

River Basin Management Planning: Tweed Findings

1. Introduction:

This working paper presents some draft research findings to be discussed at the Tweed Area Advisory Group (AAG) meeting on 7th 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 authorities (SEPA and EA) are learning as they implement the first ever Solway-Tweed River Basin Plan (RBMP). The main aim is to provide guidance for the 2nd RBMP cycle but feedback during the 1st cycle can help to highlight areas that may help to make the process more successful.

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. As these processes take place at multiple scales (e.g. the Till, the Tweed sub-basin, the Borders, Scotland, UK and Europe), they involve the interaction of many different stakeholders and the integration of many different issues. As a number of reviews of catchment and river basin planning has illustrated, 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 collective 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

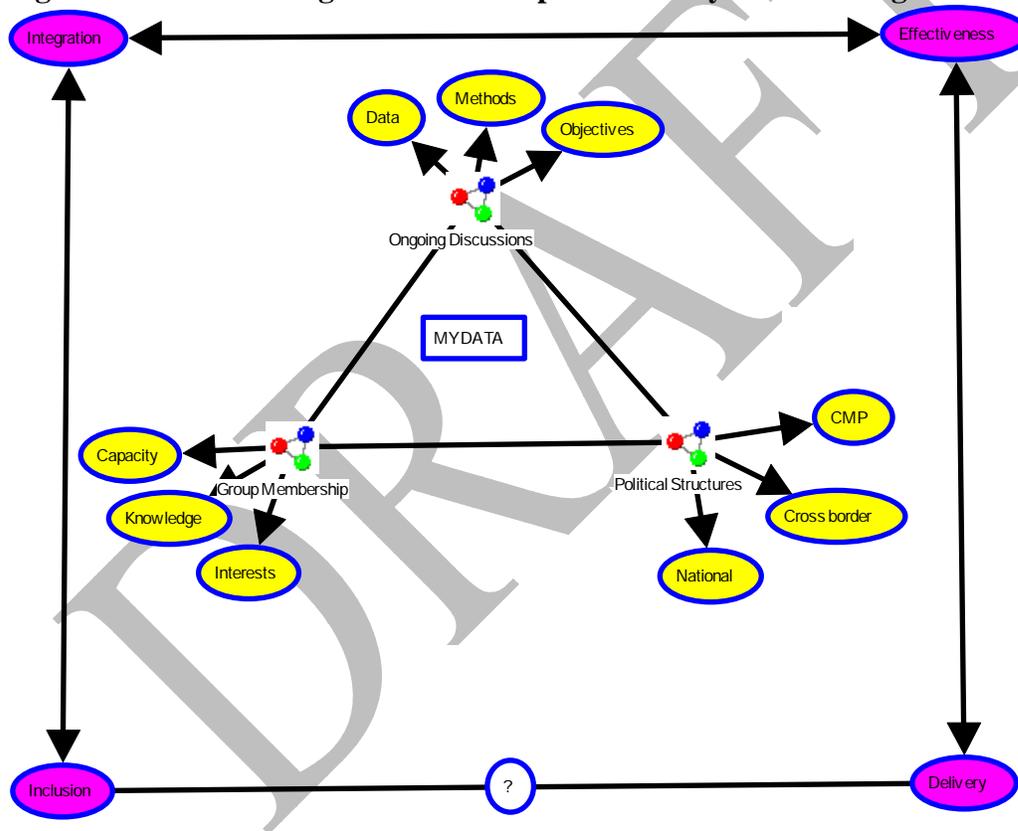
The research looks at: who is involved in RBMP in the Tweed Sub Basin; how the AAG interacts and influences the overall RBMP for the Solway-Tweed; what issues and solutions are suggested and how these are incorporated in the plan. The research will eventually look across five groups (Tweed, Argyll, Clyde, North-East and National-Scotland) to see to what extent the patterns occur by region or by issue. It is too early to

make any sensible comparisons but it appears that many of the themes emerging are similar. Thus, many issues identified for the Tweed AAG, are not unique to the Tweed.

