

## River Basin Management Planning – Summary of Findings

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### Overview

The project has tracked the development, publication and initial implementation of the Scottish and Solway-Tweed River Basin Management Plans (RBMPs) and their supporting Area Management Plans (AMPs). The literature on participation in environmental planning and management suggested that it would be challenging to deliver national level plans, with a wide ranging remit to protect or enhance ecological status whilst allowing sustainable use, in a relatively short time period, using prescribed concepts and standards. Whilst this proved to be true, we were surprised by the generally positive feedback received on the process to date and the indications that organisations will continue to support the process as it enters the implementation phase. Feedback generally became more positive over time. The involvement of advisory group members was particularly valuable in three ways: when tackling new issues by providing information and expertise; ensuring the plan and process were outward looking and engaged others beyond those on the advisory groups; and finally, ensuring the plans had a vision that linked the RBMP to wider objectives for Scottish society. The remaining challenges include joining-up the national and area advisory groups; managing the interplay between statutory and non-statutory measures; how to influence funding streams; and how to engage wider stakeholders including the public (e.g. customers of Scottish Water, recreationalists, local environmental groups).

### Purpose of Research & Methodology

The research tracked the process of how government and their agencies worked in partnership with other interest groups to develop and implement policy. The research looked at: who is involved in preparing RBMP; how the members of the Area Advisory Groups (AAGs) interacted, what issues and solutions are suggested and how these suggestions influenced the overall RBMPs. The research followed five groups (Tweed, Argyll, Clyde, North-East and National) to see to what extent the patterns occur by region or by issue. Although there were some regional differences, the main themes arose in all these groups.

There were four main sources of data collection. We attended 45 advisory group meetings from 2006-2010 as participant-observers. We supplemented our notes with the meeting papers, minutes and the drafts of formal documents to increase our understanding. We have attended three meetings with the SEPA river basin coordinators (RBCs) (2007, 2008, 2009) as well as having many informal discussions by phone, email and in person. Finally, we distributed a simple questionnaire to advisory group members in 2006-7; 2008-9 and 2010-11. The first questionnaire was distributed to the five groups we attended, resulting in an average response rate of 28%. At the request of the

