I. Constitution, government and administration

1. Constitutional System

1.1. General description and the key data of the constitutional system

The system of legal acts of the Republic of Lithuania is constituted by the supreme law of a country – the Constitution, laws also other legal acts (Government resolutions, decisions adopted by municipal councils and the like).


The First Chapter is called “The State of Lithuania”. It defines the system of government and the one who executes the powers of the State, designates the juridical powers of the Constitution and stresses the territorial integrity of the State of Lithuania and the like. The Second Chapter “The Human Being and the State” is related to human rights in the State. The provisions of the Third Chapter “Society and the State” are closely connected to family, religion, education, and culture. The Fourth Chapter “National Society and Labour” refers to the system of ownership, points out what belongs by the right of exclusive ownership to the Republic of Lithuania, describes the provisions of the State in respect of freely choosing a job or business and indicates the principles concerning employees’ health as well we the relationship
between the natural environment and society. The Firth Chapter refers to the Seimas, the Sixth Chapter – to the President of the Republic, the Seventh Chapter – to the Government of the Republic of Lithuania, the Eighth Chapter – to the Constitutional Court, the Ninth Chapter consider the principles of the courts of the Republic of Lithuania. The provision of the State related to local self-government and governance is presented in the Tenth Chapter. The Eleventh Chapter is devoted to describe the principles of the system of finances and the state budget. The Twelfth Chapter outlines the basics of the State Control. The Thirteenth Chapter is related to describe the fundamentals of foreign policy and national defence of the State. The Fourteenth Chapter depicts the procedure of alteration to the Constitution of the Republic of Lithuania.

Here are the key features of the life of the State inscribed in the Constitution:

1) “The State of Lithuania shall be an independent democratic republic” (Article 1). The territory of the State of Lithuania shall be integral and shall not be divided into any State-like formations.

2) Strong principles of ownership provided in the Constitution of Lithuania: “Property is inviolable. The rights of ownership shall be protected by laws” (Article 23). However, “property may be taken only for the needs of society according to the procedure established by law and shall be justly compensated for” (Article 23).

3) The Constitution of Lithuania clearly proclaims that Lithuania is the State of market. Article 46 the Constitution states that Lithuania’s economy shall be based on the right of private ownership, freedom of individual economic activity and initiative.

4) The key points are reflected in the Constitution of Lithuania. For instance, Article 46 of the Constitution indicates that “the State shall support economic efforts and initiative that are useful to society”, “the State shall regulate economic activity so that it serves the general welfare of the Nation”, “the law shall prohibit monopolisation of production and the market and shall protect freedom of fair competition” (Article 46). Article 48 of the Constitution maintains that “each human being may freely choose a job or business, and shall have the right to have proper, safe and healthy conditions at work”.

1.2. History of the constitutional system

Lithuanian lawyers state that the history of the State of Lithuania may be divided into the two important stages of development. Today the State of Lithuania is in its second important stage of development. The first consisted of a historic Lithuania. The Kingdom in 1250-1263, and the Grand Duchy of Lithuania in 1263-1795. The Great Duchy of Lithuania drew up the union with Poland (Pospolite) and began to live a common politic life. The Constitution of Pospolite adopted in the year 1791 was the first presumptive law which was valid both in Lithuania and Poland. In the end of the 18th century the Great Duchy of Lithuania was occupied by Russian Empire and Prussia, its ally. The history of Lithuania as an independent state was intermitted.

The second stage commenced on February 16, 1918, with the proclamation of the Act of Independence and restoration of statehood. The nation’s will was expressed through
its representatives at the Seimas (Parliament) when a republic was chosen as government form of the State. Both stages of the development have been interrupted by the occupation by neighbouring countries. In the end of the 18th century the Grand Duchy of Lithuania was occupied by the Russian Empire and Prussia, its ally. The second annihilation of the Lithuanian statehood started after the outbreak of the World War II when in 1939 Germany occupied Klaipėda region and on June 16, 1940, when the Soviet Union annexed and occupied the whole country. Soon afterwards the German assault on the Soviet Union, Lithuania revolted against the occupant and regained its statehood for a short period (on July 23, 1941); however, the statehood was immediately destroyed after the German Nazi troops entered the country (on July 17, 1941). The Soviet Union, having gained the victory over Germany, continued the occupation of Lithuania since 1944. Lithuania managed to put an end to that occupation only after 50 years – by the Act of March 11, 1990 proclaiming the restoration of its statehood and simultaneously creating legal and practical pre-conditions for the collapse of the Soviet Union.\(^1\) Having restored the independence of Lithuania, the Interim Basic Law was adopted in 1990. The aforementioned law was replaced by the Constitution in 1992, which is in force up to now.

1.3 Main specifics of the constitutional system

According to Lithuanian experts in law, the Constitutional Law of the Republic of Lithuania may be defined in two different ways.

First, according to the way the document of sovereign legal powers is drawn and what forms of acts are provided for in the above-mentioned document. In this instance the sources of the Constitutional Law are the Constitution as well as the acts explicating its provisions:

- constitutional laws;
- general laws (e.g. Government laws, ... laws on elections, the statute of the Seimas which have the power of law);
- statutory acts (e.g. Government resolutions, decrees of the President of the Republic of Lithuania).\(^2\)

“From a narrower point of view the present Constitutional Law of the Republic of Lithuania may be defined according to what document has the sovereign legal powers and what regulation embedded in the document is considered to be fundamental... In this respect the Constitutional Law is a unity of the exercise and protection of the innate rights, freedom and other values of the human being... actions embedded in the Constitution and decisions adopted to the Constitution by the Constitutional Law “\(^3\)

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1 Trumpa Lietuvos teisinės sistemų istorija. (A brief history of legal system) The website of the Ministry of Justice of Lithuania http://www.tm.lt/?item=teisist
1.4 Fundamental principles of the political and the administrative system

The Constitution states that (“The State of Lithuania shall be an independent democratic republic” (Article 1). “In Lithuania, State power shall be executed by the Seimas, the President of the Republic and the Government, and the Judiciary” (Article 5). The aforementioned institutions have the sovereign national powers. According to Lithuanian lawyers the aforesaid statement of the Constitution may be interpreted in the following way: referring to the principle based on subdivision of the authorities, State power is exercised by several equal institutions and each whereof has its own fundamental power: to legislate laws (the process of legislation is implemented by the Seimas), to execute them and carry out administration (the function fulfilled by the Government), as well as to administer justice (the function performed by court). It shall be forbidden to transfer, disclaim or take over the aforesaid powers to other institutions. The Constitution states that justice shall be administered only by the courts in the Republic of Lithuania.

It may create the impression that in Lithuania the authorities are concentrated mainly at the supreme national level; however, it is not absolutely true. The Constitution speaks about the local self-government, as well. It says that the right to self-government shall be guaranteed to administrative units of the territory of the State, which are provided for by law (Article 119 of the Constitution). The position of municipalities in terms of government authorities is determined by the statement of the Constitution: “The State shall support municipalities” (Article 120 of the Constitution). Thereby, municipalities are not considered as the institutions of state administration in Lithuania; however, the State is set positively with regard to municipalities – it (the State) renders support to them (municipalities). While considering the concept of the State and municipalities as well as their relationship between each other, the Constitutional Court of the Republic of Lithuania maintains that it has established the principle of co-ordinating the interests of the State and municipalities.

Such a principle provision in respect of municipalities determines the further legal specification of their position. The Constitution partly mentions the functions of municipalities (Article 121). The legal basis of concretising them (functions) is commissioned by the Constitution to lower institutions (Article 121).

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4 A system of Lithuanian courts: the Supreme Court of Lithuania, the Court of Appeal of Lithuania, regional courts and local courts. For the consideration of administrative, labour, family and cases of other categories, specialized courts are established. The Constitutional Law shall decide whether the laws or other acts of the Seimas are not in conflict with the Constitution and whether the acts of the President of the Republic of Lithuania and the Government are not in conflict with the Constitution or laws.


7 1) The Constitution mentions that the right to self-government shall be guaranteed to administrative units of the territory of the State, which are provided for by law (Article 119), 2) The Constitution says that municipalities shall establish local levies and (at the expense of their own budget) provide for tax concessions (Article 121). These are the rights of municipalities entrenched at the level of the Constitution. The rest is assigned to other laws.
To regulate the activities of municipalities the Law on Local Self-government has been passed. It states that municipalities implement the functions of local authorities, public administration and public service provision. The Seimas shall establish administrative division of the Republic and territorial division into municipalities, as well (Article 67 of the Constitution). The Seimas virtually establish the number and value of municipalities. The Constitution states that municipal councils shall implement the decisions of the Government (Article119). In cases prescribed by the sub-laws which regulate the activities of municipalities, the Constitution shall allow the Seimas to introduce direct governance in the territory of municipalities (124 Article). On the other hand, central and territorial state administration entities, when considering issues related to the interests of a particular municipality or all municipalities, inform the mayor of the appropriate municipality or the Association of Local Authorities in Lithuania about this. Proposals submitted in writing by the municipal council or executive organs of the Association of Local Authorities in Lithuania shall be considered (evaluated) by state administration entities and answers shall be provided.

The Law on Local Self-government also states that drafts of decisions related to the change of administrative units of the state territory and its units shall be considered with municipalities in the manner prescribed by legal acts.

The institutions of the Executive implement its decisions by setting regulatory acts: laws which are legislated by the Seimas and post-law statutory legal acts legislated by the Government, the ministries and other executive institutions, regional and local municipal councils, their board and the mayor.

1.5 Division and interlink age of the political and the administrative system

In Lithuania, State power shall be executed by the Seimas, the President of the Republic and the Government, and the Judiciary (Article 5 of the Constitution).

The Position of the President of the Republic is regarded be to an exclusive institution from the political point of view: A person elected President of the Republic must suspend his activities in political parties and political organisations until the beginning of a new campaign of the election of the President of the Republic. The President of the Republic may not be a Member of the Seimas, may not hold any other office, and may not

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9 The Government resolution committing municipalities to fund the projects relating to the planning of land plots in cities - urban monuments can be the illustration of such relations (Dėl žemės sklypų respublikinės ir vietinės reikšmės urbanistikos paminklų teritorijose – Lietuvos Respublikos Vyriausybės nutarimas 1992 m. spalio 6 d. Nr. 735).


11 The Constitution of the Republic of Lithuania (Article 83). (Lietuvos Respublikos Konstitucija 83 str.)
receive any remuneration other than the remuneration established for the President of the Republic as well as remuneration for creative activities (Article 86).

The elected Seimas together with the President of the Republic (their time for elections does not coincide) form the Government of the State – appoint the Prime Minister and Ministers. The Government is regularly accountable to the Seimas.\(^\text{12}\) The Government makes an annual report on its work to the Seimas not more than once a year.

According to the Constitution, the courts of the Republic shall administer justice. Political institutions (the Seimas and the President of the Republic) influence the framework of the courts, i.e. appoint and dismiss the justices. Various courts are formed in a slightly different manner.

The President of the Republic, upon the asset of the Seimas, shall appoint the Supreme Court justices as well as judges of the Court of Appeal, and from among them, the President of the Court of Appeal. The President of the Republic shall appoint judges and presidents of regional and local courts, and change their places of work.

The Constitutional Court shall consist of 9 justices, each appointed for a single nine-year term of office. Every three years, one-third of the Constitutional Court shall be reconstituted. The Seimas shall appoint candidates for justices of the Constitutional Court from the candidates, three each submitted by the President of the Republic, the President of the Seimas, and the President of the Supreme Court, and appoint them as justices. The Seimas shall appoint the President of the Constitutional Court from among its justices upon the submission by the President of the Republic.\(^\text{13}\)

For a gross violation of the Constitution, breach of oath, or when it transpires that a crime has been committed, the President and justices of the Supreme Court as well as the President and judges of the Court of Appeal may be removed from office by the Seimas according to the procedure for impeachment proceedings.\(^\text{14}\)

The Constitution states that justice shall be administered only by courts, while administering justice, the judge and courts shall be independent, when considering cases, judges shall obey only the law.\(^\text{15}\)

Although the Constitution claims that State power shall be executed by the Seimas, the President of the Republic and the Government, and the Judiciary, so the political life in the aforementioned statement does not seem to be materialized at the local level; it is worth while touching upon (considering) it. Political life runs at the local level. Elective

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\(^{13}\) The Constitution of the Republic of Lithuania (Article 102, Article 103). (Lietuvos Respublikos Konstitucija 102,103 str.str.)

\(^{14}\) The Constitution of the Republic of Lithuania (Article 116). (Lietuvos Respublikos Konstitucija 116str.)

\(^{15}\) The Constitution of the Republic of Lithuania (Article 109). (Lietuvos Respublikos Konstitucija 109 str.)
institutions - municipal councils exist at the local as well as national levels. Municipal councils elect the municipal mayor. The municipal administration is formed to carry out the decisions of the municipal councils. It is run by the municipal administrator appointed on the proposal of the mayor as well as the decision taken by the board.¹⁶

2. Political System

2.1 General description, history and key data of the political system

The Republic of Lithuania is a multidimensional parliamentary democracy. Elections are taken at two levels: national (the Seimas and the President of the Republic are elected) and local (municipal councils are elected). The Seimas and the President of the Republic shall form the Government of the State.

Local authorities – municipal councils are the institutions elected directly by the citizens. The electorate votes for the political parties. In proportion to the votes received, the parties are given seats in municipal councils.

Speaking about the political life at local level, it is importance to mention the principles according to which the work of the institutions of local authorities is carried out. Accountability to voters; participation of the population in the management of public affairs of a municipality; adjustment of local government and State interests while managing public affairs of municipalities; freedom and independence of the activities of local authorities when they, while implementing laws, other legal acts and obligations to the community, adopt decisions; transparency of activities; adjustment of interests of the community and individual residents of a municipality; publicity and response to residents’ opinion; lawfulness of the activities of a municipality and decisions adopted by local authorities; ensuring and respect for human rights and freedoms¹⁷ are the basic principles the Law on Local Self-government prescribed to the institutions of local self-governance.

2.2 National level of the political system

2.2.1 Organ(s) at national level

The Seimas and the President of the Republic are the two institutions having the supreme political (elective) powers in Lithuania.

The Seimas is unicameral and presided over by the Speaker. The Seimas shall consist of representatives of the Nation—141 Members of the Seimas who shall be elected for a four-year term on the basis of universal, equal, and direct suffrage by secret ballot; 71 Members of the Seimas are elected directly and the rest according to a list of parties

¹⁶The Law of the Republic of Lithuania on Local Self-Government. 1994.07.07, No. I-533, Chapter 7, Article 29, Parts 1,2. (Lietuvos vietos savivaldos įstatymas. 1994m. liepos 7d., Nr. I-533, septintas skirsnis, 29 str., 1,2.)

(proportional electoral system). Gaining more than 5 per cent political parties receive seats at the Seimas. When in office, Members of the Seimas shall follow the Constitution of the Republic of Lithuania, the interests of the State as well as their own consciences, and may not be restricted by any mandates.18

2.2.2 Authority / function at national level
The Constitution states that the Seimas shall fulfi l the function of passing laws (having the legislative power).

The position of the President of the Republic is defined abstractly by the Constitution: It claims that the President of the Republic shall be Head of the State. He shall represent the State of Lithuania and shall perform everything with which he is charged by the Constitution and laws (Article 77). Practically the President of the Republic performs two importance roles at national level.

1) The President of the Republic is a sort of instrument of balancing the influence over the Seimas. The President sign laws adopted by the Seimas. If the President does not, the law is referred back to the Seimas for consideration. The President of the Republic and the Seimas appoint Head of the Government and its members. The President of the Republic, in cases provided for in the Second Paragraph of Article 58 of the Constitution; announce pre-term elections to the Seimas. Furthermore, the Seimas, in cases provided for by law, may initiate the procedure for impeachment proceedings and remove the President from office for gross violation of the Constitution or breach of oath, also when also when it transpires that a crime has been committed.

