

## Paper for the Seaports in Transition-conference March 2014

**Dirk M. Koppenol, 'How to settle conflicts during port development. The case of the port of Rotterdam (1973-2008)'**                      **Version: 13-02-2014**

### ***Abstract:***

*In the 2000s, the largest ports in the Hamburg - Le-Havre range encountered public resistance from nature preservation and environmental pressure groups during port expansion, resulting in conflicts and, moreover, delays. Eventually, in the case of Rotterdam the conflicts were settled, resulting in the broad acceptance of the port expansion and even support of the pressure groups. The main question is why. Using the discourse coalition approach it is shown, that there were three preconditions for the rise of support. Firstly, only through covenants and specific (compensation) projects local stakeholders could be persuaded to support port development. Secondly, politicians and civil servants had to accept the fact that the role of the pressure groups had changed. For example, most of the delays were caused by the resistance of politicians against the new role of the pressure groups. Thirdly, in general this case shows that only through conflicts with stakeholder such as pressure groups and local citizens, innovative new strategies can be applied. Only then politicians and civil servants are willing to change their stance towards them. In other words, a comforting thought is that actually the conflict is the key to a structural solution.*

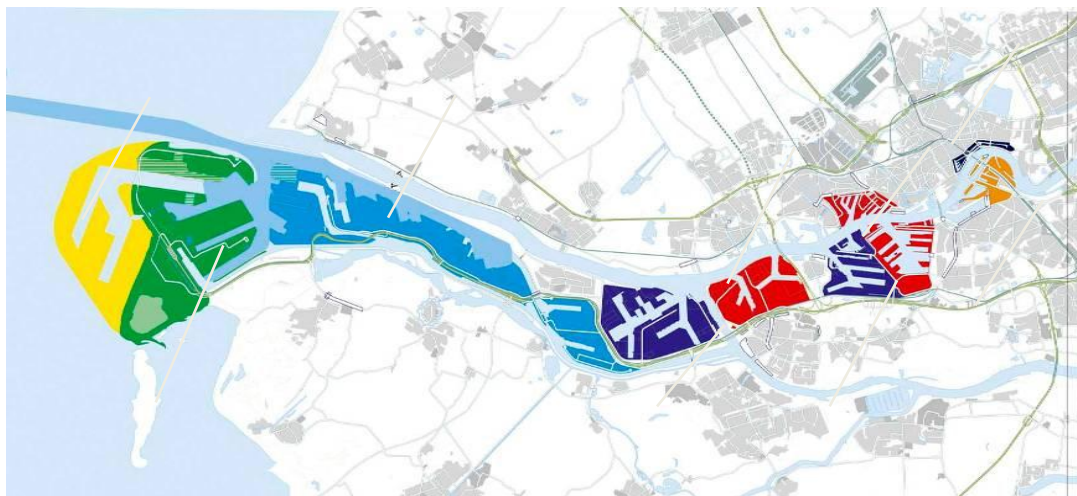
### **Introduction**

In the 2000s, the largest ports in the Hamburg - Le-Havre range proposed port expansions to profit from the growing flow of containers from Asia. Antwerp constructed the Deurganckdok, Hamburg Altenwerter and Rotterdam Maasvlakte II. In contrast to earlier expansions, all ports faced fierce resistance from public pressure groups. As a result of this resistance the construction in Antwerp took ten years, which was five years longer than expected by the government. Moreover, still no structural solution was found for the hindrance of port development. In Rotterdam the decision-making process on national level took eleven years, as a result of more than four years of delay. During this period conflicts were fierce; not only, as Maasvlakte II had considerable impact on nature, but also because pressure groups demanded

more influence than during earlier decision-making processes. Eventually in the case of Rotterdam the pressure groups did not only accept the port expansion, but also began to support it. Thus, a basis was formed for further cooperation. However, how did this consensus come about? As a result the main question of this paper is: Why was there so much conflict during and why was there so much support at the end of the decision-making process of Maasvlakte II (1993-2008)?

Maasvlakte II is a 2000 hectares (3000 football fields) port expansion on the Dutch coast (Figure 1). In 1991, as Rotterdam lacked space for port expansion on land, the Municipal Port Management of Rotterdam (hereinafter: the Port Management) proposed to the municipality of Rotterdam a land reclamation project of more than two billion euro (2004: 2,3 billion euro). Until 2004, the Port Management was a department of the municipality of Rotterdam, which implicated that major decisions were made in de city council of Rotterdam. Therefore, in this paper the term municipality of Rotterdam also applies to the Port Management.

