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Why Consultations? The public participation in water management and local spatial planning in two Polish cases

Abstract: Despite many novelties in participation: participatory budgeting, citizens jury, deliberative poll etc. the engagement of different stakeholders' groups in the decision making processes concerning detailed planning issues (local spatial management plans, water management plans, the preservation management plans of the Natura 2000 sites) is usually based on the organization of open discussion meetings. The study looks at the social consultations regarding acceptance of local spatial management plans managed by Poznań City Hall and consultations concerning the preparation of water management plans managed by Regional Water Management Board in Poznań. The comparative analysis served to exhibit similarities and differences between the processes in terms of legal conditions, the organization of meetings, the length and the scale of the process and the actors engaged.

Keywords: participation, social consultation, stakeholders, water management plans, local spatial plans

Introduction

The growing importance of public participation

Involving citizens and stakeholders in decision making undertaken by the public administrations and agencies has been increasing in last 50 years. Public participation is to promote the deepening of democracy and the legitimacy of actions by authorities. The benefits of participation have been recognized at the international level (World Bank 1996, World Bank 1995) and by individual countries. Engaging the public is widely used in many sectors: spatial planning (Bugs et al. 2010); health care (Abelson et al. 2003); forestry (Buchy and Hoverman 2000); environment protection (Chess and Purcell 1999); nature conservation (Miller-Rushing

et al. 2012); water management (Carr et al. 2012), climate change (Few et al. 2007) and others. Much hope has been placed on public participation, but as the procedures have advanced and become more widely applied, problems and weaknesses have surfaced as well. There are inherent dilemmas in public participation. Participation can lead to better and more democratic decision making but also can be counterproductive, cause anger, polarisation and distrust among citizens (Innes and Booher 2004). Several issues have been noted as problematic with public participation. They refer to a participation process, outcomes, conditions, and include: difficulties in securing the stakeholder representativeness; the lack of process transparency; limited resource availability (in terms of finances, time, technical and material aid) (Buchy and Hoverman 2000). Also, the negative impacts of unclear law, lack of skills of participants, lack of willingness among decisions makers have been noted. Moreover, there are problems on a technical level: with the proper use of technical aids (such as maps), time constraints, difficulties with selecting facilitators (Hjortsø 2004) and others.

The difficulties led to calls for improving methods of participation (Sieber et al. 2016, Fung 2006), but also – more significantly – for strengthening of collaborative approach (Innes and Booher 2004; King et al. 1998). The remedy for public participation weaknesses is very often seen in stepping up on the Arnstein's ladder of participation (Arnstein 1969), towards procedures more open for citizens, authentic, and offering them effective influence and empowerment. A number of the bottom-up methods have been developed and successfully implemented. Initiatives such as tactical urbanism (Mould 2014) or yarn bombing can be observed in many cities. They rely on grass-roots, citizen engagement and sometimes are encouraged by local administrators. Indeed, the creativity of local inhabitants and their willingness to take a responsibility for decisions making is desired. It is widely suggested in the literature that participation should have as strong form as possible in engaging stakeholders (Jones-Walters and Çil 2011).

Nevertheless, it has been observed that the “weakest” forms of participation are widely used: information dissemination; public feedback; and consultation, while the “stronger” forms: public contributions and public engagements, are rarer. This applies to Poland. A nation-wide research shows that within four distinguished public participation models: (a) asymmetric; (b) consultative; (c) symmetric; (d) delegation, the consultative model was found in 51% of Polish local governments, while the asymmetric one was observed in one-fifth (20,1%) municipalities, symmetric model in 16% of Polish municipalities, and delegation – in 12.9% of Polish municipalities (Olech 2012).

This poses a question; what are the reasons for the popularity of the modest forms of participation? The aim of this paper is to explore the issues behind the questions: what are reasons for the prevalence of the modest forms of participation? What explains using consultation as the (dominant) form of public participation? Are consultations an optimal form of participation?

Factors influencing public participation

Several objectives of public participation are provided as its justifications: (a) to obtain information about the public's preferences; incorporating citizens preferences leads for improvement of decisions and administrative conduct, (b) to advance fairness, justice and democratic values, e.g. by including in the decision making those social groups, which are otherwise neglected, (c) to provide legitimacy for public decisions, (d) to fulfil legal obligations, (e) to improve effectiveness and efficiency of implementing decision, which otherwise would face protests (Newig and Fritsch 2009, Newig 2007, Innes and Booher 2002). In fact, these reasons intersect and are not easy to separate. Moreover, various actors engaged in public participation may differ in their aims and motivations.

