

**Consultation Paper on**  
**PUBLIC PARTICIPATION IN**  
**RIVER BASIN MANAGEMENT**



Issued by the Department of the Environment, Heritage and Local  
Government

30 June 2004

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## **PART ONE**

### **INTRODUCTION**

1. The protection and improvement of water quality in Ireland will in future be co-ordinated on the basis of the areas known as river basin districts established for the purposes of the EU Water Framework Directive (2000/60/EC). While responsibility for implementation of the Directive lies with the relevant public authorities it is Government policy, in accordance with the Directive, to encourage the active participation of all interested parties. This paper has been prepared for the purposes of providing information on the early measures being taken for implementation of the Directive and the general policy approach of the Government in relation to the involvement of interested parties. In particular, the paper (in Part Four) outlines proposed guidelines for local authorities in relation to the establishment of River Basin District Advisory Councils.

2. An invitation is extended to all interested parties to provide comments in relation to the general terms of this paper, the proposed guidelines for the establishment of River Basin District Advisory Councils, the specific questions set out in Part Five or any aspect of implementation of the Directive. You are requested to provide comments in writing on or before 31 August 2003 to –

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3. Further information on all aspects of the Directive and its implementation is available on website [www.wfdireland.ie](http://www.wfdireland.ie).

## **PART TWO**

### **IMPLEMENTATION OF WATER FRAMEWORK DIRECTIVE**

#### **Water Framework Directive**

4. The EU Water Framework Directive (2000/60/EC) came into force on 22 December 2000 and established a new, strengthened system for the protection and improvement of water quality and water-dependent ecosystems. It provides for co-ordinated water quality management based on natural river basins (i.e. catchments). It aims at preventing any deterioration in the status of any waters and at achieving at least “good status” for all waters by 2015. The status of waters will be determined by chemical and ecological criteria for surface waters and chemical and quantitative criteria for groundwaters. It requires the carrying out of numerous preparatory tasks leading to the adoption by December 2009 of river basin management plans and their implementation, review and updating on a six-year cycle.

#### **Water Policy Regulations**

5. The Water Framework Directive (WFD) has been transposed into national law by the European Communities (Water Policy) Regulations 2003 (SI No. 722 of 2003). These Regulations provided for essential, technical transposition of the WFD by the required date (22 December 2003). The Regulations may need to be amended and elaborated in the future to support the ongoing, detailed implementation of the Directive. In due course it will be appropriate to provide for consolidation and modernisation of the statute law on water quality management, including transposition of the WFD and other water-related Directives. The Minister for the Environment Heritage and Local Government is open at all times to suggestions for appropriate amendment of the Water Policy Regulations or comments in relation to the broader legislative framework supporting water quality management.

#### **River basin districts**

6. The WFD aims to have water quality management addressed on the basis of river basins and, for this purpose, requires that areas known as “river basin districts” (RBDs) be established by Member States. RBDs are defined by reference to the natural, environmental areas of river basins, or groups of river basins, and their associated coastal waters, rather than by administrative or legal boundaries. The Water Policy Regulations, together with the corresponding legislation for Northern Ireland, established a total of eight RBDs in relation to the island of Ireland in accordance with the proposals set out in the joint North / South consultation paper “Managing Our Shared Waters” (March 2003). One of these RBDs is situated wholly in Northern Ireland, four are situated wholly in Ireland (“the South”) and three relate to

cross-border areas and are known as International River Basin Districts (IRBDs). The eight RBDs are –

- the Eastern RBD
- the South Eastern RBD
- the South Western RBD
- the Western RBD
- the North Western IRBD
- the North Eastern RBD (NI)
- the Neagh Bann IRBD
- the Shannon IRBD.

7. This current consultation paper relates to WFD implementation in the South only and does not relate directly to public participation or other implementation arrangements being developed in relation to Northern Ireland. These will be the subject of appropriate linkages in due course. There is ongoing liaison between authorities North and South to ensure appropriate co-ordination of implementation.