3. Results:

The RBMP process is proceeding on time with the early milestones being met, effective administrative support and a strong, interactive group dynamic at meetings that allows members to engage in constructive debate. The following figure presents an overview of the main challenges to discuss (the central triangle) and how these relate to the lessons we can learn from other collaborative processes (the outer square). The three main themes are (a) group membership – interests, knowledge and capacity; (b) ongoing discussions – data, methods and objectives; and (c) political structures – national, cross-border and the catchment management plan.

Figure One: Illustrating the relationship between my draft findings.



Methods:

The paper focuses on an analysis of the main issues arising to date arising from the first analysis of the questionnaires, field notes and documents (agendas, papers, minutes) arising from the Tweed AAG June 2006 – September 2007. Although the response rate for the questionnaires has been reasonable (n = 7; 20% response rate), the questionnaire 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. A colleague is completing an analysis of the Tweed Catchment Management Plan as part of a project on learning from good practice, and this will be brought together with my analysis in the near future.

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

In answer to the question why individuals attended the AAG, the three most popular reasons given were:

- To represent my organisation or sector
- To shape the process of RBMP
- To shape the outcome of RBMP

The first point will be discussed in the section below, whilst the other points will be picked up under ongoing discussions (3.2) and criteria for success (4).

Collaborative planning and management is premised on having a mix of interests to arrive at better decisions and more effective implementation. From an analysis of the latest Tweed AAG emailing list, there are 51 potential members (excluding myself). Of these, 35 have attended meetings in the data collection period; with between 20 to 22 members at each meeting (four 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 35 attending representatives, 18 are regulators, 11 are regulated and six are both. Thirdly, by their geographical focus – eight represent a local set of stakeholders; 19 a national set of stakeholders and eight both local and national constituencies.

Typology	Frequency
Lead Agencies	11
Other Public Agencies	13
NGOs & Membership Organisations	8
Single Industry Sector	3
Total	35

A key aspect of stakeholder inclusion is the capacity of different groups to attend meetings and work on the plans in between. Data from the questionnaire shows that only three questionnaire respondents have a nominated deputy. Four members feel they are able to act on behalf of those they represent, two need to check back with their organisations or members first and one felt it depended on the issue. Therefore, time has to be built in for the representative to check back before they can agree to actions. The majority of the questionnaire respondents were asked to attend by their organisation but some members attend the meetings in their own time. AAG members are privileged to have a considerable influence on the process through attending group meetings; 1:1 meetings and their pre-consultation edits of reports. This requires time and energy and

not all representatives have the same capacity to support these processes. The differences in capacity may result in differences in influence on the process.

There have been comments about ‘missing’ stakeholders, particularly when specific expertise and local knowledge is needed. Some members of the AAG have been unsure which member of their organisation should attend, as different expertise is required for different agenda items. The most frequent references have been to land managers such as farmers; but also to those who know the local water bodies (e.g. river bailiffs, canoeists) and to the taxpaying public who may have to pay for the improvements. It is not clear whether the forum event (having a stall at an agricultural show) was held and to what extent interested parties who do not attend the AAG have been actively engaged beyond the formal consultation processes on documents. It is also unclear to what extent members of the AAG are acting as a conduit for their wider constituencies into the process and whether the ‘missing’ stakeholders are included in this way.

These set of issues directly relate to the notion of inclusion, one of the main challenges identified for collaborative planning.

3.2: Ongoing discussions: What are the main issues?

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. For example, members of the Tweed AAG have asked for more information on the designation of Heavily Modified Water Bodies. This is important in terms of tackling morphological alterations and the ‘target’ that these water bodies may have to achieve.

Both questionnaire responses and the meeting discussions have highlighted the lack of transparent tools and methods to allow the AAG to assess whether and how measures will allow the water bodies to achieve their objectives (once set). To summarise, the key issues highlighted have been:

- the scale at which to work (i.e. single water bodies or aggregated at a ‘catchment’ level and how to take account of pressures from ‘upstream’);
- how to take account of possible changes over time (i.e. emerging pressures that do not show up yet but might be significant by 2015 or cumulative processes);
- how to recognise the multiple pressures interacting on the water body (in terms of multiple sources; ground-surface water relationships; the possible consequences of different measures); and
- how to assess if a measure is cost-effective.

