

SPATIAL PLANNING AND URBAN DEVELOPMENT IN PORTUGAL: INSTRUMENTS, PROBLEMS AND CHALLENGES

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Abstract: *Spatial and urban planning has been practiced for centuries in Europe. In Portugal, the major tradition comes from agricultural and forest area and only by the end of 20th century a true territorial management system emerged which allowed also the integration of some legal figures that already existed. Nevertheless, it has been argued that it came a little too late to meet territorial trends and dynamics already established for several decades and with serious consequences at regional level. This paper presents Portuguese territorial management system and discusses the importance of its implementation to sustainable development of territory and its resources.*

Keywords: *Spatial planning, Portugal, Territorial management system, PNPOT.*

1. Introduction

In each epoch territories face new changes and challenges to find better living conditions for their peoples. In this sense, spatial planning can be an important instrument of economic and social policy since it is an activity that can promote and ensure a more balanced and sustained occupation of the space in which we are living in.

In recent decades, Portugal developed his spatial and urban planning policy mainly with the approval of the Framework Law of the Spatial Planning and urbanism in 1998 which allowed establishing the Portuguese Territorial Management System. The implementation of this system and of the strategic options for spatial planning has not occurred without difficulties and constrains. Thus, this paper intends to present the Portuguese territorial management system and discusses the importance of implementation of National Program of Spatial Planning Policy (PNPOT) on recent years to minimize the main problems and to meet the new the challenges that arise when searching to contribute to the sustainable development of territory.

In terms of methodology, the main analysis and conclusions of the article result from a host of readings of the report and program of PNPOT, Portuguese legal framework on spatial planning, EU spatial planning and cohesion policy documents and some other literature in the area.

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This paper is organized as follows. The next section introduces the background and evolution of spatial planning in Portugal mentioning the influence of EU initiatives. The third section presents the instruments of Portuguese territorial management system. The fourth

section presents in a generic way the problems, strategic options and main challenges reported on PNPOT documents. The last section presents the main conclusions.

2. Spatial and Urban Planning in Portugal: The Background

Portugal has a long tradition of spatial planning. In this respect one may refer either the influence of the Roman Empire, passing through the middle ages where the interventions of kings as Dinis I (1279-1325) stand out as the major reference of how to proceed in the good arrangement of fields and cities, from the sands of the coast to the uninhabited frontier lands (MAOTDR, 2007, p.1).

In Portugal, the major tradition comes from agricultural and forest area. These sectors have a long accumulated knowledge in formal planning processes in the area of rural spatial planning, with a concrete view of the organization of the territory, at local, regional and national level. These areas produced the first plan for a forest property using scientifically grounded methods as the National Forest of Machada plan (1864), as other examples as, the general Project of the Arborization of movable sands of Portugal (1897), the Plan of Forest Settlement (1938), the Agrarian Development Plan (1949) and the Master Plan of the Peneda-Gerês National Park (1973) (MAOTDR, 2007, p.1-2).

During the period of dictatorship (1926-1974), spatial planning will only gain autonomy in the Third Plan of Development (1968-1973) as component of regional planning and only in 1970 was published the first spatial planning report (MAOTDR, 2007, p. 2).

The first definition of a Soil Policy (Decree-Law 576/70 24th of November), resulted from an awareness of the chaos that occurred on urban areas (suburbs of Lisbon) due to the effects of the rural exodus that begun in the 1950s and was explosive in the 1960s with the abandonment of the countryside and the villages and the growth of extensive suburban spots, without complying with any spatial plan (MAOTDR, 2007, p. 2).

