Are informal participatory instruments beyond statutory approaches widely used and who can participate? | 3) Are there formal requirements for representation from consultative bodies, organizations etc.? | 1) Who can appeal in order to challenge the plan after it is formally adopted? | 2) What should be the legal basis for an appeal in order to challenge the plan after it is formally adopted? | 3) What are the consequences of challenges against a formally adopted plan for the further handling of the plan? |
| SWEDEN | national | No, there are no statutory instruments for public participation during the preparation of plans at national level. | No, informal participatory instruments beyond statutory approaches are not widely used at national level. | No, there are no formal requirements for representation from consultative bodies, organizations or the like at national level. | At national level, nobody can appeal in order to challenge the plan after it is formally adopted. | At national level, there is no legal basis for an appeal in order to challenge the plan after it is formally adopted. | At national level, there are no consequences of challenges against a formally adopted plan for the further handling of the plan. |
| | regional | At regional level, there are no statutory instruments for public participation during the preparation of regional development programmes but regional plans require public reviews, public exhibition and comments on public opinions. | No, informal participatory instruments beyond statutory approaches are not widely used at regional level. In case they are used, anybody can participate. | Yes, at regional level, there are formal requirements for representation. For regional plans the consultation with the County administrative board and the concerned municipalities are obligatory. Other organisations and the public shall be given possibility to give viewpoints. | At regional level, nobody can appeal in order to challenge the plan after it is formally adopted. | At regional level, there is no legal basis for an appeal in order to challenge the plan after it is formally adopted. | At regional level, there are no consequences of challenges against a formally adopted plan for the further handling of the plan. |
| | local master | At local master level, there are statutory instruments for public participation during the preparation of plans: Public reviews and public exhibition, obligation to comment on all viewpoints from the public. | Yes, at local master level, informal participatory instruments are widely used beyond statutory approaches. Anybody can participate. | Yes, at local master level, there are formal requirements for representation: Consultations with the County administrative board, regional planning body and concerned municipalities are obligatory. Other organisations and the public shall be given possibility to give viewpoints. | At local master level, members in the municipality can appeal in order to challenge the plan after it is formally adopted. | At local master level, the legal basis for an appeal in order to challenge the plan after it is formally adopted should be that it is based on legality grounds only. | At local master level, the consequence of challenges against a formally adopted plan is an administrative court handling at three levels. |
| | local detail | At local detail level, there are statutory instruments for public participation during the preparation of plans: Public reviews on programmes for the project, public reviews during planning process, public exhibition before adoption, obligation to comment on all viewpoints from the public, possibility to appeal for those who have commented. | No, informal participatory instruments beyond statutory approaches are not widely used at local detail level. In case they are used, anybody can participate but those who live in the area and/or own land in the area are personally called. | Yes, at local detail level, there are formal requirements for representation: Consultations with the County administrative board, lantmäteriet and concerned municipalities are obligatory. Landowners, owners of a flats in cooperative housing societies, residents and other organisations and the public shall be given possibility to give viewpoints. | At local detail level, persons who can appeal in order to challenge the plan after it is formally adopted are: landowners, owners of flats in cooperative housing societies and residents, who have given viewpoints in writing during the exhibition. | At local detail level, the legal basis for an appeal in order to challenge the plan after it is formally adopted should be that the protesters' viewpoints are not met. | At local detail level, the consequence of challenges against a formally adopted plan is a handling by the County administrative board and with further appeal by the government and finally after permission by the supreme administrative court but then only on legality ground. |