2) The President of the Republic takes part in the activities of the executive, especially in the sphere of foreign policy.

The President of the Republic decrees within the framework of his powers, e.g. the President shall appoint diplomatic representatives of the Republic of Lithuania to foreign states and international organisations, confer the highest military ranks, declare a state of emergency according to the procedure and in cases established by law, grant citizenship of the Republic of Lithuania. Decrees of the President assume legal power when they are written by the Prime Minister or the corresponding Minister. The decisions related to certain cases are executed (established) by the decrees of the President, but not the rules of general character.

2.2.3 Tasks / Responsibilities at national level
Twenty functions are provided for the Seimas by the Constitution. Lithuanian analysts specialized in law divide them into 4 groups19:

1) The powers related to legislation. In this respect the Seimas shall establish State taxes and other compulsory payments, approve the State Budget and supervise its execution, establish and abolish ministries of the Republic of Lithuania, declare acts of

18 The Constitution of the Republic of Lithuania (Article 59). (Lietuvos Respublikos Konstitucija, 59 str.)
amnesty, ratify international treaties of the Republic of Lithuania and establish administrative division of the Republic, i.e. division into municipalities and higher administrative units.

2) The powers related to governance. Here the Seimas shall appoint and dismiss the State Controller and the Chairman of the Board of the Bank of Lithuania, form the Central Electoral Commission, call elections of municipal councils as well as for the President of the Republic of Lithuania, establish the date of referendums and execute parliamentary control.

3) The powers related to specific constitutional ties of the Seimas to the President of the Republic, the Government and the Judiciary. The Seimas shall appeal to the Constitutional Court due to the evaluation of correspondence of administrative acts to the Constitution, appoint justices of the Supreme Court and judges of the Court of Appeal as well as of the Constitutional Court, consider issues of foreign policy, shall or shall not give assent to the candidature of the Prime Minister submitted by the President of the Republic; consider the programme of the Government (the Seimas approves the General Plan of the Territory of the Republic of Lithuania in compliance with the Law on Territorial Planning of the Republic of Lithuania which is valid up to the present).

4) The functions dealing with protection of the State. The Seimas shall impose martial law and a state of emergency, declare mobilisation, and adopt a decision to use the armed forces.

Members of the Seimas shall follow the Constitution of the Republic of Lithuania, the interests of the State as well as their own consciences, and may no be restricted by any mandates.

The President of the Republic of Lithuania shall perform twenty functions provided for in the Constitution, which can generally divide into five categories.

1) Functions related to foreign policy. The President of the Republic shall sign international treaties of the republic of Lithuania and submit them to the Seimas for ratification, appoint and dismiss, upon the submission of the Government, diplomatic representative of the Republic of Lithuania, “decide other issues of foreign policy”.

2) Functions related to the Seimas as well as the formation of the Government. The President of the Republic shall appoint and dismiss, upon the assent of the Seimas, the Prime Minister, appoint and dismiss Ministers upon the submission by the Prime Minister, accept the resignation of the Government and, as necessary, charge to continue exercising its duties.

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21 The Constitution of the Republic of Lithuania (Article 59).(Lietuvos Respublikos Konstitucija, 59 str.)


23 The Constitution of the Republic of Lithuania (Article 97).(Lietuvos Respublikos Konstitucija, 97 str.)
3) Functions connected to the appointment of officials. The President of the Republic shall appoint, upon the assent of the Seimas, the Commander of the Armed Forces and the Head of the Security Service submit to the Seimas the candidatures for the State Controller and the Chairman of the Board of the Bank of Lithuania.

4) Functions related to the State defence. The President of the Republic shall be Head of the State Council of Defence which consider as well as co-ordinate important issues of State defence.

5) Other powers the President of the Republic is charged by the Constitution. The President of the Republic shall convene, in cases provided for in the Constitution, an extraordinary session of the Seimas, announce regular elections to the Seimas and, in cases provided for in the Constitution, announce pre-term elections to the Seimas, sign and promulgate laws adopted by the Seimas or refer them back to the Seimas, confer State awards and grant citizenship of the Republic of Lithuania according to the procedure established by the law.

The President of the Republic shall not be inviolable: may neither be arrested nor held criminally or administratively liable. The President of the Republic may be removed from office ahead of time only for gross violation of the Constitution or breach of oath, also when it transpires that a crime has been committed. The issue of removal of the President of the Republic from office shall be decided by the Seimas according to the procedure for impeachment proceedings (Article 86).

2.3 Regional level of the political system

2.3.1 Organ(s) at regional level

At mid level territorial administrative units in Lithuania are known as counties. There are no elective institutions of authority at the said level. The authorities of counties are distributed (the functions of the authorities are presented in chapter “Administrative system”)

2.4 Sub-regional / local level of the political system

In Lithuania territorial administrative units are known as municipalities at local level (Figure Nr.1). Municipality Law on Local Self-government adopted in 1994 is charged to govern “institutions of public administration”, but not state ones.

2.4.1 Organ(s) at sub-regional / local level

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24 The President of the Republic of Lithuania may announce pre-term elections to the Seimas:
1) if the Seimas has not, within 30 days of the day of the submission, adopted the decision on the new programme of the Government or if the Seimas has disapproved the Government programme two times successively within 60 days of the day of the first submission of the Government programme;
2) on the proposal of the Government, if the Seimas expresses direct no-confidence in the Government (The Constitution of the Republic of Lithuania (Article 58)).
The Law on Local Self-government states that a municipal council is an institution which implements the right to self-governance. The councils of municipalities are elected for a four-year term (Article 55 of the Constitution). The Law on Local Self-government maintains that members of a municipal council are responsible and accountable to voters for their activities, local authorities shall provide conditions for the population to directly participate in drafting decisions, organising polls, meetings, assemblies, public consideration of petitions, as well as promote other forms of civic initiatives in the management of public affairs of a municipality. The population or their representatives shall be entitled to get access to decisions adopted by local authorities, to receive public and justified answers to expressed opinion on work done by local authorities and other entities of public administration of a municipality, as well as individual employees. Activities of entities of public administration of a municipality may be secret or confidential only in cases specified by the law. The municipal council elects the Head of a municipality – the mayor and, upon the proposal of the mayor, appoint the head of the executive of a municipality or administration.

2.4.2 Authority / function at sub-regional / local level

The objective of the Law on Local Self-government shall be to freely and independently act according to the Constitution of the Republic of Lithuania and other laws. Municipalities have their own autonomy. Municipalities may go to law, provided their rights are violated. Decisions adopted by the municipal council as well as the mayor’s decrees which are not beyond the scope of powers of the afore-mentioned institutions are compulsory to the municipal administration and residents, as well as to all institutions and enterprises lying within the territory of a municipality.

The activities of the governing of municipalities are supervised by the representatives of the Government within a county. The representatives of the Government are responsible for verifying whether local authorities act according to the Constitution and other laws, and how the local authorities exercise resolutions adopted by the Government.

Functions of municipalities shall, according to discretion to adopt decisions, be divided as follows: - independent;
- assigned (of limited independence);
- State (delegated to municipalities);
- contractual.

The Law on Local Self-government prescribes fourteen independent functions to municipalities of the Republic of Lithuania:

1) formation and approval of the State budget;
2) pre-school education;
3) additional education, and vocational training of children and youth;
4) informal education of adults;
5) provision of meals at institutions of pre-school and general education;
6) establishment, maintenance of agencies of social services, and cooperation with public organizations;
7) support of health care of the local population from the municipal budget;
8) organisation of people’s employment, acquiring of qualification and re-qualifying, public and seasonal works;
9) participation in ensuring public order and peace;
10) development of physical training and sports;
11) organisation of tourism and recreation;
12) establishment of territories protected by a municipality, declaring objects of nature and cultural heritage of local significance the objects protected by the municipality.
13) creation of conditions for the development of business and promotion of such activities;
14) other functions which are not assigned to state institutions.

Assigned functions of municipalities shall be as follows: organization of general education of children, youth and adults; organization of transportation to schools and to places of residence of pupils of rural schools of general education, who live far from schools; ensuring of education of children under 16 years of age who live in the territory of a municipality, at schools of general education or other schools within the education system; provision of social services and other social support; creation of conditions of social integration into the community of the disabled (invalids, persons with total disability); preparation and implementation of health programmes of municipalities; primary personal and public health care; control of compliance with the prohibition or restriction of alcohol and tobacco on exterior means of advertising; territory planning, implementation of solutions of a general plan and detailed plans of the territory of a municipality; promotion of general culture and ethno culture of the population (establishment of museums, theatres and other cultural institutions and supervision of their activities), establishment, reorganization of public municipal libraries and supervision of their activities; establishing, in the manner prescribed by the law, of urban planning requirements for architecture of a construction works and putting of a construction plot in order in the set of construction works designing conditions; maintenance and protection of the landscape, immovable cultural values and protected areas established by a municipality; supervision of the use of construction works, issuance of a set of construction works designing conditions and permits to build in the manner prescribed by the law; planning of the infrastructure, social and economic development, preparation of programmes related to the development of tourism, housing, small and medium enterprises; management, use and disposal of the land and other property which belong to a municipality by the right of ownership; organisation of heating and drinking water supply, as well as waste water collecting and treatment; management of State aid to acquire housing, provision of social housing; improvement and protection of environment quality; approval of sanitary and hygiene rules and organisation of the control of compliance with the said rules, ensuring of cleanliness and tidiness in public places; development of municipal waste management, organisation of secondary raw materials collecting and processing, as well as establishment and exploitation of waste dumps; maintenance, repairing, surfacing of roads and streets of local significance, as well as ensuring of traffic safety conditions; organisation of transportation of passengers by local routes, calculation and payment of compensations of the preferred transportation of passengers; provision of addresses (names of streets, buildings, construction works and other objects located in the territory of a municipality and belonging to it by the right of ownership, numbers of buildings and residential houses as well as flats) and change thereof; ensuring of rendering of burial services and organisation of maintenance of cemeteries; participation in the formation and implementation of regional development programmes; establishment of the procedure of rendering of trade and other services in marketplaces and public places; issuance of
permits (licences) in cases and manner prescribed by the law; implementation of public noise management and its prevention attributed to municipalities.\textsuperscript{29}

The Law on Local Self-government prescribes 33 State (delegated to municipalities) functions, which shall be as follows: registration of acts of civil status; management of registers assigned by the law and furnishing of data to State registers; organisation of civil protection; organisation of fire-prevention services of a municipality; participation in the management of national parks; calculation and payment of compensations (heating expenses, cold and hot water expenses, government-supported passenger services and others); organisation of free-of-charge meal provision for children from low-income families at all types of general education schools; calculation and payment of social benefits; management, use and hold in trust the State land and other State property assigned to a municipality; consideration of citizens’ requests to restore ownership rights to dwelling houses, their parts, flats, buildings used for economic and commercial purposes, as well as adoption of decisions on the restoration of ownership rights; execution of State guarantees for tenants moving out from dwelling houses or their parts and flats which are returned to owners; control of use and accuracy of the State language; management of archival documents assigned to municipalities in accordance with legal acts; participation in selecting draftees for military service; participation in preparing mobilization; provision of statistical data; participation in preparing and implementing labour market policy measures and employment programmes; participation in the organisation of elections of the President of the Republic, elections to the Seimas and to municipal councils; participation in the preparation of plebiscites and referendums; participation in the carrying-out of population and dwelling census and other total census; protection of children and young people's rights; allocation of quotas for State purchase of agricultural products; registration of farmers' farms; declaration of crop; establishment of damage made to the agriculture by ungulates; exploitation of reclamation and hydro technical equipment, organisation of soil liming; registration and technical maintenance of tractors, self-propelled and agricultural machines and their trailers; co-ordination of agricultural issues, organisation and implementation of rural development and support for agriculture and rural development; provision of the initial legal support guaranteed by the State; organization of the data on declaration of permanent places of residence and the report on the citizens without permanent place of residence; ensuring of rendering of social care to people with strong disabilities.\textsuperscript{30}

Municipalities of Lithuania may have property by the right of ownership. They have very little right of ownership of land – the land on which buildings of municipalities stand may belong to them.

Financial resources of municipalities. Financial resources of municipalities shall consist of: 1) municipal budget revenue received from taxes in accordance with laws and


other legal acts; 2) income from municipal property (ownership); 3) fines received in a
prescribed manner; 4) local fees and charges; 5) income of municipal budgetary agencies
for provided services; 6) income for balance of municipal funds in current accounts; 7)
income received in the manner prescribed by the Government after the distribution of funds
for plots of state land sold and rented for non-agricultural purposes; 8) state budget
subsidies; 9) other income established by the law; 10) grants (monetary resources); 11)
loans.\footnote{The Law of the Republic of Lithuania on Local Self-Government. 1994.07.07, No. I-533,
Chapter 9, Article 36. (Lietuvos Respublikos vietos savivaldos įstatymas. 1994m. liepos 7d., Nr. I-
533, devintas skirstnis, 36 str.)}

2.4.3 Tasks / Responsibilities at sub-regional / local level
The highest institution of governing a municipality is Municipal Council. The said
council shall:
- approve municipal council’s business regulations;
- elect the mayor and dismiss him prior to the expiry of the term of office;
- on the recommendation of the mayor, appoint deputy (deputies) of the mayor and
dismiss him (them) prior to the expiry of the term of office;
- form committees and commissions of the municipal council which are
necessary to organize the activities of the municipal council;
- approve, on the recommendation of the mayor, the structure of the municipal
administration;
- approve the municipal budget and the report on its implementation;
- distribute budgetary assignments to budgetary institutions;
- adopt decisions on the social and economic development of a municipality, as
well as the development of the municipal territory;
- prepare projects on general sustained social, cultural, agricultural,
demographic, ecological, health programmes, and the programmes related to investment,
control and prevention of crime, designing and construction of objects of social and
industrial infrastructure;
- fix prices and rates for the payable services rendered by municipal enterprises,
special-purpose companies, municipal budgetary and public agencies, as well as the
transportation of passengers by local routes, and, in the manner prescribed by the law, fix
prices of centralised supply of heating, cold and hot water, establish local charges and fees
and other payments;
- adopt decisions on the use of bank credits, taking and making of loans,
provision of guarantees and warranty to creditors for loans taken by enterprises controlled
by a municipality;
- adopt decisions on the provision of tax, charges and fees privileges and other
privileges provided for by laws, at the expense of the municipal budget;
- adopt decisions on the disposal of the property belonging to a municipality by
the right of ownership;
- adopt decisions on the management, use and disposal by trust of the State land and other State property assigned to a municipality;
- establish municipal budgetary agencies, municipal enterprises, households, public agencies, join-stock companies, as well as territories protected by a municipality;
- announce nature and cultural heritage monuments of local significance which are protected by a municipality, adopt decisions on the improvement of the condition of environmental protection;
- approve the rules concerning the protection of green plantations, of maintaining order in cities and other residential areas, sanitary and hygiene, waste management, keeping of pets, trade in market places, etcetera.

There are forty nine functions prescribed to the municipal council by the Law on Local Self-government. 32

Not more than once time a year, the municipal council shall, in the manner prescribed by the regulation on the activities of the council, be accountable to the population of a municipality on the work they have done.

The mayor shall be accountable to the municipal council and the community for the activities of a municipality. The mayor shall convene municipal council settings and preside over them, propose to the council candidatures for the head of municipal administration, head secretariat work, present drafts of decisions on issues concerning the life of municipalities. 33

The mayor's decisions shall be executed by decrees.

The mayor shall, only one time a year, be accountable to the municipal council for his activities and the electorate for the activities of a municipality.

2.5. Further / intermediate level(s) of the political system

2.5.1 Organ(s)

As a rule, territories of municipalities in Lithuania shall be divided into smaller territorial subdivisions – wards. The municipal council shall form the administration of the wards, hereof will be discussed in chapter “Administrative system.”

