

Urbanization Tools between Planning and Reality: The Case of M'sila's Land Occupancy Plan

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Urbanization Tools between Planning and Reality: the Case of M'sila's Land Occupancy Plan. In the last decade, Algerian cities have experienced rapid urban development due to security, demographic and socio-economic factors. M'sila city, like other cities, has witnessed massive exodus waves mainly to its surroundings. The exodus, on turn, had negative impacts on the natural development of its urban fabric in accordance with urban management tools, especially land occupancy plans. It also led to defects due to obstacles hindering the implementation of these plans. These obstacles include (a) Inaccuracy in making these plans which are often stereotyped without considering the specificity of each area of study, as well as the lack of multi-specialized engineering offices. (b) The rapid and uncontrolled urban development has led to the emergence of new neighborhoods within and around cities, which requires considerable infrastructure and is a major challenge for local authorities. (c) Failure to apply and respect the approved land occupancy plans, which appears in the selection of projects grounds without reference to the legal and technical tools. In this context, a number of changes have been made in the urban and functional nature of the lands covered by these plans, which led to a mismatch of the urban reality of the city and the requirements of land occupancy plans. Thus, the following question can be posed: How to deal with the aforementioned defects so that all those involved in the management of the city can implement land occupancy plans actually?

Keywords: M'sila city, defects, obstacles, land occupancy plans, planning, management, urban real estate.

Les instruments d'urbanisme entre planification et réalité: cas du plan d'occupation du sol de la ville de M'sila. Dans la dernière décennie, les villes Algériennes ont connu un développement urbanistique rapide suite à plusieurs facteurs, parmi ces facteurs, le facteur sécuritaire, démographique et socio-économique. L'exode massif de la population rurale vers les villes avait son impact négatif sur le développement naturel de ces villes et sur leurs tissus urbains conformément aux instruments d'aménagement et d'urbanisme, ce qui a influé sur la gestion du foncier urbain, en particulier l'application des plans d'occupation des sols qui a été confrontée à une réalité difficile, ce qui a fait apparaître un état de déséquilibre à travers plusieurs contraintes qui empêchent l'élaboration et la mise en œuvre de ces plans. Ces contraintes se résument comme suit (a) L'imprécision dans l'élaboration de ces plans qui sont dans la plupart des cas caractérisés par une élaboration typique sans prendre en considération la spécificité et la vocation de chaque zone concernée par l'étude, ainsi que le manque de pluridisciplinarité dans ces bureaux d'étude. (b) Le développement urbanistique rapide non maîtrisable a engendré l'apparition de nouveaux quartiers à l'intérieur et aux alentours des villes, ce qui sollicite une infrastructure considérable et constitue un grand enjeu pour les collectivités locales. (c) L'inapplication des plans d'occupation des sols approuvés ce qui manifeste à travers l'implantation anarchique de la plupart d'équipements sans retours aux plans précités. Dans ce contexte, la ville de M'sila comme la plupart des villes Algériennes, souffre de l'occupation aléatoire du foncier urbain son retour aux plans précités, ce qui apparaisse dans son tissu urbain non homogène et non intégré. Ce sujet tire son importance du moment qu'il traite la problématique de la maîtrise de ces instruments réalisés pour une gestion rationnelle du foncier urbain à travers l'application rigoureuse du contenu des P.O.S (plan d'occupation des sols) afin d'effectuer leurs opposabilité aux tiers. On peut donc poser la question suivante: comment remédier à ces déséquilibres afin que tous les intervenants dans la gestion de la ville puissent concrétiser ces plans urbains sur le terrain?

Mots clés : ville de M'sila, Déséquilibres, obstacles, plans d'occupation des sols (P.O.S), planification, la gestion, foncier urbain.

1. INTRODUCTION

The city is the most populated community, which is characterized by organization and complexity at once. The formation of the city structure and determining of how to use the land in the city are subject to several considerations, including, community needs and objectives, Social, cultural and aesthetic values, economic data, most special activities [1]. The purpose of the preparation and urbanization tools is to search for urban space with consistent structures and urban areas in order to improve the living standards of the members of society. It is a legal tool to control and urbanize the urban area. Among these tools is the land occupancy plan, which is characterized by the allocation and rational use of land.

In order to complete this plan, it requires a group of bodies, namely the Directorate of Construction and Urbanization (the Ministry of the Interior and Local Communities and Urbanization, nowadays), the local communities represented in (the Municipality and the Province), which are bound to Law No. 90-29 of 01/12/1990 related to urbanization, required every municipality to make its Urbanization Directive Plan and land occupancy plans for the areas suitable for urbanization in accordance with Executive Decree No. 178/91 of 28/05/1991.

After reviewing some of the previous studies in particular two doctoral theses, we can summarize them as follows: The first study [2] had not broadened the various issues that are behind this state of affairs, but it focused on the social and spatial practices of the urban space. According to the author, this study proposed the observation of three cities contexts representing the three major geographical areas of the country (the coast, the highlands, and the Sahara) to highlight the conditions of elaboration and production of urban planning in Algeria. This was done by analyzing the city from its ecological situation to provide opportunities for innovation and improvement in urban development. In addition, the study advocated research of housing and urban planning process including broader meaning for the term "social," which can overtake standard model of housing for deprived social group, and move towards improving social specifications of populations by promoting notions such as well-being, quality of life, or residential satisfaction.

