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Can participation improve environmental governance? Lessons from European water management

Report

Jens Newig, Elisa Kochskämper, Edward Challies and Nicolas W. Jager February 2017

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Summary

It is increasingly argued that involving stakeholders and the wider public in planning and decision making leads to more effective environmental governance. But the impact of such participatory planning in practice remains unclear. In this report, the authors compare the impact of different approaches to participatory planning under the European Water Framework Directive (WFD) using case studies from Germany, Spain and the United Kingdom.

Participation is believed to influence environmental quality in at least four ways:

- Enabling environmental concerns to be included in decision-making
- Incorporating relevant knowledge – including local knowledge and experience
- Improving decisions and outcomes through dialogue and negotiation
- Making it more likely that stakeholders will accept and implement decisions as they are involved in shaping them

From the three case studies, the most effective plans and implementation emerged from the process that incorporated two-way stakeholder dialogue, was well facilitated and generated commitments to voluntary actions by stakeholders.

Broader positive outcomes arose from stakeholder participation across the cases, such as increased knowledge about sustainable water management, enhanced trust and improved capacity to build networks and collaborate.

Introduction

What role can public and stakeholder participation play in environmental decision making? We compare three cases of river basin management planning under the European Water Framework Directive (WFD) to understand the extent to which participation improves policy outputs and environmental and social outcomes.

Under the WFD, EU member states must prepare river basin management plans (RBMPs) for river basin districts within their territories, and update them every six years. In developing these plans, they must encourage the participation of all 'interested parties'. By examining and comparing how this process plays out across Europe, we aim to shed light on the relationship between participatory planning processes and their outcomes.

Our case studies come from Germany, Spain and the United Kingdom. We pay particular attention to how the participatory processes used in each case incorporate and integrate knowledge, foster dialogue, and generate acceptance — and the extent to which this improves environmental outputs as well as social outcomes such as collective learning, trust and network building.

Linking participation and effectiveness

Participation can influence the environmental quality of governance outcomes in four key ways:
1. Opening the door to environmental concerns
2. Incorporating relevant knowledge
3. Promoting interaction through dialogue
4. Fostering acceptance, implementation and compliance

1. Opening the door to environmental concerns

Including parties with environmental concerns in decision-making processes can have potentially a positive or negative impact. Advocates believe that those with an environmental interest will be motivated to participate, their presence will lead other parties to consider environmental concerns and this will generate more environmentally beneficial decisions.

On the other hand, environmental groups may be co-opted by more powerful interests, and by participating in the decision-making process, be deprived of their usual means of pursuing environmental goals. Avoiding these risks may require professional facilitation, and clear rules and procedures.

2. Incorporating relevant knowledge

Participation can elicit relevant information that would not otherwise be available to decision makers. Stakeholders often contribute 'local' or 'experiential' knowledge, which may be more accurate, detailed or useful than information held by decision makers or experts.

This type of knowledge can help improve both the environmental standard and the feasibility of implementing decisions. It complements 'expert' knowledge and, through critical exchange, can improve mutual understanding of the problem at hand. Fostering such an exchange requires open and fair dialogue and sufficient time.

3. Interacting through dialogue

Dialogue among participants (or intensive two-way interaction) is believed to produce more environmentally beneficial decisions and outcomes. In cases of conflict, it enables participants to bargain and negotiate solutions that maximise mutual gains and benefit the environment.

Intensive dialogue may also lead to a particular type of deliberation (rather than negotiation and bargaining) in which there is an exchange of reasons and the 'weight of the better argument' prevails. Here participants are willing to reconsider their positions and move beyond personal interests towards the common good.

4. Fostering acceptance, implementation and compliance

Stakeholders are more likely to accept decisions if they have been involved in shaping them. If people accept the decisions, it is assumed they will be more likely to implement and comply with them. This may be because the decision reflects the range of stakeholder interests or the process itself is seen as fair and legitimate.

The broader legitimacy of processes is linked to a range of factors, including transparency, open communication, early participation, effective moderation, and the extent to which the participatory process has had an impact on the final decision.

Participatory planning for EU river basins

The European Water Framework Directive (WFD) aims to achieve 'good' water status across the European Union before 2027. It is notable for its ambitious targets, but also for its requirement for participatory planning. The rationale behind this is the assumption that participation will produce better river basin management plans (RBMPs) that can be more easily implemented. But participation has unfolded differently across Europe, and its effectiveness remains unclear.