Following the introduction of the democratic regime in 70s (with the Revolution of April 25th of 1974), competences in the area of spatial planning were included in ministries such as the Environment in 1975 or the Housing and Public Works in 1978 (MAOTDR, 2007, p. 2). There was at the time the yearning for economic growth and social prosperity and the desire for better spatial planning. *“But many of the policy decisions of that time were contradictory and, despite good intentions, including some fragmented legislation and interventions (from one attempt of a spatial plan to Algarve or the urban regeneration actions in agglomerations of illegal genesis), the*

result was, at various levels, the accentuation of chaos in the countryside, in the cities, in the urban peripheries.” (MAOTDR, 2007, p. 2)

The 1980s were marked by important events. The most remarkable was in 1986, when Portugal joined the European Economic Community (EEC) and since then, their initiatives for spatial planning became an important influence. In 1987 the publication of framework law on the Environment (Law 11/87 of 7 April) was a milestone associated with the evolution of legislative system in the area of environment (MAOTDR, 2007, p. 2). During the 80s and 90s emerged a set of important spatial planning tools as (MAOTDR, 2007, p. 3): in 1982, the Municipal Master Plans; in 1983, the Regional Land-use Plans; and in 1993, the Special Land-use Plans.

Thus, until the end of the 90s Portugal did not have an integrative legal instrument for its territorial planning policy (MAOTDR, 2007, p. 3), the main instruments existed but not in a united way. It was in 1998 that the basis for the present Portuguese spatial and urban planning policy was established with the approval by Parliament of the Law 48/98 of August 11 - Framework Law on the Spatial Planning and Urbanism Policy. This law *“defines globally the objectives and principles of this policy and establishes the coherent and articulated set of Territorial Management Instruments (TMIs), at national, regional and local level, on which it is based and which constitutes the Territorial Management System (TMS).”* (MAOTDR, 2007, p. 3) To complete and develop the orientations of this law it was approved the Decree-Law 380/99 of 22 September 1999 that allowed to furthering the concepts, objectives and contents of the various instruments (MAOTDR, 2007, p. 3).

The mentioned legislation has been subject to change over the years. It was replaced by the Law 31/2014 of 30 May (which repeals the old Law 48/98 of August 11), which establishes the framework law of public policy of soils, of spatial planning and of urbanism in Portugal, and the DL 80/2015 of 14 May (repealing the former DL 380/99 of 22 September) which establishes the legal regime of the territorial management instruments in Portugal. It is a fact that this legal framework came a little too late to face, fight and resist to the many of the territorial dynamics that were already establish during the previous years as the example of the massive and disordered urban expansion in some regions. Either way, this legal regime had a fundamental importance because it allowed to define the framework for the spatial and urban planning policy in Portugal, considering the European framework, and defined for the first time a territorial management system that intended to regulate and coordinate the relationships between the different levels and sectors of public administration. Following this regulatory framework, in 2007 was approved the National Program of Spatial Planning Policy (PNPOT) which is currently the major reference to national spatial planning.

2.1. The influence of EU initiatives

Centring the analysis in recent times, common initiatives for spatial planning in E.U. only were launched in the 70s from last century. An important milestone was the year of 1970, when the activities of Council of Europe, relating to spatial planning started with the first European Conference of Ministers responsible for Regional Planning (CEMAT) in Bonn (CEMAT, 2010, p. 12). Since then CEMAT has been played an important role in promoting efficient and sustainable territorial development policies. Over the years, the EU developed a set of important initiatives for the spatial planning and a number of reference texts and fundamental documents have been elaborated, published and adopted to guide spatial planning policies. Table 1 presents a chronological list of main initiatives and reference documents of EU for spatial planning.

All these initiatives have guided spatial planning policies in Europe and, in particular, have been a reference in Portugal, as a member of the E.U. since 1986. According to Medeiros (2014, p. 218) in last decades the influence of E.U. policies and initiatives for spatial planning had affected the design of territorial development strategies and spatial planning processes in many EU Member-States including Portugal. To Ferrão (2010: 82) the effect of European Spatial Development Perspective (ESDP) (EC., 1999) is clear present on the elements of reference more important to spatial planning in Portugal, as on the Framework Law (Law 48/98), whose preparation is contemporary of ESDP elaboration and as, on the national program (PNPOT). DGT (2014, p.52) also refers the beginning of the preparation of PNPOT in 2002 followed the approval and adoption of the ESDP by the governments of member states of European Union.