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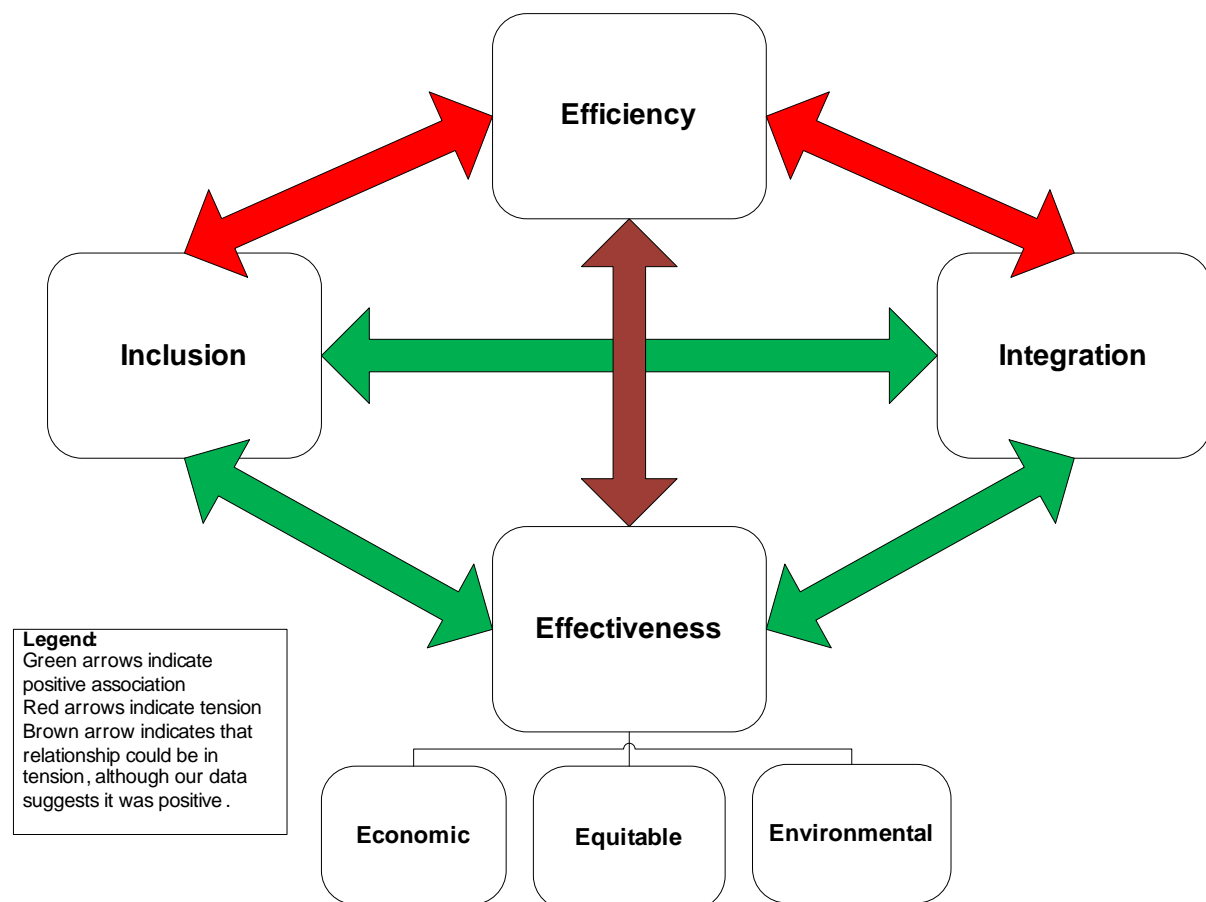
<sup>1</sup> With thanks to Rachel Dilley and Jamie Watt for data collection and the Coordinators and members of the advisory groups for their comments and inputs to the research. The project was funded by the Scottish Government's Environment: Land Use and Rural Stewardship Programme. The Macaulay Land Use Research Institute became part of the James Hutton Institute on 1<sup>st</sup> April 2011.

RBCs, the next two questionnaires were distributed to all 11 AAGs. The average response rate for the mid-term questionnaire was 21% and the final questionnaire was 26%<sup>2</sup>. The responses came from a cross section of the meeting participants, so broadly represent a diversity of views. This paper uses member to refer to those present at meetings and respondent to refer to questionnaire returns. All data is anonymized.

## Findings

The findings can be summarised by Figure One. Although each aspect will be discussed in turn, there are also tensions between different aspects (e.g. between inclusion or integration and efficiency) and synergies between aspects (e.g. between inclusion and integration). There is an additional set of ideas related to scale of planning and delivery that are not illustrated diagrammatically.

*Figure One: the synergies and tensions involved in RBMP*



<sup>2</sup> Average response rate from the seven groups who did respond in 2010-11. Four AAGs either received the questionnaires or did not return them; or the questionnaires were not distributed due to a lack of a coordinator in post.

### **Inclusion:**

Inclusion refers to who was included in the planning process. As the research focussed on this area, this section summarises the most data. In total, 62 organisations attended one or more meetings in our data set, corresponding to over 380 individuals due to the turnover of representatives. Although members were selected to represent a specific organisational or sectoral stake, in practice they also drew on their personal interests and experiences. Sometimes members acted for their specific corporate interests, but at other times, they acted collectively to solve a problem by pooling ideas. These data only covers those attending AAG or NAG meetings, and does not include those attending bi-lateral, sub-group or forum meetings. We do not know how many individuals may have interacted with the RBMP process via the e-forums or accessing the interactive GIS tool.

