FACULTY OF LEGAL STUDIES

CURRICULUM

Approved by:
Dean:

AD508

TERRITORIAL PLANNING AND DEVELOPMENT

Adopted: Adopted: Protocol No. 8 of 26 September 2023 by the Academic Council of the Faculty of Legal Studies

Lecture: Ass. Professor Boyan T. Georgiev, PhD

ANNOTATION

The discipline studies a special section of the administrative law science - organization of the territory. The discipline deals with the study and analysis of public situations, concepts and legal procedures related to spatial planning, investment design and construction, as well as the legal regime of property restrictions for development purposes. Teaching is mainly based on the Spatial Development Act, Law on Regional Development, Public Procurement Act, Law on Concessions, Cadastre and Property Register Act.

PRIMARY GOALS

The main goal of the discipline is to form legal and administrative knowledge about the regulation, planning and use of the territory of the Republic of Bulgaria, the purpose of the individual types of territories and landed properties, the administrative and legal regime of construction. Students should: become familiar with the regulatory foundations of spatial planning and regional planning; develop knowledge of the acts and mechanisms of spatial planning, investment design and construction authorisation; acquire knowledge of the practical functioning of state administrative bodies in the field of spatial planning, land use and construction; learn to analyse and apply basic rules and regulations for residential buildings and construction; develop legal and administrative skills regarding the procedures for the creation, approval and amendment of land-use plans, as well as for spatial planning and construction control.

For the achievement of the scientific goal and the tasks set out before the discipline, general scientific methods of knowledge and scientific synthesis, as well as private methods of study, are used, namely comparative, historical and logic legal.

PREREQUISITES

Discipline belongs to the special part of administrative law and administrative procedure, therefore there is a requirement for a preliminary hearing of the disciplines administrative law and administrative procedure.

STATUS AND STRUCTURE

Speciality	Statute	Credits	Full Time				Part Time			
			L	S	P	Tota	L	S	P	Tota
Law	Selectable	3	30			30	30			30
State and Local Administration – Master	Required	4					20			20
Public Administration - Masters	Required	4					20			20

COURSE

Subject 1. Local government - concept, role, meaning.

Decentralization. Origin of municipalities. Nature of local government. Types of local government. Role and importance of local government.

Subject 2. Local government and administrative-territorial organization.

The legislative basis of the administrative-territorial system and of the territorial system. The administrative-territorial structure is an important state legal institution. Administrative-territorial units. Order for creation of regions and municipalities.

Subject 3. Administrative-territorial units.

Characteristics of the administrative-territorial units. Species. Constituent administrative-territorial units. Populated places and settlements.

Subject 4. Device of the territory - general positions. Building.

Factors that determine the territorial settlement structure. Elements: use, conservation and building. Characteristics of the development. Types of construction.

Subject 5. Governing bodies of the territorial organization.

Central authorities. Local authorities. Organs of control.

Subject 6. Territories in the country. Types and purpose.

Concept of territories in the country. Types of territories and their purpose.

Subject 7. Structural planning of the territory - structural schemes and structural plans. Regulation of territories.

Importance of spatial planning. The schematics. Organizational plans - concept and types. Settlement.

Subject 8. General development plans.

Objectives and content. The procedure for their admission. Order to change.

Subject 9. Detailed development plans - purpose and types.

Objectives and content. The procedure for their admission. Order to change.

Subject 10. Construction - basic concepts.

It's a building concept. Participants. Acts for investment design and construction authorization. Building permit. Start of construction.

Subject 11. Building control.

Construction supervision. Scope of construction supervision. Construction requirements. Building ban. Removal of unusable or unsafe structures.

Subject 12. Administrative control of land use planning and construction.

National building control authorities. Powers of attorney. Control by the municipal administration bodies.

Subject 13. Illegal construction.

Concept of illegal construction. Stop construction. Removing illegal construction. Legalization of a building.

Subject 14. Concept of region and regional development. Regional Development Management.