Another important initiative is the EU regional policy (cohesion policy). Spatial planning is an activity that is also related to regional development. Its relation is direct since it contributes to reduce regional disparities and ensures a more harmonious and better distribution of equipment, infrastructure and economic activities. At European level, increasing attention has been paid to regional economic and social imbalances as the various enlargements took place to countries with severe internal asymmetries, which has also increased the imbalances in the European community. The awareness that imbalances constituted obstacles to the integration process led to the realization that convergence would be required at regional development level. Thus, regional policy of EU intends to reduce regional disparities both across the EU and within member countries and is an expression of solidarity between EU countries, dedicating the bulk of its funding to the EU's less developed

regions helping them to fulfil their economic potential. “EU regional policy funding has financed tens of thousands of projects over the years, benefiting all EU countries individually and the EU as a whole in terms of economic growth and jobs. Between 1989 and 2013, over €800 billion was allocated from the EU budget to co-fund projects targeting regional growth.” (EC, 2014, p. 3)

Table 1: List of main initiatives for Spatial Planning in E.U.

1970	The 1st European Conference of Ministers responsible for Regional Planning (CEMAT) was held in Bonn.
1975	Creation of the European Regional Development Fund (ERDF).
1983	Signature of the European Regional/Spatial Planning Charter, adopted at 6th Session of CEMAT in Torremolinos.
1986	Legal basis for regional policy established in the Single European Act.
1988	Structural Funds Reformation. Creation of the Consulting Council of Regional and local communities.
1991	Publication of <i>Europe 2000: Outlook for the development of the Community's territory</i> . Creation of the Committee for Space Development.
1992	Creation of the Regions Committee, that substitutes the Consulting Council of Regional communities.
1994	Publication of <i>Europe 2000+: Cooperation for European territorial development</i> .
1999	European Spatial Development Perspective (ESDP) adopted by the Member States and the European Commission in Potsdam.
2000	INTERREG III - communitarian initiative with sight to the cooperation. Guiding Principles for Sustainable Spatial Development of the European Continent, adopted at 12th Session of CEMAT in Hanover. Signature of the European Convention of the Landscape, adopted in Florence.
2002	ESPON Programme 2006 - European Spatial Planning Observatory Network Programme 2006.
2007	The Territorial Agenda for the European Union adopted in Leipzig. Leipzig Charter on Sustainable European Cities. The ESPON 2013 Programme.
2008	The Green Paper on territorial cohesion: Turning territorial diversity into strength. Roadmap for Maritime Spatial Planning: Achieving Common Principles in the EU.
2009	EU strategy for the Baltic Sea Region.
2011	EU Strategy for the Danube Region. Territorial Agenda for the European Union 2020.
2014	EU Strategy for the Adriatic and Ionian Region.
2016	EU Strategy for the Alpine Region. ESPON 2020 Cooperation Programme.

Source: Adapted from MAOTDR (2007, p. 17), Medeiros (2016, p. 97), Seixas (2012, p. 150-151), Salez (2009) and EC (2016a, p. 2).

EU’s Regional Policy has been very important to spatial planning in Portugal, with the use of a variety of financing operations, mainly the Structural funds and the Cohesion fund, which have allowed the improvement and expansion of many infrastructures that were decisive to the country development. Between 2007 and 2013, investments were mainly made in the areas of social infrastructure, research and innovation, urban development, transport and environment (EC, 2016, p. 2). Over the years Portugal benefit from the programming cycles of the structural and cohesion funds namely, 1989-93; 1994-99; 2000-06; 2007-13; and the current period 2014-20. Portugal 2020² is the partnership agreement between Portugal and the European Commission, which defines the programming principles of the use of the European structural and investment funds that will guide the economic, social and territorial development policy between 2014 and 2020. These

² <https://www.portugal2020.pt/Portal2020>

programming principles are aligned with Intelligent, Sustainable and Inclusive Growth, pursuing the EUROPE 2020 Strategy³. Portugal 2020 will be operationalized through 16 Operational Programs and will receive EUR 25 billion until 2020 for the set of all funds.

3. The Portuguese Territorial Management System

Territorial management system (TMS) is a set of instruments, mechanisms and tools as programs and plans and other legal framework that in an articulated and integrated way establishes in different levels (national, regional and municipal) the objectives, principles and responsibilities for spatial and urban planning.

