

**COURSE DATA****Data Subject**

|                      |  |
|----------------------|--|
| <b>Code</b>          | 33781  |
| <b>Name</b>          | Introduction to Law: Landscape, Urban Planning and the Environment |
| <b>Cycle</b>         | Grade  |
| <b>ECTS Credits</b>  | 6.0  |
| <b>Academic year</b> | 2023 - 2024  |

**Study (s)**

| <b>Degree</b>                                  | <b>Center</b>                    | <b>Acad. year</b> | <b>Period</b> |
|--|----------------------------------|-------------------|---------------|
| 1318 - Degree in Geography and the Environment | Faculty of Geography and History | 2                 | Second term   |

**Subject-matter**

| <b>Degree</b>                                  | <b>Subject-matter</b>  | <b>Character</b> |
|--|--|------------------|
| 1318 - Degree in Geography and the Environment | 588 - Introduction to Law: Landscape, Urban Planning and the Environment | Basic Training   |

**Coordination**

| <b>Name</b>          | <b>Department</b>                      |
|----------------------|--|
| LURBE TORRES, SERGIO | 45 - Administrative and Procedural Law |

**SUMMARY**

This course focuses on the analysis, both from a theoretical and practical perspective, of the main legal instruments and techniques of land management and environmental protection.

**PREVIOUS KNOWLEDGE****Relationship to other subjects of the same degree**

There are no specified enrollment restrictions with other subjects of the curriculum.



### Other requirements

No prior knowledge is required

## OUTCOMES

### 1318 - Degree in Geography and the Environment

- Have capacity for analysis and synthesis.
- Have oral and written communication skills in one's own language and in a foreign language.
- Be able to work independently.
- Be able to work in interdisciplinary teams.
- Show commitment to the values of gender equality, interculturality, equal opportunities, universal access for people with disabilities, the culture of peace, democratic values and solidarity.
- Be able to learn independently and show creativity, initiative and entrepreneurship. Be able to resolve unforeseen situations.
- Show motivation for quality, responsibility and intellectual honesty.
- Be able to produce statistical information. Know how to use statistical software.
- Be able to communicate effectively with non-experts.

## LEARNING OUTCOMES

Namely, this course is designed in to acquire the following specific skills and learning outcomes:

Competition 1. Being able to know the history of the geographical discipline (regarding specific skills SS.15)

Competition 2. Being able to know and understand the legal framework applied to the environment and spatial land planning (SS. 35)

Competition 3. Being able to know and understand the temporal and spatial dimensions in the explanation of the social, territorial and environmental procedures (SS. 23)

Competition 4. Being able to know and understand the basic principles of economics applied to the environment (SS. 36)

## DESCRIPTION OF CONTENTS



### **1. Public powers and sources of Law (I)**

FIRST LESSON. THE ORGANIZATION OF PUBLIC POWERS

I.- INNER POWERS. 1. The State. 2. The Autonomous Communities. 3 The Local Administrations. II CONFUSION BETWEEN AUTHORITIES AND PUBLIC ACTIVITIES. III.- THE EUROPEAN UNION.

### **2. Public powers and sources of Law (II)**

LESSON TWO. SOURCES OF LAW

I.- CODIFIED LAW AND THE OTHER RULES OF THE SPANISH LEGAL SYSTEM. 1. The Spanish Constitution. 2. The rules with the same Rank as an Act 3. The regulations. 4. Other sources of unwritten Law. 5.1 The legal custom. 5.2 The general principles of law. 6. The case law. II.- THE EUROPEAN LAW. III.- INTERNATIONAL TREATIS

### **3. Public powers and sources of Law (III)**

LESSON THREE. PLURALITY OF LEGAL SYSTEMS AND THEIR RELATION.