Similarly, evaluating participation involves several reference points. They can be grouped into three main categories, referring to: (a) process, (b) intermediary outcomes, or (c) outcomes (Carr et al. 2012). Process evaluation assesses the quality of participation process. It involves accountability cost-effectiveness (of the process), defining and reaching deadlines and milestones, task definition, proper facilitation, structure of decision making, inclusion of participants' knowledge, legitimacy and transparency of process, impact of power. Public participation process should be legitimate and promote equal power sharing between participants (Carr et al. 2012). The issue of representation, involving legitimacy, fairness, and participant selection process is particularly important. Moreover, type and quality of procedural rules influence the process. This means that rules have an impact on the degree of citizen control and possibilities to contribute to agenda setting, to establish rules, select experts, and manage information. Early involvement is often notified as an important indicator in this respect. Also, the independence of participants and their influence on final policy needs to be secured. Access and adequacy of information is widely acknowledged as a critical component of public participation processes. Resource accessibility is another important part of the process.

Intermediary outcomes refer to achieving nontangible outcomes of public participation, such as strengthening trust and improving communication, building agreements and institutional change (Carr et al. 2012, Innes and Booher 2004). Public participation can be instrumental in building trust, promoting institutional change and institutional capacity. New paths of decision making can be established, allowing for achievement of consensus over non-consensual decision.

The third evaluation criterion is related to tangible outcomes. For instance, in case of participation on issues related to natural resource management, this could be the quality improvements of a resource (Carr et al. 2012). Outcome evaluation can rely on various indicators, concerning economic improvement, human health and wellbeing improvement; implementation of an accepted plan, conflicts reduction etc.

Methods of public participation are many, and they depend very much on local needs and circumstances. Methods vary in terms of time scope, organization and level of formalization, which can be related to the legal context. Among the

formalized methods there are several that can be distinguished (Rowe and Feyer 2005) including: referenda; public hearings/inquiries; public opinion surveys; negotiated rules making; consensus conference; citizen's jury; citizens advisory committee; focus groups and others. To identify an adequate method of public participation chosen in accordance with needs and circumstances is not an easy task, and universal rules cannot be found.

Data and methods

In this study two cases have been analysed: (a) the public participation process concerning the preparation of water management plan by the Regional Water Management Authority in Poznań (Poland) which was a part of the implementation of the European Union (EU) Water Framework Directive (WFD) in Poland, and b) public participation concerning local spatial plans carried out by the Poznań City Hall. The first case is at the regional scale, as it covers the Warta River Region. The second case is at a municipal scale, as the process covers the city of Poznań. In both cases, public participation took largely the form of consultations. An in-depth analysis presented herein aims to explain why this form was applied.

In both cases, public participation can be considered as both innovative and well organized. In the case of the water management plan it is a part of the nation-wide public participation effort, which was one of the biggest public participation exercises in Poland. In the second case concerning the local spatial plans, the City of Poznań was the leader in Poland in this respect and paved the way for other municipalities. In both cases public participation processes relied substantially on consultations. Despite this similarity (and several others) there are also significant differences between the cases.

The method used for the analysis refers to John Stuart Mill's method of agreement. We have two cases that have the same outcome, so it would allow us to infer what factor is causally related to the outcome. However, such a strong inference is not possible, as we rely on existing cases without a strict experimental design. Thus, this study is a qualitative one and aims at providing explanation for the use of consultations (as the outcome). In the following sections, several factors related to the public participation procedures are examined. The focus is on the question of whether the specific object of consultations; legal framework, organizational setting, actors involved, types of documents, and time span of the consultation could explain the particular form of the public participation processes, namely – consultations. For the analysis, several data sources were used: reports on the consultations, legal and administrative documents, records of the consultation meetings, observations, and the review of literature.

Basic information on analysed cases

Public participation concerning the water management plan¹

The public participation process concerning the water management plan is a part of water planning processes (due to the Water Law Act). However, the planning includes documents required by the EU WFD and Floods Directive (water management plan, flood risk management plan). The implementation of the WFD triggered public participation in water management in Poland (Jager et al. 2016). In the analysed case, public participation was a part of the preparation of several planning documents for the Warta River Water Region² (Table 1). The organization and implementation of the participation process in the area of water region was the responsibility of the director of the Regional Water Management Authority in Poznań, a regional administrative body responsible for water resources management, and especially for water management and water use in the Warta River Water Region (Kowalczak et al. 2013). The Warta River Water Region covers an area of 54 479,97 km² with the population of approximately 6,7 million people. The dominating land use is arable land constituting 60% of the area.