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Table 5: Participation

| Sub-theme | | 5 Any other important aspect related to the public involvement in planning? | |
|-----------|----------------|--|---|
| Country | Question | 1) Is there a formal possibility to limit or avoid statutory requirements for public involvement in the planning process? | 2) Will violations of the statutory procedures for involving the public in the planning process give legal justification for resuming a new planning procedure? |
| | Planning level | | |
| BELARUS | national | No, at national level, there is no formal possibility to limit or avoid statutory requirements for public involvement in the planning process. | No, at national level, violations of the statutory procedures for involving the public in the planning process will not give legal justification for resuming a new planning procedure. |
| | regional | No, at regional level, there is no formal possibility to limit or avoid statutory requirements for public involvement in the planning process. | No, at regional level, violations of the statutory procedures for involving the public in the planning process will not give legal justification for resuming a new planning procedure. |
| | local master | No, at local master level, there is no formal possibility to limit or avoid statutory requirements for public involvement in the planning process. | No, at local master level, violations of the statutory procedures for involving the public in the planning process will not give legal justification for resuming a new planning procedure. |
| | local detail | No, at local detail level, there is no formal possibility to limit or avoid statutory requirements for public involvement in the planning process. | No, at local detail level, violations of the statutory procedures for involving the public in the planning process will not give legal justification for resuming a new planning procedure. |
| DENMARK | national | No, at national level, there is no formal possibility to limit or avoid statutory requirements for public involvement in the planning process. | Yes, at national level, violations of the statutory procedures for involving the public in the planning process will give legal justification for resuming a new planning procedure. |
| | regional | No, at regional level, there is no formal possibility to limit or avoid statutory requirements for public involvement in the planning process. | Yes, at regional level, violations of the statutory procedures for involving the public in the planning process will give legal justification for resuming a new planning procedure. |
| | local master | No, at local master level, there is no formal possibility to limit or avoid statutory requirements for public involvement in the planning process. | Yes, at local master level, violations of the statutory procedures for involving the public in the planning process will give legal justification for resuming a new planning procedure. |
| | local detail | No, at local detail level, there is no formal possibility to limit or avoid statutory requirements for public involvement in the planning process. | Yes, at local detail level, violations of the statutory procedures for involving the public in the planning process will give legal justification for resuming a new planning procedure. |



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Table 5: Participation

| Sub-theme | | 5 Any other important aspect related to the public involvement in planning? | |
|-----------|----------------|---|--|
| Country | Question | 1) Is there a formal possibility to limit or avoid statutory requirements for public involvement in the planning process? | 2) Will violations of the statutory procedures for involving the public in the planning process give legal justification for resuming a new planning procedure? |
| | Planning level | | |
| ESTONIA | national | No, at national level, there is no formal possibility to limit or avoid statutory requirements for public involvement in the planning process. | Yes, at national level, violations of the statutory procedures for involving the public in the planning process will give legal justification for resuming a new planning procedure. |
| | regional | No, at regional level, there is no formal possibility to limit or avoid statutory requirements for public involvement in the planning process. | Yes, at regional level, violations of the statutory procedures for involving the public in the planning process will give legal justification for resuming a new planning procedure. |
| | local master | No, at local master level, there is no formal possibility to limit or avoid statutory requirements for public involvement in the planning process. | Yes, at local master level, violations of the statutory procedures for involving the public in the planning process will give legal justification for resuming a new planning procedure. |
| | local detail | Yes, at local detail level, there is a formal possibility to limit or avoid statutory requirements for public involvement in the planning process: in certain cases enlisted in the Planning Act the simplified procedure for preparation of detailed plan may be applied - the local government may waive the requirements of public disclosure and substitute the procedure with concertations from the owner of the plot being planned and the owners of the neighbouring plots. | Yes, at local detail level, violations of the statutory procedures for involving the public in the planning process will give legal justification for resuming a new planning procedure. |



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BSR INTERREG III B Project
"COMMIN - Promoting Spatial Development by Creating COMmon MINdscales"
Comparison of Planning Systems