**Figure 1: Maasvlakte II (in yellow)**



Source: Port of Rotterdam (2013)

During the decision-making process different nature preservation and environmental pressure groups (hereinafter: the pressure groups) opposed the construction of

Maasvlakte II. Based on Charles Tilly's much cited definition of social movements, Wim van Noord created a definition of the environmental pressure groups: 'a composition of actors and activities aimed against harm to nature and the landscape, the depletion of energy sources and raw materials and air, water and ground pollution.'<sup>1</sup> In this case the focus is specifically on organisations which tried to save nature and the landscape from harm (nature preservation organisations) and those which fight air, water and ground pollution (environmental organisations). The nature preservation organisations were stakeholders as they managed the nature reserves around the port mouth and the city of Rotterdam. Moreover, the environmental pressure groups were involved as they were concerned about the direct and indirect effect of economic activities on Maasvlakte II on the liveability, including an increase of traffic.

In order to answer the main question, in part 2 a historical overview is given of the resistance against Rotterdam port development. Subsequently in part 3 and 4 the most important conflicts between the governments and the pressure groups are put forward, showing their character and how they were settled. However, firstly the *discourse coalitions* approach is elucidated, as it is used in this paper to explain the changing stance of the pressure groups during the decision-making process of Maasvlakte II.

### **Part 1: the approach**

In order to clarify why the stance of the pressure groups changed from resistance to acceptance, and later on to the support of Maasvlakte II, the *discourse coalitions* approach is used. This term was introduced in the influential book of Maarten Hajer *the politics of environmental discourse*, as an addition to earlier approaches towards policy-making, such as the more traditional *advocacy coalitions* approach.<sup>2</sup> The most important addition of Hajer is that his approach does not only focus on groups of organisations with shared 'normative and causal beliefs' (advocacy coalitions), but

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<sup>1</sup> Charles Tilly and Lesley Wood, *Social Movements, 1768-2012* (Boulder 2013, 3rd edition) 4-5. W. v. Noord, *Bevlogen bewegingen; een vergelijking van de anti-kernenergie-, kraak-en milieubeweging* (Nijmegen 1988) 19. (original quote: 'een samenstel van vele actoren en een verscheidenheid aan publieke activiteiten dat gericht is tegen de aantasting van natuur en landschap de uitputting van energiebronnen en grondstoffen en de verontreiniging van lucht, water en bodem')

<sup>2</sup> Maarten A. Hajer, *The politics of environmental discourse: Ecological modernization and the policy process* (Oxford 1997).

on groups of organisations with shared terms and concepts (discourse coalitions).<sup>3</sup> In short, to illustrate this with the case of Maasvlakte II, his approach does not only focus on the supporter and opponents of Maasvlakte II, but on groups that share a common understanding of port development. In order to come to structural cooperation, pressure groups have to be part of the same *discourse coalition* as the governments.

Using among others Hajers *discourse coalition* approach, Anton van der Heijden explored the world-wide transition of environmental pressure groups from resistance towards more cooperation with the government. Van der Heijden agreed with Hajers suggestion that a new *discourse coalition* arose during the 1980s and 1990s. The story of this coalition was that economic growth and the improvement of liveability were equally important. In practice, the government began to create integral development plans for regions, which linked economic stimulating projects to the creation of new nature reserves. In contrast to earlier discourse coalitions, not only the government and the private sector approved with this new storyline, but also pressure groups. In other words, whereas before pressure groups disapproved of the dominant story - stimulate the economy - and used their influence to delay or minimize the harm to nature and the environment of the project; now they agreed with the policy, giving them the opportunity to constructively participate in decision-making process. As a result, conflicts were no longer about the story, but about the procedure. This is an important explanatory factor in this paper.

## **Part 2: The rise of resistance (1960-mid-1970s)**

In order to put the conflicts during the decision-making process of Maasvlakte II (1993-2008) in perspective, first a historical overview is given of the first resistance against Rotterdam port development. After the Second World War the port of Rotterdam was seen as the generator of new jobs and, subsequently, prosperity. Within twenty years, under leadership of among others the mayor of Rotterdam and the port director, the port grew fast, resulting in the establishment of a large industrial cluster of oil-companies. Among the public as well as the politicians there was support for the desire of the mayor and port director to expand the port. Mainly, because the Dutch citizens had recently witnesses the high unemployment of the

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<sup>3</sup> Ibidem, 68

1930s and underwent the destructions of the Second World War. As a result they united behind the policy of the government – the rebuilding-mentality.<sup>4</sup> According to A. Lijphart this resulted in passive masses, who accepted the cooperation between the public and private sector and the decisions that were made.<sup>5</sup> In 1982, former-director of the Port Management, Frans Posthuma answered, in an interview in a Dutch newspaper, to the question if there was never any critique on the 1950s port expansions: ‘You know, we lived in a time of rebuilding and the horrors of the unemployment in the 1930s were still very much alive.’<sup>6</sup> All in all, the politicians and the public accepted that the port had to expand in order to create more employment.