2.6 Further information on the political system


33 The issues can be: 1) the public order; 2) primary public and individual health care, organization of care for the sick, disabled and elderly; 3) organization of preschool education, the general education and additional training of children and youth and the general training of adults; 4) looking after the cultural education of the population and the promotion of general and ethnic culture; 5) organization of the processes of migration, employment of the population, qualification courses and retraining as well as public jobs. – The Law on Local self-Government of the Republic Lithuania. 1994.07.07, No. I-533, Chapter 4, Article 21. (Lietuvos Respublikos vietos savivaldos įstatymas. 1994m. liepos 7d., Nr. I-533, ketvirtas skirsnis, 21 str.)
Residents of the community of a residential locality or several residential localities (a village or several villages, a city or a town) may elect a representative (representatives) of the community. The principal task of a representative of the local community - to take care of the interests of the community and to represent the community in the ward, when necessary - in local authorities and state agencies functioning in the municipal territory, as well as to familiarise the warden of the ward to which the territory of the community is assigned, with public matters of the community. If such matters are related to the activities of the warden, a representative of the local community may inform the mayor about them. A representative of the local community shall carry out his duties on a voluntary basis.

3. Administrative System

3.1 General description, history, and key data of the administrative system

There exist central and territorial entities of governance in the State administration agencies of the Republic of Lithuania. The establishments of central Government shall be the Government and ministries, which are formed to govern separate spheres of the State life. Territorial entities of public administration are constituted to govern separate territories of the State. The highest territorial unit of the State governing in Lithuania shall be county. At present there are ten counties in Lithuania.

3.2 National level of the administrative system

3.2.1 Institution(s) at national level


There are other State institutions under the Government of Lithuania: Information Society Development Committee, Department of Physical Education and Sports, Lithuanian Archives Department, Weaponry Fund of the Republic of Lithuania, Drug Control Department, Department of Statistics, Department of National Minorities and Lithuanians Living Abroad, State Data Protection Inspectorate, State Nuclear Power Safety Inspectorate, the Supreme Administrative Disputes Commission, et cetera.

34 The Constitution of the Republic of Lithuania (Article 91). (Lietuvos Respublikos Konstitucija, 91 str.)
3.2.2 Authority / function at national level
The Government of the Republic of Lithuania, presided over by the Prime Minister, shall be the highest collegial institution of the State, implementing the executive power in Lithuania. The formation and legal basis of the Government are described in Chapter 7 of the Constitution and in the Law on Government.

3.3.3 Tasks / responsibilities at national level
The Government shall, as it stated in the Law on the Government of the Republic of Lithuania, “implement the executive power in Lithuania”.

The Constitution states that the Government shall:
- administer the affairs of the country, protect the inviolability of the territory of the Republic of Lithuania, guarantee State security and public order;
- execute laws and resolutions of the Seimas on the implementation of the laws as well as the decrees of the President of the Republic;
- co-ordinate the activities of the ministries and other establishments of the Government;
- prepare a draft State Budget and submit it to the Seimas; execute the State Budget and submit to the Seimas a report on the execution of the budget;
- prepare draft laws and present them to the Seimas for consideration;
- establish diplomatic ties and maintain relations with foreign states and international organisations;
- discharge other duties prescribed to the Government by the Constitution and other laws.

The Constitution of Lithuania declares that the Government of the Republic of Lithuania shall be jointly and severally responsible to the Seimas for the general activities of the Government. Upon the request of the Seimas, the Government or individual Ministers must give an account of their activities to the Seimas.

3.3 Regional level of the administrative system

3.3.1 Institution(s) at regional level
According to the area the territory occupied, the territorial administrative unit in Lithuania is known as a county at central level (Scheme Nr. 2). The Administration of the county governor control counties. The governing of a county is regulated by the Law on the Governing of the County.

3.3.2 Authority / function at regional level

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36 The Constitution of the Republic of Lithuania (Article 96). (Lietuvos Respublikos Konstitucija. 96 str.)
37 The Constitution of the Republic of Lithuania (Article 101). (Lietuvos Respublikos Konstitucija. 101 str.)
The Government shall appoint the office of counties (the governor and his deputy). The Government shall establish the structure of the Administration of the county governor, fund the activities of the Administration (The county governor shall submit to the Government the draft revenue and expenditure plan of the county).

3.3.3 Tasks / responsibilities at regional level

The tasks of the Administration of the county governor shall be:

1) to implement state policy in the spheres of social maintenance, education, culture, health care, territorial planning, monument protection, land use and protection, as well as agriculture, environmental protection, and other spheres, to implement state and inter-regional programmes;

2) to co-ordinate the activities of the ministries and other structural divisions of Government institutions lying within the limits of the county, as well as to co-ordinate the activities of executive institutions of the local authorities in implementing regional programmes (The Administration of the county governor shall supervise the activities of the institutions of local authorities and State lying within the limits of the county: it may submit to the Seimas or the Government the decisions adopted by the said institutions, if the decisions do not correspond to laws, Government resolutions or violate the rights of citizens and organizations);

3) to provide for the priority trends of the county development and prepare its programmes.

This is only a brief description of the tasks of the Administration of the county governor. The Law on the Governing of the County develops a very comprehensive and versatile spectrum of the functions of the county. It is of great importance to the territorial planning that the governor of the county shall:

- manage free state land stock, with the exception of land transferred into the possession of the institutions of local authorities;
- implement land reform;
- in the manner prescribed by law, establish state regulation of land servitudes and land use, as well as state control of land use;
- co-ordinate, organize and implement regional programmes of agricultural development;
- sell or transfer State demesne to proprietorship, with the exception of land plots attributed to the privatized entities of immoveable property, represent the State in transferring private land to government property and the state in accordance with laws and testament in inheriting land;
- deal with a problem of taking of land for public needs and changing the purposes of land use.

organize the preparation of territorial planning documents of the county, as well as participate in the procedure of co-ordinating them;
- assemble and manage data bank of territorial planning, and the register of territorial planning data, furnish information to data banks of other levels;
- furnish information, findings and recommendations for the preparation of general and special plans of the territory of the Republic of Lithuania;
- in the prescribed manner, establish conditions for the preparation of territorial planning documents for the county and municipalities;
- in the prescribed manner, perform state supervision of municipal territorial planning, the design of construction works, acknowledgement of construction works suitable for exploitation, as well as their destruction; in the prescribed manner, issue permits to build (with the exception of those which issuance assigned to the head of the municipal administration in the manner established by laws);
- in the manner prescribed by law, organize the supervision of territorial planning;
- co-ordinate the activities of the institutions of local authorities and the state in executing the work of geodesy, topography, cartography and geoinformatics, in the prescribed manner, perform state supervision of the said work;
- protect cultural values and monuments, keep record of them, and organise supervision of monument conservation;
- act as the client for the construction of structures attributed to the county.40

3.4 Sub-regional / local level of the administrative system

3.4.1 Institution(s) at sub-regional / local level

The Law on Local Self-government states that the executive power of a municipality shall be the head of the municipal administration, who is responsible and accountable to the municipal council and the mayor. The head is appointed on the proposal of the mayor by the decision adopted by the council.41

3.4.2 Authority / function at sub-regional / local level, tasks / responsibilities at sub-regional / local level

Municipal administration shall organize and control the implementation of decisions of local authorities or implement them itself; implement laws and resolutions of the Government which do not require decisions of local authorities; organize the management of accounting of municipal budget income and expenditure and other monetary resources; organize and control the disposal and use of municipal property; draw up drafts of decisions and ordinances of local authorities, and implement other functions established by law.

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3.5 Further / intermediate level(s) of the administrative system

3.5.1 Institution(s)
In Lithuania territories of municipalities are divided into smaller territorial units known as wards. The ward shall be a structural territorial unit of the municipal administrative, functioning in a certain part of the municipal territory. The number of wards, their name, as well as the boundaries of the territory of a ward shall be established by the municipal council. The functions of a legal entity assigned to the ward shall be set by the municipal council by its decision. The ward shall be headed by the warden. He shall, by competition (favourable opinion of the residents is regarded as an advantage) be appointed and dismissed by the mayor, in compliance with the Law on Public Service. In the ward an advisory ward council may be formed from the representatives of the local community, which functions as a voluntary body. Its regulations shall be approved by the mayor in accordance with modal regulations approved by the Minister of the Interior. 42

3.5.2 Authority / function
The activities of the ward shall be regulated by the Law on Local Self-government and provisions of the activities of the ward approved by the mayor.

3.5.3 Tasks / responsibilities
The wards shall keep residential property data books in rural localities; furnish to municipal administration subdivisions the data necessary for the records of school-age children (up to 16 years of age); furnish to municipal administration the data on the youth of military age whose residence lies within the territory of the ward; participate in organizing civil protection; organize the supervision and maintenance of roads, streets of general use; organize the maintenance of territories and cemeteries assigned to the ward; issue permits to bury, register deaths; in the manner prescribed by the law execute notarial and other acts; consider cases of violation of administrative legal acts.

When necessary, the municipal council in the territory assigned to the ward establish public agencies and enterprises of a municipality. The municipal council may transfer to the warden half of the functions assigned to the incorporator of the said agencies and enterprises.

II. Planning System

1. Planning system in general

1.1 History of the planning system

The first law on territorial planning was adopted in the history of Lithuania before the World War II.

After the World War II, when Lithuania became part of the Soviet Union, planning developed together with the whole culture of the soviet planning system. The key feature of the said culture consisted in the fact that government authorities were virtually the only proactive entity in social life. As there existed only one character in social life, there was one relation, i.e. the relation of authority with itself. As a result, there were no problems concerning the law on planning and the law on planning did not exist. Government authorities saw another way of forming the planning system. The idea was that science had to analyse life and propose rational decisions (in the sphere of planning, as well); those scientifically proved decisions had to be set in the norms and regulations of planning. Planners had only to apply them. The participation of the population in planning seemed to be useless. There was a period of cold war conditions of the world, and the territorial planned structure was of great importance from the point of view of defence. One can draw the conclusion that planning has no meaning to be public: it must be secret, as well.

Having regained independence, a new situation was created in Lithuania. The structure of planning was and is still determined by the general idea of public life prevailing in society. It became known to the masses; however, the traditions of soviet life as well as the conception of democracy and market incorporating the fragments taken from the films and impressions of short trips to the West are enthusiastically negated. There dominated the idea in society that planning died together with the planned (soviet) system, but Lithuania was oriented to the West, where planning existed. Very little was known about it.

The planning system of independent Lithuania was developed through the controversial political and cultural contexts. The process of the planning system formation was rather slow; however, economical life was developing. Hence, there were very few changes in the material environment during the first years of independence. The Law on Territorial Planning was first enacted in 1995. It was a very important turn in the evolution of urban cultural: Lithuania returned to the sphere of activity regulated by law.

The Law on Territorial Planning was the basic law regulating territorial planning for a short period of time. Yet, there were other laws which influenced the planning apart from the said one, e.g. Law on Land, Law on Environmental Protection, and Law on Protection of Immoveable Cultural Properties. They all form the planning system in general.

The Law on Territorial Planning stated that the planning of territories has to be implemented at: the national, the regional, the county and a natural or legal entity level. Planning at a natural or legal entity level, i.e. the law spoke that a person is

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empowered to prepare and confirm (agreed with the Government) the territorial plan which is in his possession; it was a unique event in the history of European planning. The Law on Territorial Planning seemed to have emerged because of an intention to consolidate the positions of ownership and private business. Such a provision assumed to implement the said. The Law on Territorial Planning names private persons as organizers and backers of special and detailed plans; however, it does not mention which special and detailed plans he can and which he cannot organize and fund. Thus, there was a possibility for personal interpretations concerning the role of private persons in the system of planning.

Classification of types of territorial planning mentioned in the Law on Territorial Planning adopted in 1995 was peculiar. The Law on Territorial Planning distinguishes the following types of territorial planning: general, special (sectorial), detailed.\textsuperscript{44} The special plan was not classified according to the levels (the Law of Territorial Planning identifies only the objects of special planning which may be the following: the land stock of the Republic of Lithuania, including forest land, water resources; social and cultural activities on the territory under planning; system of infrastructure and their parts; protected territories, their systems, natural and immovable cultural properties.\textsuperscript{45} In point of fact, the Law on Territorial Planning opened a possibility for the special planning to be realized at all levels. In contradistinction to the special plan, the Law on Territorial Planning has rather clearly divided master and detailed plans into certain levels.

The Law on Territorial Planning held that the master plan of the territory of the country is prepared at the national level, while the master plan of the territory of the county – at the county level.

A more complicated planning was observed at the local level. On one hand, there seemed to emerge two stages: general planning of the territory of the municipality and its specification; on the other hand, the Law on Territorial Planning mixed such division in a sense. The master plan might have been prepared not only for the whole territory of the municipality, but also for its part\textsuperscript{46}, while the detailed plan might have been prepared not only for the part of the municipality, but also for the whole town.\textsuperscript{47}

Detailed and special plans have to obey the master plan.\textsuperscript{48}


The Law on Territorial Planning has not divided the objectives of territorial planning according to the planning levels or types. The Law wrote, that territorial planning shall have the following objectives:

1) to balance the development of the territory of the Republic of Lithuania;
2) to form an adequate, healthy and harmonious environment for living, work and recreation with the aim of creating better living conditions of equal value on the whole territory of Lithuania;
3) to form a policy of development of residential areas and infrastructure systems;
4) to reserve (define) territories for the development of infrastructure of residential areas, other spheres of activity, and different types of land;
5) to protect, use rationally and recover natural resources, natural and cultural heritage, recreational resources among them;
6) to maintain an ecological equilibrium or to restore it;
7) to harmonise the interests of natural and legal entities or their groups, also the interests of the public, municipalities and the State regarding the conditions for the use of a territory and land plots also with regard to the type of activity in the territory;
8) to promote investments for the social and economic development.

According to the Law on Territorial Planning, master and special plans must have been prepared at an adequate level approved by the authority – the law did not designate when they have to be prepared. However, the Law enumerated the cases of preparation of detailed plans. Detailed plans shall be mandatory for construction, reconstruction or demolition and many other cases. Under such requirements of the Law on Territorial Planning, the procedure for preparation of master plans was very slow, while detailed plans were developing extremely fast. One had to prepare lots of detailed plans; however, the Government was unable to fund them all. Financing and organization of preparation of detailed plans was practically the matter of private business. Hence, institutions under the authority had to control detailed plans.

According to the Law on Territorial Planning, approval of detailed plans depended on the level and type. The master plan of the territory of the Republic of Lithuania had to be approved by the Seimas. The master plan of the county had to be approved by the Government. Detailed plans had to be approved by the municipal board.

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In Lithuania new tendencies appeared in the system of planning during the first part of the year 2000.

First tendency deals with a clearer demonstration of provisions of regional policy in Lithuania. Lithuania was about to become member of the European Union, and it is understandable that Lithuania sought to integrate harmoniously into the European political culture and regional politics. Although the Law on Territorial Planning virtually incorporated the fundamental principles of regional policy accepted in Europe (e.g. “to balance the development of the territory of Lithuania\footnote{The Law of the Republic of Lithuania on Territorial Planning. 1995. 12.12., No. I -1120. Article 3, 1. (Lietuvos Respublikos teritorijų planavimo įstatymas. 1995m. gruodžio 12d. Nr.I-1120. Vilnius. 3straipsnis, 1).}”) and indicated certain instruments (the master plan of the territory of Lithuania, master plans of counties), when preparing them it is mandatory to perform an adequate analysis of the existent economic, social and other conditions, it was agreed to consider the country resolution and represent the issues of regional policy more clearly. Hence, the purport was not to develop the fundamentals of regional policy which had already been included in the law on territorial planning, but to create a new law on the regional policy. In 2002 such a separate Law on Regional Development, created especially for regulating the regional development, was adopted.\footnote{The Law of the Republic of Lithuania on Regional Development. 2000.07.20. Nr. Nr. VIII-1889. Article 4, 1. (Lietuvos Respublikos regioninės plėtros įstatymas. 2000 m. liepos 20 d., Nr. VIII-1889, Vilnius., 4straipsnis,1)}


The above-mentioned two streams of planning differ mainly in the following: the planning of regional development manifests itself much less on the territorial dimension
than the planning in the light of the Law on Territorial Planning. Plans of regional development (e.g. The Plan on the Development of Vilnius County (Region) 2003-2007) possess some territorial features, i.e. they survey the condition of municipalities of the county, and in charts describe what and in which municipality is necessary to do. These plans do not often analyse smaller territorial units than a municipality. Plans of regional development do not present any maps of actions or territorial schemes.