8. The expression “river basin” has the same meaning as “catchment” or “drainage area” and is defined in the Directive as **the area of land** from which all surface run-off flows, through a sequence of streams, rivers and, possibly, lakes into the sea at a single river mouth, estuary or delta.

### **River basin management projects**

9. In anticipation of the adoption of the WFD, the Department of the Environment, Heritage and Local Government (DEHLG) has, since 1999, been promoting the establishment by local authorities of river basin management projects to facilitate its implementation. The projects are funded 100% by the DEHLG under the National Development Plan and serve as a mechanism for delivery of the technical requirements of the WFD within the deadlines specified in the WFD. Each project operates over a four-year period. Projects are operational in relation to –

- the South-Eastern RBD since April 2002, led by Carlow County Council
- the Shannon RBD since January 2003, led by Limerick County Council
- the Eastern RBD since June 2003 led by Dublin City Council, and
- the Western RBD since April 2004 led by Galway County Council.

The establishment of projects is imminent in relation to –

- the South Western RBD, led by Cork County Council, and
- the (cross-border) North Western IRBD and Neagh Bann IRBD, led by Donegal County Council, with participation by authorities North and South.

## Co-ordination of measures

10. The Directive requires that, in relation to each RBD, there must be co-ordination of the measures being taken for water quality management by the public authorities involved. The Directive is being implemented without the establishment of any new authorities and so, for the purpose of achieving the necessary co-ordination, the Water Policy Regulations impose obligations on existing public authorities in relation to consultation, co-ordination and liaison with other public authorities, North and South, to support and facilitate co-ordinated implementation..

11. The Regulations assign specific co-ordination responsibilities to –

- the Minister for the Environment, Heritage and Local Government and
- the Environmental Protection Agency (EPA).

They also assign reporting and other functions to the EPA e.g. mapping water bodies, development of typology systems, type-specific reference conditions, systems for classification of water status i.e. chemical, ecological, quantitative, development of monitoring programmes.

12. The Regulations appoint one local authority in each RBD to act as co-ordinating authority and provide that it is the duty of (all of) the local authorities in an RBD, **acting jointly**, to –

- carry out an analysis of its characteristics (by 22 December 2004)
- carry out an review of the impact of human activities on the status of waters (by 22 December 2004)
- carry out an economic analysis of water use (by 22 December 2004)
- establish a River Basin District Advisory Council (by 22 December 2004)
- publish a timetable and work programme for the production of a river basin management plan (by 22 June 2006)
- publish an overview of the significant water management issues (by 22 June 2007)
- publish a draft of a river basin management plan (by 22 June 2008)
- establish environmental objectives for the RBD (by 22 June 2009)
- establish a programme of measures to achieve those objectives (by 22 June 2009), and
- make a river basin management plan (by 22 June 2009).

13. The Regulations assign a duty to every public authority to-

- exercise its functions in a manner which is consistent with the Directive and which achieves or promotes compliance

- take such actions as may be appropriate in the context of its functions to secure compliance with the Directive
- consult, co-operate and liaise with other public authorities and with the competent authorities in Northern Ireland in such a manner and to such extent as is necessary to ensure co-ordination
- provide such information in relation to its functions as may be reasonably required by any other public authority
- encourage the active involvement of all interested parties in relation to the measures it is taking, and
- provide access to background documents and information.

### **Working groups**

14. In addition to the river basin management projects established by local authorities, the implementation of the Directive and the achievement of the aforementioned tasks is supported by an extensive network of expert working groups addressing various technical aspects of implementation and operating at various levels i.e. RBD, national, North / South, Ireland / United Kingdom, EU.

## **PART THREE**

### **PUBLIC PARTICIPATION**

#### **Public participation**

15. Consistent with article 14 of the WFD, it is Government policy to encourage the active involvement of all interested parties in the implementation of the WFD, in particular in relation to the production, review and updating of river basin management plans. Effective public participation brings greater transparency, openness and creativity to decision-making. The concept and practice of public participation in relation to a wide spectrum of decision-making by public authorities is well-established in Ireland (see Appendix 3 as to general arrangements in place). Interested parties have a high degree of access to information and to the decision-making processes. They also have liberal access to the courts and discretion to initiate legal proceedings to an extent that is not available in some countries.