Table 5: Participation

| Sub-theme | | 5 Any other important aspect related to the public involvement in planning? | |
|-----------|----------------|--|--|
| Country | Question | 1) Is there a formal possibility to limit or avoid statutory requirements for public involvement in the planning process? | 2) Will violations of the statutory procedures for involving the public in the planning process give legal justification for resuming a new planning procedure? |
| | Planning level | | |
| FINLAND | national | No, at national level, there is no formal possibility to limit or avoid statutory requirements for public involvement in the planning process. | Yes, at national level, violations of the statutory procedures for involving the public in the planning process will give legal justification for resuming a new planning procedure. |
| | regional | No, at regional level, there is no formal possibility to limit or avoid statutory requirements for public involvement in the planning process. | Yes, at regional level, violations of the statutory procedures for involving the public in the planning process will give legal justification for resuming a new planning procedure. |
| | local master | No, at local master level, there is no formal possibility to limit or avoid statutory requirements for public involvement in the planning process. | Yes, at local master level, violations of the statutory procedures for involving the public in the planning process will give legal justification for resuming a new planning procedure. |
| | local detail | No, at local detail level, there is no formal possibility to limit or avoid statutory requirements for public involvement in the planning process. | Yes, at local detail level, violations of the statutory procedures for involving the public in the planning process will give legal justification for resuming a new planning procedure. |



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| | Planning level | | |
| GERMANY | national | No, at national level, a formal possibility to limit or avoid statutory requirements for public involvement in the planning process has no relevance. | No, at national level, violations of the statutory procedures for involving the public in the planning process will not give legal justification for resuming a new planning procedure. |
| | "Länder" | At "Länder" level, there is generally no formal possibility to limit or avoid statutory requirements for public involvement in the planning process but under special conditions possible in simplified types of planning processes, there is. | At "Länder" level, in some cases, violations of the statutory procedures for involving the public in the planning process will give legal justification for resuming a new planning procedure. |
| | regional | At regional level, there is generally no formal possibility to limit or avoid statutory requirements for public involvement in the planning process but under special conditions possible in simplified types of planning processes, there is. | At regional level, in some cases, violations of the statutory procedures for involving the public in the planning process will give legal justification for resuming a new planning procedure. |
| | local master | At local master level, there is generally no formal possibility to limit or avoid statutory requirements for public involvement in the planning process but under special conditions possible in simplified types of planning processes, there is. | At local master level, in some cases, violations of the statutory procedures for involving the public in the planning process will give legal justification for resuming a new planning procedure. |
| | local detail | At local detail level, there is generally no formal possibility to limit or avoid statutory requirements for public involvement in the planning process but under special conditions possible in simplified types of planning processes, there is. | At local detail level, in some cases, violations of the statutory procedures for involving the public in the planning process will give legal justification for resuming a new planning procedure. |



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| | Planning level | | |
| LATVIA | national | | |
| | regional | | |
| | local master | | |
| | local detail | | |
| LITHUANIA | national | No, at national level, there is no formal possibility to limit or avoid statutory requirements for public involvement in the planning process. | Yes, at national level, violations of the statutory procedures for involving the public in the planning process will give legal justification for resuming a new planning procedure. However, the law does not describe it precisely. |
| | regional | No, at regional level, there is no formal possibility to limit or avoid statutory requirements for public involvement in the planning process. | Yes, at regional level, violations of the statutory procedures for involving the public in the planning process will give legal justification for resuming a new planning procedure. However, the law does not describe it precisely. |
| | local master | No, at local master level, there is no formal possibility to limit or avoid statutory requirements for public involvement in the planning process. | Yes, at local master level, violations of the statutory procedures for involving the public in the planning process will give legal justification for resuming a new planning procedure. However, the law does not describe it precisely. |
| | local detail | No, at local detail level, there is no formal possibility to limit or avoid statutory requirements for public involvement in the planning process. | Yes, at local detail level, violations of the statutory procedures for involving the public in the planning process will give legal justification for resuming a new planning procedure. However, the law does not describe it precisely. |