As the Law on Territorial Planning shall analyse the economic and social situations in compliance with the law, both planning streams duplicate one another in this part. On the other hand, regional plans (emphasizing spiritual side of the Law on Regional Development) have a very significant element which is not often present in the territorial plans according to the Law on Territorial Planning. This is a prevision of financing resources and the need of funds.

An endeavour to combine future visions with financing flows, to integrate the planning (sectorial and inter-sectorial, territorial and non-territorial) which is performed in various countries into one whole, as well as to promote it generally in those sectors which passively treated the planning is considered to be the second tendency highlighted in the system of planning in Lithuania in the year 2000. The aforesaid calculation of the need of funds in the plans of regional development is one of the spheres of manifestation of the above-mentioned tendency. The third stream of planning – “strategic planning” appeared in the year 2000. In Lithuania “strategic planning” is not the same as territorial planning; it is not the same as planning of regional development, as well.

In Lithuanian government documents “strategic planning” appeared in 1999 as an element of internal work of the Government which apparently may not have touched upon territorial planning then. After several years the conception of “strategic planning” became more clearly defined; moreover, it encompassed territorial planning to some extent, as well. At the beginning “strategic planning” became evident in the Government work, then in the activities of municipalities.

In 1999 the Government of the Republic of Lithuania by Resolution No. 434 approved the Strategic Planning Committee of the Government of Lithuania and provisions of its activities. Primarily, the Strategic Planning Committee of the Government of Lithuania was created as a deliberative body of the Government in preparing the state budget. It was indicated in the provisions of the activities of the Committee that the Committee shall submit proposals with respect to more comprehensive issues, i.e. strategies and priorities of the executive policy of the Government.

A new Government resolution adopted in the year 2000 counter changed the stresses. Now the statement is that the Committee shall submit proposals concerning the strategy of the Government executive policy, its strategic aims, priorities and their

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61 Except that it is often recorded which institution or construction work has to be renovated, expanded and the like.


In 2002 the Government approved a new document - Strategic Planning Methodology.\footnote{The Government resolution of the Republic of Lithuania “On Approval of Methodics of Strategic Planning”. 2002. 06.06. No. 827. (Lietuvis Respublikos Vyriausybės nutarimas „Dėl Strateginio planavimo metodikos patvirtinimo“. 2002. 06.06. Nr. 827.)} It deals with a new issue in principle: it focuses particularly on the system of all new acts of planning of institutions of local authorities and the Government, but does not discuss the activities of the Government deliberative body. Strategic Planning Methodology was modified in 2004; however, general features have left the same.

In comparison to the Law on Territorial Planning, a new element in “Strategic Planning Methodology” was that public administration institutions were charged to create the tasks for themselves, but not to prepare regulations on what they govern. “Strategic Planning Methodology” claims that action plans of authorized institutions (strategic plans) have to be confirmed by real financing possibilities. It also maintains that the results of strategic plans have to be sought and given an account of. Here, financing possibilities are discussed more profoundly than in plans of regional development. The layout of resources, control of the implementation of drafts in “strategic planning” is considered to be of paramount importance. Other issues are treated as secondary matter.

As there were no assurances of carrying out the plans of financing in documents of territorial planning of Lithuania, the tendency of integrating drafts and financing planning, which manifested itself in the streams of regional development and strategic planning, might have influenced the culture of territorial planning more significantly, but it did not occur.

The Law on Regional Development has very little spoken about territorial plans. It states that it is essential to evaluate territorial planning documents in preparing plans of regional development. “Strategic Planning Methodology” discusses territorial planning less than the Law on Regional Development does. The truth is that “Methodology” in its own scheme of planning works indicates the General Plan of the Territory of the Republic of Lithuania; however, it does not speak about any other territorial planning documents. Moreover, it does not mention any other laws regulating planning and does not analyse any relations of “Methodology” with the laws.

Hence, every planning jurisdiction has a tendency to work for itself: jurisdiction of territorial planning is inclined to plan territories; jurisdiction of regional development is characterized by the tendency to discuss social and economic issues of municipalities, while jurisdiction of strategic planning concentrates particularly on expenditure planning.

From the legal point of view, this situation was rectified by amendments of the Law on Territorial Planning adopted in 2004. At present the Law on Territorial Planning states
that preparation of territorial planning documents must be co-ordinated with strategic planning documents drafted for the same territory and sphere of activity. Strategic planning documents shall be drafted before the beginning of territorial planning process or may be drafted during the preparation of territorial planning documents. The programmes of implementation of decisions are prepared to ensure the implementation of decisions on territorial planning documents.\footnote{The Law of the Republic of Lithuania on Territorial Planning. 1995. 12.12., No. I -1120 (edit. 2006). Article 6. (Lietuvos Respublikos teritorijų planavimo įstatymas. 1995m. gruodžio 12d. Nr. I-1120, Vilnius (2006m redakcija), 6 straipsnis.)}

Strategic planning is approaching territorial planning not only on the legal, but also on the practice bases. The strategic plan of Vilnius town 2002-2011 does not only present a list of town projects or calculate the need of funds, but also demonstrates in many schemes what changes and constructions are determined by those projects. It would appear that one more step and strategic together with territorial planning will be merged into one planning ‘stream'; however, it has not occurred yet. At present there exist three planning streams in Lithuania which are co-ordinated between each other. Territorial planning possesses more territorial characteristics than the rest two. Further discussion will focus mainly on territorial planning. (The process of regional development planning is not detailed)

1.2 Basic principles

The hierarchy of Territorial Planning in Lithuania is, in comparison with other European countries, rather a complex one (See Scheme 3). The Law on Territorial Planning divides planning into the corresponding levels according to two principles of classification: firstly, according to what entity approves territorial planning documents; secondly, according to the size of the territory under planning as well as the level of explication of the plan.

According to the first principle, the following levels of territorial planning shall be distinguished:

1) the national level of the Republic of Lithuania (for territorial planning and its documents which shall be approved by the Seimas);
2) the Government (for territorial planning and its documents which shall be approved by the Government);
3) the Government institution (for territorial planning and its documents which shall be approved by the Government institution);
4) the county (for territorial planning and its documents which shall be approved by the county governor);
5) the municipality (for territorial planning and its documents which shall be approved by the Municipality Council and its authorized Administration Director of Municipality.

According to the second principle, the Law identifies four levels of territorial planning:
1) the national level of the Republic of Lithuania – the whole territory of the State (master and special territorial planning documents are prepared);

2) the regional – a portion of the State territory, distinguished by the administrative (county) or principal functional relation (master and special territorial planning documents are prepared);

3) the district – a portion of a region, distinguished by the administrative (municipality) or concrete functional relation (master and special territorial planning documents are prepared);

4) the locality – land plots or their groups (detailed and special territorial planning documents are prepared)

A system of plan levels.

The said system plays a certain schematic role – territorial plans of one type complete it entirely, while of the other – only some of “tables.” For instance, according to the first principle of division into levels, the Regulations for the Drafting of Special Plans on Territories of Objects of Cultural Heritage and Their Protection Zones “occupy” only one level of planning – all special plans on objects of cultural heritage and their protection zones are territorial planning documents of the Government institution level, according to the institution approving the plan.

According to the other principle dealing with the size of a planning territory as well as the level of solutions concretization, these Regulations identify three levels of territorial plans of cultural heritage: the regional level (when the plans are prepared for counties), the district (when the plans are prepared for portions of a region, distinguished by the administrative (municipality) or concrete functional relation, and the local (when plans are prepared for land plots and their groups). One “table” of the national level is left empty even in this case.

General planning completes the scheme “tables” of levels of planning mostly.
Scheme 3. Levels of Territorial Planning in Lithuania

The Law on Territorial Planning describes the participants’ role as well as their competence in planning twice: generally and in more detail – speaking about preparation of plans in separate regulations for the drafting of plans (sometimes introduced by the Government resolution, sometimes – by the Order of the Minister of Environment).

Planning in Lithuania consists of the following elements:
- organization of planning;
- formulation of plans (preparation of plan projects);
- public participation in the preparation of a plan;
- co-ordination of plans;
- control of plan projects;
- approval of plans;
- supervision of the implementation of the approved planning document solutions (monitoring).

Formulation, co-ordination, consulting or public discussion and submission are approved by the executive institutions. Depending on the level of planning, an organiser of planning can be the Government or its authorized entities of public administration, the county governor, the director of the municipal administration. The system of territorial planning in Lithuania differs from that of in some European countries: (in the event of special and detailed planning) organisers of planning cannot only be the State or municipality institutions, but also legal and natural persons. Governing institutions of municipalities can conclude contracts
regarding the transfer of the rights and duties of the organiser of the detailed territorial planning to the land owner, manager or user. The authorities can transfer all the rights and duties of the organiser of planning with the exception of the decision to prepare a plan and its approval. There are plenty of such cases in detailed planning. One reason for the appearance of this element in the system of planning is the fact that detailed plans must be drafted in great numbers (there is a relatively small amount of events, when one can do without the detailed plan), whereas the municipal funds are not sufficient for their preparation.

Plan projects can only be prepared by legal and natural persons having a right to formulate territorial planning documents – certified enterprises or specialists are required to perform this kind of activity.

The organiser of planning (in the case of general and sometimes special planning), referring to the approved Planning Works Programme, announces the procedure for choosing a planner of the master plan in manner stipulated by the Law on Public Procurement (1996, No. 84-2000) and other legal acts. On choosing the winner of the said procedure, the organiser of planning together with him/her conclude a contract about the performance of planning works, a works task and a timetable for the fulfilment of works are hereto attached. In practice, as demonstrated by the experience, the organiser and planner’s relations are very different during the planning, depending on the type of plan, locality and concrete sectors. These relations are especially tough in the detailed planning, a bit more formal – in the planning of the Municipal territories. However, even here the organiser’s participation can be so active that some Lithuanian experts in the sphere of planning are preoccupied with a decline in the professionalism of planning.

The public is informed about the preparation of plans during their formulation; when became acquainted with plan projects, it can also provide proposals and receive solutions (in preparing various plans in a bit different way). The Law on Territorial Planning distinguishes “the interested society”, i.e. part of the society which is influenced or can be influenced by territorial planning document solutions or which takes interest in implementing those solutions.

Plans are co-ordinated with a) institutions of high status (which are responsible for the sectors the plan can attach significance to and b) neighbouring, territorial and administrative formations. Before preparing the document of territorial planning, the organiser of planning applies to the said institutions so that they should propose the planning conditions, but when the organiser has finished the project, he co-ordinates it with them.

Supervision of plan projects (which corresponds to certain laws, other legal documents and plans of higher levels) is performed by the appropriate subdivisions of territorial and administrative units of higher status. On the national level, control of territorial planning document projects is executed by the State Inspectorate of Territorial Planning under the Ministry of Environment; county governor’s administration is responsible for carrying out control of plan projects of municipalities.
The Municipality Council approves the master and detailed plans of a municipality. The Government approve the master plans of the county, the Seimas – the master plan of the State territory. Various institutions approve special plans (Regulations for Special Plans are identified).

The Law on Territorial Planning (Article 10, 7) state that control, supervision and observation (monitoring) of the implementation of territorial planning document solutions are performed after having approved the master plans. When they have been approved, another prominent stage of their existence emerges (a bit different with detailed and special plans).

Municipal Administration (local authorities) performs control, supervision and monitoring of the approved master plans of a municipality. Before each election, Municipal Administration reports on monitoring to the Municipality Council.

County governor’s administration carries out monitoring of the solutions of the county master plans, while monitoring of the implementation of other plans of higher levels is conducted by the Ministry of Environment. Before the elections to the Seimas, report on monitoring of the implementation of solutions of the county and higher levels is submitted to the Government. In carrying out monitoring of the implementation of almost all master plans, one follows the principle that seldom does the institution approving the plan receives information about the findings of monitoring. The General Plan of the Territory of the Republic of Lithuania is the exception. The Seimas approving it does not hear the report on the results of implementing the plan (Description of the procedure for the Preparation of the General Plan of the Territory of the Republic of Lithuania. Resolution No. 753 of the Government of the Republic of Lithuania 16-06-2004).

Monitoring of implementing the master plans of the county and municipalities has an element of publicity, although the Law focuses much more on public participation in the preparation of those plans rather than on their implementation. The Law refers to it very abstractly: implementing bodies of the municipal and county plans have to inform the public about realisation of general territorial planning document solutions in their own Internet page (on the municipal level and in press). The public may not be notified on the implementation of the solutions of the General Plan of the Republic of Lithuania in accordance with the description of the procedure for the Preparation of the General plan of the State Territory of the Republic of Lithuania.

Institutions of all levels of governing (local authorities, county governor’s administration and the Government) prepare plans of the corresponding level and perform monitoring of implementing the prepared plans.

Besides, governing institutions of higher status discharge additional functions, i.e. county governors’ administrations and the Ministry of Environment perform supervision of the prepared planning document projects of lower level. The Law on Territorial Planning foresees the Government role in forming the planning policy of the State territories. The Ministry of Environment executes its technical part.
The following types of plans can be distinguished in the system of Lithuanian planning: general (comprehensive), special (sectorial) and detailed. This is not a mistake – the Law treats the detailed plan not as the level of planning, but as the type. The Law on Territorial Planning describes the aforementioned types of planning as:

“General territorial planning – a comprehensive planning for establishing the territorial spatial development policy, the priorities in the use and protection of a territory as well as the principal means of its management.”

“Special territorial planning – planning of means related to spatial organization, management, use and protection of a territory necessary for separate types of activities.”

“Detailed territorial planning – planning of parts of the municipality territory for determining the limits of a land plot as well as for establishing, changing or abolishing the conditions for using a land plot and developing an activity in it.”

The Law on Territorial Planning outlines the whole system of territorial planning and regulates all types of planning to a certain degree. As a rule, other laws also outline the said system stating that their regulating documents are formulated in conformity with the Law on Territorial Planning. For instance, the Law on Protected Territories writes that “managing protected territories and developing an activity in them is carried out in accordance with the documents of general and special territorial planning as well as of strategic planning, and the regulations which are established by the said documents and prepared in full conformity with the provisions of the Law on Territorial Planning and the Law on Construction.”

Special planning is influenced by a big number of other laws and post-statutory acts with the exception of the Law on Territorial Planning. Most laws and post-statutory acts are applied to the protection of natural and cultural heritage (the Law on Environment Protection, the Law on Protected Territories, and the Law on Protection of the Immovable Cultural Properties).

There is no law applied to the detailed planning: it is only regulated by the Law on Territorial Planning and the Regulations for the Drafting of Detailed Plans which are approved by the Order of the Minister of Environment.

1.3 Objectives and scope, functions

The Law on Territorial Planning is the only source which deals with the fundamental functions of territorial planning in Lithuania. First of all, the Law identifies the objectives of planning and the content of plans. At present, in the system of planning in Lithuania, there are no comments on the said Law or literature examining the essence of planning, its philosophy in general.

What does the Law on Territorial Planning tell us about the key functions of planning?

