

National Audit Office of Lithuania: Summary of the Questionnaire on Municipal Real Estate Management

The National Audit Office of Lithuania (NAOL) together with 56 (out of 60) municipal control and audit services are conducting a coordinated audit of municipal real estate (RE). The aim of this audit is to establish whether RE in Lithuanian municipalities is managed in a targeted and complex way, whether it is used efficiently and in the best interests of the public.

On 28 November 2019, the NAOL circulated a Questionnaire on Municipal Real Estate Management to Supreme Audit Institutions (SAIs) of European Economic Area countries. The aim of the questionnaire is to identify best practices on municipal RE management.

In total, 19 (out of 30) responses were received from SAIs. 15 SAIs¹ completed the questionnaire and 4 SAIs² informed that they do not have a mandate to audit municipalities or municipal real estate management.

In addition to the summary provided above, completed forms of the questionnaire by each SAI could be found in the *Annex I*.

Results of the questionnaire:

1. Name of the country:

Austria, Bulgaria, Croatia, Czech Republic, Cyprus, Estonia, Ireland, France, Germany, Greece, Latvia, Malta, Poland, Slovakia, Spain.

2. The territory of the Republic of Lithuania is divided into administrative units – 60 municipalities. Number of municipalities in other countries:

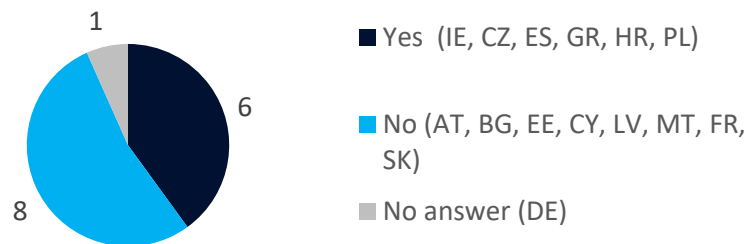
Country	Number of municipalities
Austria	2 096
Bulgaria	264
Croatia	The Republic of Croatia consists of 576 local and regional self-government units, out of whom 20 with the status of regional self-government unit (county), 127 with the status of a city and 428 with the status of a municipality. The capital city of Zagreb has the authority and legal status of both a county and a city.
Czech Republic	The Czech Republic is divided into 13 regions and one capital city with the regional status (14 higher – level territorial self-governing units). There are 6258 municipalities in the Czech Republic.
Cyprus	30 municipalities in the area controlled by the Republic of Cyprus and 9 displaced municipalities
Estonia	79
France	35 357
Germany	10 848
Greece	332
Ireland	There are 31 local authorities in Ireland which are the primary administrative units. Each local authority then is subdivided into Municipal districts for which it is responsible and there 131 of these the number of municipal districts will vary depending on the size of the Local authority.
Latvia	119

¹ SAIs of: Austria (AT), Bulgaria (BG), Croatia (HR), Czech Republic (CZ), Cyprus (CY), Estonia (EE), France (FR), Germany (DE), Greece (GR), Ireland (IE), Latvia (LV), Malta (MT), Poland (PL), Slovakia (SK), Spain (ES).

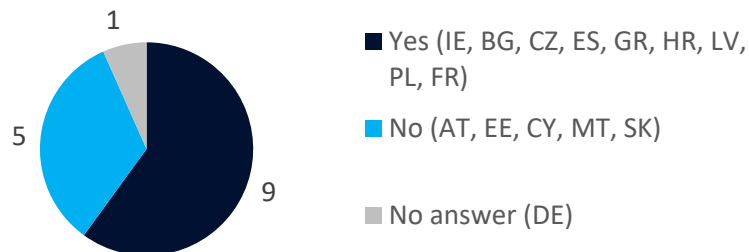
² SAIs of: Finland (FI), Hungary (HU), Norway (NO), Sweden (SE).

Malta	68
Poland	2 477
Slovakia	2 897
Spain	There are 8 124 municipalities, 50 provinces and 11 Island governments, which have exactly the same range than the provinces.

3. Lithuanian legislation does not define the requirement to approve the strategy for the management of municipal RE. Does your national legislation define the requirement to approve such a strategy?

