



Press Office of the Constitutional Court

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*Press release of 17 November 2020*

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## LOCAL LANDSCAPE PLANS: THE REGIONS MUST ALWAYS ENGAGE WITH THE MINISTRY OF CULTURAL HERITAGE

In the area of landscape planning, the Regions cannot act in isolation but, rather, must involve the Ministry of Cultural Heritage and Activities (MiBACT). In particular, when creating a regional plan, the Region in question and the State must engage with one another on a constant, equal and loyal basis, according to a general agreement to ensure uniform protection of the landscape.

This was held by the Constitutional Court in [Judgment No. 240](#), filed today (Judge Rapporteur: Daria de Pretis), annulling Lazio Region's landscape plan of 2 August 2019 and all ensuing acts.

In the case before the Court, the Regional Council of Lazio – after reaching an agreement with MiBACT on a proposal for a plan adopted by the Regional Executive with Decision No. 6 of 8 March 2016, and submitted to the Regional Council with Proposal for Council Deliberation No. 60 of 10 March 2016 – had unilaterally approved the regional landscape plan, without involving the Ministry. This gave rise to the challenge by the national Executive.

The Constitutional Court deemed the Region's conduct to contrast with the principle of loyal collaboration. The Court observed that a general agreement must also be reached in the procedure for landscape planning, to ensure the unitary nature of the value of landscape protection, beyond those individual goods to which the duty of joint planning applies. The Region's approval of the plan without an agreement with the Ministry thus breaches the principle of loyal collaboration, other than the Code of cultural heritage and landscape.

Rome, 17 November 2020