I. THE PRINCIPLES APPLIED TO THE EUROPEAN UNION LAW AND THE SPANISH LAW. 1. Principles of primacy and direct applicability. 2. The responsibility of Member States for transgression of European law. II RELATIONS BETWEEN THE STATE AND REGIONAL LAW. 1. The so-called residual competence. 2. The so-called prevalence clause. 3. The provision of supplementary use. III THE CONSULTATION TO THE CONSTITUTIONAL COURT (question of unconstitutionality) AND THE QUESTION TO THE EUROPEAN COURT OF JUSTICE. IV THE INTERNATIONAL TREATIES

### **4. Citizens and public authorities**

LESSON FOUR. THE CITIZENS

I.- FUNDAMENTAL RIGHTS AND DUTIES. II RIGHTS OF FREEDOM. 1. Freedom of association. 1.1 Political parties. 1.2 The unions, business associations and professional associations. 1.3.- The private sector; the so-called corporations. III CITIZEN PARTICIPATION. 1. Political participation. 2. The right of access to information and public files. 3. The administrative participation. IV ECONOMICAL FREEDOM. V. THE RIGHT TO LEGAL PROTECTION

### **5. Citizens and public authorities (II)**

LESSON FIVE. PUBLIC AUTHORITIES AND ADMINISTRATIVE ACTIVITY.

I.- PUBLIC ADMINISTRATIONS. 1. Regional Public Administrations. 2. The so called instrumental Public Administrations. 3. Private entities of the Public Administration. 4. The public companies. 5. The so-called independent Public Administration. II ACTIVITIES OF THE GOVERNMENT WHICH INCIDE OVER THE CITIZENS AND THE ECONOMIC SECTOR. 1. Public services. 2. The participation of the Public Administration on the economy.



## **6. Citizens and public authorities (III)**

LESSON SIX. THE PUBLIC PROPERTY.

I.- CONCEPT. THE MAIN SECTORS. II THE PUBLIC DOMAIN: NATURAL RESOURCES AND PUBLIC INFRASTRUCTURES. III RULES FOR THEIR USE. IV THE LEGAL PROTECTION OF THE PUBLIC DOMAIN

## **7. Town and country planning, Land Law and environmental rules**

LESSON SEVEN. TOWN AND COUNTRY PLANNING.

I. LAND LAW AND TERRITORY. II LEGAL STATUS OF THE LAND OWNER IN THE SPANISH LAND LAW. III LAND DEVELOPMENT. IV THE PROPERTY OF LAND. V. THE POWER OF THE PUBLIC ADMINISTRATION OVER THE PROPERTY RIGHT. 1. The intervention of the Public Administration on land use. VI THE RE-ESTABLISHMENT OF THE LEGALITY AND THE LAND LAW

## **8. Town and country planning, Land Law and environmental rules (II)**

LESSON EIGHT. ENVIRONMENTAL PROTECTION

I.- ENVIRONMENTAL ASSESSMENT. FEATURES II. 1. Preventive character. 2. Instrumental character. 3. Content and advertising. 4. Temporary and provisional character. 1. SUBJECTS INVOLVED III Promoter. 2. The decision-making body and the environment. 3. Public Administrations concerned, citizens IV THE EAE. 1. Regulation. 2. General scope. 3. Types and structure V. THE EIA. 1. General scope. 2. Documentation. 3. Structure of the procedure. 4. The EAI and EIA VI.- RELATIONS BETWEEN ENVIRONMENTAL ASSESSMENT. 1. Distinction and relationship between EAE and EIA. 2. Hierarchy between plans and programs. 3. Relations of the EAE and EIA with EA on the natural heritage and biodiversity. VIII INTEGRATED ENVIRONMENTAL AUTHORISATION. 1. Regulation. 2. General scope 3. Concept and procedure.

## **9. Town and country planning, Land Law and environmental rules**

LESSON NINE. COMPENSATION AND LIABILITY.

I.- OBLIGATION TO COMPENSATE THE ENVIRONMENTAL DAMAGES. II CRIMINAL LIABILITY ON PLANNING, LAND LAW AND ENVIRONMENT.