The second study [3], which sought to understand the urban phenomenon in Algeria, its causes and its characteristics, taking into account the physical and socio-economic aspects of the city as "urban reality". The work focused on space practices and the content of land use plan "LUP". The violations related to the anarchic structures that occurred in the decade (1990-2000) as a result of the rural displacement towards the cities, which were reflected in the allocation and destination of the land for reconstruction.

The author did not investigate the various violations on building permits and how this phenomenon was alleviated. All residents live in precarious constructions and without a building permit; and illegal constructions that do not meet the technical standards will not resist long pushing. This state of fact led some to say that “we concluded that most of a company's buildings need to be securely placed on the ground, supported by relatively robust structures” [4]. In her book *Urbanism, Utopias and Realities, An Anthology*, Françoise has transformed ideas about urbanism and supported a paradoxical thesis that twentieth century urbanism is not what she believes to be a new answer to new problems, but for the most part, the recovery, the repetition, of unconscious discursive configurations born in the previous century, that Françoise [5] names “models” (2014). Therefore, theoretical studies were not enough to find solutions to the problems of urbanization especially in cities experiencing rural displacement which led us to look for solutions in the field. The (PDAU) must find its logical conclusion in the adoption of (POS), but “the urban policy in Algeria was interested in quantity rather than quality which has produced a disappointing urban space. These plans have not been able to collaborate with the laws issued during this period like the law of land in 1974, the law of the building permit in 1975, and the law of the real estate cooperatives in 1976” [6].

2. METHODOLOGY

In the analysis of the subject, we relied on the analytical descriptive approach in the study and interview technique and discussion with some principals of the municipal and province local communities and their technical departments as well as some of the study offices in M’sila city about the content of the Municipal Urbanization Directive Plan (MUDP) and Land Occupancy Plans (LOP) identified by this plan. This topic is important because it relates to how to control the rational management of urban real estate within the framework of an integrated management strategy for the strict application of the land occupancy plans content through various monitoring bodies to reduce the imbalances and obstacles that prevent the achievement of these plans.

2.1 Defining Land Occupancy Plan as a Tool for Urban Planning and Management

2.1.1 The Content of Land Occupancy Plan and its Objectives

In recent years, the laws of urbanization took priority over the majority of laws because of its importance to the society whether for law-makers, law enforcers, or law-abiding [7]. However, some researchers think that the laws of urbanization are

exceptional, but temporary in nature [8]. Land Occupancy Plans (LOP) is the second construction tool which is provided by Law No. 90-29 related to urbanization, and sets out its provisions the amended and supplementary Executive Decree No. 91-178, which defines the procedures for preparing the land occupancy plan, approving it, and the contents of the relevant documents.

Legislators used this means to reform of urban policy and to fight against illegal construction. According to the Executive Decree mentioned above, this plan includes the following documents: An illustrative note and a presentation highlighting the conformity of the land occupancy plan with the regulations set forth in the directive plan and the municipal development program in the form of a regulation detailing the property rights and how to use the land for each area, controlling the urban form, identifying streets and neighborhoods, as well as the minimum and maximum permissible construction per square meter, cubic meter and the rules relating to exterior appearance, etc.

This document is attached to charts, topographic maps and maps showing the ports, the roads, and the access of the networks to them, the location of the buildings and their altitude, and the parking. All these are technical embodiment of the rules and regulations. It occupies the final stage of the urban planning system in Algeria. Therefore, it can be considered as a legal tool to argue in the courts, and it is particularly important for local communities for decentralizing decision-making and organizing the field by various standards.

From the previous, the objectives of the land occupancy plan can be summarized as follows: in this plan, land occupancy is determined in detail in the framework of the Urbanization Directive Plan and the rights to use and construct on the land [9]. Thus, it is an official document to regulate the urban growth in the short, medium and long terms: identifying the main use of each domain within the scope of the laws, identifying different network plans, infrastructure, and structured neighborhoods that are subject to modernization, identifying the allocated places for public installations; neighborhoods, streets and sites that must be protected, repaired or renewed with height, sizes and building patterns determined and the designation of agricultural lands, forests to be protected as well as easements.

2.2.2 The Concept of Planning

Given the wide scope of the concept of planning and the diversity of its branches and sub-branches, it is difficult to develop the concept of planning, but it is possible to draw its general features as a scientific policy for the best use of available resources, whether, human, natural, or physical to achieve social and economic goals for better life for the population. One researcher has defined planning as “the development of a

plan to achieve the goals of society in a specific functional field for a given geographical area within a specific time frame. In order for the planning to be sound, it must be realistic to achieve the goal in a timely manner and to be valid throughout the estimated period for operation with the highest degree of efficiency." [10].