To understand TMS we must understand the Portuguese administrative structure, which has three levels: national, regional and local. So the responsibility for spatial planning policy is distributed in the following way:

-At national level (in the central government), the department of central administration responsible for the preparation, implementation and assessment of the spatial and urban planning policy is the General Directorate of the Territory (DGT) which is a central service integrated in the Ministry of Environment.
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-At regional level, there are two administrative regions (two autonomous regions – Azores and Madeira) with responsibilities on spatial planning in the archipelagos – Madeira, with the Regional Directorate for Spatial Planning and Environment, and Azores, with the Regional Directorate of environment. In the mainland, there is no regional administration, so there is the Regional Coordination and Development Commissions (CCDR) which are decentralized organisations of central administration present on the other five NUTS II regions (North, Centre, Lisbon, Alentejo and Algarve) and are organizations with administrative and financial autonomy, responsible for the spatial and urban planning and regional development policies.
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-At the local level, there are the City Councils, and spatial planning is a direct responsibility of each of local authorities (city councils and parish councils). They prepare, approve and implement spatial plans. In Portugal, there are a total of 308 municipalities, of which 19 in Azores and 11 in Madeira.

The main legal framework of TMS is, as mentioned above, the Law 31/2014 of 30 May and DL 80/2015 of 14 May accompanied by other legislation⁴. According to DL 80/2015 of 14 May the Portuguese TMS organizes a framework of coordinated interaction, in four scopes:

1-The national scope is implemented through the following instruments:

a) National Program of Spatial Planning Policy: establishes the strategic options with relevance to the organization of national territory and is the reference to be considered in the elaboration of other programs and territorial plans;

b) Sector programs: strategies of development related to the various sectors of the central administration, for the implementation of the various

³ http://ec.europa.eu/europe2020/index_pt.htm

⁴ Ministerial Directive 277/2015 of 10.09; Regulatory Decree 9/2009 of 29.05; Decree-Law 141/2014 of 19.09; Regulation 142/2016 of 9.02; Regulatory Decree n° 15/2015 of 19.8; Statement of Rectification no. 53/2009 of 28.07; Ministerial Directive 245/2011 of 22.06.

policies that affect the organization of the territory. Ex. water, energy, forests, agriculture, transports, tourism, defence, public security, etc.;

c) Special programs: aim at the pursuit of objectives considered indispensable for the protection of public interests and resources of national relevance with territorial repercussion, establishing, exclusively, regimes to safeguard resources and natural values. Include: coastal zone programs, protected area programs, reservoir of public water programs, estuary programs and archaeological parks plans.

2- The regional scope is implemented through the regional programs that define the regional strategy for territorial development, integrating the options established at national level and constituting the reference for the elaboration of the inter-municipal and municipal programs and plans.

3- The inter-municipal scope is implemented through the following instruments:

a) Inter-municipal programs: is the instrument that ensures the link between the regional program and the inter-municipal and municipal plans, in the case of territorial areas that need an integrated planning action; b) The inter-municipal master plans; c) Inter-municipal urbanization plans; d) Inter-municipal detailed plans.

Inter-municipal and municipal plans are instruments of a regulatory nature and establish the land use regime, defining models of territorial occupation and the organization of networks and urban systems.

4- The municipal scope is implemented through following plans:

a) Municipal Master Plans: is the instrument that establishes the municipal territorial development strategy, integrating and articulating the guidelines established by the national, regional and inter-municipal programs;

b) Urbanization plans: develops and concretizes the municipal master plan and structures the land occupation, defining the location of infrastructures and collective equipment;

c) Detailed plans: develops and concretizes in detail the proposals for occupancy of any area of municipal territory, establishing rules for implementation of infrastructures, the design of spaces for collective use, and rules for building and location of equipment for collective use and the spatial organization of other activities of general interest.

Table 2 presents TMS which composes a set of programs and plans in different scopes as mentioned above.