The territorial planning has the following objectives:

1) to maintain an equilibrium of the social, economic and ecological development of the State territory;
2) to form a healthy and harmonious environment for living, work and recreation with the aim of creating better living conditions of equal value on the whole territory of Lithuania;
3) to form a policy of development of infrastructure, residential areas and other types of activities;
4) to protect, use rationally and recover natural resources, valuables of natural and cultural heritage, recreational resources among them;
5) to form the nature framework, to maintain an ecological equilibrium of the landscape or to restore it;
6) to form land plots, reserve territories for the development of infrastructure of residential areas, other spheres of activity, and different types of land;
7) to harmonize the interests of natural and legal persons or their groups, also the interest of the public, municipalities and the State regarding the conditions for the use of a territory and land plots also with regard to the type of activity in this territory;
8) to promote investments for the social and economic development.

A list of tasks is the question dealing with the meaning of planning “Why is it necessary to accomplish the said objectives?” “How and to which extent can territorial planning contribute to that?” - This is not completely clear, but to be more precise, it is simply a matter of interpretation.

The main functions of planning practically fixed in legal regulations of planning.

The regulative function of planning in Lithuania is obvious. The preparation of all plans is finished by the decision of the authorities. This decision is mandatory for persons working in the corresponding territory. Therefore, the planning is not simply a matter of contemplations, and the activities of the authorities are restricted. There are certain nuances in performing this function. The role of regulating the activities is performed by the detailed and some special plans fairly well – their solutions are (mostly) clear and concrete. It is not hard to carry out them. Master plans performing this role “operate” much harder: the higher the level of the master plan, the more abstractive its solutions. Even if one wants to conform to such character of documents, it sometimes becomes difficult to do it in practice (and to the contrary).

We can say two things about an analytical function of planning in the system of planning in Lithuania. First, the analysis of the present condition (in these latter years – consequences) is mandatory in preparing all plans. Accordingly, the analytical function is obvious at the stage of preparing the plans;
however, the document being approved, another function of planning, i.e. the regulative one should be fore grounded. What matters mostly is the fact what the plan forbids and what allows. Practically speaking, the question “why”- is of very little concern.

The system of territorial planning in Lithuania allows planning to act as the co-ordinator of activity. All plans must be co-ordinated with neighbouring institutions and institutions of higher status. The public is encouraged to be engaged in the preparation of plan projects. Counties and municipalities may draw up plans co-operatively. The procedure of the county planning forces even municipalities to do it.

Hence, the way is open for co-ordination and co-operation of activity, yet the question arises “Do we want to use that way practically?” A mandatory procedure of co-ordination is naturally implemented, but co-ordination of activity does not always come up the level of co-operation. One of such examples may be several initiatives of general studies of planning concerning Vilnius and Kaunas counties and municipalities.

1.5 Main elements / 1.6 Main instruments of implementation

One of the main instruments of implementing the objectives indicated in plans is their solutions, expressed graphically and orally. Plans of various levels and types are usually different. In attempting to view it generally, it is possible to mention only some peculiarities.

All master, special and detailed plans contain a graphical part in which territorial zoning is presented one way or another, i.e. a regime of the territory use. There are restrictions of classifying the use of a territory in the system of planning of Lithuania. The Law on Land lays the foundations for them which divide the use of land into 5 “principle specific purposes”:

1) land designated for agricultural purposes;
2) land designated for forestry purposes;
3) land designated for water purposes;
4) land designated for conservation purpose; and
5) land designated for other purposes.

The Order of the Ministers of Environment and Economics divided the said “principle specific purposes of land use” into greater detail, i.e. into the means and characters of land use.

This classification is especially important in the detailed planning. The solutions of the plan must strictly be integrated in the framework of the said classification. The higher the level of the plan, the more subtle its correlation with that classification; however, the elements of territorial zoning remain. The Regulations for Master Plans require identifying “functional priorities” of the use of the territory in the County master plans. “Functional priorities” are presented in the currently valid General Plan of the Territory of the Republic of Lithuania.
The higher the level of the plan, the more territorial zoning attempts (not only formalized ones in advance) it contains.

**A system of communications and engineering infrastructure** – roads, streets, indication of their classification, as well as important “points” of communications systems, i.e. ports and airports, lines of engineering communications and components are a traditional element of the content of plans.

![Drawing No.1. The nature framework of the territory of the Republic of Lithuania and State policy of its conservation. – The drawing of the Master (General) Plan of the Territory of the Republic of Lithuania.](image)

**Protected territories** – (of natural and cultural heritage) is an inevitable element of master and detailed plans, as well as most of special ones. In theory, there exists a strong idea focusing mainly on protecting the nature framework of the State and its (the State) ecological “backbone” territories in Lithuania.

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67 Nature framework - “An integral network of territories of natural and ecological compensation, which determines an ecological equilibrium of the landscape, natural relations between protected
Territorial elements of the nature framework are indicated in the General Plan of the Territory of the Republic of Lithuania. Trends of activities are pointed out in the said elements to a certain extent: it is designated where one has to protect the present condition, to change it, or to restore natural conditions (See, Drawing No. 1)

The classification of towns into centres of various ranks is regarded as a traditional example of the solution of the National Plan. Such classification was applied in the “Scheme of Distributing Productive Forces” in the fifties; it is being also applied to the presently valid General Plan of the Territory of the Republic of Lithuania. However, a “bundle” of “urban framework”, i.e. towns, densely populated rural territories among them and communication systems connecting the said is a new element of general planning of the State (See, Drawing No. 2)

![Drawing No.2. The urban framework of Lithuania. – The drawing of the General Plan of the Territory of the Republic of Lithuania.](image)

Characteristics of formulating the objectives of master plans.

The objectives of master plans are indicated rather abstractly for the most part. For instance,
“develop city economy, culture, science and education and other ranges, based on the concept of sustainable development, create a healthy, comfortable to live in and safe environment, unique cityscape, and foster nature diversity; strengthen democracy and city self-governance, unite citizens into communities. Integrate city community needs and co-operate with local civic organisations; initiate and participate in international municipal co-operation projects.”

Despite the fact that in preparing plan projects, calculations (e.g. dealing with the needs of a living place) are really performed; the objectives are not indicated in plans specifically (in number). Sometimes, there are numbers included in the plan texts; however, mostly they specify forecasts, but not the objectives of the plan. For example, the General Plan of the Territory of the Republic of Lithuania states that “The agrarian territory is foreseen to decrease roughly 0.7 % per cent within a year and the territory of agricultural lands – 0.5 %.”

The objectives of many detailed plans are sometimes relatively pragmatic, e.g. “to change the limits of plots and their territory, establishing the regulations for construction.”

Special plans do not often indicate the parameters of concrete objectives, as well. For instance, the following are the objectives of the Concept of the Special Plan of Distribution of Skyscrapers in Vilnius City:
1. to create preconditions for the harmonious distribution of skyscrapers in a city while protecting and consistently developing general components of the urban structure – silhouette, panorama, diversity of town sceneries – significant signs of town image and cultural identity;
2. to provide for the means and restrictions determining preservation of valuable elements of town visual identity, as well as of natural and cultural values;
3. to establish territories for the preparation of the solutions of the special plan on skyscrapers and formulate the principle provisions on the concept of their development.
4. to create preconditions for the harmonious distribution of skyscrapers in a city while protecting and consistently developing general components of the urban structure – silhouette, panorama, diversity of town sceneries – significant signs of town image and cultural identity;
5. to provide for the means and restrictions determining preservation of valuable elements of town visual identity, as well as of natural and cultural values;

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68 Official Plan of Vilnius City 1998. – detalisation of the first target group „Integration into the Network of Eastern and Mid European capital Cities”
6. to establish territories for the preparation of the solutions of the special plan on skyscrapers and formulate the principle provisions on the concept of their development.

Means for realizing the solutions of plans.

In relation to this question, it will be said that there is a provision on having a system of realization means of plans: Lithuanian statutory basis requires preparing programmes pertaining to the realization of plans.70 Practice still stands behind the provisions; it is true that it is quite different in the preparation of various plans.

Thus far, financial substantiation of the solutions of plans (with the exception of detailed and some special plans) has been rather tenuous in Lithuania. It is possible to compare Lithuanian master plans with the rules of the road. The rules “work”, if someone drives; these rules as such do not make the car drive. A plan performs the role of activity restrictions rather than of its programme. This can easily be proved by the fact that most of the solutions of the 1998 Master Plan of Vilnius City failed to be implemented until the beginning of the plan preparation of a new city in 2005.

However, there are some changes in that direction. In preparing strategic (e.g. towns) development plans, it is attempted to calculate how much the intended actions will cost, what sources they might be appropriated from? That is to say – might be appropriated; nobody knows whether they (intended actions) are financed or not, there are no assurances at all. Still, in preparing the territory plan after the strategic one, financing planning attempts were made beyond it (territory plan). At present, in preparing a new Vilnius City General Plan, endeavours have been made to step forward and further on, it has been calculated how much the realization of the foreseen changes of the city would cost. Having assessed the municipal revenue last year, it became apparent that the said revenue would not be sufficient to defray even half of those expenses. It is not clear who will defray them or if defrays them at all.

In the activities of municipalities, there are certain attempts made to co-ordinate the actions of the authorities and private sector; however, it has not developed into the extensive co-operation in preparing master plans.

The preparation of special plans is a bit different matter to be considered. Here, we can speak about the plans of the State or municipality construction (e.g. making a circuit of the town). In these cases, plans are sometimes financed; measures are taken to redeem the land, and the like.

A completely different situation comes at the level of detailed planning. Major part of detailed plans are prepared practically by private persons (here, municipalities' powers are limited; they only issue conditions, co-ordinate and

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70 For example, the Regulations for the Preparation of Master Plans of the County Territory (approved by the Order of the Minister of Environment No. D1-263, 2004.05.07), X. 34. The Regulations of Master Plans of the Municipality Territory (approved by the Order of the Minister of Environment No. D1-263, 2004.05.07), X. 54.1.
approve projects). In such cases, money is always lurking behind the detailed plans, while in cases of bigger projects, experts and consultants are necessary.

Speaking about the implementation of plans, it is of great importance not only to focus on formulation of the objectives and solutions of plans, special means of their realization, but also on interrelationship of those plans: after all, acting in accordance with the solutions of the higher level plans, the plans of a lower level can also contribute to their realization. As far as interrelationship of plans is concerned, it is discussed in greater detail thereunder (§ 2 Planning legislation and jurisdiction) – here, we will only note that various Lithuanian laws allow us to view the interrelationship of plans in a different light. In such a situation, realization of plans, especially application of sanctions to non-compliance with plans is a real predicament. It is proved by practice. Sometimes, disputes concerning non-compliance with the solutions of plans are sunk in long legal proceedings (but there are people who were defeated and even penalized).

In attempting to generally overview the path from the objectives of plans till construction practice, it is practically possible to observe the fact that the solutions of detailed plans have most realistically and explicitly reached a life practice (especially – in the central parts of towns). Here, construction mostly corresponds to the planned purpose of land and regimes, non-designated streets, and the like.

As the solutions of master plans are not financed quite well, it is not clear when and what will happen or if it happens at all according to those plans. The solutions of master planes were changed by municipalities relatively freely on the run of the Law on territorial planning wording 1995 (Table 1, page 64).

It is more difficult to examine the practical aspect of the elements of the master plan of the State territory. The categories of centres and “urban framework” have some political significance in distributing the State budget and investments. The motive of the nature framework at the stage of analysis is designated in master plans of all levels (counties, towns); however, implementation of the elements of the National plan at the stage of solutions is subjected to various interpretations in master plans: authenticity of the nature framework is restored even in leaving forests and developing rural economy in them, as well as occupying it. This is partly because of the fact that a practical content of formulating the solutions of the master plan of the State has not been clarified; moreover, there have been rather a small amount of the county plans being prepared which would have to concretize the solutions of the master plan of the State in the system of planning in Lithuania.

1.7 Significance of transnational and trans-border aspects

Speaking about the impact of neighbouring countries on the planning system of Lithuania, it is necessary to draw our attention to several questions: a) What European countries’ impact does Lithuanian planning culture react to? b) What is the role ascribed to neighbouring countries? c) How do various layers of
society react to neighbouring countries? d) What is the dynamics of that reaction?

Having regained the independence, the whole Lithuania looked with great interest in one direction - to the West. Lithuanian society ascribed itself the role of a student, while the role of a teacher – to the West European countries. Actions taken by the near-by countries of the former soviet bloc at the beginning of independence did not seem instructive, but they were neighbouring countries which it was necessary to merchandise with, as well as to co-ordinate some actions (e.g. co-ordinate actions concerning border territories).

European countries have produced a considerable impact on the planning system of Lithuania. If it had not been for the example of the developed countries, Lithuania would not have had its own planning system for quite a long period in general. The planning law of European countries (mostly in Finland) is attempted to assume the ground in writing the Law on Territorial Planning of Lithuania. Planning practice of European countries influenced the said Law to a considerably great extent – the principle of the participation of the public in the process of territorial planning was incorporated in the Law on Territorial Planning of Lithuania and has recently been applied to it (more or less effectively). The concept of sustainable development was integrated into the planning system of Lithuania by the European counties. They also influenced the appearance of the analytical component of the impact of the plan solutions on the environment as well as the corresponding regulations.

In accordance with the regulations of the European Union, Lithuania performs separate concrete actions, e.g. develops “Natura 2000” territories. Inclusion of the old town into the list of territories under UNESCO’s protection became a real “headache” for the local authorities, enthusiasts protecting cultural heritage of city, and the like.

Lithuania’s membership in EU has created opportunities for an intensive international exchange of experience on planning, as well as for the studies of its own system.

The State’s attitude towards neighbouring countries is currently being changed. The level of self-awareness and self-reliance of the State society is increasing. There are signs indicating that in increasing the said level, the attitude towards international community falls apart: the highest governing institutions react to neighbouring countries in one way, municipalities (or even most of the society) - in another. The position of the highest layers of authority remains the same, more than that Lithuania’s membership in EU is obliged to regard its decisions. The role the old European countries play of a model for municipalities has been faded to some extent. There is a strong assumption that Lithuanian politics and specialists have acquired enough competence in self-organising issues. One is likely to arrive at this conclusion because it is not new anymore to hear the distrust of the EU provisions at this level in the spheres of environment, cultural heritage protection and social policy.

Municipalities, planners and architects of foreign countries are considered to be a model for Lithuanians, if their concept and actions coincide with that of
the Lithuanian. Model retrieval does not have only one geographical direction – models are selected.

1.8 Current and upcoming changes and challenges

The 1995 Law on Territorial Planning was amended several times. The operative planning, i.e. a possibility to change master plans promptly and simply throughout the life, was eliminated 10 years ago. A double system of dividing plans into levels appeared. The role of special plans was consolidated: as all the plans of the same or lower level had to conform to the master plans in the former edits, now master or special plans are of equal importance – the plan drafted a foretime has to conform to a new one (it will be discussed in greater detail there under). The requirement has been set to co-ordinate territorial planning with strategic one. The requirement for considering and regulating architectural and aesthetic questions has been reinforced. The system of planning has not virtually been changed (however, the question “Are these changes considerable?” would be answered differently by various Lithuanian experts.

A number of documents regulating the planning increased: lots of rules regulating the preparation of various plans in detail appeared. All these changes were the result of Lithuanian specialists’ initiatives.

Probably a most vivid contribution of the EU provisions to the planning system in Lithuania deals with consolidation of the assessment of the consequences of the solutions of plans in the Law on Territorial Planning and appearance of a pack of the regulations detailing this provision.

The system of territorial planning is in process of evolution. At present, the project of a new edit of the regulations of master plans is being prepared.

The question “What are the problems of territorial planning of Lithuania nowadays” would be answered differently by various Lithuanian experts. Having analyzed it, the problems of the system of territorial planning in Lithuania seemed to be divided into two groups: 1) the problems of system transparency and logical coherence, and 2) the problems relating to the content.

1. The following are the problems of system transparency and logical coherence:

1.1. Formulation of the objectives of planning documents. The objectives of territorial planning are stated in the rights of Lithuanian planning in general. The objectives of detailed and general plans of the State, municipalities and towns are not indicated. One has to speculate why we need the levels of planning?