Concept of region. Regionalism is a modern trend. Importance and nature of regional development. Normative basis of regional development. Types of regions. Regional development management bodies.

Subject 15. Regional development plans.

Purpose and content of the plans. Types of plans. Planning procedure.

PLANNED LEARNING ACTIVITIES AND TEACHING METHODS

In the planned lectures and exercises, in addition to traditional methods, interactive learning methods are applied, such as discussion (conversations; brainstorming; panel discussions; debates; role-playing), situational (solving cases; simulations) and others.

During lectures and seminars, activities aimed at stimulating the student's creative activity are provided. Individual and collective tasks are assigned as follows:

- Creative projects and assignments. Role playing games to simulate real situations.
- Creating presentations that combine text and images.
- Creative writing on legal topics - essays, research on a specific topic, etc.
- Role-playing games that stimulate the ability to make decisions. Activities to develop critical thinking.
- Participation in debates on current topics that encourage students to explore different points of view and to formulate their own arguments.
- Analysing legal cases and proposing solutions.
- Using different techniques to generate new ideas.
- Preparation and presentation of a written answer to a practical task on rules and regulations in connection with the layout of the territory, for example: "Opening a construction site and determining a construction line", "Construction permit", etc.

EVALUATION METHODS

It shall be conducted on an ongoing and final basis. During lecture and seminar hours, the participation of each student in solving set individual and group tasks is evaluated. A significant part of them were developed in the Moodle system. The maximum number of points a student can receive from the current assessment is 1.

The final assessment is multi-component. A complex evaluation of the theoretical knowledge demonstrated during the semester exam and of the practical skills in solving legal cases and the performance of assigned tasks during the lectures and/or semester classes is performed. The semester exam in the discipline is conducted in written and/or oral form. The maximum number of points a student can get from it is 5. The final grade is formed based on the sum of the points obtained from the current assessment and the exam.

The semester exam is written. The final grade is formed as follows: 70% - the grade from the semester exam; 20% - the assessment of the course assignment, 10% - attendance and participation in class.

RECOMMENDED LITERATURE

Regulatory acts:

1. Constitution of the Republic of Bulgaria
2. Code of administrative procedure
3. European charter of local government
4. Spatial Development Act
5. Law on administrative offences and penalties
6. Law on Regulatory Acts
7. State property act
8. Municipal property act
9. Local Government and Local Administration Act
10. Cadastre and Property Register Act.
11. Law on Regional Development
12. Public Procurement Act
13. Law on Concessions
14. Law on Administration

Literature:

1. Emilia Kandeva, Bogdan Yordanov, Boyan T. Georgiev, Territorial planning and development: administrative legal regime, [Burgas]: Libra scorp, 2024, / scientific editor Tsvetan Sivkov, 511 pages, ISBN 978-619-273-043-7.

2. Dzherov A., B. Shaldupova, S. Ilova, E. Zlatinova, Legal problems of Spatial Development Act /Second revised and supplemented edition, 2013.

3. Kandeva E. "Regional development: current administrative and legal aspects", magazine "Legal thought" 4/2001.

4. Kandeva E. Legal acts in regional development and their challenge before a court, "Administrative Justice" no. 2/2000.

5. Petrov V. Structure of the territory, 2004.

6. Kovachev At. Territorial Device, Pensoft, 2009.

7. Kandeva E. "Improving administrative legislation: The experience of the USA in the legal framework of planning and the organization of the territory", Sb. Scientific works of the Institute of Legal Sciences - Bulgarian Academy of Sciences, vol. II, 2005.

8. Spasov B. Municipal Law, S. 1988.

9. Sivkov Tsv. Basics of territorial planning, Sofia-R, 2008.

10. Georgiev B. Territorial Planning Law and Black Sea Coast Planning Law - ratio of general to special law? In: IUS ROMANIUM, MARE NOSTRUM, volume II/2021, pages 444-455, ISSN 2367-7007.

11. Georgiev B. Construction. Construction participants. In: Juridical collection volume XXVII, Burgas, 2020, pages 100-109, ISSN 1311-3771.