#### **Promoting Public Participation in WFD**

16. Numerous actions have been taken, or are underway, by the DEHLG and other authorities to promote public participation in WFD implementation. These measures include the following –

- a website [www.wfdireland.ie](http://www.wfdireland.ie) has been established by the DEHLG to provide for convenient public access to information on the Directive: this website includes the minutes of meetings of the National Co-ordination Group (NCG)
- there are websites which provide information on the management projects e.g. [www.shannonrbd.com](http://www.shannonrbd.com) and [www.serbd.com](http://www.serbd.com) and [www.erbd.ie](http://www.erbd.ie)
- a public conference on the WFD was presented by the DEHLG in December 2001 and officials of local authorities, Government Departments, the EPA and numerous other public authorities regularly participate in meetings and conferences in relation to the WFD: a further public information / consultation conference on WFD implementation is being presented by DEHLG on 30 June 2004
- the DEHLG and the Heritage Council funded a project by the environmental non-governmental organisation (eNGO) VOICE to produce an information leaflet on the WFD and to develop a proposal, in consultation with other eNGOs, for participation by eNGOs in WFD implementation
- the DEHLG together with the Department of the Environment in Northern Ireland, issued a joint consultation paper on WFD implementation in March 2003: the paper "Managing Our Shared Waters" was circulated widely and is available on the website
- the Heritage Council carried out a consultation process on water quality and the WFD consisting of a consultation paper and seminar during 2003: a report on the feedback *Seeking Yours Views on Water Quality* was published in Spring 2004
- RBD projects have engaged with stakeholders through a variety of mechanisms including seminars, workshops, an interest group network, management groups, direct consultation meetings with individual organisations
- the River Basin Management Projects have developed, or are developing, programmes of activities to provide for public participation in their respective river basin districts
- the WFD National Co-ordination Group (NCG) established a Working Group on Public Participation in April 2003 to consider and report on this topic with a view to promoting a consistent and harmonious approach nationally for encouraging public participation in the implementation of the WFD.

### **Report of Working Group on Public Participation**

17. The Working Group on Public Participation provided comments and recommendations on the approach which might best be adopted to encourage public participation in implementation of the WFD. These comments and recommendations, which have been adopted by the NCG and are being incorporated in appropriate measures including the Water Policy Regulations (SI 722 of 2003), are set out in the following paragraphs.

## *Objectives*

18. Efforts to promote public participation in implementation of the WFD should be guided by the objectives of -

- providing information to all interested parties
- improving decision-making by gaining the benefit of the knowledge, experience and initiatives of stakeholders
- promoting constructive dialogue between interested parties and bringing greater transparency, openness and creativity to decision-making
- assisting interested parties to influence decisions
- increasing public awareness of water management issues
- increasing public involvement and understanding of, and support for, decision-making processes thereby improving effective implementation.

## *Measures and mechanisms*

19. Public participation can operate at the level of individual persons and on a broader sectoral basis e.g. comments, objections or actions by a concerned individual person or by sectoral representatives of industry, agriculture, environmental NGOs (eNGOs) etc. A programme of actions to promote public participation should include a very broad range of measures to provide for public information and consultation and to encourage and facilitate the direct involvement of a broad range of interested parties. Measures should aim for –

- mechanisms which allow for participation by all interested persons i.e. individuals and organisations
- appropriate involvement by members of local authorities
- the development of linkages with existing consultation / participative structures e.g. SPCs, Comhar, community and voluntary fora
- sustainability in the medium-term and long-term i.e. not only for the duration of the RBD Projects
- consistency of approaches across RBDs
- well-focussed activities which provide a realistic return for the resources deployed
- the gathering of information and views from stakeholders
- the provision of information in a timely fashion as far as is practicable to allow for public input to the decision-making process
- the promotion among stakeholders of awareness, understanding, acceptance, trust and support for river basin management measures
- achievement of consensus as to approaches, policies, objectives, priorities and measures for water management
- clarity as to the purpose and function of the public participation process.