In the 1970s, the attitude towards the port changed radically from positive to negative. October 1970 and September 1971, the municipality of Vlaardingen, located next to the port, was confronted with thick smog.<sup>7</sup> Although already in the 1960s smog was measured, never before was it so intense. For instance, in 1970 because of the pollution some schools even had to send their students home. Both periods of smog only lasted for two days; however, as can be seen in Figure 2 this resulted in an enormous increase in complaints in the region around the port. Simultaneously, the smog made the inhabitants also more aware of noise and water pollution. The resistance of the local population fuelled the efforts of pressure group. Moreover, it received more political attention.<sup>8</sup>

**Figure 2: Complaints of citizens in the Rhine Estuary Region about environmental pollution between 1968 and 1974**

Year	1968	1969	1970	1971	1972	1973	1974
Complaints	2432	7706	17653	27726	15163	19432	13218

<sup>4</sup> C. J. Boender, *Milieuprotest in Rijnmond: sociologische analyse van milieusolidariteit onder elites en publiek* (Rotterdam 1985) 66.

<sup>5</sup> A. Lijphart, *Verzuiling, pacificatie en kentering in de Nederlandse politiek* (Amsterdam 1988) 11.

<sup>6</sup> Het Vrije Volk 1982, June 11th. C. J. Boender, *Milieuprotest in Rijnmond: sociologische analyse van milieusolidariteit onder elites en publiek*, 66. Original quote: “Ach, we leefden in een tijd van wederopbouw. Het schikbeeld van de werkloosheid uit de jaren dertig zat er nog diep in bij de mensen.”

<sup>7</sup> K. Biersteker, 'Air pollution incident in Rotterdam, 1971', *Environmental research*, 10 (1975) 349 and 350.; J. U. Brolsma, *Havens, kranen, dokken en veren* (Rotterdam 2006) 268.

<sup>8</sup> See for an extensive description: F. De Goey, *Ruimte voor industrie. Rotterdam en de vestiging van industrie in de haven 1945-1975*. (Delft 1990) 245.

<b>Index (1968=100)</b>	100	317	726	1140	623	799	544
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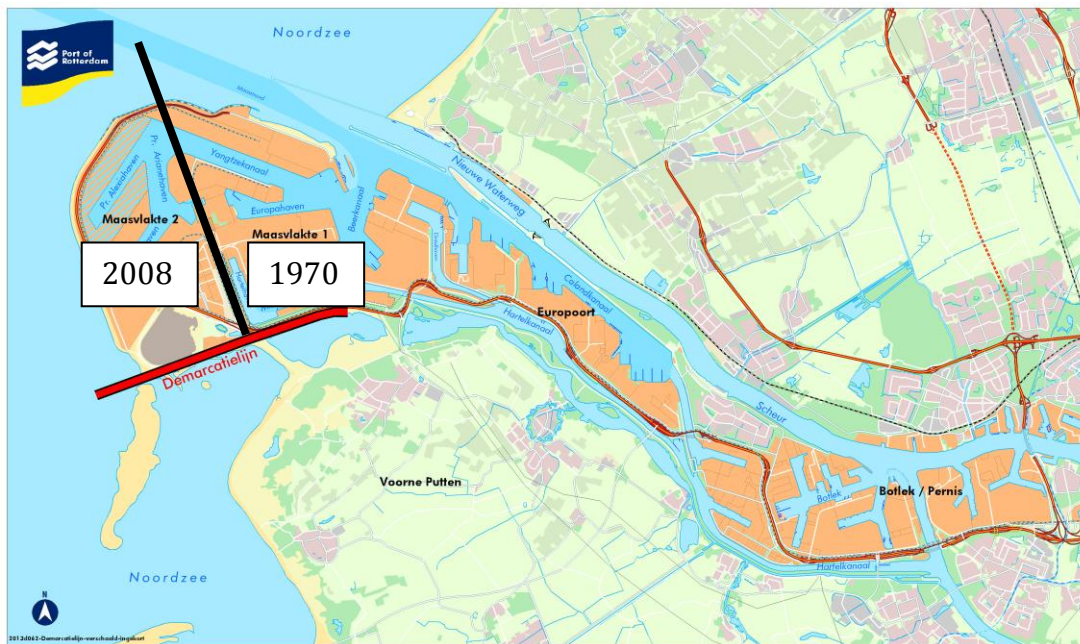
Source: Kees Boenders, *Milieuprotest in Rijnmond* (1985), 139.