With regard to the last two points, there was some discussion about whether the Strategic Environmental Assessment (SEA) could or should take a systemic approach e.g. the carbon footprint of measures.

The risk assessment (which water bodies may not achieve Good Ecological Status - GES), on which the Significant Water Management Issues (SWMI) report and the RBMP

will be based, has been questioned at every meeting. The data on which these judgements have been made has been repeatedly questioned. The issues have been: the source of the data; the resolution at which it is gathered; the parameters being used (and the standards dividing good and moderate status boundaries); and, most importantly, the link between the pressure and the source. The latter is the most contentious as some members fear that an inappropriate link between the pressure and the source may predispose the group to focus on one measure for one sector, without exploring other possible sources and measures.

There has been a debate between a reliance on technical, scientific data and using local knowledge, with a possible consensus emerging about using both to complement one another. The notion of stakeholder involvement relates to this as many stakeholders feel their organisations can provide data that can inform and improve the planning process. Integrating different types of data gathered at different time periods, different scales, using different techniques is resource intensive. The cross-border situation further complicates this as the agencies collect data, analyse and display data in different ways.

While these issues may seem like a unique challenge to the 1st cycle, science, tools and techniques are constantly evolving and there will always be uncertainty about the conclusions drawn from data. Adaptive management means learning to manage within conditions of uncertainty and risk. SEPA and the EA are putting methods and tools in place to address the issues but they are still far from being resolved. Although these issues may seem to be purely technical issues, underlying the concern over accurate assessment are different views over who benefits, who pays and who is responsible for protecting or improving the environment.

These issues relate to the all four ideas of inclusion, integration, effectiveness and delivery that all collaborative planning processes have to engage with.

3.3: Political structures: Which issues shape delivery?

The difficulty of managing a process which has to be both responsive to the specific issues on the Tweed yet fit into a national framework has been an undercurrent at a number of meetings. As discussed in more detail below, this is made more difficult by the cross-border nature of the Tweed AAG. Both SEPA and EA staff are using tools and data designed and implemented at a national (Scottish or English & Welsh) level as that is most efficient for the agencies. AAG members found it difficult to engage in discussions with fairly abstract information to guide them until the specific water body information sheets were prepared. The methods and tools are being developed at the UK level and all reporting has to be done at the UK level, increasing the need to ensure some consistency between groups and national approaches. The strict and demanding timetable of European milestones also reduces the room for manoeuvre at the sub basin level.

The Tweed faces a particular challenge in being a cross-border AAG. This means that differences in approaches between England and Scotland are particularly visible and