**WORKLOAD**

| ACTIVITY                                     | Hours         | % To be attended |
|--|---------------|------------------|
| Theory classes                               | 30,00         | 100              |
| Other activities                             | 15,00         | 100              |
| Classroom practices                          | 15,00         | 100              |
| Attendance at events and external activities | 6,00          | 0                |
| Development of group work                    | 10,00         | 0                |
| Development of individual work               | 18,00         | 0                |
| Study and independent work                   | 16,00         | 0                |
| Readings supplementary material              | 5,00          | 0                |
| Preparation of evaluation activities         | 15,00         | 0                |
| Preparing lectures                           | 8,00          | 0                |
| Preparation of practical classes and problem | 6,00          | 0                |
| Resolution of case studies                   | 6,00          | 0                |
| <b>TOTAL</b>                                 | <b>150,00</b> |                  |

**TEACHING METHODOLOGY**

The teaching is structured as follows:

- Lectures: The classes are based on the lectures and the student participatory system
- Practical classes. Case studies in order to use the legislation. The group work will include the discussion and evaluation between the students.
- Tutorials: supplementary guidance concerning the course and other specific questions
- Individualized tutoring in which supervision is conducted to students so they can make proper monitoring of training activities. And group tutorials for the supervision of practical work, guidance and resolution of doubts especially ahead of the test preparation or assessment tests. In the tutorials, the / the teacher guide the student in the preparation of the work will resolve any doubts or difficulties related to the subject. Tutorials individually or in small groups will to solve problems, to work, etc. You can also make tutorials using the Aula Virtual or e-mail to facilitate consultations and clarifications that may be of interest to the student or working groups.

**EVALUATION**





The evaluation will be conducted as follows:

- Exam: 50% of the overall mark.
- Jobs and guided practice: 35% (exhibitions in public consistent work partados study of the lessons in the program is divided)
- Attendance and participation in activities: 15%

## REFERENCES

### Basic

- ESCUIN PALOP, C. Curso de Derecho Administrativo, 3a edición
- ESCUIN PALOP, C. Curso de Derecho Administrativo. Parte General, 2a ed., Ed. Tirant Lo Blanch, 2011.

### Additional

- ESCUIN PALOP, C. Presente y futuro del Derecho de Aguas en España. Tirant lo Blanch, 2007. ISBN 978-84-9876-014-9
- ESCUIN PALOP, C. Algunos reflexiones sobre la contratación y financiación de obras hidráulicas Nuevo Derecho de Aguas/ (coord.) Santiago González-Varas, Cap. XIX, (2007) ISBN 978-84-470-2615-9.
- ESCUIN PALOP, C. Los Planes generales en la nueva LUV y en el ROGTU. Revista jurídica de la Comunidad Valenciana. No. 20, 2006, págs. 513 a 541.
- ESTEVE PARDO, J. Derecho del Medio Ambiente, Ed. Marcial Pons 2005.
- FERNÁNDEZ RODRÍGUEZ, T. R. Manual de Derecho Urbanístico Ed. La Ley-El Consultor, 2008.
- GONZALEZ VARAS IBAÑEZ, S. Tratado de Derecho Administrativo, vol V, 2a edición, Ed. Civitas, 2012.
- LÓPEZ RAMÓN, F. Introducción al Derecho Urbanístico, Ed. Thomson Reuters, 23a edición, 2014.
- PARADA VÁZQUEZ, J. R. Curso de Derecho Administrativo, vol III, 14a ed., 2014, Ed. Open ediciones.
- RUIZ DE APODACA ESPINOSA, A. et aliis Régimen Jurídico de la Evaluación Ambiental Ed Thomson Reuters Aranzadi, 2014
- SORIANO GARCÍA, J.E. y BRUFAU CURIEL, P. Claves de Derecho Ambiental Ed. IUSTEL, III volúmenes, 2011