1.2. It is rather difficult to comment on the relationship between the objectives, tasks and their means of solution in the culture of Lithuanian planning system (both in the law on planning and in planning practice).

Here are several factors illustrating the said.

The law on Lithuanian planning provides the objectives of territorial planning, but it does not explain why they are as such and how they can be realized by territorial planning means? The Regulations for the preparation of
county plans indicate the objectives of the county planning, but refer to them as tasks. It is apparent that there stands the provision behind it that objectives and tasks do not actually differ from each other. It is not often explained in master plans how the solutions of the plan are related to the set objectives (moreover, some planners assume that it is useless to do it: specialists can easily interpret plans, while it is impossible for outsiders to explain them in principle). It is possible that the absence of coherence of actions determines a desirable, yet general noncommittal formulation of objectives in many parts of planning culture. Such a strategy does not uncover the essence of the existence of planning; it does not disclose why concrete planning documents are necessary. It motivates the idea of generalization, i.e. the less regulations (planning), the better for all. As it is “somehow” wrong not to plan, pseudo planning is becoming acceptable – the drawing of coloured maps hardly influence the life.

1.3. Possibilities of the interpretation of different character on interrelationship of plans in the light of various laws (in greater detail – there under, Chapter II, §. 4)

1.4. Discourse of the documents regulating territorial planning. Specific terms are sometimes used in those documents, but they denote something different in the common language. They can be rare or not present in the common language at all. They are not defined. Specialists interpret them differently, while such a system of language of documents make the idea of planning almost incomprehensible for the public.

2. Problems related to the content of planning system.

2.1. There are separate planning jurisdictions duplicating each other in several parts: territorial planning, regional planning and strategic planning. There exists likelihood that their co-operation and convergence into the overall planning can be useful for the State.

2.2. One of the key problems of Lithuanian planning culture is that plans sometimes influence signally the distribution of welfare (in general sense) between the society on the one hand and separate individuals on the other; they sometimes produce a great influence on the interpersonal position of individuals: for some individuals the solutions of the plan create favourable conditions for living, business or may increase the value of their property considerably, for other – to the contrary. It has not been seen in the present practice of planning. Although feuding sometimes flares up because of the plans or antagonistic sides sometimes make a deal, an elemental struggle goes on in a peculiar manner. In those cases when someone’s interests are violated, one lacks the principles of clarity and accountability.

2. Planning legislation and jurisdiction

2.1. Legal framework of planning
If we set the Law on Territorial Planning in the centre of laws regulating planning in Lithuania, then the rest should be laid out in a certain order with regard to the said Law. One should place the Constitution higher than the Government, the Law on Local Self-Government, the Law on Land, for they detail the principles of the relationship of private persons, municipalities and the State which are introduced in the Constitution. For example, the Law on Land apply them to land. These laws formulate preconditions for the existence of territorial planning, outline the competence of the State and municipalities, and regulate the relations of land\textsuperscript{71}, the rights and duties of the owner of land in the way that the owners and users of land must “in the manner established by legal acts, build construction works and facilities only after having received necessary permits.” Moreover, they must “act in accordance with special conditions of land use established for the land plot and in full conformity with requirements identified in the territorial planning documents.” They also must use the land according to the principle specific purpose, means and character of land use\textsuperscript{72}. The Law on Land influences the instruments of plans to a certain extent, for it indicates who and to what purpose of land use can be applied.

The Law on Regional Development and Strategic Planning Methodology (approved by the Government of Lithuania, Resolution No. 902 of July 2004) should be equally placed near the Law on Territorial Planning. Both documents have developed two planning movements composing a territorial aspect and reflecting the content of general territorial planning to a certain extent. Strategic Planning Methodology is not a document of law level, but according to its historical significance, it should be included here, as well.

On the other hand, a number of sectorial laws may be placed lower than the Law on Territorial Planning (from the point of view of territorial planning): the Law of the Republic of Lithuania on Environment Protection, the Law on Forests, the Law of the Republic of Lithuania on Protected Territories, the Law of the Republic of Lithuania on Protection of the Immovable Cultural Property, and the rest. Each law manages its own sphere; however, while implementing the said management, it uses the instruments of territorial planning in accordance with the system dictated by the Law on Territorial Planning.

After laws, one should name post-statutory acts, i.e. the Government resolutions, and a bit lower – orders of ministers detailing the approved statements included in laws. The following are the post-statutory acts: Description of the procedure for the preparation of the master (general) plan of the state territory of the Republic of Lithuania, Provisions of public discussion of territorial planning document drafts, Regulations for the drafting of master plans of the county territory, Regulations for master plans of the municipality territory,


Regulations for special plans of communications and transport, Regulations for special plans of infrastructure development (heat, electricity, gas and oil supply networks), et cetera. A system of territorial planning in Lithuania is of great importance, for the weight of such post-statutory acts in the whole system of legal regulations is extremely considerable: a major part of territorial planning regulations are explicated especially in those acts.

2.2 Legislation and jurisdiction on different levels

Lithuania is not a federal State. The Seimas (the Parliament) legislates laws. The Government regulates territorial planning and other laws by resolutions and ministers’ orders. The Municipality Council’s decisions do not produce any impact on the system of planning.

2.3. Binding character

Speaking about the implementation of the solutions of plans, sanctions for non-conformity with those solutions, one should describe in greater detail in which system of relations underlined by laws they appear, i.e. answer the questions: “Who is responsible for their implementation”, “Who is responsible for conforming to them”. Only then we can speak about who has to conform to them, and who may be held guilty of not conforming to them.

Trying to answer that question, one should distinguish two lines of relationship: plans – plans, and plans – natural and legal persons.

Let us describe the first relationship: plans – plans.

The relationship differs while reading various Lithuanian laws. First, territorial planning documents are approved by the authorities, and we can therefore treat plans as their solutions. The relationship of decisions of institutions is inevitably reflected in the relationship of plans in general.

The Seimas, the Government and municipalities are the key institutions approving plans (the county governors are subordinate to the Government). The Law on Local Self-Government and the Government establish their relationship. “What is a system of relationship between decisions adopted by the authorities according to above-mentioned institutions?”

The Seimas is the legislative body of laws and solutions which has the highest legal power; therefore, the preparing plans of the authorities have be subordinate to the solutions of the Seimas or to the General Plan of the Territory of the Republic of Lithuania among them.

A more complicated is the relationship of the Government and municipalities. The Law on Local Self-Government states that municipalities are not subordinate to the State institutions.73 The Law on the Government states that the Government provides recommendations in the spheres of social


The same Law on Local Self-Government says in another article however that the functions of municipalities should be divided into three categories: independent, limited independent and the state functions (given to municipalities). The territorial planning and many other tightly with it connected functions (landscape and heritage protection, technical and social infrastructure planning, preparation of adobe programmes etc) belong to the category of limited independent functions of municipalities.

The solutions of the Municipality Council (master and detailed plans of the municipality territory, special plans) are mandatory for the municipality administration, institutions, enterprises and organizations lying in the territory of a municipality, as well as for the population, according to the Law on Local Self-Government.\footnote{The Law of the Republic of Lithuania on Local Self-Government. 1994.07.07, No. I-533, (edit. 2007) Article 40., 2 (Lietuvos Respublikos vietos savivaldos įstatymas. 1994m. liepos 7d., Nr. I-533 (2007m redakcija), 40 straipsnis, 2.)}

In this way the relationship of plans is viewed in the light of jurisdiction of general authority institutions’ relationship.

The Law on Territorial Planning includes two important aspects. First, it indicates the institutions approving plans, and therefore “transfers” the relationship of plans to the already described system of authority institutions’ decisions. Second, the Law on Territorial Planning creates its own system of the relationship of plans. Let us illustrate the relationship of general and detailed planning documents of this law.

The Law on Territorial Planning does not mention for whom the solutions of detailed plans are mandatory. In this sense, neither does this Law charge someone to implement them nor give the ground to impose sanctions on someone because of non-conformity with the solutions of plans (it can only be done through others laws\footnote{Building law, first of all}); however, it indicates the relationship of plans of higher level very clearly.


Master plans of the municipality and its parts have to conform to the general and special planning document solutions of the county level.


\footnote{Building law, first of all}

The solutions of the master (general) plans of the county shall be coordinated with the valid solutions of master (general) and special plans of the neighbouring counties and shall not contradict the solutions of special plans on the levels of the Government or Government institution and the master (general) plan of the State territory.

Thus the Law on Territorial Planning constitutes a transparent hierarchical system of interrelationship of plans. All the regulations detailing the said Law illustrate a similar system.

When speaking about sanctions for non-conformity with plans, it is of great importance to draw our attention mainly on what the Law on Territorial Planning says about damages done by the organiser of planning to the real estate owner or user of public property due to non-compliance with the solutions of plans. The Law simply states that the real estate owner or user of public property may demand that the organiser of planning should indemnify for the damages or award other real property of equal value; however, the Law itself does not examine the question of indemnification for damages; it only makes people interested in answer refer to the Civil Code and the Law on Land, and advises to go to law.

The above-mentioned features of a legal system in Lithuania allow us to understand that the implementation of plans and application of sanctions for non-conformity with those plans is a real predicament. This can also be proved by practice. Disputes concerning non-compliance of the technical projects of building with the solutions of plans sometimes are sunk in long legal proceedings. There are defeated or even penalized.

2.4 Possibilities of complaining and filing of lawsuits

The provisions of public discussion of territorial planning document drafts (approved by the Resolution No. 1079 of the Government 1996.09.18) provide for 1. planning comments and disputes which may be filed during the preparation of the draft.

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80 Planning notes are divide into a) proposals (substantiation of discrepancies of the solution, variants and supplementing of the project solution are submitted by a member of the community or their group), b) comments (the community member’s claims regarding the project solutions, and c) claims (the real estate owners, users and other interested natural or legal persons who reside or whose headquarters are located in the territory under planning, a filed and approved requirement respecting the solution of the prepared project which infringes the declarant’s rights and his interests).
Planning solutions have to be filed during the preparation of the plan draft. There are certain elements of the process of planning: consulting with the public while preparing the draft and discussion on the prepared draft. The planner of the plan must analyse only those proposals which have been submitted within the prescribed time limit.

Disputes (declarant’s claim announcement about completely or partly rejected claim concerning the solution of the prepared project which infringes the declarant’s rights and interests, about an illegal solution of the project or violation of the procedure of public discussion) are submitted to the bodies which exercise state supervision of territories under planning.

Practical experience shows that the intended possibilities to submit proposals during the preparation of the project are not always used, that’s why the conflicts reveal when the project has been approved.

Natural or legal person assuming that the plan has done damages can take the planner to court. Theretofore, he should appeal to the planning supervisory body of county and the Ministry of Environment.

Having not justified a lawsuit, a person assuming that his application is still valid can go to law.

2.5. Planning necessity and voluntariness

The Law on Territorial Planning regulate differently mandatoriness of preparation of various plans.

The statement dealing with mandatoriness of master plans let us know that master plans are prepared (in accordance with the corresponding level) by the decision adopted by the Government, the county governor and the municipality council. In other words, they are prepared when the said institutions think it is of great necessary.

The Law on Territorial Planning indicates very clearly the cases of the preparation of master plans. Detailed plans are prepared:

1) for territories intended to develop construction works of dwelling houses, objects of public, recreational or general use, as well as objects of industry and storage, commerce and trade, engineering networks, communications and transport in accordance with master or special plans of the municipality territories or their parts (town, townships);

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2) when land plots are formed for construction of new works or for the development of an activity different from that of the land and forestry;

3) when the principle specific purpose of land use is changed to develop construction works or other activity;

4) when the established regime of management and use of a territory (land plot) is changed;

5) when land plots are divided, marked (with the exception of cases when it is forbidden to divide plots of private land in parts according to laws) or combined;

6) when limits and territory of land plots in use are changed;

7) when land plots are formed near construction works which are in use.

The Law on Territorial Planning touches upon a question concerning mandatoriness of the preparation of special plans twice: first, it indicates when they are drawn up. The Law says that it can be implemented in three ways: 1) when special plans intended to be drawn up in accordance with laws and other legal acts; 2) when the documents of general territorial planning are not formulated; 3) when the solutions of the valid documents of general or detailed planning are not prepared for the planning activity or it is necessary to detail the solutions of general territorial planning documents.

Second, referring to the preparation of special plans, the Law states clearly in which cases it is mandatory to prepare special plans. The Law says that “in those cases when master plans of the municipality territory and its parts are not prepared, when the questions concerning landscape management, infrastructure development and location of skyscrapers included in the solutions of the prepared master plans have not been resolved, or when it is mandatory to prepare special territorial documents of mandatoriness, i.e. the documents of landscape management, infrastructure development and the schemes of distribution of skyscrapers and/or plans (projects). This statement tells us that 1) a certain factor enforcing to prepare the special plan is nothing but an absence of master plans of the municipality territory and its parts, 2) this factor does not induce to prepare whatever special plans, but only three: landscape management, infrastructure development and distribution of skyscrapers.

It is difficult to carry out this requirement in practice, for the Law on Territorial Planning declares that it is mandatory to prepare the above-mentioned special plans; however, it does not mention when. It allows delaying their

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preparation without definite time limits. The second factor of practical implementation of the requirement is that the Law describes the planners of special plans and special plans in separate paragraphs and does not indicate their interrelationship. Hence plans and planners are indicated, whereas it is not said who prepares which plan. Sometimes, this situation is rectified by the Regulations for Preparation of Plans; however, not all regulations are formulated for all possible special plans or indicate the afore-said interrelationship. A clearer position in this respect focuses on special plans of landscape and skyscrapers: there are regulations of such plans; they also indicate who prepares which plans. The Regulations for the drafting of special plans of infrastructure development (heating, electricity, gas, and oil supply networks) denote three possible organises of special plans of infrastructure (the Government, the Municipal Administration Director, legal persons85), but do not indicate who is responsible for preparing which plans.

3. Planning levels and specific aspects

3.1 Planning Institution(s), their scope and binding character of planning

3.1.1 At national level
At national level the Ministry of Environment is the most effectively working institution in the sphere of territorial planning. It organizes the preparation of the master plan of the State territory; its powers lie within the sphere of environmental protection. It can therefore prepare national plans of environmental protection and landscape. There is the Department of Protected Territories which is Under the Ministry of Environment. The formation of national policy of territories under protection, territorial planning of protected environment and its supervision are within the competence of the said Department.

A national policy of communications, national programmes of communications development, as well as preparation of the corresponding special plans are within the competence of the Ministry of Communications and Transport.

The sphere of protection of cultural heritage is subordinate to the Department of Cultural Heritage Protection under the Ministry of Culture. The Department of Cultural Heritage Protection furnish conditions in preparing master plans of the State and county territories, organizes preparation of special plans of the protected territories of cultural heritage.

These are the key ministries regulating territorial planning. Other ministries (or their subdivisions) (depending on the character of a plan) furnish conditions.

85 The Regulations for the Drafting of Special Plans of Infrastructure Development (heating, electricity, gas, and oil supply networks) - Order of the Minister of Economics of the Republic of Lithuania and Order of the Minister of Environment of the Republic of Lithuania. 2004.06.11. No.4-240/D1-330) III., 9.(Infrastruktūros plėtros (šilumos, elektros, dujų ir naftos tiekimio tinklų) specialiųjų planų rengimo taisyklės – patvirtinta Lietuvos Respublikos ūkio ministro ir Lietuvos Respublikos aplinkos ministro 2004 m. birželio 11 d. įsakymu Nr. 4-240/D1-330). III., 9.
for the planning documents at national level. In many cases – the Ministry of Health, sometimes – the Ministry of Economics (e.g. for special plans of infrastructure at national level) Ministry of Communication, Defence Ministry et cetera.