The common context and timeframe for implementing the WFD provides an excellent framework for comparing approaches to participatory planning and identifying the causal mechanisms that link participation to desirable outcomes. In this report, we focus on three cases of participatory river basin management planning that have a similar institutional set-up (a sub-national implementing authority) but diverse approaches to participation. The analysis that follows is based on extensive document analysis and semi-structured interviews with decision makers and stakeholders between late 2014 and mid-2015.

Case 1: Elbe-Lübeck Planning Unit, Schleswig-Holstein, Germany

Participation in the Elbe-Lübeck Planning Unit (506 km^2) began in 2002, when the state Ministry of Environment selected a working group of key stakeholders, including representatives of the Water Board, the Association of Towns and Municipalities, the Farmers' Federation, environmental NGOs, the Fishery Association, the Local Water Authority, and the Water and Shipping Agency. A representative of the Ministry of Environment was invited to join the group, but did not have voting rights. The group was chaired by the local Water Board (an association traditionally representing land owners' interests), which was also given responsibility for overseeing implementation of the

group's decisions. Making the Board responsible for implementation was expected to encourage land owners to accept any resulting measures.

The main water management issues facing the planning unit were poor river connectivity (i.e. barriers to flow and fish passage) due to river alterations and infrastructure, and diffuse pollution (mainly nitrates) caused by agriculture. All water bodies in the unit were classified as below 'good' status under the WFD.

Participants and organisers described the working group as calm, constructive and cooperative, with a highly committed and motivated chair. Participants discussed the information and advice provided by the Ministry and the Water Board in a productive manner, and their input was considered by all parties involved to have been constructive for achieving WFD targets. The feasibility of implementing measures was an important point of discussion, not least because implementation depended largely on stakeholders taking voluntary action, with a contribution from public funding. Working group decisions were logged in a federal state database. The final RBMP and Programme of Measures lists only general measures. Specific measures were recorded in working group meeting minutes.

Case 2: Miera and Campiazo Basins, Cantabria, Spain

Participatory planning in the Miera and Campiazo basins (620 km^2) began in 2008, overseen by the newly-created Office for Hydrologic Participation in Cantabria (OHPC) in the Cantabrian Environmental Agency. Following an official opening event, the office held four sectoral meetings, six water forums, and three multi-stakeholder forums in different catchments. In total, 644 individuals and organisations participated.

Before the meetings, the OHPC and the University of Cantabria gave participants an analysis of water bodies and key pressures in the sub-basins. Diffuse pollution from agriculture was an issue in the upper basins, while connectivity and pollution from urban development and industry were an issue in the middle and lower sections, especially around Santander city and port. Around two-thirds (67 percent) of water bodies was classified below 'good' status.

Meetings focused on gathering peoples' perceptions of key water issues and proposed solutions, with fairly limited two-way discussion and consensus building. In some cases, individual concerns and preferences overshadowed collective goals. In the larger water forums, the OHPC divided participants into sub-groups so that the voices of diverse participants could be heard. Tensions rose when a final decision had to be made and participants could not reach a full consensus on the priority issues. Instead, the final output was an 'idea map' for further exploration, rather than a specific decision or set of measures. In the end, the University of Cantabria selected 213 measures, based on feasibility studies. These were published as an appendix to the RBMP in late 2013, but the plan did not state whether or how the measures would be integrated.

Case 3. Belfast Lough and Lagan Catchments, Northern Ireland, United Kingdom

Participation in the Belfast Lough and Lagan Catchments (1005km^2) began in 2007. The Northern Ireland Environment Agency (NIEA) within the Department of the Environment led the development of the RBMP and relevant measures in consultation with a Catchment Stakeholder Group (CSG),

which met approximately twice a year. CSG meetings attracted between 20 and 40 people (although often more than half of these were NIEA staff and other government officials). Other participants included representatives from local angling clubs, local conservation and natural heritage groups, electricity generators, and the government-owned water company. Surprisingly, agricultural interests were not strongly represented, and environmental NGOs did not participate much (reportedly because they already had effective channels of communication with government on water issues).

The main pressures in Belfast Lough and Lagan were agricultural pollution in the upper catchment and urban pollution (industrial and urban wastewater spills and sewage) in the lower reaches. Nearly all (97 percent) water bodies fell below 'good' status.