The participation process followed documents, that were prepared containing the procedure of incorporating public participation into water management planning: “The programme of public participation in Poland according to WFD” and more specifically „The programme of public participation in Warta River Water Region according to WFD – 2009–2015”. These documents are prepared for six year periods and they define stakeholders and groups to be involved in this process.

Several methods were included in the process: regional forums/conferences; focus groups; information dissemination (via a newsletter; web page; brochures,

Table 1. Periods of consultation processes and the number of opinions

No.	Document title	Period	Number of opinion
1	Water management plan	25.11.2014–22.06.2015	2352
2	Flood risk management plan ¹	22.12.2014–22.06.2015	199
3	Water use plan ²	01.10.2015–21.10.2015	89
4	Terms of water use in the region ³	I period: 19.10.2011–18.11.2011	40
		II period: 07.09.2012–06.11.2012	107
		III period: 01.10.2013–25.10.2013	33
5	Terms of water use in the water districts ⁴	I period: 17.02–11.03.2015	150
		II period: 08.09–02.10.2015	42

¹ In Polish: *plan zarządzania ryzykiem powodziowym*.

² In Polish: *plan utrzymania wód*.

³ In Polish: *warunki korzystania z wód regionu wodnego*.

⁴ In Polish: *warunki korzystania z wód zlewni*.

Source: own work based on data from the Regional Water Management Authority in Poznań.

¹ In Polish: *plan gospodarowania wodami*.

² In Polish: *Region Wodny Warty*.

roll-up; press; traditional post; exhibitions, meetings at schools). Besides the director of the Regional Water Management Authority in Poznań who is legally responsible for the process, specific bodies have also the opinion forming functions including the Council of Water Region (30 members) and the Public Participation Commission (20 members representing organizations and institutions). These bodies work in accordance to the Water Law Act. Since the process of consultation needed to complete the flood risk management plan there were also other bodies involved: the Main Committee; the Planning Group of Water Region; and 10 local water district groups. These bodies were not stated in the Water Law Act and it is the reason why they were created only for the time of preparation and consultation of flood risk management plan (2014–2015). The main tangible outcome of the process were opinions (Table 1).

Public participation concerning local spatial plans³

The spatial planning system in Poland is hierarchical in accordance with the administration structure. At the national level, strategic documents are prepared such as a country development strategy, which defines the development priorities and objectives. The concept of spatial development of the country is the main documents defining spatial planning. Local level planning documents are prepared in accordance with the national strategies. Spatial planning at the local level is based on the creation and enforcement of the study of the conditions and directions of the spatial development of the municipality. It defines the general provisions and accordingly, the local spatial development plans are developed. The local plans are fundamental documents for local development.

The Spatial Planning and Development Act (of 2003) imposes obligatory consultation procedures. In the act only general provisions are stated. In particular, the statutory "public discussion" is mentioned, with 21-day term for comments. However, they are defined in general terms and leave discretionary power to local authorities. Since 2003 204 plans have been adopted in Poznań, covering 43% of the city territory. Moreover 195 plans covering 29% of the City territory are under the consultation procedure.

Public participation as part of the preparation of local spatial plans was initiated in Poznań in 2007 (Kaczmarek and Wójcicki 2015). The authorities of Poznań decided to extend the statutory procedures of local spatial planning preparation and to organize a public participation procedure. In accordance with the City Council's resolution on the preparation of the local spatial plan, the process has two stages. The first one consists of: (a) collecting proposals to the draft of the plan, and (b) preparation of the local spatial plan draft, the environmental impact assessment and financial forecast. In the second stage, the public consultation consists of: (a) consultations between the relevant administrative bodies such as: the Municipal Conservator, the District Sanitary Inspector, the Municipal Commission of Urban Planning, etc.; (b) a draft of a local spatial plan and an

³ In Polish: *miejscowy plan zagospodarowania przestrzennego*.

environmental impact assessment is publicly presented and analysed at a public discussion; (c) comments to the plan are collected. The rules and the procedure of the consultation are presented on the City's website. Eventually, all comments are considered by the Mayor, who can approve or disapprove each of them, and the City Council votes and adopts the plan.