Policy was, not only, developed to decrease the environmental pollution, but also to reduce the damage to nature. Early 1960s, initiated by local pressure groups on provincial level, the construction of a demarcation line was discussed, an imaginary line drawn on a map in order to prevent a port expansion towards the south, where the dunes of Voorne, a unique nature reserve, was located (Figure 3). The concern about the future of the dunes was caused by the previous partial destruction of nature reserve *De Beer*, during the construction of the port expansion Europoort and would completely disappear with the construction of Maasvlakte I. The line was drawn in reaction to the local fear for new aggressive port expansions. The demarcation line separated on the one side an area for the establishment of industry and other port activities (north) and on the other side an area for recreation and nature (south). July 21th 1964, the national government officially agreed with the identified demarcation line.<sup>9</sup> Consequently, Maasvlakte II would have to be constructed directly into the North Sea, making this expansion two times more expensive than the creation of Maasvlakte I. In other words, already mid-1960s the pressure groups were able to directly influence the policy towards the port.

**Figure 3: The 1964 demarcationline (line in red)**

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<sup>9</sup> A. Steekelenburg, 'Het geheugen van de milieubeweging', *Milieu-Actief*, 27 (2002) 18-19.; J: F. De Goey, *Ruimte voor industrie. Rotterdam en de vestiging van industrie in de haven 1945-1975*. (Delft 1990) 212.



Source: Port of Rotterdam (2013).

The protest against pollution and harm to nature resulted, finally, in the end of port expansion. Although in the 1970s, the port director and mayor Rotterdam tried a last time to find support for port expansion, port development came to a halt. Moreover, until the mid-1990s due to the oil crises (1973 and 1979) the plots of the last expansion would stay largely empty. Until the mid-1990s, therefore, the need for further expansions became unnecessary, making direct confrontations between the port and the pressure groups rare.

All in all, the port expansion was based on the story of creating employment and becoming more independent of Germany. This story was uttered by a few influential men in Rotterdam and was supported by the public. However, within a short timeframe the port expansion came to a halt, as a new dominant *discourse coalition* arose. The pressure groups questioned the need for port expansion, as a result of the increasing pollution and demanded new legislation. This new legislation was created fast as the pressure groups were strongly publicly supported. As both the pressure groups and the supporter of port expansion had fundamentally different stories – economic growth for employment versus limits to growth and improvement of the liveability – conflicts led to division. As is shown in the next part, this differed considerably from the conflict during the 1990s, during which both parties supported the same story, but were only in conflict about the procedure. As a result, conflict did not lead to division, but to cooperation.

### **Part 3: from confrontation to acceptance (1990s-2005)**

Between the last port expansion in 1969-1973 (Maasvlakte I) and the start of the decision-making process of the new port expansion in 1993 (Maasvlakte II), the relation between the government and pressure groups changed considerably. During the 1970s the government and the pressure groups had a hostile relation, as the policy of the government was opposed through protest and activism.<sup>10</sup> A decade later the government began to acknowledge the expertise of the pressure groups and small steps were taken towards cooperation. Firstly, during the early-1980s, pressure groups were pushed to alter their approach towards the government as a result of socio-economic changes. Employment increased fast and the awareness arose that the Netherlands was lagging behind in technical innovation.<sup>11</sup> Secondly, pressure groups were also prepared to change their approach as it became clear that protest did not result in the desired improvements to projects or governmental policy. Consequently, the groups were more prepared to cooperate.<sup>12</sup> Thirdly, late 1980s increasingly more former members of the pressure groups began to work for the ministry of Spatial Planning and the Environment – *ministerie van Volksgezondheid, Ruimtelijke Ordening en Milieu (VROM)*, resulting in a more cooperative attitude of the ministry towards the pressure groups.<sup>13</sup> The improved ties between this ministry and the pressure groups did not result in a direct increase of support for cooperation in the other ministries. However, during the 1990s, this slowly changed. Fourthly, between the 1980s and the 1990s the membership of the pressure groups grew rapidly. The total membership of the four largest national pressure groups increased from 412,000 members in 1980 to 2,036,000 in 1995.<sup>14</sup> In other words, the number of members increased by five. This required more professional organisations, as the members had to be informed and the financial means were available.<sup>15</sup> Moreover, as the organisations became financially more dependent on their members, these organisations became less radical and more practical.

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<sup>10</sup> J. Cramer, *De groene golf: geschiedenis en toekomst van de Nederlandse milieubeweging» toon extra info.* (Utrecht 1989) 122.

<sup>11</sup> *Ibidem*, 89

<sup>12</sup> *Ibidem*, 99-100

<sup>13</sup> *Ibidem*, 122

<sup>14</sup> Hein-Anton v. d. Heijden, *Tussen aanpassing en verzet. Milieubeweging en milieudiscours* (Amsterdam 2000) 117.

<sup>15</sup> *Ibidem*, 66-67



In 1991, within this context, the Port Management created its influential and visionary Port Plan 2010, quantitatively based on the 1990 Goods Flow Model 6.<sup>16</sup> Two different kinds of projects were identified to increase the competitiveness of the port. Firstly, more than nine projects for the improvement of the accessibility of the port were put forward. Secondly, six projects for the future development of the port were outlined, of which *Maasvlakte II* was the most daring and costly. In 1993, an inquiry into *Maasvlakte II* was accepted by the municipality of Rotterdam and the national government by adding it to the regional program of the national government. In this regional program, investments for economic development were linked to the improvement of the liveability. *Maasvlakte II* was for example linked to the creation of 750 hectare of new nature reserve.