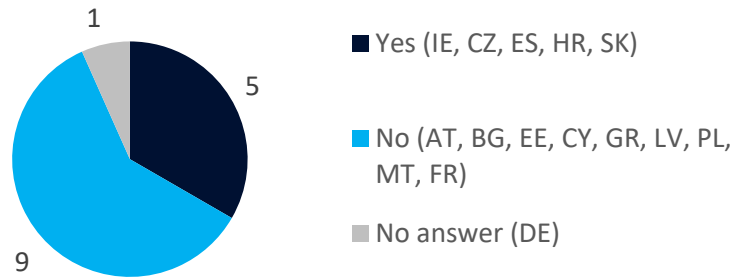


4. Is there in place an approved strategy (ies) for the management of municipal RE in your country?

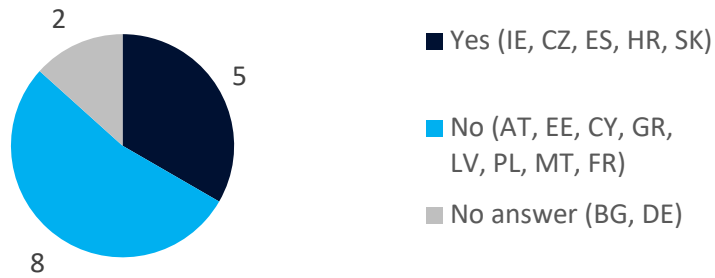


Information on approved strategies	SAI responses		
	Yes	No	No answer
4.1. Are there directions for the management of RE established in the strategy?	7 (IE, BG, CZ, ES, HR, PL, FR)	0	2 (GR, LV)
4.2. Does strategy cover all the managers of RE?	5 (IE, CZ, HR, PL, FR)	3 (BG, ES, GR)	1 (LV)
4.3. Is strategy directed towards satisfaction of public interests?	6 (IE, CZ, ES, HR, FR, GR)	1 (BG)	2 (LV, PL)
4.4. Is strategy publicly available?	7 (IE, BG, CZ, ES, HR, PL, FR)	0	2 (GR, LV)

5. The Lithuanian legislation does not define the requirement to consult the municipal community regarding the RE management. Does national legislation in your country define a requirement to consult the municipal community regarding the RE management?



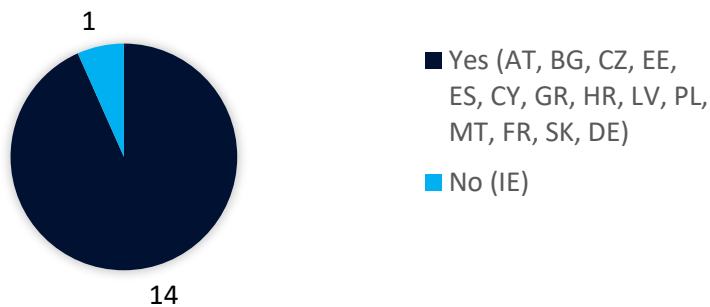
6. Do municipalities in your country carry out consultations with municipal community regarding RE management?



6.1. How does municipality carry out consultations (in what ways and how regularly)?

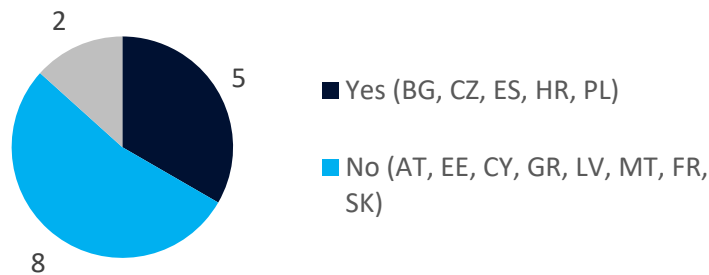
Croatia	Municipalities carry out public consultations before adoption of real estate management strategies. The proposal of real estate management strategy is available on the official web site of the municipality and municipal community can provide municipalities with comments and proposals.
Czech Republic	Consultations must be carried out acc. to the Building Act.
Ireland	Notification process by newspaper advertisement and public meetings – on a project basis.
Slovakia	In the case of the planned rental or sale of municipal property, the municipality must publish this information on the website or other mandatory site
Spain	Some municipalities voluntarily carry out specific consultations on the management of real estate. There is no state regulation on these consultations, which are mainly carried out by electronic means.