A standard (yet flexible) form of a consultation meeting was developed, including the introduction of organizers, presentation aims of a meeting, the procedures and the legal framework of the local spatial planning process, and the presentation of the area of interest followed by questions and answers, and follow-up actions. At the beginning of each meeting the planning procedure is presented and explained to residents in the form of a slide show. The participants also receive contact addresses and telephone numbers to planners responsible for the plan. Consultations are generally held after 5.00 pm, usually in school buildings in the plan area. Every year there are about 30 consultation meetings. Since the beginning of 2008 to mid-2016 about 250 such meetings were held in Poznań.

Results of the consultations

What is the object of participation?

Characteristics of an issue, which is an object of public participation process may influence and restrict the scope and the course of participation. Issues discussed have always public good characteristics, but otherwise may differ substantially in terms of spatial, temporal scale, and tangibility. A large, complex issue may require more expertise, than a local simple one. The interest focus of a party, given certain characteristics of public good, may lead to misrepresentation. Characteristics of an issue may also influence the choice of participation methods. The issues analysed in this paper differ significantly in this respect.

The water management plans are related to regional scale of river basin. The issue (water management) is also relatively one-dimensional. Public good at stake involves water resources, which should be protected through appropriate management. The planning document is to constitute means of achieving "good water status", which is the environmental objective set out in the WFD. The document is adjusted in the six-year planning cycle. Thus, a plan contains the summary of actions to be implemented in next six years and agencies responsible for the implementation: local government units, government agencies, and water users including industry, agriculture, hydropower, services, fishing sector etc.

The management plan also includes investments, which may affect the deterioration of water, such as building a reservoir, detecting overriding public interest, and the principle of sustainable development. Investments that violate environmental objectives are prevented. Discussions on investments are to stimulate investors to take part in participation processes.

The local spatial plans cover a much smaller geographical area, compared with the water management plans. The areas covered by local plans range from

0,02 to 690 hectares, while an average local spatial plan covers approximately 50 hectares which is a relatively small part of city territory. Moreover, the issues related to a local plan are multi-dimensional, as a plan involves the multitude of social, economic, and environmental problems embedded in local circumstances.

The aim of consulting activities is to provide an opportunity to interested stakeholders to influence a proposed spatial plan. Because of the fairly “traditional” form of participation, which is analysed here (consultations), the effects mostly have the form of dialogue. Consultations establish a communication channel between the city hall and residents, increasing the participation of citizens in the decision-making process of planning. Consultations have also other functions. They are a tool to activate residents, housing estate councils and local communities in terms of engagement in spatial policy of the city, to raise awareness of inhabitants about the *modus operandi* of the planning in the City, to reduce the social costs entailed by decisions, to increase understanding and credibility of the city decisions, to build a friendly social climate, and to increase the quality of decision making. Nonetheless, to what extent are these goals achieved is neither monitored nor evaluated by the City Hall.

Legal basis of participation

The legal framework can have an important impact on the very nature of public participation process. Optional (non-mandatory) participation can promote non-standardized forms. In mandatory participation, there can be tension between reported results and the interests of stakeholders. If participation is mandatory it may appear in a token form.

There is a substantial difference between the analysed cases, from the legal context point of view. The consultations on the water management plans are firmly stemming from the law – the WFD, the acts and the guiding documents prepared by the administration. In case of the local spatial plans in Poznań, there is the obligation to inform public and to respond to complaints. However, it can take a very basic and even superficial form. A more substantial engagement of the public into a process is an optional activity decided by the local authorities.

The water management plans, follow the general principles of public participation in the development of plans, programs, policies on environmental protection that have been specified in the Act on the access to information about the environment and its protection, public participation in environmental protection and environmental impact assessment (October 3rd 2008; Dz.U. of 2016, item 353). This act is the implementation of the Aarhus convention in the Polish law. The Act describes the issues of public participation in the development of documents, when making decisions regarding the environment and its protection, and defines rules and procedures while providing information on the environment. The competent authorities, which are to develop documents that require public participation are required to publish information about designing document, the possibilities to get acquainted with him and information on how to submit comments. The act specifies the manner of the public disclosure of information and

the dates of submitting comments. According to the Act of 2008 the authority, which prepares the draft document, is obliged to take into consideration any comments, opinions, and conclusions in finally adopted plans and programs.