The Government approves a considerable amount of the planning documents which occupy the whole State territory or smaller areas of great importance for the State. For example, the Government approves a list of protected territories\textsuperscript{86}, master plans of the county territories, sanctuaries of regional parks and/or boundaries of their zones, plans (planning schemes) and projects pertaining to the management of protected territories. The Government can delegate the afore-said master plans, sanctuaries, plans and projects for other institutions to approve.

The Seimas approves the planning documents of the greatest national significance. The Seimas approves the General Plan of the Territory of the Republic of Lithuania, plans of the State reserves and national parks as well as the boundaries of their zones, and other documents\textsuperscript{87}.

Description of the obligatory power of plans being approved by the Government and the Seimas is presented above - §2.3.

3.1.2 At regional level

One should ascribe territorial subdivisions (i.e. the county governors’ administrations as well as territorial subdivisions of separate ministries) of the Government to the institutions regulating territorial planning at regional level. The Ministry of Environment (territorial subdivisions of environmental protection) and Department of Cultural Heritage Protection under the Ministry of Culture (territorial subdivisions of cultural heritage protection) have these subdivisions. Each of them resides in county centres.

The county governor organizes the general and special planning of the county territory.

Territorial subdivisions of natural and cultural heritage protection, health care furnish conditions for master and some special plans of counties, organize (in those cases when the offices of corresponding ministries charge territorial subdivisions with furnishing the said conditions) preparation of some special plans of its own sphere. Territorial subdivisions of natural and cultural heritage protection do not approve plans, but co-ordinate them.

3.1.3 At sub-regional / local level


Municipal administration directors shall be the organisers of general, and in some cases, detailed and special planning at the level of local self-government. The competence of the director of municipal administration shall consist of organisation of the detail planning of:
- free state land stock;
- land plots which are transferred to the municipality by the right of trust;
- land plots which are subject to the municipality by the right of ownership;
- organisation of preparation of detailed plans of parts of the territories of town and townships and village territories indicated in master plans of the municipality territory and its parts.

The Law on Territorial Planning does not indicate that preparation of the special planning documents is within the competence of the municipal administration's director. Some post-statutory acts, e.g. the Regulations of preparation of special plans of communications and transport, the Regulations of preparation of special plans of infrastructure development (heating, electricity, gas and oil supply networks), the Regulations of preparation of special plans of landscape management do not point out the said. A contradictory position is in the sphere of heritage protection planning: organisation of preparation of any special plans of heritage protection is not within the competence of the director of municipality administration (although the Law on Protected Territories allows the municipal councils to announce objects of municipal heritage, saying that institutions of municipalities approve the documents of the municipal protected territories under planning).

Organisation of preparation of special plans relating to distribution of skyscrapers is almost within the whole competence of the director of municipal administration.

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administration. It has to establish the objectives, tasks of that planning and finance preparation of such plans.

The municipal council approves a bulk of planning documents which preparation is organized by the director of municipality administration. It can delegate some plans to the municipal administrator to implement them (e.g. the Regulations for the drafting of detailed plans, the Regulations of special plans of landscape and distribution of skyscrapers refer to it).

3.1.4 Further / intermediate level(s)
There exists a binary system of dividing territorial planning into levels in Lithuania (Part II, § 1.2). According to the first principle of division, i.e. institutions approving plans, the municipality level is the lowest; according to the second principle, i.e. the size of an occupying territory by the plan – the locality level, i.e. the planning of separate land plots and their groups, follows after the district level (which includes preparation of plans occupying the territory of a municipality).

The organisers of the locality level planning can be different. In some cases (e.g. national defence, territories of cultural heritage) – the Government or its institutions, in other cases it can be a municipality. In the event of detailed and special planning, the planners of the said level can be several legal and natural persons.

This is because of the fact that local authorities (in the manner prescribed by the Government) can transfer the rights and duties of the organizer of detailed planning to the land owner or user (the municipal council or the director of the municipal administration subordinate to it approves such detailed plans).

This is due to the fact that according to the Law of the Republic of Lithuania on Territorial Planning, the planners of special plans can be legal and natural persons.

3.2 Planning process (at national, regional and sub-regional levels)
The process of territorial planning is regulated by the Law on Territorial Planning and other post-statutory acts: several regulations for the drafting of master plans, Regulations for the drafting of detailed plans and various regulations of special plans. In Lithuania, the process of preparation of plans at all levels and of different types has mainly one common scheme.

I. Before starting to prepare territorial planning documents, the organiser, in the manner established by the Ministry of Environment, appeals in writing to the institutions indicated in a description of that procedure that they could propose planning conditions.

II. On receiving them, the planning process itself begins. The Law on Territorial Planning indicates four stages of that process: 1) the preparatory, 2) the stage of formulating territorial planning documents, 3) the stage of assessing the consequences of solutions, and 4) the conclusive.

During the first preparatory stage, the objectives and tasks (the Law states that the objectives and tasks of territorial planning, yet in practice – not of planning in general but of the concrete plan) are established, a programme of planning work is prepared and approved, research is conducted when necessary, the adopted decision regarding the beginning of formulation of territorial planning documents and the objectives of planning are publicly announced.

The Law on Territorial Planning divides the second stage of the preparation of planning documents into three substages: 1) the analysis of the present condition, 2) the concept formulation, 3) concretization of solutions.

At the third stage, assessment of the consequences of territorial planning document solutions on the environment is performed.

The fourth stage is the conclusive one. We can distinguish two substages: 1) co-ordination and discussion of territorial planning document solutions, i.e. consulting or public discussion, co-ordination with institutions, investigation of disputes; 2) approval of the document of territorial planning, i.e. inspection in an institution implementing state supervision of the territory under planning, approval and registration in the register of territorial planning.

III. The Law on Territorial Planning foresees that on approving the plan, an observation of the implementation of its solutions should be in progress.

A presented scheme of the planning process is virtually applied to all plans; only in some cases it is simplified. It concerns mainly public participation in the process of planning (discussed there under in Part II, § 3.3).

The regulations for the content of separate stages differentiated in the scheme of the process of planning depending on the types of plans. There are descriptions of the second stage in cases of general, special and detailed planning presented underneath.

Content of stages of territorial planning documents preparation:

1) the stage of the present condition analysis – the assessment of natural, social, cultural and economic condition of a territory, as well as the assessment of the quality potential and possibilities
is performed, investigation of territorial development trends, problematic situations and areals;

2) the stage of concept formulation – a general spatial concept of the development of the territory, functional priorities and peculiarities of regulations pertaining to the territory management are established;

3) the stage of solution concretization – the solutions are prepared in the spheres of urban and natural framework formation, landscape, biological diversity and cultural heritage protection, bio productive economy, recreation, commerce, business or other purposes of the use and management of the territory, social, cultural and communications, as well as territorial development of another infrastructure and reservation of the territory for public needs (in the master plans of town and townships, as well as due to the regulations for an architectural spatial composition formation, for the development of the green space system, for the quality improvement of the residential environment, for the establishment of ecological protection zones, territorial rules and further implementation of detailed planning).

Content of stages of special planning documents preparation:

1) the stage of the present condition analysis – the evaluation of possibilities of the territory development, as well as the establishment of development trends, problematic situations and areals are implemented;

2) the stage of concept formulation – priorities of spatial development of the territory under planning and the principles of management are identified;

3) the stage of solution concretization – the solutions are prepared for management of landed property, for the development of separate objects of infrastructure, for the landscape, biological diversity and cultural heritage protection, for a possible reservation of territories, the regulations for the management of territories which correspond to the levels of planning are established.\(^{96}\)

Content of stages of detailed planning documents preparation:

1) the stage of detailed planning documents preparation – occupation of the present territory (land plots), as well as engineering networks, streets, green space, objects of nature and cultural heritage and others are evaluated, territory development trends and problematic situations are determined;

2) the stage of concept formulation – the essential trends of the use and protection of the territory and priorities of management are established;

3) the stage of solution concretization – the means of the use and protection of the territory, the programme for management of the environment and construction, as well as the regulations for activity are foreseen.”

3.3 Participation

Territorial planning in Lithuania is public. The Provisions on Participation of the Public in the Process of Territorial Planning determine the procedure of the participation of the public in the process of territorial planning approved by the Government. The scheme of three stages of the participation of the public in preparing the document of planning is indicated in the provisions: 1) informing the public of the beginning of territorial planning document preparation, 2) consulting with the public and 3) public discussion of a project. This scheme is realized differently in preparing projects of different level and type. The most prominent element in that diversity is that consulting with the public occurs only in preparing the plans of the national and regional levels, while in preparing all others the said consulting is not mandatory. Public discussion is mandatory in preparing the documents of general, special and detailed territorial planning of the district and local levels.

3.3.1 Participation at national and regional levels.

Publicity of preparation of the master (general) plan of the State territory, special plans of the national level, master (general) and special plans of the county territories of the regional level are determined by the following institutions in accordance with the Provisions on Participation of the Public in the Process of Territorial Planning:

1) informing the public of the beginning of territorial planning documents and the objectives of planning, also informing the public about whether the strategic assessment of the consequences on the environment will be performed in the manner established by the Government of the Republic of Lithuania;

2) consulting with the interested public:
   - consulting regarding the solutions under preparation, presentation to the preparing solutions at the stage of concept formulation of the document of

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99 Provisions on Participation of the Public in the Process of Territorial Planning. Approved by the 16 th of July 2004 Government resolution No. 904 edit. (Visuomenės dalyvavimo teritorijų planavimo procese nuostatai (Lietuvos Respublikos Vyriausybės 2004 m. liepos 16 d. nutarimo Nr. 904 redakcija)).
territorial planning as well as to the report on the strategic assessment of their (preparing solutions) consequences on the environment;
- announcing the prepared document of territorial planning, the procedure for its presentation, time and place of public exposition through the media.
- presentation to the prepared solutions of the document of territorial planning as well as to the report on the assessment of their consequences on the environment; public exposition; a conclusive meeting – conference;
3) informing approval of the document of territorial planning through the media.

3.3.2 Participation at sub-regional / local level
Publicity of preparation of the documents of general and special planning of the municipality and its parts is ensured in carrying the following procedures:
1) informing the public of the beginning of territorial planning documents and the objectives of planning, also informing the public about whether strategic assessment of the consequences on the environment will be performed in the manner established by the Government of the Republic of Lithuania;
2) public discussion:
- announcing the procedure of public discussion through the media;
- presentation to the solutions under preparation at the stage of concept formulation of the document of territorial planning, to their alternatives as well as to the report on the strategic assessment of the consequences on the environment;
- presentation to the prepared solutions (at least a month’s period), to the report on the assessment of the impact of solutions, as well as to reports on other performed assessments; public exposition (for a period of fifteen working days);
- public meeting – conference;
3) informing approval of the document of territorial planning through the media.  

Publicity of detailed plans of the part of the municipality territory is ensured in performing the following procedures:
1) informing the public of the beginning of territorial planning documents and the objectives of planning;
2) public discussion:
- announcing the procedure of public discussion through the media;
- presentation to the concept of territorial planning document;
- presentation to the prepared solutions, to the report on the assessment of the impact of solutions (a period of at least twenty working days is assigned for the presentation to the document, public exposition of the document is prepared during that time).
- public meeting;

100 Provisions of Participation of the Public in the Process of Territorial Planning.(Approved by the 16 th of July 2004 Government resolution No. 904 edit) – IV (Visuomenės dalyvavimo teritorijų planavimo procese nuostatai (Lietuvos Respublikos Vyriausybės 2004 m. liepos 16 d. nutarimo Nr. 904 redakcija) - IV)
3) informing approval of the document of territorial planning through the media.

3.3.3. Simplified procedure for the participation of the public in the process of planning.

A simplified procedure of the participation of the public in the process of planning is applied to some detailed plans (when land plots are divided by means of the detailed plan, when their limits are changed and when land plots are formed near construction works in progress), also to some plans (projects) of land-ownership and special plans. In a simplified manner detailed and special plans are discussed with the land owners and the real estate owners whose land plots abut the territory under planning, one must act in compliance with these requirements:

The organiser of planning informs the owners of immovable properties lying within the territory abutting the land plot (plots) of the special or detailed plan being preparing in a simplified manner by means of correspondence, indicating possibilities to get acquainted with the prepared document of territorial planning, or acquaints the said owners with this document personally.

A period of at least ten working days is assigned for the presentation to the special or detailed plan. It is recommended to familiarize with the plan in the ward or the municipality, while in preparing interior forestry management projects on private ownership of the forest – in district agencies of departments of environment protection of regions.

The organiser must register proposals regarding the solutions of the plan for a period of presentation, examine them and send a written notification to those individuals who presented their proposals within a week’s time after the period of presentation has been ended.

The special or detailed plan and documents proving that the owners of immovable properties lying within the territory abutting the land plot (plots) under planning have been familiarized with the solutions of the plan are presented by the organiser of planning to the institutions implementing co-ordination as well as to the institution performing supervision of territorial planning to furnish the findings concerning project approval expediency.

3.4 Plans / Maps

3.4.1 At national level

The master plan of the territory of the Republic of Lithuania.

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Provisions of Participation of the Public in the Process of Territorial Planning.(Approved by the 16th of July 2004 Government resolution No. 904) – V (Visuomenės dalyvavimo teritorijų planavimo procese nuostatai (Lietuvos Respublikos Vyriausybės 2004 m. liepos 16 d. nutarimo Nr. 904 redakcija) – V)
“Description of the procedure for preparation of the master plan of the State territory of Lithuania” applied to the preparation of that document does not regulate its content. The master plan of the territory of the Republic of Lithuania starts to be drawn up by the Government resolution of the Republic of Lithuania, and is prepared in accordance with the programme set by the Ministry of Environment.

Presently valid 2002 approved plan comprises a textual part and maps. It will be presented in greater detail in Chapter 5 “Planning practice.” The textual part describes the key problematic state areas and states the main objectives of the territorial development strategy. Then follows the guidelines of activity in separate sectors: in the formation of housing system and landscape, in the development of land, forests and water (bio productive) economy, in recreational policy as well as in the development of technical infrastructure. There is a chapter in the textual part wherein the presented sectorial development plans are generalized. This part is called “Spatial integration of the development of the State territory.”

In the graphical part all sectorial strategies together with their integration are illustrated on maps. The drawings of an integrating part are presented below.

The master plan of the territory of the Republic of Lithuania starts to be drawn up by the Government resolution of the Republic of Lithuania, and is prepared in accordance with the programme set by the Ministry of Environment.

Drawing No.3 The master (general) plan of the territory of the Republic of Lithuania. Part III Spatial integration of the development of the State territory. Functional priorities of the territory.
3.4.2 The plans at regional level

The master plan of the county territory.

The content of the master plan of the county territory is regulated by the Regulations of the master (general) plan of the county territory in greater detail. The plan must be prepared in two stages. At first, the concept of the plan is formulated; the strategic assessment of its solutions is prepared. All this is submitted for consideration and approved by the County Development Council. Then the solutions of the concept are detailed.

The mentioned regulations indicate that during the stage of solution concretization:

1) the main provisions of the development of a system settlements are defined, the strategic trends of the development of urban centres must be established, as well as the development of axes of urban integration must be concretized;

2) the means of concretization of the nature framework of the State, the development of an ecological network of the county, conservation of biological diversity, landscape, the use and protection of cultural heritage must be established;
3) the solutions concerning the territories used for the development of bio productive economy, industry, business, for recreational and other purposes must be adopted;
4) the means must be provided for the development of technical, social and cultural infrastructure in the county territory as well as for territorial protection related to extreme situations;
5) the reserved territories must be designated for infrastructure and significant objects of the State, the county or its municipalities (for intermunicipal objects), territories are also indicated to be taken for public needs in establishing the requirements regarding their temporary use;
6) priorities of implementation of an activity under planning must be provided for.

