

River Basin Planning: Argyll Findings to Date

1. Introduction:

This short working paper presents some draft research findings to be presented and discussed at the Argyll Area Advisory Group (AAG) meeting on 22nd November 2007. The purpose of presenting this paper is to get feedback from the AAG:

- does the analysis makes sense to you;
- does it captures the issues to date, and
- does it need corrections or additions?

If my analysis makes sense, then we can focus on learning the lessons for the future.

2. Purpose of the Research:

The research is documenting the lessons that the AAG and the lead authority (SEPA) are learning as they implement the first ever Scotland River Basin Plan as part of the Water Framework Directive (WFD). The main aim is to provide guidance for the 2nd River Basin Management Planning (RBMP cycle. However, providing feedback during the 1st cycle can highlight areas to focus on in order to enable a successful planning process.

RBMP is an example of a new approach to environmental planning and management whereby government works in partnership with other interest groups to develop and implement policy. These processes take place at multiple scales (e.g. the Euchar, Argyllshire, Scotland, UK and Europe) and quickly become extremely complicated due to the interaction of many different stakeholders and the integration of many different issues. This can make defining and delivering a consensus on:

- what should be done;
- by whom
- by when; and
- why it needs doing

more time consuming and more challenging although ultimately it should be more sustainable.

RBMP also shares the challenges faced by any collaborative planning process due to the difficulty in balancing the following four issues:

- Inclusion: involving all those who affect, or can be affected by, water resources
- Integration: coordinating the different issues, scales and processes involved
- Effectiveness: making a difference, achieving the objectives of the policy
- Delivery: achieving the outcomes with limited resources

Inclusion, integration and delivery are covered in section three, and effectiveness is covered in section four.

The focus of the research is on who is involved in RBMP in the Argyll Sub Basin; how the AAG interacts and influences the overall Scotland RBMP; what issues and solutions are suggested and how these are incorporated in the plan. The research will eventually look across five groups (Tweed, Argyll, Clyde, North-East and National-Scotland) but it

is too early to make any sensible comparisons. It appears that many of the themes emerging are similar but there may be differences in how the groups respond to these challenges and opportunities.

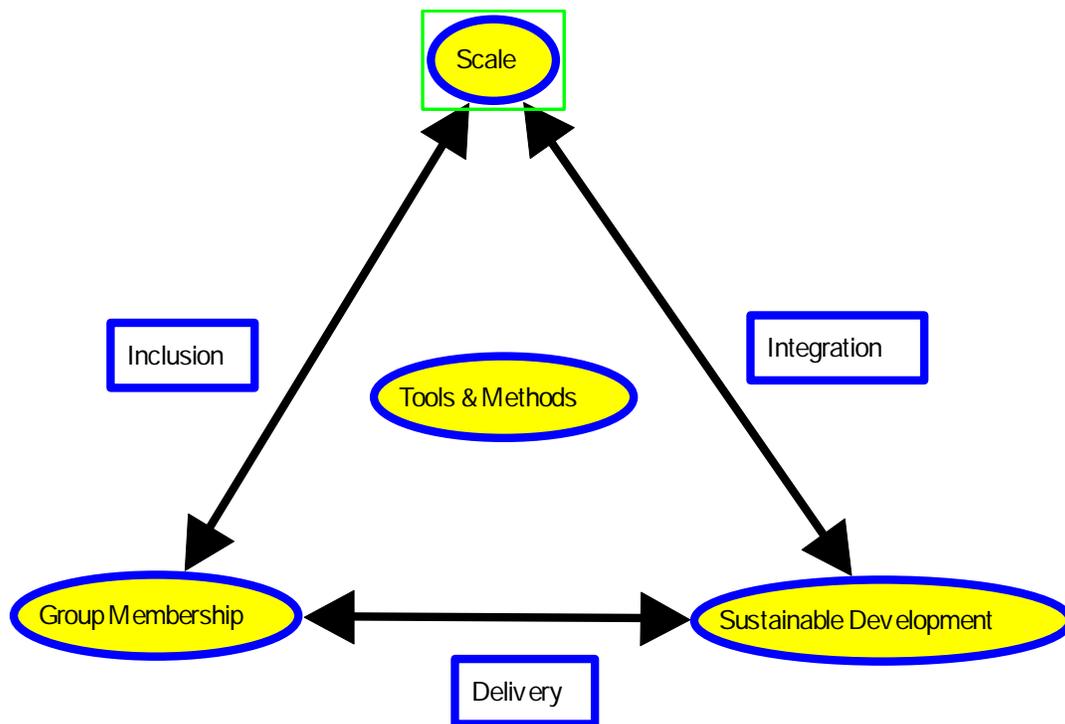
Methods:

The paper focuses on the main issues arising from the first analysis of the questionnaires, field notes and documents (agendas, papers, minutes) arising from the Argyll AAG June 2006 – September 2007. Although the response rate for the questionnaires has been good (n = 12; 35% response rate), the results do not represent all views from AAG members. Furthermore, my data is only the tip of the iceberg as there will be a great deal of formal and informal interaction within the group, and between group members, that I have not been able to observe, or may not be able to interpret accurately.

3. Results:

The RBMP process is proceeding on time with the early milestones being met despite a demanding timetable. Although there was no existing water management network at the scale of the AAG, the group appears to have achieved a good interactive dynamic at meetings. Whilst individual members explicitly highlight their sector's concerns, there appears to be a willingness to work collaboratively to achieve the overall aims of RBMP rather than a narrow focus on individual agendas.

Figure One: Illustrating the relationship between my draft findings.



The figure above provides an overview of how the initial findings fit with the lessons learnt from collaborative planning case studies. There are four main challenges that have emerged from the Argyll AAG: (a) Group Membership; (b) Scale; (c) Sustainable Development and (d) Tools and Methods. The last issue – Tools and Methods – is placed in the centre as it relates to the other three issues (a – c). Group Membership relates to issues of inclusion; Scale to issues of integration; Sustainable Development to issues of delivery and Tools and Methods to the intersection of all three – inclusion, integration and delivery. Effectiveness is discussed in section four, but has not been a dominant theme in the meetings and minutes to date.

3.1 Group Membership: Who is involved in the Argyll AAG?

Inclusion of all relevant parties who either affect or are affected by a policy has become a principle of environmental planning. Achieving this, however, requires understanding why stakeholders want to expend time and energy on attending meetings. In answer to this question, the three most popular reasons given were:

- To represent my sector or organisation
- To shape the outcome of the RBMP
- It's a requirement of my job

Collaborative planning is premised on having a mix of interests and expertise in order to develop optimal solutions. For example, diffuse pollution from land use; fisheries and aquaculture; alien species; morphological alterations and coastal development pressures have been the dominant discussion topics. Whilst diffuse pollution and morphology are generic issues arising from the national characterisation, the other issues reflect both the specific geographical and economic characteristics of Argyll and the interests of those attending.

From an analysis of the latest Argyll AAG emailing list, there are 41 potential members (excluding myself). Of these, 34 have attended meetings in the data collection period; with between 14 to 19 members at each meeting (five meetings have been held to date). These attending members can be categorised along a number of different typologies. Firstly, by the type of organisation they represent – whether a publicly funded organisation; a non-governmental organisation or an industry (although there are overlaps between the latter e.g. NFUS) as shown in the table below. Secondly, by their statutory remit with regard to water i.e. whether they are regulated or a regulator - of the 34 attending representatives, 14 are regulators, 11 are regulated and nine could be both. Thirdly, by their geographical focus –seven represent a local set of stakeholders; 16 a national set of stakeholders and 11 both local and national constituencies.