Table 2: Portuguese Territorial Management System

Scope	Instruments	Nature
National	National Program of Spatial Planning Policy Government, under the coordination of the member of the Government responsible for the area of spatial planning.	Strategic
	Sector Programs transports, communications, health care, environmental, water, energy, forest, agriculture, industry, commerce, culture, tourism, defence, public security, etc. Member of the competent Government in that matter, in articulation with the member of the Government responsible for the area of spatial planning.	Strategic
	Special Programs Coastal zone programs Protected area programs Reservoir of public water programs Estuary programs Archaeological parks plans Member of the competent Government in that matter, in articulation with the member of the Government responsible for the area of spatial planning.	Strategic and Regulatory
Regional	Regional Programs Regional Coordination and Development Commissions and Under the coordination of the member of the Government responsible for the area of spatial planning.	Strategic
Inter-municipal	Inter-municipal Programs The inter-municipal Master Plans Inter-municipal Urbanization Plans Inter-municipal Detailed Plans Of Optional elaboration Metropolitan executive committee/ inter-municipal council/ city councils.	Strategic and Regulatory
Municipal	Municipal Master Plans Urbanization plans Detailed plans Municipal council.	Regulatory

Source: Adapted from DL 80/2015

TMS distinguishes between programs and plans. The programs are essentially instruments of territorial development, defining the great options with relevance to the organization of the territory and also the spatial incidence of national policies to be considered at each level of planning, while plans establish concrete options and actions in terms of territorial organization, define the land use, models of territorial occupation and the organization of networks and urban systems and also the location of infrastructures and collective equipment. According to article 3 of DL 80/2015 of 14 May territorial programs bind public entities and territorial plans bind public entities and, directly and immediately, private individuals. Thus, programs are mainly of strategic nature binding only the public authorities and plans are mainly of regulatory nature mandatory both for public authorities and for private initiatives. However, there are regulatory plans that have also a strategic character as Municipal Master Plans one of the main spatial planning instruments at local level. And also Special programs can have in addition a regulatory character.

The main reference for the elaboration of any program or plan is the National Program of Spatial Planning Policy (PNPOT), and therefore, at local level to the elaboration of municipal master plans must be considered,

integrated and adapted the territorial development guidelines resulting from the national and regional programs.

In parallel with this system, Portugal has produced other legal instruments which aim to improve the protection of biodiversity and nature. In 2001, Portugal adopted the National Nature Conservation and Biodiversity Strategy (ENCNB⁵) that aimed to implement measures identified in former framework law on environment of 1987 (Law 11/87 of 7 April, which was repealed by the current Law 19/2014 of 14 April).

In 2008, new laws were passed on nature conservation and biodiversity namely the Decree-Law 142/2008 of July 24, which created the Fundamental Network for Nature Conservation (RFCN) and established the legal regime for the conservation of nature and biodiversity, being applicable to all the values and natural resources present in the territory and in waters under national jurisdiction. This network came to integrate and unite some legal instruments that already existed. Table 3 presents the RFCN.

Table 3: Portuguese Fundamental Network for Nature Conservation

Fundamental Network for Nature Conservation	1-National system of classified areas (SNAC)	1-NATURA 2000 network	1-Special protection areas (ZPE) 2-Special areas of conservation (ZEC)
		2-National Network of Protected Areas (RNAP)	1-National park 2-Natural park 3-Natural reserve 4-Protected landscape 5-Natural monument
	2-Areas of continuity	1-National Ecological Reserve (REN)	Areas of ecological value
		2-National Agricultural Reserve (RAN)	Areas of agricultural value
		3-The Public Water Domain	1-Special Plans : coastal, estuary and public water reservoirs 2- Water resources plans: National Water Plan (PNA); River Basin Management Plans (PGBH) and Specific Water Management Plans (PEGA) 3-Measures for the protection and improvement of water resources

Source: Adapted from DL 142/2008

Thus, RFCN is composed of two nuclear areas, the national system of classified areas (SNAC) and the areas of continuity. The SNAC includes:

1-The NATURA 2000 network⁶: is a key instrument of the European Union's policy on nature conservation and biodiversity that aims to protect natural habitats and wild fauna and flora in the European territory of member states; consists of special protection areas (ZPE) set up under the "*Birds*" Directive (79/409/CEE) and special areas of conservation (ZEC) established under the "*Habitats*" Directive (92/43/CEE); and

2-The National Network of Protected Areas (RNAP⁷): aims to protect areas in which biodiversity or other natural occurrences, because of their

⁵ Resolution of the Council of Ministers 152/2001 of 11.10.