The project of the solutions of the master plan consists of drawings reflecting the solutions and a text. The drawings must be illustrated in 1:100 000. The drawings which are mandatory:
- the drawing of the use and development of the county territory;
- the drawing of the development of a system of settlements and urban framework;
- the drawing of the establishment of an ecological equilibrium (nature framework concretization and formation as well as protection of the ecological network, landscape and biological diversity);
- the drawing of territories of cultural heritage and recreation;
- the drawing of technical infrastructure and protection of territories from extreme situations;
- the drawing of economy development, as well as the development of social and cultural infrastructure;
- the drawing of territorial reservation for public needs.

3.4.3 Plans at sub-regional / local level

The master plan of the municipality territory.

The key document regulating the drawing up of the plan is the Regulations of preparation of the master plan of the municipality territory. The plan is also prepared at two stages.

The regulations require that during the stage of concretization of solutions:
1) priorities of an activity under planning must be established, territorial functional zoning must be carried out;
2) concretization of urban framework, the development of the urban system of the territory, residential areas’ network and concrete urban centres, as well as correlation of elements of the urban system must be established;
3) management of the landscape (landscape management zones) and forests, as well as the use and protection of objects of nature and cultural heritage must be performed;
4) formation of nature framework in the regional territory, the development of ecological protection zones, biological diversity protection zones must be established;
5) management of territories used for recreation, industry, business and for other purposes, the development of recreation and tourism must be fulfilled;
6) the development of technical, social and cultural infrastructure in the district territory must be implemented;
7) territorial reservation for public needs;
8) the manner of the principle specific purpose of land use must be established;

The master plan of the municipality comprises the explanatory note and drawings. The drawings of the master plan of the municipality territory are the following:
1) at the stage of the present condition analysis:
   - the drawing of land use (1:50 000)
   - the drawing of engineering infrastructure and communications (1:50 000; 1:100 000);
2) at the stage of concept formulation:
   - the drawings of the development of structural elements and functional priorities (1:50 000; 1:100 000);
3. at the stage of solution concretization:
   - the drawing of the regulations of land use and its protection (1:50 000; 1:100 000);
   - the drawing of engineering infrastructure of a territory and communications (1:50 000);
   - the drawing of the development of recreation, tourism, as well as objects of nature and cultural heritage (1:50 000);
   - the drawing of allocation of forests (1:50 000).

The master plan of the town territory.
The Law on Territorial Planning does not only foresee a possibility of territorial planning of the whole municipality territory, but also of separate towns. The key document regulating the drawing up of such plans is the Regulations for the drafting of master plans of town and townships. At the beginning, the concept of the plan is formulated in the same way as mentioned in the former cases, then the solutions of the formulated concept are concretized.

The Regulations state that the following must be performed during the stage of solutions concretization:
1) functional zoning of the territory according to the activity under planning;
2) formation of the urban system elements of towns and townships;
3) expansion of ecological protection zones and nature framework of the territory of town and townships, the development of the established means of biological diversity protection;
4) the development of engineering infrastructure and communications;
5) the development of social and cultural infrastructure;
6) the establishment of regulations for management of the landscape (landscape management zones) and the use of protected objects of nature and cultural heritage;
7) the management and use of the territories for recreation, industry, commerce, residential and other purposes;
8) the establishment of limits of town and townships’ impact zones;
9) reservation of the territories used for public needs;
10) the establishment of the manner or/and character of the principle specific purpose of land use and territorial conservation.

The plan consists of the explanatory note and drawings.
The following drawings of the Master plan are presented:
1. at the stage of the present condition analysis:
- the drawing of the present condition of land use in which the purpose to which the land is used, as well as the manner of its use (land used for residential and public purposes, objects of industry and storage, objects used for commercial purposes, engineering infrastructure, recreation, general use, valuable excavations, objects of the State security, waste storage, refinement and utilization (territories of dumps) and the rest are identified;
2. at the stage of concept formulation:
- the drawing of the development of spatial structure of the territory;
- the drawing of functional priorities of the territory use;
3. at the stage of solution concretization:
- the drawing of the regulations in which the manner and/or the character of the use of the territory, monument and environment protection as well as the restrictions of the activity under planning are indicated;
- the drawing of the development of engineering infrastructure in which the present and intended communication runs and corridors of heating, gas and electricity supply networks, plumbing and drinking water, water pump-houses, water supplies, water containers, cleaner facilities, run-off water pumps and lifting stations, power-stations, boiler-rooms, gas allotment stations, insulating substations and the rest are designated;
- the drawing of communications in which the present and intended roads and streets, their categories, as well as the drawing of distribution of reservoirs’ quays and ports, airports, railway stations and other objects are indicated;
- the drawing of distribution of skyscrapers;
- the drawing of allocation of great trade centres;
- the drawing of the landscape management (green space – parks, squares, cemeteries, groups of green space, etc.).

The territory of towns which is bigger than 5 000 ha, the drawings are illustrated in 1: 10 000 and/or 1: 25 000; the territory of towns and townships is smaller than 5 000 ha, the drawings are illustrated in 1: 5 000 and/or 1 : 10 000.
**Detailed plans.**

The key document regulating the drawing up of detailed plans is the Regulations for the drafting of detailed plans.

The detailed plans are drawn up:

1) for territories in which the development of construction of dwelling-houses, communications, objects used for public purposes and other objects is foreseen in accordance with special and master plans of the municipality territories and their parts (towns and townships);

2) when land plots are formed for construction of new works or for the development of an activity different from that of the land and forestry;

3) when the principle specific purpose of land use is changed to develop construction works or other activity;

4) when the established regime of the use and management of a territory (land plot) is changed;

5) when land plots are divided, marked (with the exception of cases when it is forbidden to divide plots of private land in parts according to laws) or combined;

6) when limits and territory of land plots in use are changed;

7) when land plots are formed near construction works in use.

Detailed plans are not drawn up if construction permit is not necessary for works intended to be built, also when the regime of the use and management of the land plot is left unchanged in building construction works. In every concrete case, examined available and other documents of territorial planning, local authorities decide whether it is necessary to have the detailed plan for realization of the intended activity, or whether it is possible to prepare directly the project on construction.

The detailed plan comprises: the explanatory note, the drawings related to requirements for the regime of the use and management of the territory and procedural documents.

The following must be indicated in the plan:
- means and/or character of the use of the territory (land plot);
- an allowable height of buildings;
- an allowable density of building in a land plot in percent;
- an allowable intensity of building in a plot in percent;
- a place of construction works;
- the conditions of installation of heating systems in buildings and connection of public or local engineering networks;
- organization of the system of communications, transport flows, transverse profiles of carriageway, servitudes (the right to use the borrowed land plot or its part is given in the manner established by the Law on Land).

In a general case, the following drawings are presented:
- the drawing of the regime of the use and management of the territory;
- the drawing of delineation of the limits of land plots (areas, coordinates);
- the drawing of communication corridors and objects of infrastructure.

In this drawing the following are indicated: the scheme for distribution of communication corridors and engineering facilities in the plan, the scheme of a red line of streets under planning, as well as pedestrian and transport flows; section of the communication corridor in which the present and planning to be built anew engineering networks are designated in identifying the types of networks, possible minimal distance among all there present engineering networks.

3.4.4 Further / intermediate level(s)
Form and content of detailed plans at the locality level of planning is the same as it has just been described above.

3.5 Sectoral planning

The Law on Territorial Planning states that special plans are prepared in three cases: 1) one has to prepare them in accordance with laws and other legal acts; 2) when the documents of general territorial planning are not prepared; 3) when the valid solutions of general and detailed planning are not prepared for the planning activity or it is necessary to detail the solutions of the documents of general territorial.

The drawing up of plans of separate sectors is regulated by several regulations applied especially for them.

4. Interdependencies

4.1 Interdependencies in the hierarchy of planning levels

To portray a clear system of the relationship between levels of plans is fairly difficult. First, a system of dividing plans into levels is twofold. Second, plans of different types “complete” that system of levels differently. Third, in describing the relation between plans, some post-statutory acts do not indicate which of two systems of level division they have in mind at that moment.

Still, in trying to do so, it is possible to trace the following principles.

The solutions of master plans shall not contradict the solutions of a higher level of the master plan. In this regulation there are certain nuances: it perfectly matches to the master plan of a municipality. The solutions of the county plan

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102 Planning levels are described in the Part II. Planning System, §1.2.
shall not contradict the Master (General) Plan of the Territory of the Republic of Lithuania; they have to implement and detail it.\textsuperscript{103}

There is no hierarchy of plans in the type of detailed planning (there exist only one the lowest level of the type of detailed plans). Hence there cannot be any relation between the levels of detailed planning at all. Detailed plans are only subordinate to other plans of different types.

It is very difficult to determine the general features of a hierarchical relationship of special plans. The Law on Territorial Planning does not say anything about it. The drawing up of special plans (each sphere differently) is regulated by separate regulations applied to them. They define the hierarchical relationship of plans of the regulated sector differently. For example, the Regulations for preparation of special plans of territories of objects of cultural heritage and their protection zones in accordance with the size of the territory under planning and the level of solution concretization indicate three levels, though they do not describe their relationship directly. It is true that speaking about preparation of these plans, Regulations say that “The solutions of the plan shall not… contradict other valid documents of territorial planning, registered in the territorial planning documents register…” are submitted for co-ordination. One would conclude that in this sphere the most important role is played by the plan which has been prepared first (no depending on its level).

4.2 Harmonisation of different planning areas within the same level

General planning.

There exists certain “horizontal” relationship of master plans: before preparing any documents of general planning, the organiser of planning must receive conditions from various institutions, as well as from their neighbouring counties and municipalities (depending on the level of plan). Speaking about master plans of the territories of counties, the Law on Territorial Planning indicates that the solutions of the master (general) plan of the county shall be co-ordinated with the valid solutions of master plans of neighbouring counties.\textsuperscript{104}

Detailed planning.

“Horizontal” co-ordination of two solutions of detailed plans is achieved in a similar may as it is performed in general planning. First, detailed plans must conform to the master plan occupying a bigger part of the territory. Second, before preparing territorial planning documents, the organiser of planning addresses the state official of the municipal administration— the chief architect of a municipality so that s/he should issue the conditions of planning. All the

\textsuperscript{103} Regulations for Preparation of the Master (General) Plan of the County Territory. Approved by the 7th of May 2004 Order No. D1-263 of the Minister of Environment of the Republic of Lithuania, III.,5.,1. (Apskrities teritorijos bendrojo (generalinio) plano rengimo taisyklės. Patvirtinta Lietuvos Respublikos aplinkos ministro 2004 m. gegužës 7 d. įsakymu Nr. D1- 263, III.,5.,1.)

requirements pertaining to integration of the document under preparation into the developed or planning context can possibly be stated in the said conditions.

4.3 Harmonisation between multi-sectoral and sectoral planning

In the first edit of the Law on Territorial Planning, general planning assumed rather a distinctive role. The Law stated: “The approved master plan shall become valid and shall serve as the basis for formulating, changing or supplementing documents of general, special or detailed territorial planning of the corresponding or lower level…” 105 At present, the valid edit of the Law on Territorial Planning has constituted a different system of relationship of master and special plans: a higher position is taken by the plan which has been prepared first. Referring to validity of special plans, the present Law says: “The solutions of special plans shall not contradict the requirements of special conditions of land use established by laws or Government resolutions, the valid documents of the general territorial planning of the corresponding level…” 106 In another Article the present edit of the Law states: “The solutions of the approved special plan shall be mandatory for the activity under planning and shall establish obligatory requirements for preparing territorial planning documents of the same or lower level.” 107

4.4 Harmonization between different sectoral plans

The relation between plans of different sectors is determined only in Chapter 3, Article 16 which says: “The solutions of the approved special plan shall be mandatory for the activity under planning and shall establish obligatory requirements for preparing territorial planning documents of the same or lower level.” 108 This statement implies that if a special plan has been approved one time, its solutions become mandatory for all other (master, detailed and special) plans.

It is true that some regulations of special plans “overlooks” this provision of the Law and are seemed to follow the former principle of general planning superiority. For example, the Regulations for preparation of special plans of infrastructure development (heating, electricity, gas and oil supply networks) say: “The solutions of plans (infrastructure development) shall not contradict the

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requirements of special conditions of land use established by laws or Government resolutions and shall be co-ordinated with the valid documents of the general territorial planning of the corresponding level...\textsuperscript{109} Regulations do not refer to “other documents of the same or lower level.” However, it is within the regulations of not all special plans. For example, the Regulations for preparation of special plans of territories of objects of cultural heritage and their protection zones follow the principle declared in the Law and indicate that the solutions of the plan (territories of objects of cultural heritage) shall no contradict “other valid documents of general planning registered in the Register of Territorial Planning Documents ...”\textsuperscript{110}

4.5 Consideration of planning approaches in neighbouring countries and on the European level in different planning levels

Lithuania conforms to the EU resolutions. There are other actions exhibiting the State’s willingness to become part of the European planning culture, for example participation in the general project VASAB “Compendium of Spatial Planning Systems in the Baltic Sea Region” and others.

5. Planning practice

Detailed plans have actively been prepared in Lithuania throughout sixteen years of independency, while master plans – more passively.

\textsuperscript{109} Regulations for Preparation of Special Plans of Infrastructure Development (heating, electricity, gas and oil supply networks) (Approved by the 11\textsuperscript{th} of June 2004 Orders No. 4-240/D1-330 of the Minister of Environment and the Minister of Economy of the Republic of Lithuania) - IV.21. (Infrastruktūros plėtros (šilumos, elektros, dujų ir naftos tiekimo tinklų) specialiųjų planų rengimo taisyklės ( Lietuvos respublikos Ūkio ministro ir Lietuvos respublikos Aplinkos ministrių įsakymas. 2004.06.11. Nr.4-240/D1-330) IV. 21)

\textsuperscript{110} Regulations for Preparation of Special Plans of Territories of Objects of Cultural Heritage and their Protection Zones (Approved by the 14\textsuperscript{th} of December 2004 Orders No. I V – 417/D1-642 of the Minister of Culture and the Minister of Environment of the Republic of Lithuania) - VI. 28. (Kultūros paveldo objektų teritorijų ir jų apsaugos zonų specialiųjų planų rengimo taisyklės. Patvirtinta Lietuvos Respublikos kultūros ministerio ir Lietuvos Respublikos aplinkos ministro 2004 m. gruodžio 14 d. Įsakymu Nr. [IV-417/D1-642. - VI.28)
The planning documents, booked in the documents register

<table>
<thead>
<tr>
<th>Year</th>
<th>Detailed planes</th>
<th>Special planes</th>
<th>Changes of city master plan</th>
<th>Planes that influenced the city master plan changes</th>
<th>Booked documents in total</th>
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<tr>
<td>1998</td>
<td>139</td>
<td>3</td>
<td>-</td>
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<td>142</td>
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<tr>
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<tr>
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<td>165</td>
<td>9</td>
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<td></td>
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<td><strong>Totally in 7 years</strong></td>
<td><strong>1205</strong></td>
<td><strong>39</strong></td>
<td><strong>78</strong></td>
<td><strong>213</strong></td>
<td><strong>1323</strong></td>
</tr>
</tbody>
</table>


During that period the master plan of the State territory and master plans of Panevėžys, Druskininkai and Vilnius cities were prepared. There is no approved master plan of the county territory (General planning of Klaipėda county territory has mostly been developed until 2006; the concept of that plan has been approved).

Detailed plans of smaller parts of a territory have mainly been prepared. For example, in Vilnius detailed plans totalled 1421 were prepared from 1996 until 2005, 687 ha were planned in all. 889 plans out of those 1421 plans were assigned for a territory up to 1 ha. 715 plans embraced only one land plot (Table 1.,Diagram 1. and Scheme No. 4). The examples of different plan types are presented in Fact sheets.

Diagram 1. The booked in the register of territorial planning documents according to the area of the territory planned (hectares).

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111 J. Jakaitis, L. Kairelis. Teritorijų planavimo dokumentų registro ataskaita. Miesto plėtros departamentas, 2004
Scheme 4 – The territories in Vilnius, that where detailed planned in 1996-2005