Typology	# of Representatives
Lead Agency	9
Other Public Agencies	10
NGOs & Membership Organisations	8
Single Industry Sector	7
Total	34

A key aspect of stakeholder inclusion is the capacity of different groups to attend meetings and respond to the workload in between. Data from the questionnaire shows that only five questionnaire respondents have a nominated deputy. Only three members feel they are able to act on behalf of those they represent, seven need to check back with their organisations or members first and two felt it depended on the issue. Therefore, time has to be built in for the representative to check back before they can act. The majority of the questionnaire respondents were asked to attend by their organisation. However, two respondents are not be paid by an organisation to attend the meetings (so they do so in their own time). On the other hand, some representatives attend multiple AAGs and also attend the NAG and the national regulatory stakeholder forum. Whilst the AAG members are privileged to have a considerable influence on the process through their views being aired at group meetings; 1:1 meetings and their pre-consultation edits of reports, this also requires time and energy. Not all representatives have the same capacity to support these processes.

The Argyll AAG has been quite active in engaging stakeholders beyond those who attend the AAG meetings. There have been references to mechanisms through which those at the meetings liaise with other members of their organisations and many suggestions about events and forums where the AAG coordinator could present material on RBMP. Although the forum events did not generate a large quantity of additional face to face contacts, these demonstrated an effort to reach out to local stakeholders. In particular, the response to the agricultural sector's request for another meeting at a more appropriate time appears to have built up some valuable trust.

3.2: Scale: how does the Argyll AAG fit into a strategic framework?

One of the challenges of collaborative environmental planning is working at the level that harnesses local knowledge and enthusiasm whilst maintaining a strategic perspective and delivering to a national or international set of objectives. At several meetings, and in the responses from the questionnaires, group members wanted to know how the AAG could influence, and was influenced by, decisions made by the NAG. In turn, it has become clear that the NAG and SEPA are working with a UK framework for delivery of the WFD, which is a set of Europe wide milestones and tasks. The group has picked up on the tension here, whereby the focus to date has been on individual water bodies yet the final plan is strategic and covers most of Scotland. The proposed draft structure illustrates the desire to bridge from local issues to the sub-basin level through to the overall River Basin District. The water bodies require a degree of local knowledge and implementing the programmes of measures also require engaging with local stakeholders, yet the framework, tools and milestones do not always easily adapt to local issues.

As well as being interested in how the Argyll specific issues will be developed and used at a national and European level, the group has also been interested in learning from other parallel processes at the regional scale e.g. other AAGs and catchment management planning processes. There has been an explicit interest in learning lessons from elsewhere in Scotland. There are relatively few examples of adopting lessons from local planning initiatives beyond forestry, fishery and integrated coastal zone management plans, which

reflect the expertise of the representatives attending the meetings. Related to this issue has been an ongoing interest in how RBMP will integrate with other plans, policies and designations. While SEPA have consistently expressed a desire to do so, at this stage it is not entirely clear how this integration will be achieved.

There has also been a recurring interest in how to plan river basin management through time, taking account of possible changes in the future. Taking account of climate change has been raised, both with regard to how climate change may alter the state of the water body and therefore its classification; and how climate change may require different programmes of measures. Land use change, including different possible economic development futures for the area, has also been raised (e.g. new marina development, changes in forest cover). These issues suggest the group is interested in anticipating change rather than responding to changes once they show up in the classification data.

3.3: Sustainable Development: What is the aim of RBMP¹?

In a number of meetings there has been an exchange of views about the importance of balancing the protection and enhancement of the aquatic environment with enabling economic development in the area. This can be demonstrated by the continual requests for information on how objectives will be set and how cost-effectiveness (CEA) of measures will be judged.

The former issue, objective setting, is crucial in getting the balance between achieving the environmental aims of the WFD whilst ensuring that the requirements are feasible and affordable. This in turn raises questions about what scale this assessment is done – national, regional, or water body by water body – and who defines feasibility/affordability. Members have expressed concerns that the objective setting process could be either too strict or too lax. The latter issue, CEA, is crucial in ensuring that the most effective and affordable measures are adopted, rather than the measures that are well known or in place. This issue also links to the fact that group members have contested the link made between a pressure and the source of this pressure. Underlying this debate are concerns about the possible consequences of wrongly attributing a pressure to a sector that would have to carry the financial burden of implementing measures to resolve the problem.