2.2.3 The Main Objective of Planning

The main objective of planning is to provide for humans a suitable environment, be it a physical, social or climatic environment, and this requires studying the desires of society and individuals to achieve a good environment. The desires and needs of the population require the study of society's habits, traditions and lifestyle and transform that into reality. Therefore, the contemporary city must serve the needs of the society, taking into account the required state of change as a social goal for the purpose of changing the society from its reality to a better life to fit with the modern concepts of life.

2.2.4 Field Planning

Field planning is an attempt to create an atmosphere that allows communities to find the necessary means to achieve an adequate living framework for the population with amenities and well-being within cities. Man is always striving to regulate the environment where he lives and to find the tools to achieve the best harmony among all members of society, trying to invest all energies to achieve that and uses for this purpose the process of urban planning, which aims to ensure functionally, aesthetically and socially a balanced and harmonious urban fabric.

3. RESULTS

3.1 Administrative Site of the Municipality of M'sila

According to the orientations of the Master Plan of Urban Planning and Development (PDAU) of the municipality of M'sila, the latter is located on the northern borders of the state (Figure 1). It occupies an area of 252 km², inhabited by about 151,943 people, of which 128,562 reside in the main urban community - the city of M'sila - and the total number of dwellings is 19842 according to the 2008 census, according to (ONS) National Statistical Office and the latest general census of population and housing, that is, an average of 6.47 persons for a housing. According to statistics of municipal services for the year 2015, the population rose to about 170990 people (Municipal Services of M'sila, 2015), at an average of 733 people / km².

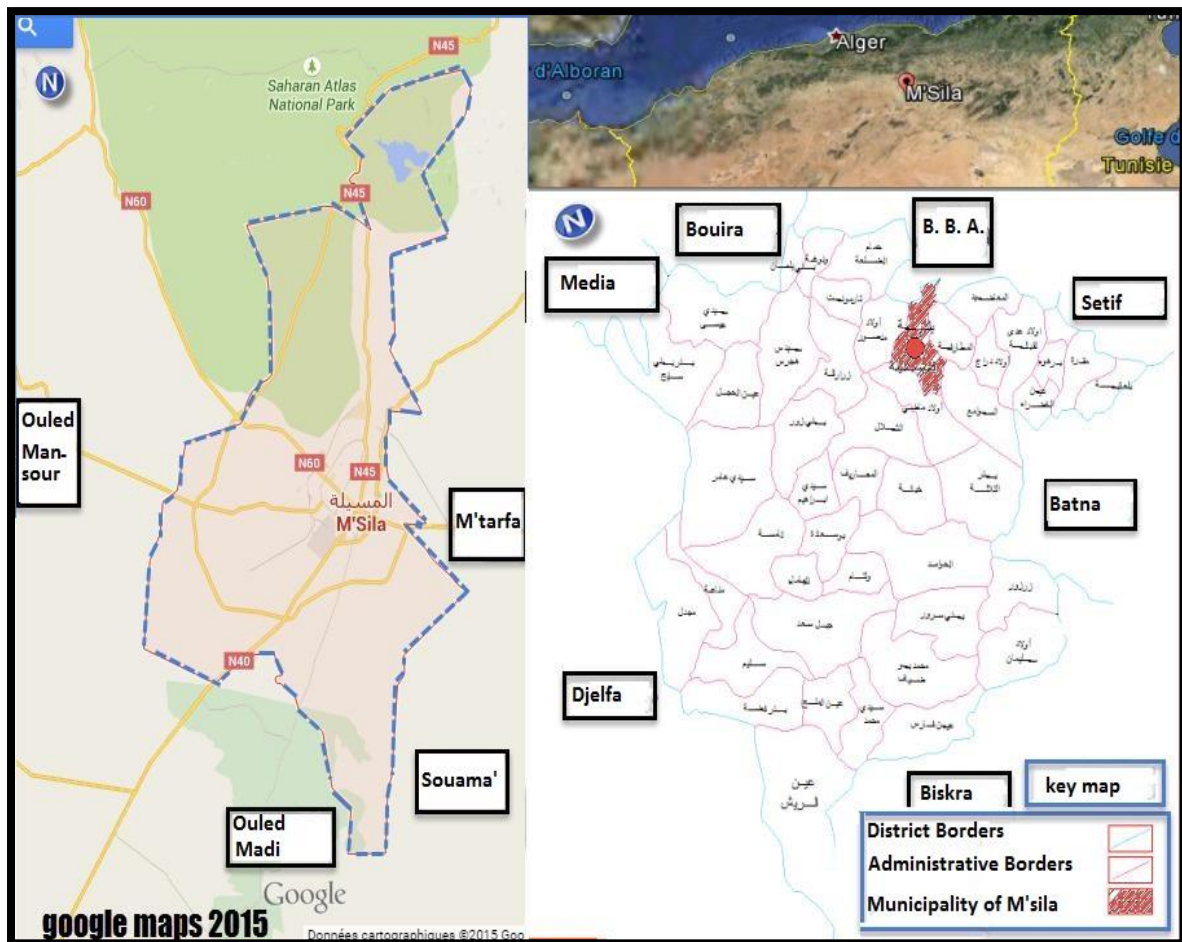


Figure 1. Geographical and Administrative Location of the Municipality of M'sila
 Source: The Urbanization Directive Plan 2008 + researcher's treatment.