12.Georgiev B. Administrative punishment in the sphere of control over the territorial organization, In: 50 YEARS LAW ON ADMINISTRATIVE VIOLATIONS AND PENALTIES - HISTORY, TRADITIONS, FUTURE Collection of reports, Publisher: University publishing house "St. Kliment

Ohridski", ISBN 9789540749754, Year: 2020.

13. Georgiev B. Administrative control of territorial planning and construction, Scientific readings dedicated to the 140th anniversary of the adoption of the Tarnovo Constitution, Organized by the Faculty of Law of Plovdiv University "Paisiy Hilendarski", Siela, 2019, ISBN 978-954-28-3043-6.

14. Georgiev B. Creation, approval and amendments of the development plans, Yearbook of the Burgas Free University, volume XL, Burgas, 2019, pages 293-304, ISSN 1311-221X.

15. Georgiev B. The agreement - a form for resolving administrative-legal disputes under the Civil Code, In: "The modern place and role of alternative methods for resolving disputes - between the tradition and the current legal framework in Bulgaria and the member states of the European Union" - a collection of reports from the International Scientific Conference Veliko Tarnovo, November 09-10, 2018, University of Veliko Tarnovo "St. Cyril and Methodius", Legal faculty, pp. 389-400, ISBN 978-619-00-0946-7.

16. Georgiev B. Detailed layout plans - purpose and types, Magazine "Society and Law" - Sofia: Union of Lawyers in Bulgaria, 1979-, Issue 4/2019, pp. 34-43, ISSN 0204-8523 (print).

17. Georgiev B. Illegal construction and cultural values, Electronic magazine "STUDY IURIS", Faculty of Law of Plovdiv University "Paisiy Hilendarski", Plovdiv, no. 1/2019, pp. 55-61, ISSN 2367-5314.

18. Georgiev B. General development plans, NORMA: legal journal. - Sofia: Siela Norma, no. 1/2019, pages 10, ISSN 2011- 1314-5126 (print) 1314-5118 (online).

19. Georgiev B. Construction. Types of construction, In: Administrative law - modern trends in administration of justice and doctrine: a collection of reports from a national scientific round table, April 20, 2018 / University of Economics - Varna, pages Varna, Science and Economics, 2018 ISBN 978-954-21-0972-3.

20. Lazarov K. Administrative Law, S., Feneya, 2011.

21. Lazarov K., I. Todorov, Administrative process, S., 2022.

22. Kostov D., D. Hhrusanov, Administrative Law of the Republic of Bulgaria, General Part, S., 2008.

23. Kostov D., D. Hhrusanov, Administrative process of the Republic of Bulgaria, S., 2011.

EXAMINATION QUESTIONNAIRE

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LW 508

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Common part

1. Local administrative management - concept, role, meaning.
2. Local government and administrative-territorial organization.
3. Administrative-territorial units and territorial units.
4. Structure of the territory - general conditions. Spatial Development Act.
5. Governing bodies of the territorial organization.
6. Territories in the country. Types and purpose. Concept of cadastre.
7. Structural planning of the territory: structural schemes and structural plans - general conditions.
8. General development plans.
9. Detailed development plans - purpose and types.

Special part

10. Creation, approval and amendments of development plans.
11. Construction. Types of construction.
12. Construction - concept. Construction participants.
13. Acts for investment design and construction authorization. Building permit. Start of construction.
14. Construction control. Construction supervision. Construction requirements. Measures to prohibit and remove unsuitable and dangerous constructions.
15. Administrative control of territorial planning and construction - bodies and powers.
16. Illegal construction.
17. Judicial control over territorial planning acts.
18. Concept of region and regional development. Regional Development Management.
19. Regional development plans.
20. Comparative legal aspects of the planning and organization of the territory.

RECOMMENDED LITERATURE

Regulatory acts:

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4. Spatial Development Act

5. Law on administrative offences and penalties

6. Law on Regulatory Acts

7. State property act

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