### *Responsibilities and decision-making*

20. In the context of implementation of the WFD, public participation takes place in a context where -

- the relevant public authorities carry responsibility for the implementation of the WFD
- the relevant public authorities are required to take appropriate measures to encourage the active involvement of all interested parties in WFD implementation
- the promotion of greater public participation will not relieve public authorities of their responsibility to implement the WFD in full in accordance with the deadlines specified in the WFD
- measures which achieve greater public participation should lead to improved decision-making
- it would be unrealistic to expect that consensus could be achieved with all stakeholders on all matters at all times
- decision-making continues to be a matter for the relevant public authorities.

### *Recommendations*

21. By way of recommendations the Working Group –

- considered that there is a need for a specific, new forum in each RBD to facilitate the structured participation of interested parties on an ongoing basis in river basin management
- considered that such a forum should serve as a platform for interaction on a structured basis between interested parties and the relevant local authorities and other public authorities
- considered that a forum needs to provide for continuity beyond the life of the current RBD projects
- recommended that a forum should have the function of considering matters relating to water management and providing advice and making recommendations on these matters for consideration by the relevant public authorities
- recommended that a forum should be chaired by a member of a local authority and should include members of local authorities (e.g. up to 25% of forum membership) and other stakeholders such as persons who are carrying on business dependent on the water environment, persons who are interested in the protection of the water environment
- recommended that the Regulations being prepared for transposition of the WFD should provide for the establishment of such a forum in each RBD by the relevant local authorities
- recommended that the Working Group should continue its work with a view to developing recommendations of a more detailed nature as to the composition and establishment of these fora
- noted that the establishment of the RBD advisory fora might necessitate a review of the River Basin Management Groups

established to support the river basin district projects e.g. possible need for the establishment of a technical group of the “relevant public authorities” to co-ordinate their activities for implementation of the WFD

- recommended that each RBD Project should make specific arrangements to liaise on a regular, at least annual, basis with each Environmental SPC in its area with a view to keeping these key local government bodies fully informed of progress and to facilitate final decision-making by the relevant authorities
- recommended that each RBD Project should develop a programme of measures to provide for the dissemination of information on the project and the WFD and for encouraging input from interested parties. Such a programme needs to avail of existing structures and resources as much as possible and needs to be adequately resourced.
- recommended that each RBD Project should give specific consideration to the identification of all appropriate mechanisms by which the involvement of interested parties could be promoted
- recommended that a review of the public participation strategies used in River Basin District Projects should be carried out after 12 - 18 months of implementation to assess their success/effectiveness and resource implications
- encourages all relevant public authorities to avail of opportunities to arrange for conferences, seminars and other information / consultation events for engagement with interested parties in relation to water management issues.

## **PART FOUR**

### **ESTABLISHMENT OF RIVER BASIN DISTRICT ADVISORY COUNCILS**

#### **Requirement to establish**

22. The Water Policy Regulations require the establishment by the local authorities in each RBD by 22 December 2004 of a river basin district advisory council as a permanent forum for direct dialogue and interaction between interested parties and the relevant public authorities. The terms of reference of the councils, as set out in article 16 of the Regulations, are –

*to consider matters relating to the preparation of river basin management plans and other matters relevant to the protection and use of the aquatic environment and water resources in the district and to advise and make recommendations on these matters to the relevant public authorities.*

Councils will be established for a period of five years and subsequently every five years. The relevant public authorities are required to have regard to the advice and recommendations of the council.