Another issue that has emerged has been the relationship between voluntary, economic and regulatory measures. The remit of the AAG has been restricted to working on voluntary measures as regulatory issues are negotiated with individual licensees² – even though, as some point out, some ‘voluntary’ guidance has statutory status and may lead to regulatory actions if not followed. Economic measures are raised at AAG but the AAG rely on UK level negotiations to take these views forward (and it is not entirely clear who has the remit and responsibility to act on the AAG suggestions). The AAG members

¹ Despite the section title, the emphasis has been on economic versus environmental concerns with very little mention of social sustainability.

² AAG members can comment on licence conditions and can respond to consultations on regulatory tools but there is no specific or additional provision for the AAG to advise on regulatory measures.

have been concerned about a failure to take account of the possible effects of regulatory and economic measures. As with the source apportionment issue, this may mean that either: inappropriate/unnecessary measures are implemented, wasting resources; or an opportunity to complement regulation/economic incentives with voluntary actions gets missed.

3.4: Tools and Methods: What do the AAG need to write the plan?

The previous three sections have a common theme regarding the desire of the group to deliver the draft plan (see also section four below) whilst hampered by the three challenges (how to include the necessary interests and expertise; how to link local and national processes and how to balance environmental with economic concerns). A constant thread has been the desire for tools and methods to allow the group to engage with these challenges.

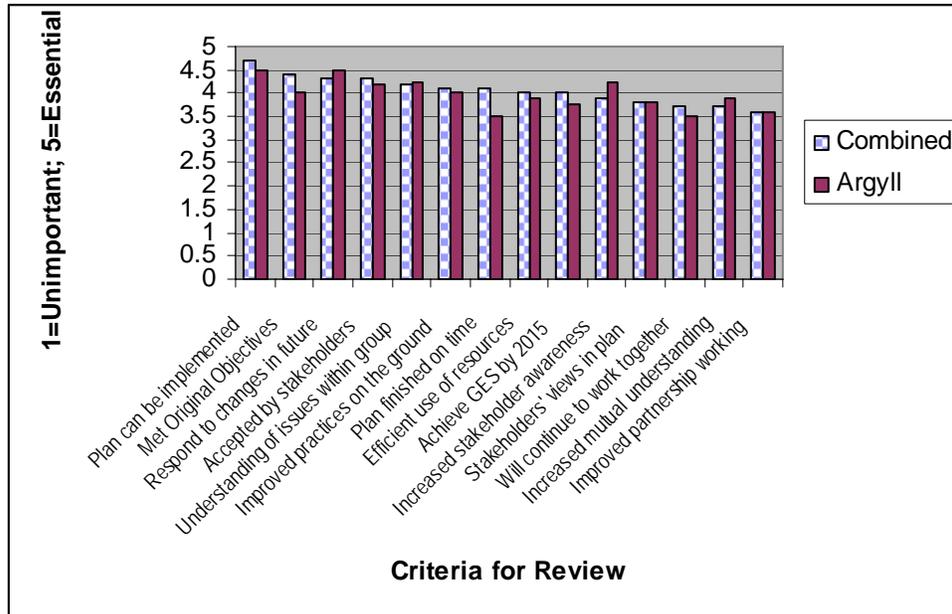
The metaphor ‘trying to shoot a moving target’ could be used to describe the 1st RBMP cycle as all the AAGs are embarking on a sequential journey from the characterisation of the water bodies to suggesting appropriate programmes of measures with many of the main steps missing, or being provided out of sequence. Thus, the Argyll group is not alone in having to move forward with the Significant Water Management Issues (SWMI) report and their water body sheets whilst unclear over the exact standards being used to assess ecological status or the definition of heavily modified water bodies. There has been ongoing debate over the accuracy and quality of the data on which RBMP decisions are to be based – partly due to sensitivities over source apportionment, but also due to the way the data has been reported. Stakeholders have found the original maps hard to interpret, the labelling of the SWMI tables difficult to understand and the data difficult to relate to their own locally situated or sector based knowledge. (Other issues, such as CEA and objective setting, are discussed in section 3.3).