The headquarters of M'sila city is in the north of the municipality, which intersects three main axes: National Road 45, linking the north and the south, national Road 40, linking the East and the West, national Road 60, linking the city center to the west, as shown in Figure (2).

3.2 Historical Development of M'sila's Urban Area

The first nucleus of M'sila city was formed in the area of what is known now as Bashiliga which was built by the Romans at the end of the 6th century CE. It was known as Gestiana (Grenier de Rome), and it was altogether gardens and fruit trees.

In 770 AD, the Fatimids demolished this fortress and displaced it to the west, which is adjacent to El-Ksob valley. They founded a gathering called "Ras El-Hara," also known as "El-Shetawa" and "Khirbet El-Talis". In the year 935 AD, the neighborhood was expanded in the eastern part of the city. It was called El-Jaafara neighborhood and continued to expand until 1015 AD under the rule of Bani Hammad. In the year 1350 AD, the expansion extended to the western region of the valley, forming two new

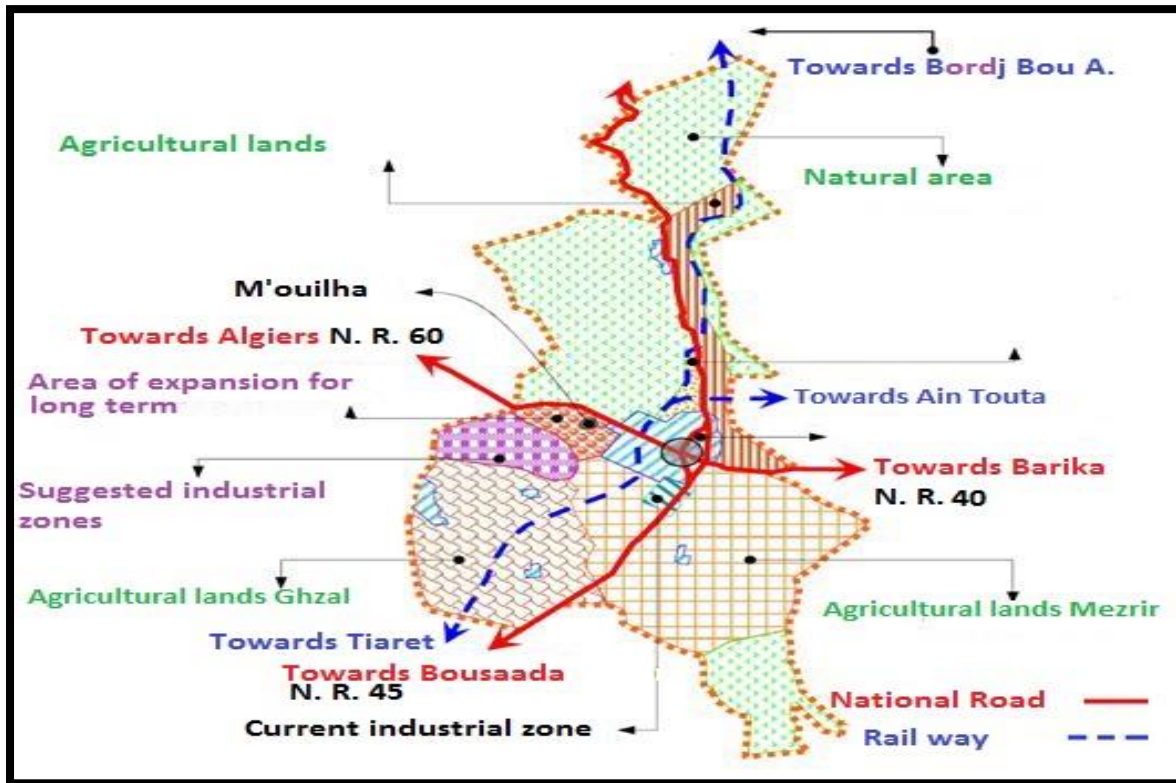


Figure 2: The Three Main Axes of the City

Source: Municipal Technical Services and Bureau of Studies (URBAS), 2017

neighborhoods known as El-Kush and El- El-Argoub. This expansion continued until 1515 AD, when the country was under Ottoman rule. When the French entered the Houdna region in 1841, they settled along El-Kush and El-Argoub neighborhoods. They build a military base to protect them as well as a hospital and a school. After independence, the city of M'sila received important housing programs within the framework of (ZHUN) to create new urban areas based on Urban Directed Plans (UDP). However, upgrading M'sila to a province, according to the administrative division of 1974, and benefiting from the development programs contributed greatly to rapid urbanization. In order to control the good management of the urban communities and organize the production of land for reconstruction, Law No. 90-29 of 01/12/1990 was issued on the preparation and reconstruction, which obliges each municipality to prepare its Urbanization Directive Plan for the preparation and reconstruction, as well as the land occupancy plans for the land that can be reconstructed, in accordance with Executive Decree 178/91 of 28/05/1991. In applying this law, the municipality of M'sila, prepared its Urbanization Directive Plan, which defines the basic orientations of the municipality's urban planning, taking into account urbanization and development plans, and setting referential patterns for land occupancy plans (Law 90/29). Urbanization directive plan divided the main urban region to various land occupancy plans.