The public participation concerning the water management plan is based also on specific provisions required by the WFD, where the deadline for organizing public participation is 6 months and not – 21 days as stated generally in the act of 2008.

The WFD requires the process of public participation in planning and water management to be included within the development of the water management plans. According to the Directive the EU Member States are required to provide two forms of public participation: information and public consultation. The third form of public participation, active involvement is optional and Member States are only encouraged to adopt it.

Thus, the stronger forms of public participation are optional. The general provisions of the Directive in this respect have led to various approaches taken by the member states (Jager et al. 2016). In Poland, the legal basis for the WFD provided by the Water Law Act and the Act on Access to Information largely determined the forms of public participation as well as the scope of the process and target groups. The transposition of the Directive into the Polish legislation was done via art. 119 paragraph 7 of the Water Act Law. In the article, the active participation of stakeholders in the development of the water management plans followed by the mode specified in the Act of 2008 (On the access to information...). In the act (art. 3, paragraph. 1, item 11, art. 39, art. 40), two forms of public participation (information and consultation) are emphasized. Thus, only passive forms of public participation are mandatory.

Concerning the local spatial plans in Poznań, the consultations go beyond mandatory procedures specified in the Spatial Planning and Development Act (of March 27th 2003). In Poznań, the consultations are based on the decision of the Poznań City Council (resolution No. LXXX/1200/V/2010, On the rules and procedures for conducting public consultations in the city of Poznań Nov. 9th 2010). Planning as the subject of mandatory consultation is stated in the resolution. However, the resolution does not provide the mode of conducting consultations nor other details, leaving those issues to the discretion of the executive body, i.e. the city hall.

What is the organization of participation?

The organization of public participation, in particular, conducted either by the public administration or outsourced, may have an effect on the choice of methods. Organizing the procedure by the responsible administrative body may not be feasible due to resource limitations and it could bias a specific form. However, outsourcing has its shortcomings. In the two analysed cases the participation processes were done basically by the administrative structures, although in the case of the local spatial plans outsourcing had a certain role.

The organizer of public participation within the preparation of **water management plans**, in the area of the Warta River Water Region is the Regional Water Management Authority, and its specialized unit – the Department of Public Consultations. The participation process was well established procedurally. First of all, recognizing the important role of the public participation process in the implementation of the WFD, the President of the National Water Management Authority in cooperation with the Regional Water Management Authority prepared the program of public participation. Taking into account the parallel conduct of public consultation for water management in the Odra River basin by four Regional Water Management Authority, it was necessary to develop programs for public participation, to standardize the process by providing similar tools (for information, consultation and, if available – funds for active involvement). Subsequently, the program of public participation for the water region Warta was developed by the Director of the Regional Water Management Authority in Poznań and approved by the President of the National Water Management Authority. Concerning the scale of the document and its character, the procedure of public participation was focused primarily on reaching the stakeholders and obtaining feedback from representatives of social organizations and institutions in the region.

The consultations on **the local spatial plans** in Poznań were managed by the City Hall and in particular by the City President Office. Earlier, the Cabinet of the President and the Office of Social Relations Management had been also responsible for the consultations (as the City Hall underwent organizational changes). The City Planning Office is a body closely co-operating in public consultations, since the Office is responsible for the technical part of planning process. Tasks of the organizer include securing the office for a meeting, informing the media and the district councils, chairing the meeting and taking minutes. The City Planning Office is responsible for the preparation of presentations, leading the presentations, and answering questions.

What actors are involved in participation?

The issue of stakeholders identification is considered crucial for public participation. The type of stakeholders and their number may have impact on the methods chosen for a participation process. In this respect there are significant differences between the two analysed cases. The water management plans are relevant for a limited number of stakeholders as the issue is of the regional scale and requires certain level of expertise. For the local spatial plans the issues are very local and have a very direct impact on individual stakeholders and the inhabitants of plan area.

Within **the water management plans** the participation activities focus on the involvement of representatives of the three target groups: (a) government/local government bodies, (b) water users (e.g. industry, agriculture, fishing, water services), (c) NGO's and additionally representatives of the scientific community (institutes, universities).