These issues may be a result of ‘teething problems’ as SEPA and other responsible authorities gear up to the huge change that WFD requires of them. However, there are some challenges that are likely to persist beyond the bedding in of thresholds, environmental standards and new monitoring regimes. Stakeholders have requested ways of dealing with complex human-environmental interactions. They are concerned about how to account for cumulative impacts over time and across different pressures in the same water body. They want to take a joined-up approach to linking different measures. These require systemic whole of catchment based tools, yet most of the tools and methods being provided to the RBMP team within SEPA are based on traditional single issues and implemented in parallel rather than holistically.

4. AAG Criteria for Success

The graph below shows the average importance rating for 14 potential criteria by which to review progress (from the questionnaire responses). It illustrates that ‘plan can be implemented’ and ‘plan can respond to changes in the future’ are the two most important criteria for these respondents; followed by ‘increased understanding of issues within the group’ and ‘increased awareness by wider stakeholders’. ‘Finishing the plan on time’

and ‘Continuing to work together’ were the least important criteria although there were still ‘somewhat important’ (i.e. above the score of 3). Criteria that Argyll respondents rated as a higher importance than the overall average were the ‘plan can respond to changes in the future’; ‘increased stakeholder awareness’ and ‘improved mutual understanding’. However, the respondents rated ‘meeting the AAG original objectives’ and ‘finishing the plan on time’ as less important than the overall average for the five groups.



5. My view: learning from the literature

At the heart of the complex and rich data collected to date is the challenge of how best to involve stakeholders and how to deliver complex integrated water management (inclusion and integration), and these challenges are made more difficult by the demands of effectiveness and delivery. The AAG is an example of collaborative information exchange and social learning. These processes are best used for issues where (1) the problem to be solved is still debated and (2) the means to solve the problem are also unclear. On the one hand, the discussions about sustainable development and tools suggest that this analysis holds for the RBMP process in the Argyll. On the other hand, the prescriptive nature of the WFD and the ‘top-down’ nature of the methods and approaches being utilised (albeit for a reason) means that essentially the problem and the easily available measures are known. Thus, there could be a mismatch between the creative contributions coming from stakeholders and the ability to actually use these ideas and views in the plan itself. If this is so, there is a danger that stakeholders will be increasingly frustrated that their contributions are not being utilised and either withdraw from the process or start to act in a confrontational rather than collaborative manner.

6. Conclusions

This paper has introduced a very brief overview of how I have interpreted the data collected to date in order to:

- Introduce some tentative ideas about what I am observing
- To flag up possible challenges for the future
- To ask your views on these ideas

The initial analysis suggests that there are four issues that recur at the meetings:

- Group membership: who is attending, what interests they raise; and how to increase the capacity of representatives to input to the process;
- Scale: how the Argyll AAG works within the hierarchical structure (NAG, UK, Europe); how the Argyll AAG can learn from other AAGs and other planning processes; and how to take account of future trends;
- Sustainable Development: how to balance economic and environmental objectives; and how to appraise the interactions of regulatory, economic and voluntary measures; and
- Tools and Methods: the data being used; the methods needed to answer questions and how to approach issues systemically and holistically.

It should be noted that many of these challenges are acknowledged by SEPA and its partners and there are steps being put in place to try to resolve them.

Existing case studies suggest that the Argyll AAG is experiencing common challenges for collaborative planning. The desire to include people and the need to integrate across space, time and multiple issues makes the planning process complex and time consuming. It also requires new skills, tools and methods. Integration and inclusion should make the overall plan more effective in the long run, but takes longer and uses more resources. However, RBMP has strict time lines set out by the European Commission and both the lead authority and AAG member organisations have limited resources.

There may be no immediate solution to these tensions. It is, however, important to recognise them and consider to what extent they may compromise what is possible to achieve in the 1st RBMP cycle. These challenges may mean certain trade offs between best practice and delivery will have to be made in this first cycle. These necessary compromises should not become the norm for future cycles. With the benefit of these experiences creative solutions can be developed in time for the next cycle, rather than becoming 'locked in' to one way of doing things.