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**Cc:** [redacted]@amsterdam.nl]
**From:** [redacted]
**Sent:** Wed 2/15/2017 7:44:26 AM
**Subject:** RE: graag uiterlijk donderdag reactie op OESO rapport onderdeel erfpacht
**Received:** Wed 2/15/2017 7:44:27 AM

[redacted],
Dat kan ik niet beoordelen, al was het maar omdat het in technisch Engels is.
Maar als G&O er bij betrokken is geweest dan ga ik er vanuit dat het goed is, klopt dat [redacted]?
Groet,
[redacted]

**Gemeente Amsterdam**
[redacted]
[redacted]@amsterdam.nl
[redacted]

**Van:** [redacted]
**Verzonden:** dinsdag 14 februari 2017 17:12
**Aan:** [redacted]
**CC:** [redacted]
**Onderwerp:** RE: graag uiterlijk donderdag reactie op OESO rapport onderdeel erfpacht

Kan ik niet over oordelen. Ik ben ook niet betrokken. Als je de zinnen leest die ik heb meegestuurd, kan je dan misschien aangeven of het gevoelig is voor vd Burg?

[redacted]
Grond & Ontwikkeling
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Weesperplein 8
1018 XA Amsterdam
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**Van:** [redacted]
**Verzonden:** dinsdag 14 februari 2017 17:09
**Aan:** [redacted]
**Onderwerp:** RE: graag uiterlijk donderdag reactie op OESO rapport onderdeel erfpacht

[redacted],
Ik heb geen rol in het onderzoek gehad en ga er vanuit dat ik er dan ook niet over hoef te buigen.
Met vriendelijke groet,
[redacted]

**Gemeente Amsterdam**
[redacted]
[redacted]@amsterdam.nl
linkedin.com/in/[redacted]

**Van:** [redacted]
**Verzonden:** dinsdag 14 februari 2017 17:08
**Aan:** [redacted]
**CC:** [redacted] (G&O)
**Onderwerp:** graag uiterlijk donderdag reactie op OESO rapport onderdeel erfpacht
**Urgentie:** [redacted]

Heren,
Zoals jullie wellicht weten doet de OESO in opdracht van de gemeente een onderzoek naar ruimtelijke ordening en grondbeleid. Dit onderzoek heeft al een heel traject achter de rug en er wordt nu gewerkt aan de allerlaatste versie. [redacted] was daar vanuit onze afdeling bij betrokken.

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Uiterlijk maandag wil R&D een reactie sturen naar de OESO. Daarom vragen ze **vóór donderdag 15 uur** input van de RVE's en dan wordt het donderdag aan het einde van de dag naar de directies van R&D en G&O gestuurd. Waarom het zo snel moet begrijp ik ook niet.
Vragen graag richting 5.1.2e van R&D
Na de definitieve versie komt er ook een bestuurlijke reactie, dus niet alle hoeft afgedekt te zijn. Maar het zou mooi zijn als jullie kunnen reageren op een mogelijk gevoelig puntje tav vernieuwing erfpacht. Meer info bij 5.1.2e van R&D (zie CC). 5.1.2e zal zich bemoeien met de bestuurlijke reactie. Ik doe verder niets, ik ben alleen de boodschapper.
Het gaat om
Pagina 14 punt 51
Pagina 93 punt 221.
hieronder. Veel dank!
5.1.2e

51. With a shift to a perpetual ground lease system, it is noted that the city has relinquished a useful land value capture tool. In this new system, the city calculates the amount that leaseholders have to pay for the use of the (built-up) land it owns only once and for all time. The ground rent is then only indexed annually (to inflation). While the new perpetual system will enable the city to capture value from change of use, at the point when that change is occurring, it will not capture changes in value over time that occur for other reasons.

*In adopting a new perpetual ground lease system without periodic revision, the city has relinquished a useful land value capture tool*

221. In an effort to address these issues, the city is introducing a perpetual ground lease system without period revision. In this new system, the city calculates the amount that leaseholders have to pay for the use of the (built-up) land it owns only once and for all time. This provides leaseholders more clarity about the cost of their ground lease. With a perpetual lease, the ground rent will be determined once, and for all time. The ground rent is then only indexed annually (to inflation). From this point on, the ground rent and other agreements will never again be revised, unless the leaseholder changes the way the land is used. Mortgage providers will also be assured of the value of the leasehold as collateral for their loans.
222. While the new perpetual system will enable the city to capture value from change of use, at the point when that change is occurring, it will no longer capture change in value over time. The ground lease will only be indexed to inflation; it will no longer be used to capture changes in land value that can be used for public benefit. As an alternative to the perpetual lease system, the city could have undertaken to reassess the value of land on an ongoing, regular basis. In addition to being a pre-condition for establishing an effective value-based property tax system, regular assessments would allow the City to inform all lease holders of changes in the value of their ground lease holding on an ongoing basis. If the renewal of a ground lease results in a large increase in costs, the City could allow ground lease holders to phase in the higher annual lease payment. It could also be able to retain long leases, but specify that the land rents would be charged on a regular basis (even annually) to reflect changes in land values. Alternatively, a government-funded system of subsidies targeted to lease holders with limited incomes or assets could be established, similar to that which currently exists. From the perspective of establishing a sustainable system of city finance, these measures would be preferable to the move to perpetual (indexed) ground leases.