23. The Regulations allow for a considerable degree of flexibility in relation to the councils on the part of local authorities. The membership and procedures of a council are to be determined by the local authorities except in relation to the following matters which are specified in the Regulations –

- chairperson to be a member of a local authority (i.e. a councillor)
- secretary to be an official of a local authority
- membership to comprise between 20 to 50 persons
- membership to comprise members (i.e. councillors) of the relevant local authorities (maximum 25% of membership) together with, insofar as is practicable, representatives of other interested parties and such other persons as may be determined by the local authorities
- council to meet at least twice per annum.

#### *Suggested Membership*

24. By way of guidelines for local authorities, it is recommended that the membership of the advisory councils might be determined as follows –

- a. two members of the relevant Strategic Policy Committee (e.g. Environment SPC) of each of the local authorities (county councils and city councils) in an RBD: one of these SPC members to be a member (councillor) of the local authority and one from the sectoral representatives: the 25% rule in relation to local authority members (see preceding paragraph) can be modified to allow for the appointment of one local authority member from each participating local authority
- b. two persons representative of each of the following sectors / water user groups–
  - agriculture
  - economic
  - environmental NGOs
  - recreational
  - professional / academic
  - social / community, and
- c. such other persons as the local authorities consider appropriate in the particular circumstances of the RBD e.g. representatives of group water scheme sector, regional fisheries boards.
- d. it is recommended that the chairperson of the RBDAC should be the nominated member of the co-ordinating local authority.

### *Suggested Manner of appointment*

25. The nominees indicated at (a) above could be identified by direct invitation to each local authority to nominate two members from the membership of the relevant SPC e.g. Environment SPC. The act of nomination might be regarded as the act of appointment.

26. The members indicated at (b) above might be identified by direct invitation to the relevant national pillar of *Sustaining Progress* in the case of the representatives of the **agriculture sector** (the Agricultural Pillar), the **economic sector** (Employers Pillar). The members representative of the **environmental NGOs** might be identified by direct invitation to the company Environmental (Ecological) NGO Core Funding Ltd which could co-ordinate consultation with its constituent organisations. In all these cases the act of nomination of two members by the appropriate pillar, or by the company, might be regarded as being the act of appointment.

27. The two members representing the **social / community sector** might best be drawn from the Community and Voluntary Fora established in the participating local authority areas. The selection process might appropriately be organised by the Director of Services Community and Enterprise of the co-ordinating local authority in consultation with the corresponding Directors of Services of the other participating authorities.

28. A convenient nominating body is not readily obvious in the case of the members representing **recreational users** of water and the **professional / academic sector**. It might be appropriate for the relevant local authorities (or perhaps the relevant co-ordinating authority) to nominate candidates who are members of Community Development Boards or, alternatively, by public notice to invite nominations from interested bodies. The local authority or authorities in these cases could select and nominate their proposed appointees to the SPC members of the advisory council. In these cases the final selection and appointment of the members of the RBD advisory council might be a matter for the relevant local authorities, acting jointly, or perhaps for the co-ordinating local authority. It might be appropriate to request the advice and recommendation of the SPC members of the advisory council.

[Such a process of nomination and appointment could, of course, be used in relation to all members of the advisory council indicated at (b) above but it seems preferable to avail of a central nominating body for a sector where there is such a body which routinely exercises this function.]

29. In relation to the members indicated at (c) above, the participating local authorities might agree a mechanism for determining the type of persons to be appointed and / or the manner of appointment e.g. by all the relevant local authorities acting jointly, by the advisory council, by the chairperson of the advisory council, by the manager or members of the co-ordinating local authority, by a combination of such mechanisms.

30. It is arguable that the effectiveness of an advisory council will diminish as the size increases. It might be desirable therefore to aim to create smaller rather than larger advisory councils, particularly in the case of those RBD's with the smallest number of participating local authorities. The number of participating local authorities in each RBD and a suggested maximum membership of the RBDAC is as follows: -

<u>RBD</u>	<u>Suggested max. RBDAC Membership</u>
South Western (6)	30
Western (7)	30
South Eastern (13)	40
Eastern (13)	40
Shannon (18)	50