Theory suggests that all those who affect, or are affected by, a policy should be: involved in advisory groups, given sufficient information, and sufficient time to discuss and digest this information. The timetable did constrain the amount of debate conducted within the formal meetings and that initially, members felt somewhat overwhelmed by the volume of information being provided. Although the volume has subsided somewhat, 2010-11 respondents see managing the information and the time commitments associated with the process as an ongoing challenge. Some members, particularly those fearing implications for their sector, disputed the classification data. The lag before reliable data were available from the new monitoring network gave an opportunity for other organisations to share their data with SEPA, and perhaps led to a more comprehensive understanding of the water environment. Respondents wish to have more in-depth discussions about how to interpret and respond to the trends in the data in future.

Theory also suggests that advisory groups can be affected by group dynamics. The overall impression was the groups were informal, friendly and there was very little overt conflict during the meetings – partly as contentious issues were dealt with ‘offline’ in one-to-one meetings. Initially, some members criticised SEPA for being too dominant but 2010-11 respondents felt the RBCs had learnt and adapted to stakeholder feedback. Some stakeholders would like more of an equal partnership, providing data, interpreting results and setting new objectives for the water environment together. Others, however, believe SEPA, under direction from Scottish Government, should show more leadership. The issues of accountability and transparency were raised by members – for example some were concerned with how to explain the classification results to tax payers and residents; whilst others, mainly local authority representatives, were concerned about the lack of elected member representation. The groups were invite-only and although the minutes and papers were posted on the website, the time lag between meetings and these documents being available meant anyone following the process who was not a member of the group may have had difficulty. Furthermore, sub-group, working group and bi-lateral meetings, where many contentious decisions were discussed, were not minuted and therefore unavailable to wider stakeholders.

‘Missing stakeholders’ identified by members include some government agencies, local authority staff, elected members, energy and industry sectors, land managers, NGOs, community representatives, recreation groups and the research/academic sector. In the main, efforts were made to engage these using the forum and formal consultation processes. However, the need to continue these outreach activities was stressed in the last questionnaire, and some felt the makeup

and remit of the groups should be reviewed more frequently. The groups mainly function as intermediaries – members are expected to advise on behalf of their sector and encourage others in their sector to implement the measures. However, being an intermediary is resource intensive, and often members looked to SEPA to shoulder the majority of this outreach work.

In summary, the data suggests that advisory group members have to manage a quadruple role:

1. Individual members balance their different stakes as a corporate representative, as a consumer, and as a citizen.
2. Members adopt both self-interested and collective strategies within group discussions.
3. Members are responsible for holding SEPA and Scottish Government to account on behalf of others.
4. Members have to ensure that their own organisations /sectors deliver the measures in the RBMP.