⁶ Resolution of the Council of Ministers 115-A/2008 of 21.07.

⁷ Decree-Law 142/2008 of 24.07. Decree-Law 242/2015 of 15.10 proceeds to the first amendment to Decree-Law 142/2008.

rarity, scientific and ecological value, and special relevance, require specific protection, conservation and management measures; includes the following types of protected areas depending on the interests they seek to safeguard: National Park, Natural Park, Natural Reserve, Protected Landscape and Natural Monument.

The areas of continuity include the areas of:

1-National Ecological Reserve (REN⁸): aims to protect natural values and areas of ecological value, or sensibility, or susceptible to natural hazards and determines a set of regulatory constraints with respect to land use and other natural resources;

2-National Agricultural Reserve (RAN⁹): aims to protect the areas which are the best soils for agricultural use and determines a set of regulatory constraints to the non-agricultural use of soil; and

3-Public Water Domain¹⁰: aims to protect the waters of maritime, river and lake areas; the Portuguese Water Planning System includes three types of instruments:

3.1- Special Plans (coastal, estuary and public water reservoirs already indicated on table 2);

3.2- Water resources plans (National Water Plan (PNA); River Basin Management Plans (PGBH) and Specific Water Management Plans (PEGA)) and;

3.3- Measures for protection and improvement of water resources.

All these instruments compose the legal framework that plays a decisive role in the preparation of Portuguese land-use plans and imposes restrictions in agricultural areas and in ecosystems considered essential to the ecological balance, helping to protect natural and cultural values.

4. Main Problems, Strategic Options and Challenges

In Portugal TMS instruments try to respond to a set of problems that affect the quality of life of the populations. These problems were diagnosed in the context of the elaboration of the PNPOT. PNPOT¹¹ was instituted in 2007 and is the major reference to national spatial planning and the main instrument on TMS. It constitutes a long-term strategy and the territorial

⁸ Decree-Law 166/2008 of 22.08, amended and republished by Decree-Law 239/2012 of 02.11, as amended by Decree-Law 96/2013 of 19.07.

⁹ Decree-Law 73/2009 of 31.03 amended by Decree-Law 199/2015 of 16.09.

¹⁰ Law 58/2005 of 29.12 (Water Law) altered by the Decree-Law 245/2009 of 22.9 and by the Decree-Law 130/2012 of 22.6 and Law 54/2005 of 15.11 and Decree-Law 226-A/2007 of 31.05.

¹¹ PNPOT was approved by Law no. 58/2007 of September 4.

reference model for the 2025 horizon. PNPOT contains two documents: a Report and a Program of Action.

PNPOT report presents the diagnosis of the status of Portuguese territory development starting from the analysis of the determinants and trends of territorial development of the various regions and their territorial subunits.

According to PNPOT report (MAOTDR, 2007, p. 16) the Portuguese situation is generally characterized by a set of imbalances in the European context: in the distribution of population, social asymmetries, the disorganization of extensive agricultural and forestry areas, and the degradation of some urban areas as the historical centers of cities and towns and even the ones with recent development.

PNPOT report (MAOTDR, 2007, p. 85) recognizes and exposes the biggest spatial planning problems in Portugal, organising them into 6 domains:

1 – Insufficient valuing of natural resources and inefficient risk management;
2 – Disordered urban expansion;
3 – Transports and energy economic and environmental inefficiency and unsustainability;
4 – Insufficient systems to support the competitiveness, connectivity and international projection of economy;
5 – Inadequate territorial distribution of collective equipment and infrastructures;
6 – Lack of a civic culture of spatial planning and inefficiency of the information, planning and territorial management systems.