*Comment*

31. The proposals set out above appear to provide, insofar as is practicable, broad-based advisory councils reflecting a balanced representation of local authority members (representing the community generally) and representatives of the most relevant sectors. A strong linkage with local authority members is desirable and appropriate because local authorities are the competent authorities under the Water Policy Regulations in relation to the adoption of programmes of measures and river basin management plans and also exercise the reserved functions assigned by other relevant legislation such as the Planning Acts, Water Pollution Acts, the Waste Management Acts. Strong linkage with the SPCs is particularly desirable and appropriate given that SPCs have a statutory basis and advisory function under local government law and are a fundamental feature of local government arrangements for promoting participative democracy alongside representative democracy. The relevant SPCs will, in due course, be the bodies which formally consider and advise local authorities in relation to the adoption by local authorities of river basin management plans and other environmental policy instruments.

**PART FIVE**

**QUESTIONS**

32. In addition to any general comments that you may wish to offer, comments are requested in relation to the following specific questions.

- 1, Do you agree with the general approach to public participation as set out in this consultation paper? Do you consider that this general approach provides an appropriate basis for encouraging the active involvement of

interested parties in promoting measures and strategies water quality protection and improvement?

2. Do you consider that the recommended membership of River Basin District Advisory Councils as set out in Part Four provides for an appropriate and balanced representation of the relevant interests? Are there other sectors or interests which need to be incorporated in the process? If so, in what capacity and what manner?
3. Is there a need to designate a specific person or body as the formal appointing authority in relation to some or all of the members of RBD Advisory Councils (other than the nominated SPC members)? If so, who might serve as the appointing authority e.g. the nominated SPC members of the advisory council, the chairperson and / or manager of the co-ordinating local authority, all the local authorities acting jointly.
4. Can you suggest ways in which the work the RBD Advisory Councils might be prioritised or progressed to ensure that the councils serve as effective mechanisms for engaging the involvement of interested parties?
5. Can you indicate any measures or strategies which might, in your view, be appropriately taken by the relevant public authorities to promote the active involvement of interested parties in promoting the protection and improvement of water quality and the implementation of the Water Policy Regulations?

## **APPENDIX 1**

### **Article 14 of WFD**

Following is the text of Article 14 of the WFD in relation to public information and consultation.

#### Article 14

#### **Public information and consultation**

1. Member States shall encourage the active involvement of all interested parties in the implementation of this Directive, in particular in the production, review and updating of the river basin management plans. Member States shall ensure that, for each river basin district, they publish and make available for comments to the public, including users:
  - (a) a timetable and work programme for the production of the plan, including a statement of the consultation measures to be taken, at least three years before the beginning of the period to which the plan refers;
  - (b) an interim overview of the significant water management issues identified in the river basin, at least two years before the beginning of the period to which the plan refers;
  - (c) draft copies of the river basin management plan, at least one year before the beginning of the period to which the plan refers;

On request, access shall be given to background documents and information used for the development of the draft river basin management plan.

2. Member States shall allow at least six months to comment in writing on those documents in order to allow active involvement and consultation
3. Paragraphs 1 and 2 shall apply equally to updated river basin management plans.

## APPENDIX 2

### Article 16 of Water Policy Regulations

Following is the text of Article 16 of the Water Policy Regulations in relation to the establishment of river basin district advisory councils.

#### Article 16

##### ***River basin district advisory council***

16. (1) The relevant local authorities shall establish in relation to each river basin district a river basin district advisory council (subsequently referred in this Article as “a council”) to consider matters relating to the preparation of river basin management plans and other matters relevant to the protection and use of the aquatic environment and water resources in the district and to advise and make recommendations on these matters to the relevant public authorities.
  - (2) A council shall be established not later than 22 December 2004 for a period ending not later than 22 December 2009 and a new council is to be established for the period of five years commencing on 22 December 2009 and for every subsequent period of five years.
  - (3) Subject to this article, the membership and procedures of a council shall be determined by the relevant local authorities.
- (4) The chairperson of a council shall be a member of a relevant local authority.
  - (2) A council shall consist of persons who are members of the relevant local authorities (at the time of their appointment as members of the council) together with, insofar as is practicable, representatives of interested parties and such other persons as may be determined by the relevant local authorities.
  - (3) The membership of a council is to be not less than 20 persons and not more than 50 persons.