CSG meetings adopted a standard routine, with an expert presentation on key issues followed by questions and group discussion. NIEA also collected more specific information through workshops, questionnaires and written comments. In the absence of environmental NGOs, angling groups emerged as advocates for water quality and environmental protection more generally. Participants were invited to comment on most relevant planning documents, including the draft RBMP in 2009, which was criticised for lacking detail and ambition. Four sections of the RBMP were updated in response to CSG input, and a measure to promote water efficiency was added. The likely impact of this new measure remains unclear, however, as the final plan lists generic measures to be applied to the whole basin. In late 2009, local action plans were drawn up to implement measures in the newly-defined Local Management Areas. NIEA sought input from the CSG for the action plans, but this input is not publicly available.

Comparing cases

What do the three case studies tell us about the effect of participation on the environmental quality of outputs, outcomes and impact?

We distinguish planning **outputs** (agreements/plans) from **outcomes** (action in terms of implementation and compliance) and **impacts** (actual changes in the environment).

Assessing the outputs…

RBMPs were produced in all cases, but these tended to very general and abstract and therefore of questionable importance in driving action on the ground. In all cases however, more specific, locally targeted outputs were generated. These outputs were assessed against four criteria: targeting of main water management issues in the area; specificity of measures; identification of implementing parties; and feasibility.

a) Do the outputs target the main water management issues? The measures developed in the Elbe-Lübeck case targeted river connectivity, but failed to address diffuse pollution from agriculture. This was partly attributed to the high cost of buying land for buffer strips, and partly to the fact that diffuse pollution was not a high priority for participants, including environmental groups. In Miera and Campiazo, most measures did address the main issues, such as industrial and urban pollution and river connectivity. In Belfast Lough and Lagan, the local action plans also targeted the most

significant pressures, but tended to use 'soft' measures, for example, further investigation or awareness raising**.**

b) Do the outputs include specific measures? Only the German working group minutes listed concrete measures. Measures produced in the Spanish process reflected broad aspirations, and those in the Northern Irish action plans were also general recommendations.

c) Do the outputs identify who is responsible for implementing measures? In Elbe-Lübeck, responsible parties were clearly specified. In Belfast Lough and Lagan, plans also identified implementing agencies and timeframes. In Miera and Campiazo, the plans did not identify who would implement measures (but the lead agency in this case did not have the legal authority to assign responsibility).

d) Are the measures feasible? In Elbe-Lübeck, the measures were clearly feasible, as they were well subsidised by the state. In the Spanish case, the local university checked feasibility but did not assess whether they could actually be implemented in the short term. In Northern Ireland, the local action plans were likely to be feasible as they comprised only 'soft' actions.

…and the outcomes and impacts

In terms of implementation and compliance, we find differences in the three cases.

In Elbe-Lübeck, most measures have been implemented since 2010, with a positive impact: the number of 'natural' water bodies has increased, and the rivers are repopulated with trout. But improvements in water status are yet to materialise.

In Belfast Lough and Lagan, some of the awareness-raising measures and monitoring activities have been successfully implemented in partnership with stakeholder groups. Nonetheless, the 2009 water quality targets have not been met, and the number of water bodies achieving 'good' status has not increased.

In Miera and Campiazo, there is no obvious connection between the RBMP and the list of measures produced. In addition to tensions among the responsible authorities, implementation has also been hampered by a lack of financial resources for high-cost measures (partly as a result of the 2008/9 economic crisis) and a change of the Cantabrian government in 2011, which disestablished the OHPC and stopped the participatory planning process.

Social outcomes

All three cases produced important social outcomes, most notably:

- **Learning:** More intensive, two-way communication and information flows in Germany meant that the group as a whole went through an iterative learning process, and individual members learned about WFD-specific requirements. In Spain, even knowledgeable participants learned from the process, and the group as a whole reportedly improved its understanding of sustainable water management. One participant said the exchange of opinions and related learning was the most important outcome of the process.

- **Trust:** Stakeholders in Elbe-Lübeck developed mutual trust and understanding that persists to this day. In Miera and Campiazo, in contrast, the absence of dialogue meant trust and shared

understanding did not develop strongly. Similarly, the Northern Irish meetings offered limited opportunity for stakeholders to interact and build trust.

- **Collaboration:** By participating, some stakeholders — particularly from government — were able to build their networks and improve collaboration. This occurred in the Belfast Lough and Lagan case which was characterised primarily by a one-way flow of information. Certain groups valued increased access to relevant government and private sector organisations, and the process has helped local groups secure funding and support for new and existing projects on the ground. In Germany, contact among stakeholders reportedly intensified over time, but neither specific networks nor shared initiatives have emerged at local level.