#### **Integration:**

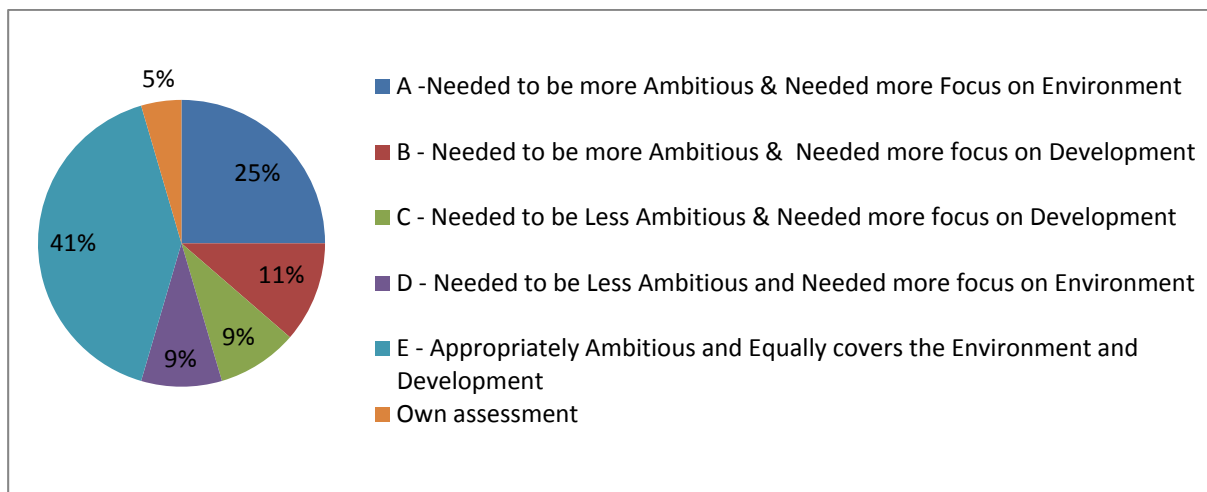
Theory suggests that integration relates to spatial integration (water body to water body); topic integration (across pressures and measures) and integration between RBMP and other plans, policies and practices. The RBMP process encouraged all members to consider all types of water bodies and all types of pressures. The involvement of stakeholders was important in helping increase the visibility and understanding of ‘new’ topics such as Non Native Invasive Species, Heavily Modified Water Bodies or non-agricultural pollution of groundwater. Furthermore, comments by members widened the discussion on diffuse pollution beyond nutrient enrichment from agriculture, to include septic tanks, forestry, golf courses and urban drainage. Although agricultural diffuse pollution remains an important pressure, the more inclusive perspective encouraged sectors to work together, and helped the agricultural sector feel less targeted.

The process of finalising the AMPs and planning implementation saw more focus on ‘catchments’ and this focus helps to connect multiple pressures, measures and water bodies (see scale section below). Future challenges such as climate change also require a more systemic perspective and members lobbied for an RBMP that took account of climate change. However, 2010-11 respondents were split regarding whether the final plans could respond to future changes.

Given that this is the first time that these three forms of integration have been attempted for water management in Scotland, it is unsurprising that some challenges remain. There are issues regarding how to generate and communicate data that link across space, pressure and measures. Furthermore, taking a more joined up approach generally requires more interpretation and debate, yet advisory group meetings are being reduced in frequency and duration. There have been huge steps forward, but there are still difficulties in combining data from English and Scottish agencies, due to differences in classification approaches. One of the most frequent complaints from members was the exclusion of regulatory measures from discussion at the AAG meetings, which meant members were not able to discuss how licence conditions might interact with non-statutory measures. Statutory and non-statutory measures were combined in the process of setting objectives by SEPA, even though members were not involved in these processes during the first cycle.

The objective setting process itself raises questions regarding integration and balance. The objectives for each water body aim to protect or enhance ecological status whilst taking account of technical, social and economic imperatives. There was a marked increase in ambition in objectives for both plans by submission in 2009, although targets were often deferred until the final cycle. Members often discussed the balance between the environmental aims of the directive and the importance of industry staying competitive through avoiding excessive regulation. Satisfaction with the objectives increased between mid and final questionnaires, with 41% of 2010-11 respondents agreeing the objectives were suitably ambitious and got the balance between environmental protection and allowing development correct (see figure two).

*Figure Two: Results from 2010-11 Questionnaires regarding objective setting*



There remains a divide with some members wanting the RBMP to focus on the specific environmental aims of the WFD, whilst others want to see more integration with sister directives, such as those on flood or marine management. This fits into a wider debate about how to simplify a complex planning environment, and the jury is out on whether national strategic plans like RBMP make things more streamlined or add another layer of complexity. One area that was addressed whilst developing the final plans was the need to explain the positive benefits of protecting the water environment and how RBMPs aligned with wider Scottish policy goals. Whilst the RBMPs and AMPs note the interactions with other policies and plans, there is little guidance on *how* to achieve this integration. Members can advise where to integrate plans and policies and how to deliver RBMP via other mechanisms e.g. SRDP or structure plans, but the process then becomes reliant on other individuals working in these areas – members can not ensure integration happens.