3.3 City Expansion

The city of M'sila has witnessed a wide geographical leap in the expansion of its urban fabric in different directions and in similar urban patterns. The expansion was organized and subject to a previous architectural study in some parts, and anarchic in other parts. The city of M'sila includes a number of urban units (Figure 3) that were formed through different historical stages. The first urban nucleus was formed in "El-Karagla" neighborhood, which dates back to the Ottoman mandate of Algeria. This nucleus was completely removed by the earthquake of the city of M'sila in 1965 (Fellousia, 2014). Later, the neighborhood was named "*El-Koudia*," which is currently used in the vegetable and fruit market. In the colonial period, the city was characterized by two types of urban patterns: The first was characterized by Arabic and Islamic style as in El-Argoub, Janan El-Kabeer, and El-Kush neighborhoods. The second was a western style characterized by wide, straight streets, intersected in El-Dhahra and Fouristi neighborhoods. The city witnessed, after the earthquake of 1965, the establishment of neighborhoods, including Zaher300 housing (Lower Mankoubin), El-Badr 500 housing (Higher Mankoubin) and El-Shawaf neighborhoods. These neighborhoods were a combination of the colonial character and the Arabic, Islamic character in terms of the quality of the streets as well as the architecture of the buildings.

In the 1970s, neighborhoods along the National Road 45, such as the Burj Road, Djenan Boudiaa, and Oua'oua' El-Madani neighborhoods, emerged. At the end of the 1970s and the beginning of the 1980s, the city of M'sila witnessed a leap towards the north-west, where several residential neighborhoods took the form of individual housing, as well as collective housing.

Despite these intensive housing programs, they were unable to eliminate the chaotic buildings, wherein neighborhoods such as Larocad, located along National Route 40, and M'wilha, along Route 60, have been established. In the 1990s, for the best management of urban communities and the regulation of the production of land for construction, the law of 90-29 was issued, which obliges each municipality to prepare its Urbanization Directive Plan, as well as land occupancy plans (Table 1) for the sectors that can be reconstructed in accordance with the Executive Decree 178/91. The plans can be summarized in the table below:

Table 1. Including land occupancy plans to the municipality of M'sila

Source: Prepared by the researcher with consulting the municipal services and the directorate of construction and urbanization

Land Occupancy Plan	Year of Preparation and Area	Bureau of Studies	Observation
N° 01	1997 150 Hectares	BERM Bureau of Studies and Research in M'sila	The plan is currently reviewed by the Bureau of Studies URBASE in the form of improvement of existing structures and other spaces to prepare financial assessments for intervention for urban improvement DUCH = 70H URBASE = 138H BERM = 150 H
El-Arkoub	2003 30 Hectares	Bureau of Studies Urban Achievements in M'sila URBAS	The type of intervention was reorganization. However, urban improvement projects did not include the built-in framework and was only limited to some streets. (Renewal of networks and pavement of streets with stones)
El-Ja'afra and El-Janan El-Kabir	2003 25 Hectares	BET B.SEDIK	Some technical problems arise after the approval of the scheme during the submission of building permit applications. The problems can be summarized as follows: no scrutiny of the nature of private properties and their boundaries, making it difficult for the municipal technical services to determine the property subject to the request on the approved plan
Larocad	2002 150 Hectares	URBAS	Allocating some lands without taking into account its legal nature and without informing the owners on the land occupancy plan, which delayed its administrative approval until now
The New Urban Area ZHUN	1999 175 Hectares	URBAS	Updating the plan without solution for some problems such as traffic in addition to the process of urban improvement did not take into account the spaces and the completion of some projects such as shops in the approved plan.
Hammam Dalaa Road	2003 120 Hectares	URBA BATNA	Approved and it is update and settlement for collective housing and some equipment within the framework of municipal development programs
N° 05	2003 90 Hectares	URBA BATNA	Approved as a part of the settlement of the status of housing and completed equipment.
Sidi A'amara	2009 20 Hectares	EL-ZAHRA	It is under ratification (legal procedures for ratification are not complete).
N° 04	2010 90 Hectares	BET BATNA	It is in progress
N° 02	2009 40 Hectares	Hadjazi BATNA	It is in progress