No pressure groups were involved in the creation of neither the Port Plan 2010 nor the regional program; however, letters were written in reaction to both the plan and the program, showing the support of the pressure groups of the integral planning and the willingness of the pressure groups to cooperate. For example, an alternative to the Port Plan 2010 was published by the umbrella group Foundation Nature and the Environment - *Stichting Natuur en Milieu* - and its regional counterpart Environmental Defence Zuid-Holland - *Zuid-Hollandse Milieufederatie*.<sup>17</sup> The umbrella group was a lobby organisation having strong and useful contacts with the national government. The influence of this lobby organisation was considerable as it represented 1.3 million people (2000).<sup>18</sup> The alternative plan for the Port Plan 2010 consisted of 25 ideas to strengthen the regional economy.<sup>19</sup> Not only, critique was presented of *Maasvlakte II* in relation to the damage to nature, but also specific questions were raised about its benefits to the Dutch economy. In other words, the pressure groups showed broad expertise. Their ideas, however, were only partly incorporated in both the Port Plan 2010 and the regional program and the representatives of the pressure groups were left out of the formal meetings. This had different reason: firstly, it was already a major achievement to design a intra-

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<sup>16</sup> Goederenstromenmodel 6, Unknown, 'Goederenstroommodel 6 volop in de publiciteit', *Van Poort tot Europoort* 6/31 (1990) the 400 million tonnes of transshipment in 2010, was one of 4 scenarios for the future. The less positive scenarios estimated subsequently 353, 299 and 270 million tonnes in 2010.

<sup>17</sup> E. Dil, R. Adams, A. Doe, R. Kouprie and D. Weijsters, *Plan van aanpak en beleidsconvenant: ROM-project Rijnmond, Stuurgroep ROM-Rijnmond, Rotterdam, (1993)* 11. (*Zuid-Hollandse Milieufederatie* and *Stichting Natuur en Milieu*)

<sup>18</sup> Hein-Anton v. d. Heijden, *Tussen aanpassing en verzet. Milieubeweging en milieudiscours*, 79

<sup>19</sup> E. Dil, *Plan van aanpak en beleidsconvenant: ROM-project Rijnmond*, 11

governmental program.<sup>20</sup> In others words, at that time, including the pressure groups was one step to far. Secondly, fear still existed that the pressure groups would use the inside information during the meetings, against the government through, for example, juridical means.

Mid-1990s, the stance towards the pressure groups changed due to fierce resistance against one of the megaproject: the Betuweroute. This dedicated rail freight train corridor towards the German border was implemented top-down, resulting in long delays due to public opposition.<sup>21</sup> In 1994, in reaction to this problem the Advising Council to the Cabinet - *Wetenschappelijke Raad voor Regeringsbeleid (WRR)* - began an inquiry into the decision-making process of megaprojects.<sup>22</sup> Its conclusions would result in the change of the decision-making processes of Dutch megaprojects, adding a national discussion during the first phase. The idea was that when the public input in the decision-making process of Maasvlakte II would increase, the delays in later phases of the project would decrease.

Also the pressure groups learned from decision-making processes such as the Betuweroute. It had shown them that by using juridical procedures at the end of the official decision-making process, a project could only be delayed or partly changed. The new idea was to participate from the very start, whereby projects concerning sustainability and environmental protection could be incorporated in the project.<sup>23</sup> In 1995, Arno Steekelenburg, employee of the provincial environmental pressure group based in Rotterdam, Environmental Defence Zuid-Holland, established 'ConSept'. This was a cooperation of seven nature and environmental pressure groups in the province of Zuid-Holland. Its goal was showing the willingness to improve the relation with the governments and the private sector regarding the decision-making process of Maasvlakte II.<sup>24</sup> More specifically, share their expertise and on the other hand influence the decision-making process. For instance, the nature preservation pressure groups were concerned about the harm to nature and concurrently and, simultaneously, they wanted to have a say in the location of the 750 hectare of new nature reserve that was linked to Maasvlakte II.

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<sup>20</sup> Interview Gerbrand Naeff, employee ministry of Transport and Spatial Planning (March 19th 2012).

<sup>21</sup> P. Pestman, *In het spoor van de Betuweroute. Mobilisatie, besluitvorming en institutionalisering rond een groot infrastructureel project.* (Amsterdam 2001) 9-10.

<sup>22</sup> Wetenschappelijke Raad voor het Regeringsbeleid, *Besluiten over grote projecten*, (1994) .

<sup>23</sup> Interview: Ellen Verkoelen, director of Milieufederatie Zuid-Holland (March 18th, 2013).

