

Cutting licensing red tape – a national goal

On June 30th the 2nd edition of COPIP – the Real Estate Conference in Portugal - took place. This is the first large face-to-face event after the onset of the pandemic, in which 250 real estate professionals were able to, once again, think and debate the industry in person, after almost one and a half years of lockdown.

One of the most anticipated panels was the one entitled "For a national strategy to streamline urban licensing", which allowed me, together with Lisbon, Porto and Cascais city councilors for urbanism, the CCDR-LVR and some real estate promoters and investors, to point out some suggestions to implement this objective.

And this is a most important year, during which is even more logic to debate this subject: this year we have municipal elections and strangely enough the opacity and bureaucracy of this type of procedures are included in the agenda. At last we can see all the society and not just the real estate industry discussing this issue. After all it is such an important subject for competitiveness at both cities and national level and also for empowerment as a trustworthy investment destination. The struggle for agility, simplicity, and clarity in the urban licensing must stay as one of the major battles for the next municipal executives.

Licensing still has high levels of red tape and response times. However, as I already mentioned previously: we have recently witnessed a significant effort of the major town halls in our country, and specially in Lisbon and Porto, with which APPII has been working actively, to study, analyze, review, and implement the new strategies to fight red tape, established for so many decades and so hard to eliminate. But, as I said before, the truth is, people still complain a lot about this issue. Indeed, the catastrophic level of bureaucracy that prevailed in the town halls for years has meant that, even after some work has been done, there is still much left to do. The urban licensing chaos is far from settled. Licensing is still a kafkaesque process and we were able to eliminate only a small part of the red tape, opacity, and unspeakable deadlines or, worse, unpredictability. We must keep working!

By way of specifications for this years' municipal elections, we submit here some measures that, in our view, are necessary to streamline, simplify, clarify and anticipate the licensing:

1. Now, in the 21st century, digitalizing the licensing process, which should be mandatory, for the benefit of the environment, red tape cutting and fight for transparency against corruption;
2. Implement a single point of contact (case manager/client) responsible for following up each project, from start to finish, capable of unlocking impasses and overcome the complexity of the contact with a whole squad of involved technicians and entities. This should be the sole point of contact, easily reachable, proficient in English to be able to contact international investors, combine an insight of legal compliance with a "business oriented" stance, should report directly to the councilor and/or the municipal director and an applicable good practices handbook should be created.
3. Improve communication with the professionals in our towns. Municipal technicians should be fully available (easily reachable). Thus we shall prevent many impasses caused by lack of communication, which culminate in delays and projects complications. It is important to implement in the major cities an online scheduling system for meetings with technicians, which will allow solving one of the oldest problems detected, which is the difficulty of contacting and scheduling meetings;
4. Implement, as quality control for the provided service and following a form widely used by the business community, not only in the private sector but also in the public sector, the "satisfaction surveys" right after the most relevant contacts with the town halls, so that the good technicians (which indeed exist) might be rewarded and pinpoint the bad ones;
5. Generate a stronger coordination between the public entities involved in a urban planning procedure: CCDR, water, sewage, etc. and particularly with the DGPC and the TA. It is urgent to create a task force under the authority of the Government and the Associação Nacional de Municípios (National Association of Portuguese Municipalities) for this job. We would correct bad administrative practices between public entities, as a consequence of faulty information sharing communication.
6. It was also pointed out the need to create a "Urban Planning Code" allowing to concentrate (but also to slim down) hundreds of municipal regulations, at least 308, that exist in Portugal, which repeal, exclude, add, complete, analyze, interpret, etc. the generic laws, such as the old RGEU of 51 and many other rules, thereby enabling both for municipalities and private entities, a good town planning licensing, specially for those who have to deal with several different town halls.