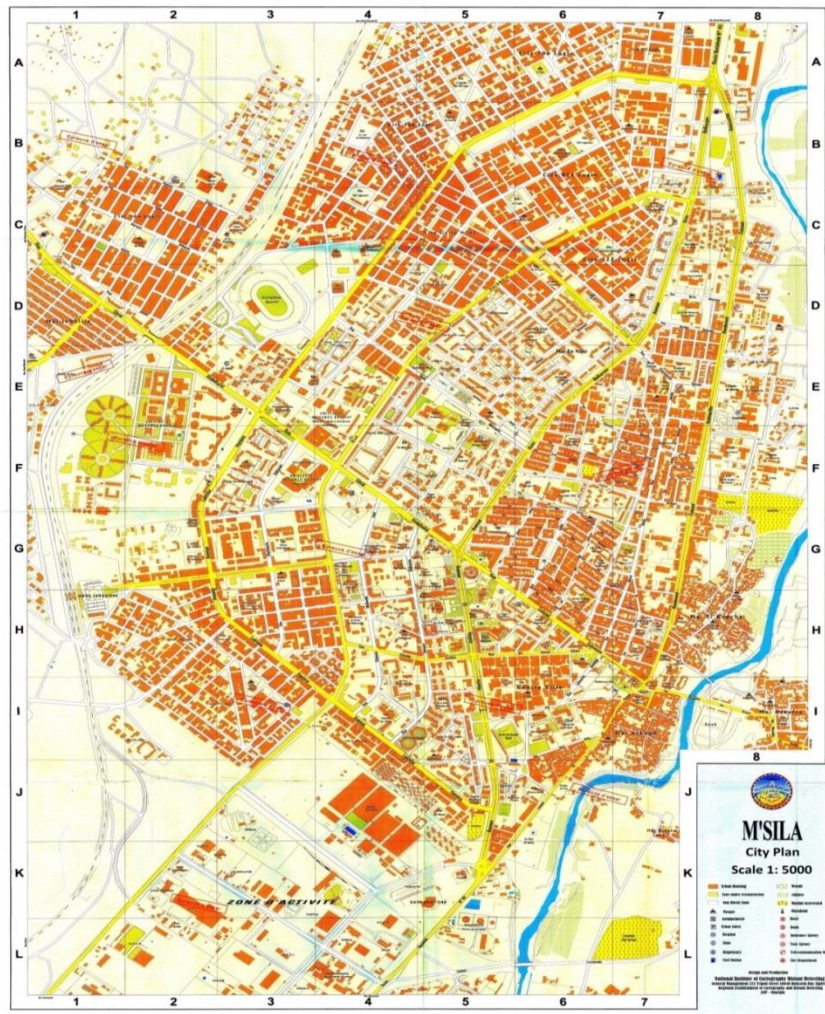


Figure 3. Including the urban environment of the city of M'sila.
Source: National Institute of Cartography and Distant Detecting.

3.4 Plans Making Obstacles

The choice of bureaus of studies is often based on administrative criteria. This is based on terms of reference prepared by the local authorities (Municipality). All tenders for the selection of these bureaus depend on the less offered amount for the study (AD / m²). However, selection does not consider multiple specialties of these bureaus. Therefore, the problems associated with the study can be summarized as follows: inaccuracy in uploading all data related to the studied land as in land occupancy plan No. 01, in which the physical data of the land, such as the area, the power line, and the adoption of several areas for one plan (150 hectares, 13 hectares, 70 hectares), low-level of technical qualification for human resources in most municipalities, the study and ratification of various planning and urbanization tools are often carried out in the absence of other reference tools (Province Plan, District Plan

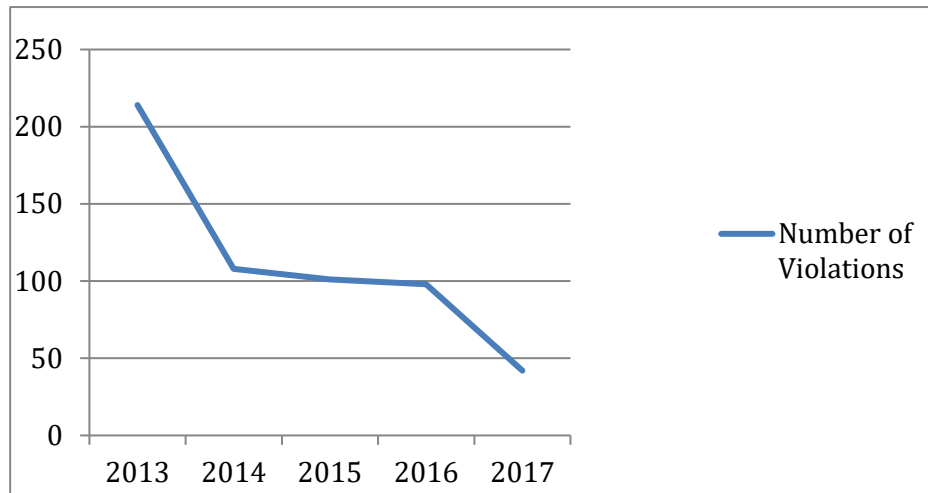


Figure 4. Violations of the Urbanization Laws in the City of M'sila for the Period (2013, 2017)

Source: Municipal Technical Service of M'sila + Treatment of the Researchers 2018

for the region, National Plan for the region) - relying on programming on the data for each municipality, only to determine the real deficit of housing and various fittings, preparing the study without informing the residents of the study area about the private property and the consequent problems during the actual application of the content of this document such as the extraction of the building permit, retail or construction certificate. This is what characterized the land occupancy plans for Djaafara, Larocad, El-Argoub and Sidi Amara. Intervention in the old neighborhoods for urban improvement and the required studies in the form of land occupancy plans were urgent and aimed at eliminating the causes of marginalization. They were limited to renewing the sewage and drinking water systems and paving some roads without interfering with the built-up framework.