**Box 11. The ground lease system debate:**

There have been prolonged debates about whether to keep, abolish or reform the ground lease system among Dutch municipalities. It has been argued for instance that the ground lease system is no longer needed because of the effectiveness of land use instruments and public law restrictions. However, in some cases such as industrial estates, the ground lease system can offer more detailed regulations that would otherwise be applied (Ploeger, de Wolff, 2014: 14). Another issue is that, while the intention of the ground lease system is to capture future increases in land value and use this to benefit the community as a whole, cities are not fully covered by a ground lease. Therefore, those under the ground lease system "give the plus value on the land away for the general benefit, and some are allowed to keep it" (Ploeger, de Wolff, 2014: 15). However, the plus value for non-ground lease holders could be captured in other ways, through a value capture tax. Ideological arguments have also been made—that in essence, "free and unlimited ownership" is simply a better system; but as Ploeger and de Wolff point out, there are many public law restrictions on property in any case, making this point moot (2015: 15).
In Rotterdam, these debates culminated in a policy shift whereby leaseholders could convert to ownership. A perpetual ground lease remains only for select cases (such as housing associations). The Hague, which had a perpetual lease system, also created the possibility of lessees to purchase the land at a discount rate—3% of the land value, and later a mere 1.5 %. The rationale for these changes has been largely ideologically driven (Ploeger, de Wolff, 2014: 15).
On balance, these cities in the Netherlands have given up a useful instrument. The ground lease is the only instrument municipalities have for land value capture as a result of change in use (Ploeger, de Wolff, 2014: 15). Beyond this, it is a useful instrument through which to pursue active land policy and one that can make projects easier to finance by separating building costs from ground ownership. This is particularly important when interest rates are high, and could enable socially desirable projects being undertaken which would otherwise not. Finally, it is a useful legal tool in the construction of multifunctional complexes and can be used to separate below ground developments from above ground ones (Mouthan, 2013). This is complementary to Amsterdam's spatial policy which expresses an interest in encouraging such developments.

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**Van:** 5.1.2e 5.1.2e
**Verzonden:** dinsdag 14 februari 2017 16:04
**Aan:** 5.1.2e 5.1.2e
**Onderwerp:** FW: Amsterdam case: Revised Draft

Beste 5.1.2e,
Omdat 5.1.2e met vakantie is stuur ik je nu het OESO rapport. 5.1.2e heeft je hier ook net over gesproken. Wij hebben nog een kans om hierop te reageren, planning en mate van invloed zijn echter niet duidelijk. Onze streven is donderdag voor 15.00 een reactie aan de OESO te schrijven die wij vervolgens met de directeuren willen afstemmen. focussen daarbij vooral op de aanbevelingen (p. 7-17). Graag ontvangen wij van jullie hiervoor input voor donderdag 15.00. Vooral paragraaf 48/51 vinden wij gevoelig.
Kun jij dit aub 5.1.2e ook in dit proces meenemen?
Wij beginnen nu ook met het schrijven van een bestuurlijke reactie op de aanbevelingen. Daarvoor nemen wij nu contact op met de bestuursdienst.
Groet,
Dagmar

**Van:** 5.1.2e @oecd.org [5.1.2e @oecd.org]
**Verzonden:** vrijdag 10 februari 2017 20:07
**Aan:** 5.1.2e 5.1.2e
**Onderwerp:** Amsterdam case: Revised Draft

5.1.2e 5.1.2e,
I can't thank you and your team enough for all of the time and dedication that you have put into this project and for the review and meetings.
I'm attaching the draft here which has been revised to take into account all of this feedback. This is the version that will be posted to OLIS. However, I await Director's approval for the Executive Summary and so, it is not yet in this draft. I'm sending this to you now because I am about to leave for vacation for the week. I will be checking my email as much as possible though and the moment that I get the go ahead to post this to OLIS, I will make it so. It will then be three weeks until it is approved (fingers crossed – either with or without revisions). All to say, I will send you the official version for OLIS once it is ready, but in the meantime please accept this one (the OLIS version will have the Executive summary but otherwise be identical).
Unfortunately I have to run now and so I don't have time to provide a detailed outline of how the feedback has been treated. I can quickly say however that the section on finances has been elaborated with more instruments; a section on congestion charges has been added drawing on existing OECD work that recommends this approach; additional governance models have been discussed and in particular, the utility of binding targets such as in Vancouver has been added; the section on social housing has been elaborated and basically, changes have been made throughout the text in response to the feedback that was received.
Just a note about the process. The report will go to OLIS for review and approval. Countries will either approve the report or request changes or approve with small changes. I have spoken with our Dutch delegate and I expect this process to be smooth. We welcome you to provide your final comments at this time as well. Generally we ask that this be focused on fact-checking; however, please do raise any important issues as you see fit. All to say, changes can still be made.
Again, I will share the OLIS version with you as soon as it is ready which will have the executive summary (we are forbidden to go over 1000 words, so it's short!).
Thanks for all 5.1.2e and please do let me know if you have any questions or concerns.
All the best,

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OECD
BETTER POLICIES FOR BETTER LIVES
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