7. In Lithuania, the state can transfer the state-owned property to municipalities for temporary use or into their ownership to implement their functions. Does national legislation in your country define transfer of state-owned RE to municipalities?



Information on transferring state-owned property to municipalities	SAI responses	
	Yes	No
The state can transfer the state-owned property to municipalities for temporary use	11 (CZ, EE, ES, CY, GR, HR, LV, PL, MT, FR, DE)	4 (AT, IE, BG, SK)
The state can transfer the state-owned property to municipalities into their ownership	11 (AT, BG, CZ, EE, ES, HR, LV, PL, FR, SK, DE)	4 (IE, CY, GR, MT)

8. In Lithuania, in accordance with the procedure established by the Lithuanian Municipal Councils, reports on the management, use, and disposal of the property owned by municipalities are prepared. Do municipalities in your country prepare reports on the management of RE?



- 8.1. What information is provided in this report (e.g., scope of the managed RE, maintenance costs, income from RE):

Bulgaria	Pursuant to Art. 66a of the Municipal Property Act, the mayor of the municipality shall compile and concede to the municipal council accounts about the status of the municipal property and the results of its management by kinds and categories of sites.
Croatia	Municipalities prepare reports on the management of real estate. It contains scope of the managed real estate, maintenance costs, information in regard with the register of real estate and other activities considering real estate.
Czech Republic	The report on the implementation of the master plan shall contain: <ul style="list-style-type: none"> a) evaluation of the implementation of the land-use plan, including an evaluation of changes in the conditions under which the land-use plan was issued (Section 5 (6) of the Building Act) and an evaluation of possible unforeseen negative impacts on the sustainable development of the territory; b) problems to be solved in the land-use plan arising from land-analytical data, c) evaluation of the compliance of the zoning plan with the spatial development policy and zoning documentation issued by the region, d) evaluation of the need to designate new built-up areas pursuant to Section 55 (4) of the Building Act, (e) guidelines for the preparation of a land use plan change proposal, f) requirements and conditions for the evaluation of the impacts of the proposed change of the land use plan on the sustainable development of the territory (Section 19 (2) of the Building Act), if an environmental impact assessment is required or a significant negative impact on the site g) requirements for the processing of variants of the solution of the proposed change of the land-use plan, if the processing of variants is required, (h) a proposal for the acquisition of a new land-use plan if the facts referred to in subparagraphs (a) to (d) indicate the need for a change which substantially affects the concept of the land-use plan; i) requirements for elimination, minimization or compensation of negative impacts

	on the sustainable development of the territory, if identified in the evaluation of the implementation of the land-use plan, (j) proposals for updating spatial development principles.
Poland	<ul style="list-style-type: none"> - data on the ownership rights of the local government unit, - data regarding property rights other than ownership, including in particular limited property rights, perpetual usufruct, claims, shares in companies, shares and possession, - data on changes in the state of municipal property to the extent specified above from the date of the previous information, - data on income obtained from the exercise of ownership and other property rights and from the exercise of possession, - other data and information on events affecting the state of municipal property
Spain	As part of the general account, local authorities are required to report on the composition and variations of the public ground. In addition, each local authority may, on a voluntary basis, produce specific reports on the management carried out in relation to its heritage.

8.2. Which decisions are made using this report (e.g. acquisition, sales, lease, liquidation of RE):

Croatia	Decisions really depend on each real estate item. It could be acquisition, sales, as well as lease.
Czech Republic	All relevant decisions can be accepted, as far as it emerges from “report on use of territorial plan” published according to § 15 Regulation No. 500/2006 Coll. on territorial analytical basis, territorial planning documentation and on the evidence manner of territorial planning activity.
Spain	Each local entity makes the decisions it deems appropriate based on the reports received.