The scarcity of urban real estate, which is one of the obstacles facing the local communities due to the nature of the private ownership of these real estate, which is contrary to the objectives of the plans and limits the local development. It seems that the rapporteur sees the concept of land occupancy plan as a financial process which must be completed. Otherwise, it is considered, on one hand, delinquency in the consumption of the loan allocated to this project. On the other hand, the representatives of bodies responsible for the preparation of these plans decision-makers are not often experienced. This encourages the rapporteurs to disregard this tool after ratification; especially those related external planning of the various developmental facilities.

The most important objective of the land occupancy plan is to allocate the real estate, but what is noticed is the lack of respect for this document in many cases, whether in the implementation of the procedures related to the preparation and

ratification or during the selection of areas for social, economic and cultural projects. These projects are carried out by the committees of Parish where they do not often depend on the content of the land occupancy plan when choosing the real estate allocated to the project, but they consider the real estate as a vacant property that must be exploited. This makes land occupancy plan optional rather than mandatory, which can be reviewed on the basis of status settlement or update not on the scientific basis of analysis and programming.

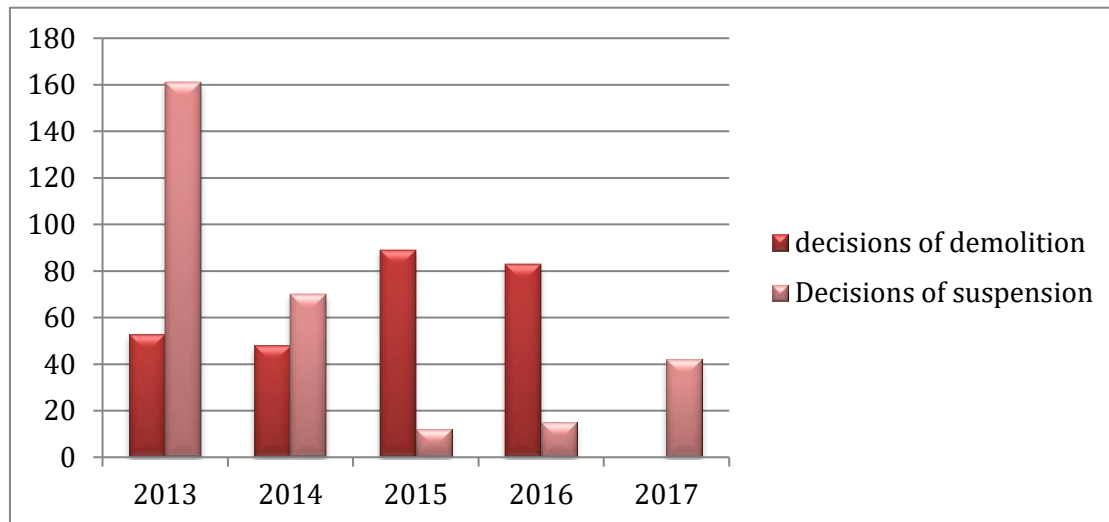


Figure 5. Represents the penalties imposed on violators in the city of M'sila for the period (2013, 2017)
Source: Municipal Technical Service of M'sila + Treatment of the Researchers (by the end of 2017)

The most prominent violations are the construction without a license or with non-valid license, starting without completing the works, exceeding the land occupancy factor, exceeding the allotted height, and using buildings before getting conformity license (Figure 4); the penalties imposed by the municipal councilors were demolition or suspension of works. However, it is noted that some of the decisions were not implemented for many considerations, including maintaining social security and peace.

Reading Figures (4) and (5) indicates that there has been noticeable decrease in violations related to construction, especially in the period from the beginning of 2015 to the end of 2017. This is what the specialists attributed to the reinforcement of Law 08/15 concerning destroying illegal buildings as well as the role played by the Urban and Environmental Police in combating this phenomenon and providing assistance to the Municipality and the Parish especially monitoring the quality of construction and keeping the general environmental scope by involving qualified personnel from the municipal technical services to search for urban violations and writing legal records about such violations.

4. DISCUSSION

4.1 The Gist of Analysis

In our study, we adopted the analytical descriptive approach in order to understand the reality of the city of M'sila, like many Algerian cities, which witnessed similar conditions in recent years. This approach is also used to explain some formal and functional imbalances of this phenomenon which produced a reality different from the contents of the Land Occupancy Plans (LOP) and Urbanization Directive Plan (UDP). And after comparing the achieved land occupancy plans with what is in reality through the follow-up of the continuous development of the urban area in terms of urban designs and reality. An inventory of urban violations has been identified and can be included in the following levels:

a. At the Housing Level:

M'sila City benefited from rich programs and important projects like collective housing and individual housing. However, during the embodiment of these residential programs and projects, neither the form nor the space nor even the number of housing programmed in the plan was respected. Some collective and individual housing projects were transformed into equipment, which led to change in the function of the real estate allocated for housing.