Trying to find some solutions to the problems diagnosed, PNPOT Program of Action 2007-2013 aimed to present the strategy of spatial planning, development and territorial cohesion of Portugal.

In this program (MAOTDR, 2007a, p. 5) it is proposed a vision of the spatial planning and development of the national territory based on an ambition that the planning and development policies of the territory should contribute in an innovative and lasting way so that Portugal became:

- A sustainable and well-ordered space;
- A competitive, integrated and open economy;
- Equitable territory in terms of development and well-being;
- A creative society with a sense of citizenship.

The territorial model is organized into three main pillars (MAOTDR, 2007a, p. 6): the system of prevention and management of risks; systems for

the conservation and sustainable management of natural resources and agroforestry areas; and urban and accessibilities systems.

PNPOT Program of Action 2007-2013 (MAOTDR, 2007a, p. 15) delineates six major strategic goals which specify the course for the spatial planning of Portuguese territory on the horizon of 2025:

1 – To preserve and value biodiversity, resources and natural and cultural heritage, to use in a sustainable way energy and geologic resources, and to prevent and minimize the risks;
2 – To reinforce Portugal’s territorial competitiveness and its integration in the Iberian, European, Atlantic and global spaces;
3 – To promote the polycentric development and to reinforce infrastructures that support territorial cohesion;
4 – To assure equity in the provision of collective equipment and infrastructure and the universality of access to general interest services, promoting social cohesion;
5 – To expand information and communication networks and infrastructures and promote its growing use by the citizens, companies and public administration;
6 – To reinforce the quality and the efficiency of territorial management, promoting active, responsible and informed participation of citizens and institutions.

The 6 strategic objectives were decomposed into 36 specific objectives and these gave rise to 197 priority measures to be implemented in the period considered (MAOTDR, 2007a, p. 62). For this analysis, only were considered the situation regarding the strategic objectives. The implementation of these options has gone through the execution of the different planning instruments in conjunction with the objectives and priorities of the National Strategic Reference Framework (QREN 2007-2013), which strategically framed the application in Portugal of the European community policies of economic and social cohesion in the last programming period (2007-2013).

In 2014, DGT presented a report of the evaluation of PNPOT Program of Action 2007-2013, the balance of execution of the program. The results achieved show that 157 of the priority measures are in progress, 20 have been completed, 12 have not been initiated, and it has not been possible to obtain information about 8 of them. The results obtained for each of the strategic objectives are described below.

About the 1st objective, the report conclude that the energy sector has made important progress in the production of electricity from renewable sources; the forestry sector has consolidated a new national strategy for forests following the fire seasons of 2003 and 2005; and there has been a significant increase in knowledge and information on natural heritage, the environment and natural resources, and a growing awareness to the defense of biodiversity and on the issues related to climate change (DGT, 2014, p. 22).

About the 2nd objective, the period was marked by the end of a cycle of public investment in the infrastructure of the territory, without the realization

of two important large public works that were planned: the high-speed railway network and the new Lisbon airport; the relevance of the urban system and the cities to the competitiveness of the territory presented dubious signs (DGT, 2014, p. 22).

About the 3rd objective, its implementation entailed major constraints, resulting both from the weak capacity of policy instruments in the joint mobilization of actors and also from the absence of a legislative review that could prevent the massive investment in new urbanization, and it was the economic and financial crisis that contributed to the slowdown of urban expansion in recent years (DGT, 2014, p. 23).

About the 4th objective, stands out the investments made in the modernization and requalification of the school network and the efficiency gains and rationality in the planning of the hospital network; however, there was also an incipient inter-municipal articulation in the programming of the equipment and services of general interest, as a result of both the weak affirmation of the urban system and the limited inter-sectoral coordination and insufficient monitoring of municipal investments, with real risks of oversizing, duplication and unsustainability; the developments on accessibility and interurban mobility were almost nonexistent (DGT, 2014, p. 23).

About the 5th objective, during the period was achieved the total territorial coverage by broadband network, the provision of a dense network of public access points and the almost complete accessibility of structuring public facilities, such as schools, hospitals and municipalities; and has significantly increased the supply of online public services and the intensive use of these technologies by the public administration, with evident gains in productivity and flexibility, especially in the areas of health and justice (DGT, 2014, p. 24).