Identification of stakeholders was achieved through localising their potential interest, involvement in the water management plans and by their impact on water management. In the first planning cycle the specific target groups were analysed in the table illustrating the degree and nature of the impacts of implementing water management plans on specific target groups. Also vice versa, the impact of group on the achievement of environmental objectives (good water status) was considered.

Traditional letters and electronic forms were the main form of communication. In the case of representatives participating in the active engagement (as the Council of Regional Water Management of the Warta River and the Standing Committee on Public Participation), also telephone contact was used and regular meetings of these bodies were held.

The consultations on **the local spatial plans** are open to all residents and stakeholders. However, due to the relatively narrow territorial scope of plans, the participants are usually residents of the area or its closest neighbours. In specific cases, where plan appears particularly important (e.g. significant green areas) receiving media coverage, also the representatives of non-governmental organizations are present. Usually however, the most important actors are the district councillors. They take part in meetings and are active in advertising the meetings and encouraging inhabitants to participate. Consultation meetings are advertised – via media, posters, web pages, personal contacts etc.

What kind of document is at stake?

The type and form of an issue (and the document) as well as spatial and time scope may have influence on the form of participation. A large scale, long term issue may involve a longer procedure and engagement of specialized stakeholders, while local and direct impact issues may engage lay public. Also, the latter could involve a quicker procedure, while the former would be rather based on several iterations instead of a short (one-shot) procedure. The analysed cases differ in this respect. The water management plan is of strategic nature for the regional water management and it has generated the interest of specialists in water management, institutions and industries. The local spatial plans are instead particularly important for individual inhabitants.

The water management plans regulate the aims and methods of achieving a good water status (concerning quality and quantity). They have time range of six years, which are the cycles of 2003–2009; 2009–2015; 2015–2021; 2021–2027. The process of at least 6 month consultations is repeated in each cycle, and starts one year before the end of the plan. Consultations in the framework of the second cycle (2009–2015) were carried out in the period from November 25th 2014 to June 22nd 2015. An important task was to maintain contact with the participants between the rounds of consultations.

Before the start of required consultations of the water management plans two additional, six-month long consultations are carried out in each planning cycle concerning "Schedule and program of work associated with preparing the plan

with the actions to be implemented through consultations" and "Review of significant water management issues for the river basin." The first document is only a tabular summary of actions intended to be undertaken together with the indication of their timeframe. The second document is the summary and description of problems that may hinder the achievement of the good water status.

The local spatial plans in Poznań are the documents subject to consultations. A local development (zoning) plan specifies land use and other conditions in a certain area. Areas covered by plans vary in area size from some hectares to hundreds of hectares. A plan needs to be designed in accordance with a more general one, the Study of conditions and directions of spatial management, adopted by the Poznań City Council.

There are two stages of the consultation process. At the first stage a plan is only outlined for an area where the plan will be developed. Conditions are indicated for this area resulting from the Study of conditions and directions of spatial management (a plan must be consistent with the study). During the second stage a draft plan is presented. The adoption of the whole document takes from one to three years. Therefore, it follows that the second stage meeting takes place after a period of more than one year from the first meeting. Citizens cannot be sure, which of their comments from the first stage meeting were taken into account, and which were not. At the second stage meeting, a plan enters into a formal procedure with submission of written comments. The list of comments is presented and each comment is reviewed (accepted or not) by the president.

Comparison of the cases

The two analysed cases share several characteristics but differ in other respects. The main similarities concern the organization and duration of process (rows 4 and 5 in Table 2). Thus, the two public participation processes differ in terms of

Table 2. Comparison of the main features of the analysed public participation processes, concerning the water management plans of the Warta River Region and the local spatial plans in Poznań

No.	Characteristics of public participation process	The water management plans	The local spatial plans in Poznań
1	Object of participation	Issue of regional scale, One-dimensional	Issue of local scale Multi-dimensional
2	Legal basis of participation	The EU directive, The national law, the operational document of the National Water Management Authority	The resolution of the city council The national law (act)
3	Is public participation mandated by law?	Yes, but a form is not determined	No, but it is stated as optional
4	How is public participation process organized?	A unit of the administration (of the Regional Water Management Authority) is responsible for	Units of the City administration are responsible for

5	The temporal scale	A process lasts app. 2 years It is repeated in six years	A process lasts 1–2 years A plan is modified when necessary, which can be in time horizon of decades
6	Actors	Mostly governmental and professional bodies (water users), NGOs and the public involvement – limited	Local leaders, individual citizens, local business, occasionally – NGOs

Source: own work, based on data from the Regional Water Management Authority in Poznań and the Poznań City Hall.

the object of participation, legal basis, mandatory character of the process, and actors engaged. Nonetheless, in both cases consultations are used as the default mode of participation processes.