<sup>24</sup> 'Con'(Spanish for 'with') and 'Sept' (French for 'seven').

Despite the cooperative attitude of the pressure groups, five months after the start of the national discussion all pressure groups refused further participation. The reason was the attitude of the municipality of Rotterdam and the cabinet towards Maasvlakte II. The Port Management simply refused to participate, which was in concordance with the opinion of the city council to focus on the lobby for Maasvlakte II.<sup>25</sup> The Port Management was already discussing the best variant of Maasvlakte II, whereas in the national discussion the necessity of a port expansion was still discussed.<sup>26</sup> Although eventually Rotterdam was persuaded to join the national discussion, their three years research into the Maasvlakte II project before the national discussion could not be undone. As a result, the pressure groups felt as if the discussion was already based on the premise that Maasvlakte II would be build.<sup>27</sup> Moreover, the ministries did not show direct interest in the national discussion, as it was seen as a public rather than a governmental discussion. However, as parliament wanted to come to terms with the pressure groups, they proposed to discuss the usefulness and necessity of Maasvlakte II again, but this time on a national level.

July 1997, directly after the national discussion the Project Mainport Rotterdam (PMR) organisation was established by the ministry of Transport to make an agreement on national level possible. Out of a long-list, eight organisations were selected. Criteria to cooperate were: administrative influence, extensive expertise and interest in a dialog with other stakeholders with different interests. Of these eight groups three were nature and environmental pressure groups. The first one was a major manager of nature in the region of the port – *Vereniging Natuurmonumenten*. This organisation was, in terms of members, the largest organisation in the Netherlands and had thus administrative influence and expertise. The second organisation was the umbrella organisation Foundation Nature and the Environment. The third organisation was ConSept, in which seven local and national cooperated. In other words, the 1997 conflict resulted in more influence of the pressure groups on the decision-making process, as they were incorporated in the formal meetings. For over a half a year a basis was laid for cooperation, however, this input from the pressure groups was depended on the willingness of the minister of Transport to listen.

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<sup>25</sup> Archive: Gemeente Archief Rotterdam, GA 589.01a 7854.

<sup>26</sup> Municipal Archive Rotterdam, GA 589.01a 7854. Four phases: (1) project planning, (2) choosing a variant, (3) permits and (4) construction.

<sup>27</sup> Unknown, *De Volkskrant*, October 2th 1996 (Milieuorganisaties stappen boos uit overleg Tweede Maasvlakte) and J. Van der Schot, "Tweede Maasvlakte. Zorgvuldiger besluit of massagetechniek?", *Natuur en Milieu*, 20 (1996) 13.

October 1998, the new minister of Transport showed her disapproval of the cooperation with the different pressure groups. According to her, first the cabinet was to define its wishes and then negotiate.<sup>28</sup> Consequently, almost no input of the pressure groups was accepted. This resulted in nine months of discussion in the media about the role of pressure groups in the decision-making process.<sup>29</sup> As the chairman of one of the pressure groups said: ‘the civil servants understood the need for cooperation, but the minister [was] unaware of this new development.’<sup>30</sup>

On a local level this discussion was closely watched, as the municipality, owning the port, desired a fast decision-making. During 1999, the municipality of Rotterdam changed its stance towards the pressure groups in order to settle the conflict on national level.<sup>31</sup> May 2000, after almost a year of secret meetings between the different parties, an agreement was reached, called: Vision and Courage (*Visie en Durf*). This was a visionary agreement, as decisions were made about the qualitative improvement of the region on the long term, and courageous as both parties were prepared to cooperate. The covenant was signed by the municipality of Rotterdam, ConSept and the two major managers of the nature areas in the port region. In the document, not only, an agreement was reached about the size of Maasvlakte II, the location of the new 750 hectares of nature reserve, but also compensation measures. After the covenant was signed the spokesman of ConSept said: ‘it took long, a three to four years fight, to come to a serious dialog’.<sup>32</sup> ‘However, with this plan we give a signal to the national government (..) moreover, we trust the municipality of Rotterdam.’<sup>33</sup> The Port Management reacted that ‘this was a successful effort to put our point of view next to each other’.<sup>34</sup> From their reaction it can be concluded that this approach was radically new for both parties. Simultaneously both parties were delighted by the eventual outcome. The agreement *Vision and Courage* was used on a national level to come to a final agreement about Maasvlakte II.

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<sup>28</sup> PMR, *Logboek* (February 2002, Den Haag), 32.

<sup>29</sup> Unknown, ‘Milieubeweging stopt overleg Maasvlakte 2’, *Financieel Dagblad* (November 12th, 1998).

<sup>30</sup> Interview: Ellen Verkoelen, director of Milieufederatie Zuid-Holland (March 18th, 2013).