### **Efficiency:**

Efficiency relates to the use of resources to develop the plans and whether the plans were completed on time. Scotland, as part of the UK, submitted their plans to the European Commission on time, having been signed off by the Minister, and the plans were set out as required by the directive. Not all 2010-11 respondents agreed that the plans were finished on time, perhaps referring to unfinished discussions surrounding issues like acidification and good ecological potential.

A very rough calculation suggests that, for the five groups alone, participation in the RBMP cost these organisations £1.1 million 2006 - 2010 (excluding SEPA staff time and costs of the venues). However, it is difficult to calculate cost-effectiveness of stakeholder engagement as it is very difficult to quantify the benefits achieved or express them in monetary terms. Many analysts warn against this approach. Suffice to say that 98% respondents to the final questionnaire felt their organisations had benefitted from attending the AAG meetings, and the majority (84%) felt their input had benefitted the RBMP process.

### Effectiveness:

As shown in the diagram, there are different ways to judge effectiveness (whether the process achieved its objectives). As good ecological status is not required to be reached until 2015; and not all measures are yet in place, it is too soon to judge the effect of the planning process on the environment, or its economic impacts. However, it is possible to ask if an equitable process was achieved, and how members benefitted from the process.

The most popular benefit arising from attending the meetings was the improved professional networking arising, including opportunities to develop partnership working. Increased understanding of the environment and policy were also popular benefits, but only around half of the 2010-11 respondents felt they had increased their understanding of practical measures. It is interesting that respondents felt they had more influence on policy than on the resulting environmental outcomes.

Theory distinguishes between presence and influence within a planning process – to be an equitable process all those involved should feel that they had an influence on the final products. More respondents felt they had influenced the AMPs than Scottish RBMP – with 94% compared to 72% respectively<sup>3</sup>. Slightly less than half of respondents felt both plans needed improving and their suggestions have been passed to the RBCs for action.

More than a third of the responses to the consultations on the final plans came from organisations or individuals who were not on the advisory groups, indicating that those beyond the AAGs were engaged in the process. It is more difficult to know if the final plans were acceptable to non-members, although 54% of 2010-11 respondents thought this criterion had been achieved. Many respondents recommended that more effort be put into communication with other stakeholders during the implementation phase.

Most respondents (88%) understood how they could contribute to the implementation process, although only 57% felt they could align these commitments with their planning and budget cycles. This focus on implementation explains why many suggestions for the next period focussed on securing or increasing funding; developing partnership working and focussing on practical actions on the ground.

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<sup>3</sup> As only one respondent answered regarding the Solway-Tweed plan, the results relate only to the Scotland district.

### The right scale?

Each advisory group consisted of representatives with different interests that operate at different spatial scales. Equally, RBMP actually functions on several different scales. Initially, the process involved work at a national level that took a strategic overview, whilst providing information at a water body level for WFD reporting and using an area (regional) level for stakeholder engagement. However, the AAGs seem to be organising the implementation processes at a catchment scale, coordinated at the area level, overseen by the national group and still using data stored at the water body level. The catchment level focus is bolstered by the complementary priority catchment initiative. Both theory and practice suggest it is easier to engage individuals to share knowledge and take up new measures at the local scale, and a catchment scale should allow the connections between water bodies, pressures and measures to be made. However, the NAG will still be needed to ensure consistency across Scotland. Although many countries are focussing on regional (sub-national) scale natural resource management, the experience of RBMP in Scotland actually illustrates the importance of *cross-scale* planning and management. Improved mechanisms are needed to ensure that national level decisions are relayed to catchment and area level stakeholders and their reactions and suggestions are not only fed back to the NAG but also acted upon.