Conclusion

Despite many innovations in including citizens in public decision making through participation (such as participatory budgeting, citizen juries, deliberative polls etc.), engaging different stakeholder groups in the decision-making processes concerning planning issues (local spatial plans, water management plans, plans of protection tasks in the areas of Natura 2000 etc.) largely relies on organizing open discussion meetings. In this article we have analysed the characteristics of meetings and organizational procedures used within public consultation on local spatial plans by the Poznań City Council and within the preparation of water management plans by the Regional Water Management Authority.

The aim of the analysis was to explain the reasons for implementation of the modest forms of public participation. Both analysed cases are similar in this respect. However, despite this similarity they are different in terms of characteristics of the issues, the legal frameworks, and interested actors. Thus, the organizational frameworks are similar (both processes are top-down, organized by administration) and they apply the similar mode (the consultation level win the participation ladder – regardless of certain differences used in participation techniques). Notably, the participation process regarding the water management plans in Poland is more developed than in many other European countries (Jager et al. 2016). Recognizing the important role of the public participation process in the implementation of the WFD, the President of the National Water Management Authority in cooperation with the regional water management prepared the program of public participation and broadened the objectives of process. As a result, also tools of active consultations were used, such as organizing regional water forums or incorporating active involvement in the form of focus groups, meetings of advisory bodies. Nevertheless, the process relies mostly on the consultation tools.

What are the reasons for the consultations dominance? Firstly, it can be argued that this is the “optimal” mode of public participation taking into account legal, administrative and procedural conditions. The public participation involves

certain willingness and skills of both the participating public and the administration. It stems not only from regulations but also from informal knowledge and experience. These need time to be developed. In Poland the history of public participation is relatively short. Thus, it is of no surprise that, first of all, consultations are the most widely used approach to public participation in Poland (Olech 2012), with the very narrow use of higher level participative approaches (such as symmetric participation and delegation of tasks). Secondly, looking to the legal acts on local government and other regulations we find there is almost nothing about participation but mostly direct references to consultation. Yet, consultations are understood more broadly than it is within the ladder of participation. Thus the very type of discourse can be influenced by the model of participation. Thirdly, there is a tension in public participation between resources available and actually invested by an organizing body and by stakeholders and the significance of an issue. The temporal scale is particularly important, taking into account depreciation of value. In both analysed cases the issues at stake are complex and of relatively long time horizon. The actual effects of plans may appear in the future and it would be difficult to determine exactly when. The documents are inevitably technical and not easy to comprehend (particularly in the case of the water management plans).

To sum up, in both cases an attempt to raise participation to a higher level of the participation ladder would be risky and easily lead to a failure. Strengthening participation seems possible but requires a gradual learning by both the administration and the public.

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Dlaczego konsultacje? Partycypacja społeczna w gospodarce zasobami wodnymi oraz w miejscowym planowaniu przestrzennym na dwóch polskich przykładach

Streszczenie: Pomimo wielu nowinek w zakresie partycypacji: budżet obywatelski, sąd obywatelski, sondaż deliberatywny itd., angażowanie różnych grup interesariuszy w procesy decyzyjne dotyczące

szczegółowych kwestii planistycznych (miejscowe plany zagospodarowania przestrzennego, plany zarządzania wodami, plany zadań ochronnych w obszarach Natura 2000 itd.) często oparte jest na organizacji otwartych spotkań dyskusyjnych. W artykule zanalizowane zostały konsultacje społeczne dotyczące uchwalania miejscowych planów zagospodarowania przestrzennego prowadzone przez Urząd Miasta Poznania oraz dotyczące opracowania planów zarządzania wodami prowadzone przez Regionalny Zarząd Gospodarki Wodnej w Poznaniu. Porównawcza analiza posłużyła do wyłonienia podobieństw oraz różnic pomiędzy procesami pod kątem: uwarunkowań prawnych, organizacji spotkań, długości trwania i skali procesu oraz zaangażowanych aktorów.

Słowa kluczowe: partycypacja, konsultacje społeczne, uczestnicy, plany zarządzania wodami, miejscowe plany zagospodarowania przestrzennego.