<sup>31</sup> Gemeente Rotterdam, Havenbedrijf Rotterdam, natuurorganisaties, *Visie en durf*, (2000) 2.

<sup>32</sup> T. Van der Veeken, ‘Havenbedrijf en milieubeweging. In het Rotterdamse ...’, *Milieu-Actief*, 27 (2002) 11. Original quote: ‘De slag om serieus in gesprek met elkaar te komen, duurde lang, 3-4 jaar.’

<sup>33</sup> Unknown, ‘Akkoord tweede maasvlakte’, *Trouw* June 6<sup>th</sup> 2000. Original quote: ‘(...) maar met dit plan willen we een signal afgeven aan politiek Den Haag (...). Bovendien hebben we vertrouwen in de gemeente Rotterdam.’

<sup>34</sup> *Ibidem*, 10. Original quote: Willem Scholten: ‘Visie en Durf is een geslaagde poging geweest om standpunten hard en onomwonden neer te leggen’.

Early 2000, based on the Vision and Courage agreement, also on national level the parties came to an agreement. The content of the agreement was even more important, as the influence of the pressure groups had increased. In reaction to the conflict with the minister a new procedural structure was created by a negotiator. In contrast to the earlier procedure, the minister had no other choice than to react on the advice of the pressure groups. Under pressure of the pressure groups and parliament, she accepted this new procedure. May 2001, with the input of Vision and Courage an agreement was reached between all pressure groups.<sup>35</sup> April 2002, the project was finally accepted in parliament. Moreover, between 2002 and 2005 the national law on spatial planning, needed to create Maasvlakte II, was approved of in parliament and the senate.

The *discourse coalition approach* shows, firstly, that in contrast to the 1970s conflict, the frictions were now caused by the procedure rather than the content. Both the pressure groups and government underlined the need for integral planning, but disagreed on the influence of the pressure groups. As a result, after the municipality as well as the cabinet accepted more influence fast steps were made towards agreements about the content. Secondly, as the conflict was about the procedure rather than the content, these conflicts were a precondition to cooperation and the acceptance of Maasvlakte II. For example, only because of the delays caused by the conflict between the ministers, the municipality was urged to approach the pressure groups differently to find a solution.

#### **Part 4: From acceptance to support (2005-2008)**

After the acceptance of the law on spatial planning, the opportunity was given to the public to make appeals. January 2005, against all expectations several of the 13 appeals were declared founded. According to the Council of State, among others more research into the expected damage to nature along the Dutch Coast was needed. Moreover, in the statement of the Council of State it was underlined that questions could be posed about the possible pollution generated by the activities on Maasvlakte II. A few remarks can be made about this judgement of the Council of State. Two pressure groups which appealed were not involved in the meetings with the government. In other words, as the groups were excluded they began a juridical

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<sup>35</sup> M. Wesselink and R. Paul, *Handboek strategisch omgevingsmanagement* (Deventer 2010) 50-51.

procedure. Furthermore, although one of the appealing parties was too late questioning the validity of the research into the environmental pollution, it activated the radical Environmental Defence – *Milieudefensie* - to start resisting the project Maasvlakte II. In other words, appeals can trigger new appeals. Moreover, four objecting parties were citizens and one a cooperation of citizens. Particularly, also the opinions of individual citizens became important. Between 2005 and 2008 efforts were intensified on local and national level to persuade all parties to not only accept, but also support Maasvlakte II to avoid new appeals.

In 2006, two decisions were made. Firstly, on national level the law on spatial planning needed for Maasvlakte II was ‘repaired’ and not created from scratch after the appeals. Therefore, the law only had to be accepted by parliament and the senate and did not have to pass the judgement of the Council of State. Secondly, the binding character of the law for the development plans on local level was changed. As a result, on local level an agreement had to be reached about the specific location of Maasvlakte II and the compensation measures. The goal of changing the binding character was to make the law less complex and easier to implement on local level. Simultaneously, it requested, however, for intensive cooperation between all actors on local level, including the parties who made appeals against the nation law. Especially, as, in 2008, these parties could make appeals against the local development plans.

The management of the port, which was corporatized in 2004 (hereinafter: the Port Authority), requested to become the coordinator of the project on local level, which was granted by the national government.<sup>36</sup> To a certain degree this was a radical change, as normally the parties were in discussion with the ministers, and the burgomaster and alderman port of Rotterdam. The advantage, however, of having the Port Authority of Rotterdam as a direct partner was its ability to make deals and create covenants on behalf of the local and national government; especially as the national and local government owned, respectively, 30 and 70 percent of the shares of the Port Authority.

Only because of the many failures in the past, to come to an understanding and avoid further delays, the Port Authority accepted a radical new strategy towards all stakeholders in the region.<sup>37</sup> It was called Strategic Environment Management –

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<sup>36</sup> Interview Hans smits, former-director of the Port Authority of Rotterdam (November 15<sup>th</sup> 2012).