- (4) The number of members of the council who are members of the relevant local authorities shall not exceed one quarter of the total membership of the council.
- (5) The proceedings of a council shall not be invalidated solely by reason of the fact that there is not any member of the council (including the chairperson) who is a member of a relevant local authority.
- (6) A council shall meet at least twice per annum.
- (7) An employee of a local authority shall be assigned the duties of secretary of the council.
- (8) In the discharge of their duties under these Regulations in relation to a river basin district the relevant public authorities shall have regard to the advice and recommendations of the council for the district.
- (9) A relevant public authority may provide such assistance, including financial assistance, as the authority considers appropriate in relation to the activities of a council.
- (10) An employee of a local authority shall be assigned the duties of secretary of the council.
- (11) In the discharge of their duties under these Regulations in relation to a river basin district the relevant public authorities shall have regard to the advice and recommendations of the council for the district.
- (12) A relevant public authority may provide such assistance, including, financial assistance, as the authority considers appropriate in relation to the activities of a council.

## **APPENDIX 3**

# **INFORMATION ON SOME MEASURES IN PLACE FOR PUBLIC PARTICIPATION IN DECISION- MAKING BY PUBLIC AUTHORITIES IN IRELAND**

## **GENERAL**

1. The concept and practice of public participation in decision-making by public authorities is well-established in Ireland. Interested parties have a high degree of access to information and to the decision-making processes of public authorities. They also have liberal access to the courts and discretion to initiate legal proceedings to an extent not available in some countries. In the case of decisions in relation to specific issues / projects, extensive statutory rights are assigned to interested parties in relation to matters such as compulsory purchase of land, decisions and appeals under the Planning Acts, licensing by EPA. In relation to the development of broad-based policies and strategies at local and national level, specific procedures and structures have been put in place, on a statutory and non-statutory basis, to facilitate and support participation by interested parties. These structures include –

at local level, the Strategic Policy Committees (SPCs), County Development Boards (CDBs) and the Community and Voluntary Fora established as part of local government reforms to develop further the co-working of participative democracy alongside representative democracy, and

at national level, the partnership structures which provide a forum for dialogue and co-operation on social and economic policies between the State and the four economic and social pillars representing employers, trade unions, agriculture, and the community and voluntary sector.

See further information below.

## **ENVIRONMENTAL PROTECTION AND SUSTAINABLE DEVELOPMENT**

2. In relation to matters of environmental protection and sustainable development, the structures established to facilitate and promote participation by interested parties include bodies such as -

- \* the Advisory Committee established under the Environmental Protection Agency Act, 1992
- \* Comhar, the National Sustainable Development Partnership, (see below)
- \* the company Environmental (Ecological) Core Funding Ltd (see below)

## **WATER QUALITY AND CATCHMENT-BASED PROJECTS**

3. In relation to matters of water quality management, numerous measures were taken in the context of the catchment-based projects undertaken since 1997 by local authorities, supported by EU funding, to promote public involvement. These projects related to the catchments of Lough Derg and Ree, Lough Leane and the Three Rivers (Boyne, Liffey and Suir) and were mainly focussed on the reduction of phosphorus inputs to waters. The public participation measures included activities for public information and consultation and also included, in the case of the projects on Lough Leane and the Three Rivers, participation by interested parties in the project management group.

## **NATIONAL PARTNERSHIP**

### *Evolution of national partnership*

4. A process of national partnership on social and economic issues has developed over recent decades in the context of, initially, national wage agreements involving the Government, employers and trade unions and, in more recent times, more broadly-based national agreements on social and economic issues.

