

River Basin Planning: Clyde Findings to Date

1. Introduction:

This short working paper presents some draft research findings to be presented and discussed at the Clyde Area Advisory Group (AAG) meeting on 23rd 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. 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 Leven, Dunbartonshire, 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 Clyde 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, Clyde, Argyll, North-East and National) 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:

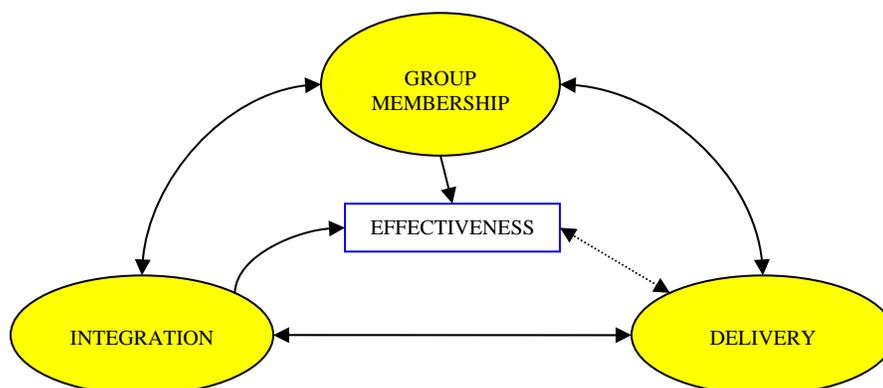
The paper focuses on the main issues arising from the first analysis of the questionnaires, field notes and documents (agendas, papers, minutes) arising from the Clyde AAG July 2006 – August 2007. Although the response rate for the questionnaires has been good (n = 14; 33% response rate), the results 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 more or less on time with the early milestones (Plan of Action, Significant Water Management Issues consultation drafts) being met despite the size and complexity of the Clyde sub-basin and the many water bodies identified as being at risk. 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.

The figure below highlights the main themes discussed in the paper. I begin by discussing group membership which is directly related to the issue of inclusion, before moving onto the two issues associated with integration – linking RBMP to other plans and policies and taking a holistic approach to defining measures. The other main area of interest is how to deliver the first RBMP document and how to implement the plan once written. These points are both related to delivery, as the implementation theme is concerned with how to ensure measures are put in place on the ground.

Figure One: The Main Themes for Discussion



3.1 Group Membership: Who is involved in the Clyde 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

From an analysis of the Clyde AAG emailing lists and the minutes, there are 43 individuals who have received information about the AAG (excluding myself). All of these have attended at least one meeting in the data collection period; with between 18 to 25 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 43 attending representatives, 17 are regulators, 13 are regulated and 13 could be both. Thirdly, by their geographical focus – 15 represent a local set of stakeholders; 17 a national set of stakeholders and 11 both local and national constituencies.

Typology	# of Representatives
Lead Agency	9
Other Public Agencies	21
NGOs & Membership Organisations	6
Single Industry Sector	7
Total	43

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 most (n=10) questionnaire respondents have a nominated deputy. Only five 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, three 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 AAG represents a large geographical area with many sectors having an interest in and impact on the water environment. Potentially membership could be very large but to date the meetings have seemed a manageable size, with break out groups allowing more in-depth discussion. There have been comments about missing stakeholders, particularly with regard to local knowledge about possible measures and the need to engage those who need to adopt voluntary measures in the plan. These points are common across the AAGs, but the emphasis on how to engage with national and local politicians is quite unusual. This may reflect the make up of the AAG with many local government representatives but also links to the recurrent theme regarding integrating the environmental aims of the WFD with broader sustainable development policy objectives and the concern about how to deliver the RBMP with constrained public sector funding (discussed below).

3.2: Integrated RBMP in the Clyde Area

One of the challenges of RBMP is that it is being implemented alongside an already congested environment of European, UK, Scottish, regional and local plans and policies. The Clyde AAG members have consistently noted that RBMP must be integrated with existing plans and processes (e.g. the Joint Structure Plans for land use and development; Community Planning; Fishery Management Plans); in a way that takes account of the different planning cycles. Other industry based members have highlighted the importance of aligning RBMP with business planning cycles. Incidentally, the above example also illustrates the emphasis that the AAG has put on the need to learn lessons from other integrated and strategic planning processes. In both cases, the rationale for integration is to improve delivery through avoiding duplication and to maximise the opportunities to work in a joined up manner. While SEPA have consistently expressed a desire to achieve this integration, at this stage it is not entirely clear how it will be achieved.

There has also been a concern about integrating the objectives of the WFD with broader policy objectives being pursued by both public and private interests within the AAG. In a number of meetings there has been an exchange of views about the importance of balancing the protection of the aquatic environment with enabling economic development. The size, economic importance and persistent pockets of deprivation in the Clyde area have been highlighted in these discussions, suggesting that some members may feel less stringent environmental objectives should apply in this context. These debates provide a context for the ongoing requests for a transparent methodology for objective setting and cost-effectiveness analysis/option appraisal.

The integration theme is also apparent in the discussions about possible measures. The group have continually highlighted the complementary relationship between regulatory and voluntary measures and there now appears to be mechanism to allow the AAG to be informed about regulatory measures (providing a list of the Controlled Activity Regulations (CAR) licences being held and highlighting any consultations on licence condition reviews). The group also sought greater integration between 'top down' and 'bottom up' measures. They recognised that many measures are negotiated and rolled out

at a Scottish or UK level and they are very interested in how discussions at the National Advisory Group (NAG) respond to, and feed back to, the AAGs (facilitated by the regular update papers). They also recognise that national measures are implemented at the local level and it is the effectiveness at the local level that counts.