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| | Planning level | | |
| NORWAY | national | No, at national level, there is no formal possibility to limit or avoid statutory requirements for public involvement in the planning process. | No, at national level, violations of the statutory procedures for involving the public in the planning process will not give legal justification for resuming a new planning procedure. |
| | regional | No, at regional level, there is no formal possibility to limit or avoid statutory requirements for public involvement in the planning process. | No, at regional level, violations of the statutory procedures for involving the public in the planning process will not give legal justification for resuming a new planning procedure. |
| | local master | No, at local master level, there is no formal possibility to limit or avoid statutory requirements for public involvement in the planning process. | No, at local master level, violations of the statutory procedures for involving the public in the planning process will only give legal justification for resuming a new planning procedure in case public authorities are involved through complaints or objections. |
| | local detail | No, at local detail level, there is no formal possibility to limit or avoid statutory requirements for public involvement in the planning process. | At local detail level, violations of the statutory procedures for involving the public in the planning process will only give legal justification for resuming a new planning procedure in those cases the appeal authority considers that the violation of procedural requirements has affected the planning decisions. |



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| | Planning level | | |
| POLAND | national | No, considering statutory requirements at national level, there is no formal possibility to limit or avoid statutory requirements for public involvement in the planning process. | No, at national level, violations of the statutory procedures for involving the public in the planning process will not necessarily give legal justification for resuming a new planning procedure because the national plan is not legally binding the third parties. |
| | regional | No, considering statutory requirements at regional level, there is no formal possibility to limit or avoid statutory requirements for public involvement in the planning process. | No, at regional level, violations of the statutory procedures for involving the public in the planning process will not necessarily give legal justification for resuming a new planning procedure because the regional plan is not legally binding the third parties. |
| | local master | No, considering statutory requirements at local master level, there is no formal possibility to limit or avoid statutory requirements for public involvement in the planning process. | Yes, at local master level, violations of the statutory procedures for involving the public in the planning process will give legal justification for resuming a new planning procedure. |
| | local detail | No, considering statutory requirements at local detail level, there is no formal possibility to limit or avoid statutory requirements for public involvement in the planning process. | Yes, at local detail level, violations of the statutory procedures for involving the public in the planning process will give legal justification for resuming a new planning procedure. |
| RUSSIA | national | No, considering statutory requirements at national level, there is no formal possibility to limit or avoid statutory requirements for public involvement in the planning process. | At national level, it is legally possible that violations of the statutory procedures for involving the public in the planning process will give legal justification for resuming a new planning procedure. |
| | regional | No, considering statutory requirements at regional level, there is no formal possibility to limit or avoid statutory requirements for public involvement in the planning process. | At regional level, it is legally possible that violations of the statutory procedures for involving the public in the planning process will give legal justification for resuming a new planning procedure. |
| | local master | No, considering statutory requirements at local master level, there is no formal possibility to limit or avoid statutory requirements for public involvement in the planning process. | At local master level, it is legally possible that violations of the statutory procedures for involving the public in the planning process will give legal justification for resuming a new planning procedure. |
| | local detail | No, considering statutory requirements at local detail level, there is no formal possibility to limit or avoid statutory requirements for public involvement in the planning process. | At local detail level, it is legally possible that violations of the statutory procedures for involving the public in the planning process will give legal justification for resuming a new planning procedure. |



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| | Planning level | | |
| SWEDEN | national | No, at national level, there is no formal possibility to limit or avoid statutory requirements for public involvement in the planning process. | No, at national level, violations of the statutory procedures for involving the public in the planning process will not give legal justification for resuming a new planning procedure. |
| | regional | No, at regional level, there is no formal possibility to limit or avoid statutory requirements for public involvement in the planning process. | No, at regional level, violations of the statutory procedures for involving the public in the planning process will not give legal justification for resuming a new planning procedure. |
| | local master | No, at local master level, there is no formal possibility to limit or avoid statutory requirements for public involvement in the planning process. | Yes, at local master level, violations of the statutory procedures for involving the public in the planning process will give legal justification for resuming a new planning procedure. |
| | local detail | At local detail level, a formal possibility to limit or avoid statutory requirements for public involvement in the planning process is that one can not appeal if the subject for one's appeal has been handled in an earlier decision. | Yes, at local detail level, violations of the statutory procedures for involving the public in the planning process will give legal justification for resuming a new planning procedure. |