*Extract from Agreed Programme for Government, 2000*

*“ We will review models of participation in the social partnership process and in particular examine ways of maximising both the efficiency of the process and the potential contribution of the diverse and vibrant community and voluntary sectors.” APG , June 2002*

### *Parties*

The parties to the current national partnership agreement “Sustaining Progress” are –

- the Government
- employers
- trade unions
- farming bodies, and

- the community and voluntary sector.

## LOCAL GOVERNMENT PARTNERSHIP STRUCTURES

5. *Better Local Government* was launched in 1996, and was implemented and given statutory effect by the Local Government Act, 2001 for the reform and strengthening of local government. A principal objective was to develop further the co-working of participative democracy alongside representative democracy.

6. Each city council and county council in 1999/2000 established a number (e.g. 4 or 5) of **Strategic Policy Committees (SPCs)** to advise and assist the Council in the formulation, development and review of policy. The membership of each SPC comprises one-third (at least) of social / economic sectoral representatives (including the social partners), and two-third elected councillors.

7. SPC members are nominated by the national partnership pillars in the case of the three pillars of employers, trade unions and farming bodies. The community and voluntary sectoral representatives are nominated through local arrangements, in particular via the community and voluntary fora.

8. Each city council and county council in 2000 established a **City / County Development Board (CDB)** to bring about a more co-ordinated delivery of public and local development services at local level i.e. “joined-up government” at local level. A primary task was to draw up and implement a Strategy for the Economic, Social and Cultural Development of the city / county. The membership of a typical CDB is –

- local government (7)
- local development (6)
- State agencies (9)
- Social partners (5).

9. The members representing the social partners might include employers and business organisations (1), trade unions (1), agriculture (1), community and voluntary organisations (2).

10. The communication and consultation with the Community and Voluntary sector, and its participation in the process, is facilitated by a **Community and Voluntary Forum (CVF)** established in each city / county and comprising representatives of registered local organisations.

## COMHAR - THE NATIONAL SUSTAINABLE DEVELOPMENT PARTNERSHIP

11. Comhar is the forum for national consultation and dialogue on all issues surrounding Ireland’s pursuit of sustainable development. Comhar

brings together those whose actions impact on the environment and those who are concerned with its protection and preservation. It aims to reflect the three distinct aspects of sustainable development - environmental, economic and social interests. In 1998 nominations were invited from 59 national organisations and 25 members were appointed by the Minister for the Environment and Local Government for a period of three years. The membership of Comhar is drawn from five pillars –

- the State sector
- the economic sector
- environmental NGOs
- social community NGOs
- professional / academic organisations.

### **SERBD PROJECT**

12. A network of diverse interest groups was established in 2003 to liaise with the South Eastern RBD project. The network identified six broad sectors which needed to be engaged in the public participation process. These were agriculture, business, eNGOs, academic and professional bodies, recreational waters users and community organisations.

### **CORE FUNDING FOR eNGOS**

13. The Department of the Environment, Heritage and Local Government (DEHLG) is committed to enhancing the capacity of environmental NGOs to contribute to debate and policy development and implementation at national and international level. For this purpose the company Environmental (Ecological) NGO Core Funding Ltd (EENGOCF) has been established with 23 participating national-level eNGOs and with a remit which includes –

- facilitation and support of NGO engagement with national and international policy process
- delivery of enhanced funding
- distribution of funds among groups
- administration and co-ordination of activities for collective NGO action
- co-ordination of research and opinion by NGOs based on the consent of NGOs.

The participating eNGOs envisage the company as a non-executive, non-policy-making body which will carry out such administrative and co-ordinating activities as may seem appropriate to all component members.

### **WFD CO-ORDINATOR FOR eNGOs [VOICE PROPOSAL]**

14. A proposal was made to the DEHLG in May 2003 by VOICE (on behalf of a group of 18 eNGOs) for the creation of a National Co-ordinator post to support the participation of eNGOs in the implementation of the Water

Framework Directive. The proposal has been approved by the DEHLG on the basis that the funding will be channelled through the company Environmental (Ecological) NGO Core Funding Ltd. Arrangements are being made for appointment of a co-ordinator.

**END**