Back to the links between participation and effectiveness

Do the three case studies provide evidence of the suggested link between participation and effective environmental governance?

1. Opening the door to environmental concerns

In all cases, we find environmental concerns were incorporated into policy outputs. In Germany, environmental NGO representatives ensured that river connectivity was comprehensively addressed. But there may also be evidence of a degree of co-option since the more difficult and pressing issue of diffuse pollution was not addressed by the group. In Spain, environmental groups helped produce the comprehensive list of targeted measures, although some remain sceptical about their impact as they are aspirational and not binding. And in Northern Ireland, angling groups advocated for environmental concerns and were especially vigilant on water quality and river ecosystem health, although these concerns were not always obviously taken up.

2. Incorporating relevant knowledge

Experts and engineers had the final say on the measures in all cases. However, local knowledge was seen to complement expert knowledge in the Elbe-Lübeck case, and participants familiar with particular water bodies helped tailor feasible measures. Local knowledge was also aired in Miera and Campiazo, with OHPC often surprised at the contribution from stakeholders such as environmental groups and rural people. In Belfast Lough and Lagan, local stakeholders (especially anglers) provided local knowledge through feedback and input on draft plans. But that knowledge was not widely drawn on, possibly due to limited political will and resources.

3. Interacting through dialogue

The original terms of reference for the Belfast Lough and Lagan CSG did envisage intensive interaction among participants, but the actual process failed to deliver this. Interaction in Elbe-Lübeck, focused on bargaining and negotiation, rather than deliberation. These forms of dialogue may have delivered high quality outputs but they failed to foster a convergence of stakeholder values and preferences (again because the issue of diffuse pollution was avoided). In Miera and Campiazo, the process design left very little room for negotiation, let alone deliberation, and individual interests served as the main reference points. In part this was because the forums were

simply too large for intensive discussion, highlighting a trade-off between broad representation and the conditions for effective deliberation.

4. Fostering acceptance, implementation and compliance

The German group's self-drafted measures were widely accepted, and later implemented. Stakeholders described the process as fair and legitimate and praised it for its emphasis on consensus and ongoing engagement. In this case, the effectiveness of measures — in terms of producing tangible results — helped stakeholders accept them. In contrast, some Northern Irish stakeholders were frustrated by a perceived lack of responsiveness from NIEA and their limited influence in the planning process. Some were also unhappy with the planning outputs, which were described as vague and ambiguous, and unlikely to be implemented given scarce resources. And yet, despite this dissatisfaction, several local groups are working with NIEA as co-deliverers of measures. In Spain, stakeholder interests were not integrated into the final output, but acceptance and stakeholder satisfaction were surprisingly high. This appears to be because stakeholders were satisfied with the participatory process itself, which was valued by participants as an opportunity to be heard, and was perceived as fair and legitimate.

Conclusions

In general, the case studies show that as the intensity of stakeholder engagement and participation increases, so too does the quality of outputs, outcomes and impacts. There is some evidence of the dangers of co-option: this needs to be guarded against, otherwise the participation of environmental groups may help legitimise inaction or lower standards. The case studies point to important social outcomes such as learning, trust and collaboration that can be generated through participation.

All four mechanisms that may link participation and effectiveness of environmental governance play a role. A critical factor is the way in which participatory processes are designed. Clearly however, broader political factors have an impact on the process – for example, the political will to delegate power and resources to participants and ensure outputs are binding.

While there are almost certainly other factors that will influence the relationship between participation and effectiveness, those we have investigated here seem to hold over different contexts. Given the varying and often conflicting claims made for participation in environmental governance by practitioners, policymakers and academics, the type of approach we have taken in this report – using structured comparative case studies – can yield novel and more robust insights into the conditions under which participatory planning can secure environmental and social benefits.

References

A full list of references can be found in the original article from which this research was drawn: Kochskämper, E., Challies, E., Jager, N.W., Newig, J. (2016) Participation for effective environmental governance? Evidence from Water Framework Directive implementation in Germany, Spain and the United Kingdom. *Journal of Environmental Management* 181(1), 737-748.

Foundation for Democracy and Sustainable Development, Floor One, 51 Southwark St, London, SE1 1RU

Email: info@fdsd.org Web: www.fdsd.org