The interest in integration is not just about linking up sectors, policies or national to local. There has also been an interesting recurrent discussion about how the plan, and particularly the measures, responds to change through time. Some of this discussion has looked at historical actions creating problems in the present, whilst most is focussed on possible and probable changes that may create or resolve problems in the future. These debates have considered both their probability and the magnitude of the impacts if the change were to occur. The discussion about measures on individual water bodies has also highlighted how many voluntary measures are time-limited. For example, catchment management plans or schemes to provide buffer strips may not be funded in 2012, which is when the EU expects measures to be in place. 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: Delivering the RBMP in the Clyde Area

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. The Clyde 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. For example, there has been ongoing debate over the link made between a pressure and the source of this pressure. Members have wanted more detail on what precisely is causing the problem before they started advising on measures, yet the classification data is only just becoming available, the thresholds between good and moderate status were not yet finalised and the methodology for objective setting was similarly subject to delays.

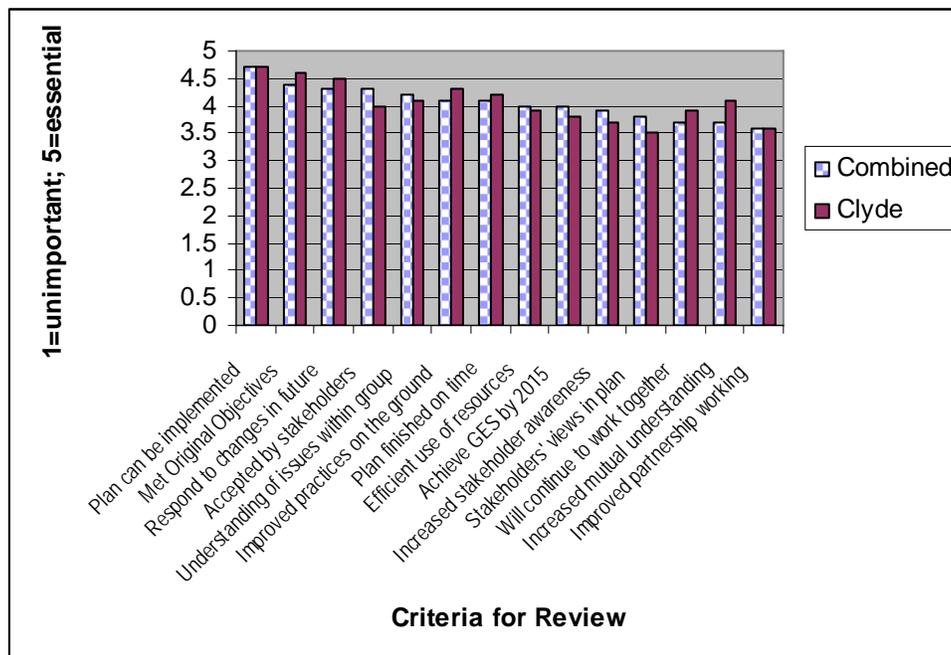
Underlying this debate on source apportionment are concerns about the possible consequences of wrongly attributing a pressure to a sector that would have to carry the financial burden of implementing measures to resolve the problem. The AAG discussions have also highlighted the link between delivery of the RBMP and the political context, particularly with regard to funding mechanisms. The group have noted the importance of exploring funding for measures alongside the development of the draft plan, in order to ensure the plan can be implemented once it is agreed by the Minister. The outcomes of the current public sector spending review may therefore influence what partners are willing and able to support in the draft RBMP.

The Clyde AAG has one of the largest numbers of ‘at risk’ water bodies to assess for the RBMP. Many water bodies are also complex due to the combination of multiple pressures on each water bodies and the complex interactions between surface and ground

water; freshwater, transitional and coastal processes; and natural and modified water bodies (e.g. flood defences). Therefore, the Clyde AAG faces a paradox. Their heavy workload that they have to complete in a very limited time (the draft RBMP is due by December 2008) means they don't have time to wait for tools and standards to be finalised. Yet, the quantity and complexity of their task mean they are in the most need of tools to help them be efficient and systematic in their analysis. Some members have expressed concern that proceeding too quickly without a clear set of principles and methods may actually compromise the results.

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'; 'plan met original AAG objectives' and 'plan can respond to changes in the future' are the three most important criteria for these respondents. 'Wider stakeholders' views in the plan' and 'Improved partnership working' were the least important criteria although these were still 'somewhat important' (i.e. above the score of 3). Clyde respondents rated several criteria higher than the overall average: 'met the original objectives'; 'plan can respond to changes in the future'; 'improved practices on the ground'; 'plan finished on time'; 'continuing to work together' and 'improved mutual understanding'. However, the respondents also rated other criteria 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 Clyde. 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 three issues that recur at the meetings:

- Group membership: who is attending, the capacity of representatives to input to the process, and how to involve other stakeholders, particularly politicians;
- Integration: how to link to other planning and operational cycles; how to link environment to social and economic objectives; how to think holistically about measures; and how to take account of changes through time;
- Delivery: recognising the importance of implementation; the need for funding; and the paradox of being most in need of tools but least able to wait for them to be finalised.

Existing case studies suggest that the Clyde 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.