b. At the Equipment Level:

Land partitions in the city of M'sila represents 65% of the built-up real estate area, taking into consideration the necessary equipment during the design. However, the green spaces within these partitions have been re-sold by the real estate agencies to be used in building individual dwellings or private real estate, which caused the local administration to search for real estate spaces to complete some necessary equipment and was often forced to complete these equipment within the real estate environment, which undermined the urban scene and led to lack of homogeneity among different blocks that form the morphology of the city.

c. On the Level of Green and Public Spaces:

Green spaces are essential elements in the urban structure, ensuring the balance and harmony of the urban area and helping to soften the atmosphere and giving the tranquility and visual comfort to dwellers. However, at the level of the study area, the percentage of green spaces does not exceed 0.07% of the city area, which does not conform to the standards of urbanization. At the level of the public spaces, which are the focal point of the meeting and social cohesion, we recorded the absence of these spaces programmed in the designs and plans because they were transformed into other equipment on the ground.

d. At the Roads' Level:

Roads are considered as a link between all elements of the urban structure, and they are classified according to the degree of flow and also according to their location from the organization of the city plan, as we noticed disrespect for the roads width in the city. In spite of the contribution of the conformity of buildings Law 08-15 of 20th July 2008, related to real estate settlement and the removal of chaotic buildings in Algeria, in reducing the intensity of the phenomenon, in addition to role of urban and the environmental police and the qualified personnel of the municipal technical services in reducing the architectural violations related to conformity of buildings, the inconsistency of aesthetic appearance of the overall architectural and urban form of the city remains clear, which was manifested through the random expansions in the environs of the city and the excessive consumption of the urban real estate, which produced blocks of urban non-cohesive and non-homogeneous.

5. CONCLUSIONS

The goal of the land occupancy plan is to create a homogeneous urban area in its structure, integrated in its infrastructure and superstructure, in order to improve the framework of the individual. Land occupancy plan is a tool that organizes the use of the urban area and ensures that it is not deformed. Planning tools aim at economic and sustainable management of urban real estate where only feasible urban land can be constructed. Also, they are one of the strongest services provided by the local communities and the most influential in the lives of the population as they improve the urban environment and the living framework through programming and implementing facilities and services.

In light of the failure of the currently adopted planning tools in the management of the urban area and for the successful management of urban real estate and for the achievement of functional efficiency of the city, the concerned bodies with the management of the city should be aware of the importance of urban property in the rehabilitation of the urban area; and this will not be possible only by the following conditions: Giving great importance to land occupancy plans as tools of specification and real estate management, supporting municipalities by providing financial resources and legal mechanisms to provide real estate in the expansion of their cities and to take into account the various environmental balances and their urban economy in harmony with the urban fabric, updating all laws related to urbanization, especially the management of urban real estate to cope with the phenomenon of rapid urban growth, relying on multidisciplinary bureaus of study, using various modern means in the management of the city and controlling its expansion using the geographical information system, and benefiting from the global experience in it, the panelists

should be the rapporteurs and not the representatives of other administrative services, ensuring the completion of ratification and involving the civil society in the discussion during the preparation process and establishing society as a civil party if the content of the plan is violated, funding the external planning (networks of all kinds, green spaces and play yards) with extra financial envelopes and constructing them before the main facilities, issuing instructions and regulations to reinforce land occupancy plans instead of land selection committees, in the case of real estate with legal nature like private property and a financial envelope must be attached in accordance with Law 11/91 of 27/04/1991 which defines the rules of expropriation for the public benefit [1].

6. REFERENCES

- [1] **KHALAF ALLAH, B.** 2005. *Urbanization and the City*, Ein M'lila, El-Huda House.
- [2] **BACHAR, K.** 2015. *L'intégration des Dimensions Environnementales et Sociales dans les Pratiques Urbaines en Algérie: Enjeux et Perspectives*, Ph.D. Dissertation, Université du Maine.
- [3] **FELOUSSIA, L.** 2015. *Les Instruments de Planification Urbaine Entre Théorie et Pratique*, Cas de POS de M'sila. Ph.D. Dissertation, Université De Setif.
- [4] **AYMONINO, A., and VALERIO P. M.** 2006. *Espaces Publics Contemporains: Architecture Volume Zéro*, Skira.
- [5] **FRANÇOISE, C.** 2014. *Urbanisme, Utopies et Réalités, une Anthologie*, Paris, Seuil.
- [6] **COTE, M.** 2006. *Cité Antique et Ville Nouvelle, Constantine*, Média-plus.
- [7] **HAMED, A.** 1994. *Practical Problems in Building without Licenses* Crime, Egypt, House University Press.
- [8] **HADIDI, B.** 2000. *General Rules for Urbanization*, Program on Urbanization and Environmental Protection, Algiers, General Directorate of National Security, Directorate of Education and Police Schools.
- [9] **SHAMA, I.** 2004. *Algerian Legal System for Directive Urbanism*, Analytical Case Study, Algiers, Houma House Press.
- [10] **HAIDER, F. A.** 1994. *City and Village Planning*, Cairo.