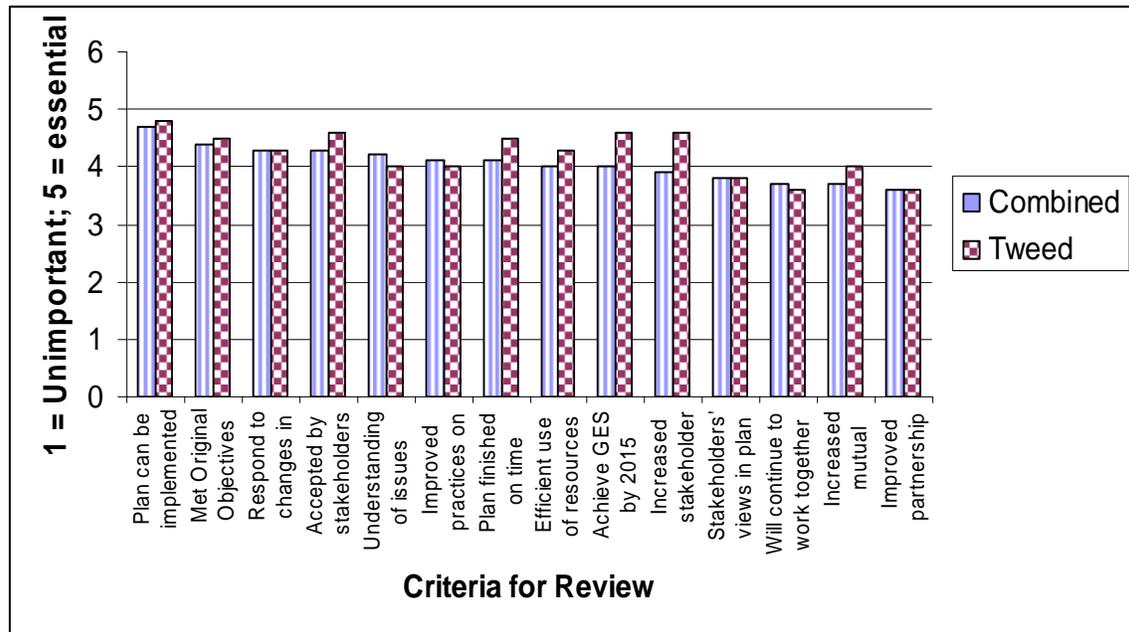
create additional burdens in view of providing tools and data. Yet, despite these additional burdens, the RBMP has to be finalised earlier than national basin plans to allow the additional time required for the two governments to negotiate and sign off on the plan. Issues regarding harmonisation of different regulatory regimes, monitoring and data analysis, and available programmes of measures have been raised at almost every meeting. The guidance issued by the Scottish Government and DEFRA does not offer any new mechanisms to resolve these challenges, partly as many of the issues are about operational implementation rather than legal requirements. Harmonising operations requires an investment of resources, however it is unclear if this is feasible in the 1st cycle. Resolving this issue remains a key challenge, but the RBMP process is also seen as an opportunity to find creative solutions for what has been an intractable issue for many years.

The Tweed AAG also has a unique character due to its combination with the Tweed Forum and the foundations provided by the Tweed Catchment Management Plan (TCMP). In many ways this has given the Tweed AAG an advantage in that many stakeholders are used to working in partnership; there is a bank of local knowledge; and the Tweed Forum staff provide administrative and technical back up to the lead agencies. However, the successful partnership has to evolve from delivering a geographically specific plan over which they had ownership and control, to an advisory role for a sub-section of a national plan with structures and standards dictated by others. Furthermore, there are some differences between TCMP and WFD objectives. Some of the most challenging issues arising in the AAG to date have been with respect to issues such as cross-border regulatory differences and agreeing UK-wide methodologies which are not issues that the TCMP can help resolve.

These issues relate to delivery, one of the key challenges for collaborative planning.

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' is the most important criteria, closely followed by 'Plan can respond to changes in the future' and 'Achieve GES by 2015'. Partnership working was least important (although ranked as at least 'somewhat important') – this may be due to confidence in the existing tradition of partnership working on the Tweed? All the respondents felt the criteria were at least 'somewhat important'. These Tweeds specific findings can be compared to the overall findings for the whole study (see the striped bars) – in general the Tweed questionnaire respondents ranked increased awareness and understanding of RBMP by wider stakeholders; and efficient, time limited planning that achieves GES by 2015 as more important than the combined average scores.



5. My view drawing on previous examples

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 the objective setting and programmes of measures suggest that this analysis holds for the RBMP process in the Tweed. 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 also 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. Conclusion:

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, whom they represent, whether they have the required knowledge and how to increase the capacity of representatives to make a difference.
- Ongoing discussions: the data that is being used, the methods for assessing and classifying water bodies and the process of objective setting including assessing cost-effectiveness.
- Political structures: the implementation of a common UK methodology; the challenges of cross border working and the influence of the existing catchment management plan.

Existing case studies suggest that the Tweed 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 authorities 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 as, with the benefit of these experiences, creative solutions can be developed in time for the next cycle.

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