About the 6th objective, there was a strengthening of the conditions for the exercise the rights of information, and public participation, with the development of a set of electronic platforms at national (SNIT-National Territorial Information System), regional and local level to provide access to territorial management instruments and citizen participation in its processes of elaboration or revision; also the dematerialization of the processes was extended to the urban operations with the implementation of the SIRJUE (Information System of Legal Regime of Urbanization and Building); stands out the lack of implementation of the observatory of spatial planning and urbanism and the preparation of state reports on spatial planning; and concluding that the public policy of spatial planning has not yet been able to obtain, on the part of the civil society, the attention and commitment necessary for its proper execution and deepening (DGT, 2014, p. 24-25).

The DGT (2014, p. 13-14) presents three territorial challenges for the next cycle of the PNPOP 2020 Program of Action (to the period of 2014-2020):

1. Information: which is useful for territorial development to improve decision-making in territorial management; the development of an information base about the territory based on knowledge systems, networks and platforms allows a better decision making, the mobilization of growth and the strengthening of the capacity for innovation;

2. Governance: the coordination of policies with a territorial impact is essential for territorial coherence and for efficient use of resources; urban planning is stabilized in the different figures of existing plans, but it has not been able to guarantee the stability of major planning decisions and the speed of investment decisions and their adaptation to economic cycles, an intention of the current framework law through the need to promote flexible planning appropriate to the needs of each moment;

3. Rationalization: of equipment and infrastructures, that is particularly relevant in the planning of the territory, helping to ensure that sectorial management decisions are coordinated.

5. Conclusion

It was intended that this paper could enable a better understanding of Portuguese territorial management system and its main strategic options. The emergence of this system by the end of the 90s of 20th century shows that the legal framework, policies, plans and programs, seems to demonstrate that the Portuguese society is, nowadays, very much aware of the importance of spatial planning for the development of the country. However, in the previous decades, interventions on territory were not always accompanied by guiding plans and legislation that could avoid the excess of construction and in a disordered way in many urban areas and the improper use of land and other valuable natural resources in other cases. Therefore, the implementation of this system of plans and programs has not occurred without constraints derived from the difficulties that this legal framework had in meeting the territorial trends and dynamics already established for several decades and with serious consequences at the regional level, with situations difficult to deal with and, in many cases, irreversible.

In 2007, following this implementation, PNPOP was approved and identified the main spatial planning problems and also defined the main strategic options in progress until 2025. The problems and challenges faced by territorial planning system, over the last decades and throughout the

country, are related with urban and rural development, effective protection of natural resources and risk management, promoting the competitiveness of territories, ensuring energy efficiency and sustainable mobility, responding to the consequences of climate change, planning investment in infrastructure and collective services, and implementing a true civic culture in territorial planning and management (DGT, 2014, p.13).

In 2014 the report of the evaluation of PNPOT presented the results of execution of the Program for 2007-2013 period, in addition to the weaknesses inherent in the process of its implementation. Despite the positive results and the most of measures are in progress, it cannot be ignored the effects of the context of complex international and national deep economic, social and financial crisis on the program implementation, making impossible even to carry out important investments in infrastructure.

The evaluation of PNPOT concluded that although the program has the merit of involving for the first time the various sectors of the administration responsible for public policies with territorial incidence, however, it was difficult to articulate the sectoral policies with the various territorial programs and plans (DGT, 2014, p.16). Thus, one of the main challenges for next program is related to governance, namely the necessity of articulation between levels of governance, the economic and social sectorial development policies and, territorial programs and plans.

Therefore, a new PNPOT Program of Action 2014-2020 (foreseen for this year) is needed and expected in the context of the reformed legal framework and the objectives and priorities set out in the European investment funds program (Portugal 2020). Consequently, this could bring a new phase of spatial planning policy that could contribute to the economic and social sustainable development of territory and to promote territorial cohesion and convergence with European partners (which has to go beyond the convergence to the average only on economic indicators).

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