### Concluding discussion

Increasing the range and number of those included in the process is likely to aid integration by providing a better overview of the aquatic system and its interconnections. However, more stakeholders and more topics often mean more meetings, or at least communication, with a negative effect on efficiency in terms of resources required. Equally, theory suggests there is a tension between encouraging participation to discuss issues and imposing externally derived standards and timetables. However, in this case, the participation-prescription tension appears to have been well managed, with most seemingly happy with the final RBMPs and the implementation process. It is possible that the imperative to get the plans finalised for 2009 gave the groups focus and assisted with achieving consensus. Just how firm the consensus is will be demonstrated as the process continues – will previous disagreements resurface? Furthermore, whilst there is more to do on integration, the current plans provide a good foundation for the future, and have achieved an impressive coverage of the water bodies and pressures in a very short time.

When focussing on what members and respondents told us, the evaluation of the process to date is mainly positive. Members prioritised criteria for success relating to implementation, adaptation and networking. Thus, the process confirmed the expectation that stakeholders engaged for instrumental reasons (to achieve buy-in and deliver environmental improvements) rather than to invigorate deliberative democracy (to challenge existing ideas and empower citizens). The RBMPs' legitimacy arises from the Minister's sign off, not from the advisory groups themselves, thus the process is about policy implementation rather than participatory policy making.

There was deliberation within the meetings, although there was less overt conflict than one might expect given the implications of objectives and measures for some sectors. However, the focus of the meetings was very much on which measures to adopt rather than whether the goal of WFD is correct, or how the objectives were set. It may also reflect a tradition within the UK of focusing on outcomes rather than process. Although an extraordinary number of individuals were engaged in the

process we followed, the focus still remains on the 'usual suspects' intermediaries without directly engaging individual land owners, water consumers or water users. However, returning to the tension between inclusion and efficiency, it would be very expensive to directly engage all individuals in a national strategic environmental planning exercise. The ability to use the AAG members to engage beyond the usual suspects depends on how willing members are to embrace that aspect of their quadruple role.

Members can learn from the first round of the RBMP planning cycle but it would be misleading to suggest that the next round will be easy. New environmental challenges continue to arise, implementation may be problematic in a period of funding cutbacks and achieving an agreed balance between environmental, social and economic objectives is never easy. However, less than half of member states submitted RBMPs on time; and the Scottish plans are amongst the most comprehensive, forward looking plans in Europe, whilst having had a high level of stakeholder engagement. This is something to be proud of!

### Key aspects to consider in future planning cycles:

- Track implementation of measures so that connections between environmental improvements and measures can be monitored. However, take account of barriers to implementation, such as changes in funding mechanisms and confounding variables, such as extreme weather events.
- Continue to focus on integration - across pressures, measures and water bodies – to ensure the most cost-effective approach is selected; and actions have a positive cumulative effect on the wider water environment. There is some interest in using an 'ecosystems approach' to enable a more integrated approach, although this does widen the focus of RBMP beyond good ecological status.
- Involve advisory group members more fully in objective setting. This will answer the call to spend more time discussing the purpose of RBMP and make the trade-offs within this process transparent. There is also the opportunity to review the Strategic Environment Assessment indicators and planning assumptions when considering these decisions in the 2<sup>nd</sup> round.
- Enable members to involve other stakeholders through provision of updated consultation packs and forum events at key moments in the planning cycle. Try to ensure that other mechanisms that engage the 'missing stakeholders' (e.g. public, recreationalists and developers) in water management (e.g. Scottish Water campaigns or Local Biodiversity Action Planning) make a connection to the work of the advisory groups and the RBMPs.

### Further information

For more information on publications arising from this projects please see:

<http://www.programme3.net/water/water345gov.php> or contact [kirsty.blackstock@hutton.ac.uk](mailto:kirsty.blackstock@hutton.ac.uk)

Papers being developed:



Hybridity of representation: insights from River Basin Management Planning in Scotland for *Environment and Planning C: Government and Society*

Linking Process to Outcomes: external and internal criteria for judging Natural Resource Management Plans for *Ecological Economics*

Participation-prescription tension in water management: the case of diffuse pollution for *Journal of Environmental Management*

A shortened version of these results will be submitted to the International Water Association newsletter and the WFD information centre.