<sup>37</sup> Interview Marc Wesselink, consultant SOM (September 10<sup>th</sup> 2013).

*Strategisch Omgevingsmanagement (SOM)*.<sup>38</sup> The goal of SOM was to broaden the coalition by searching for all possible stakeholders in the Maasvlakte II project. As a result, more than 170 possible stakeholders were identified and approached, although some of them did not even consider themselves to be a stakeholder.<sup>39</sup> Using this broad search it was possible to find structural solutions for problems in the region and make deals and covenants if needed. An example of a deal made was about the railway bridge near the municipality of Rozenburg, which is located within the port region.<sup>40</sup> This municipality was afraid of more intensive use of the railway bridge due to Maasvlakte II, resulting in noise pollution. If the municipality would withdraw its appeal, the Port Authority offered to help to find a solution to the problem in cooperation with the national government. In other words, to gain the support of the stakeholders specific solutions were found for specific problems.

As on the one hand more pressure groups began to support Maasvlakte II and on the other hand in the media and parliament the negative effects of the resistance of pressure groups against large infrastructural projects was emphasised, also the last opponent, Environmental Defence - *Milieudefensie* - was persuaded to withdraw its appeal. As a result, 2008 the start of the construction of Maasvlakte II could begin. No structural agreement was, however, reached with this radical pressure group. In other words, some pressure groups still preferred juridical means to cooperation.

A large group of pressure groups, however, chose for more structural cooperation. May 2008, based partly on the Vision and Courage agreement, the Vision and Trust agreement was signed (*Visie en Vertrouwen*). The goal of this agreement was to overcome the constant distrust between all parties, caused by political changes and new directors. Consequently, the Vision and Courage agreement had to be improved. *Visions and Trust* was a 'non-personal' agreement and it underlined, among others, the need to monitor the implementation of the agreement. The monitoring would continue for the coming decades. As a result, structural trust was created and the basis was set for further cooperation during port development.

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<sup>38</sup> M. Wesselink and R. Paul, *Handboek strategisch omgevingsmanagement* (Deventer 2010) 50-51.

<sup>39</sup> Johanna Muis, Stakeholdermanagement bij Maasvlakte 2, March 25th 2013.

[http://www.decommunicatiedesk.nl/artikel/-/marketing\\_artikel/411462/Stakeholdermanagement+bij+Maasvlakte+2](http://www.decommunicatiedesk.nl/artikel/-/marketing_artikel/411462/Stakeholdermanagement+bij+Maasvlakte+2) (09-01-2014).

<sup>40</sup> Johanna Muis, Stakeholdermanagement bij Maasvlakte 2, March 25th 2013

[http://www.decommunicatiedesk.nl/artikel/-/marketing\\_artikel/411462/Stakeholdermanagement+bij+Maasvlakte+2](http://www.decommunicatiedesk.nl/artikel/-/marketing_artikel/411462/Stakeholdermanagement+bij+Maasvlakte+2) (09-01-2014).

Moreover, based on this agreement and the deals with the other stakeholder, 35 projects were accepted in order to improve the liveability in the city of Rotterdam and around the port, including the creation of the 750 hectares of new nature reserve north and south of the city of Rotterdam. Therefore, the Maasvlakte II was more than a generator of employment and added value (hard value), but also the incentive for the creation of nature reserves and the improvement of the liveability (soft value). Already in 2007, a scholar saw the need of ports to focus on soft values management.<sup>41</sup> For example, showing the growth of the transshipment or the size of the largest containerships entering the port did not longer generate enough support.<sup>42</sup> Therefore, soft values, which can be defined as non-socio-economic aspect of a port, had to be shown in order to restore public support for the port and port development.<sup>43</sup>

All in all, as a result of the new approach most stakeholders described the decision-making process of Maasvlakte II as *best practice*.<sup>44</sup> Furthermore, no organisation made an appeal. Moreover, structural cooperation was achieved with the signing of the Vision and Trust agreement in which the monitoring of the 35 projects were accepted. As a result, for the coming decades the most important pressure groups and the Port Authority would meet every half a year in order to deliberate about the development of the projects.

Using the *discourse coalition approach* it can be shown, firstly, that only by creating smaller stories out of the big story (integral planning) it was possible to find structural support for Maasvlakte II. For example, the story about the improvement of the liveability and the creation of nature reserves (soft values). Secondly, however, this approach was only approved of by the Port Authority as a result of the failures to come to an understanding in the past. In other words, the conflicts during the decision-making process were preconditions to come to terms with the other stakeholders.

## **Conclusion**

Late 1990s and mid-2000s the Dutch governments were confronted with resistance form pressure groups against Maasvlakte II, which resulted in considerable delays. As a result, the main question was: why was there so much conflict during and why so

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<sup>41</sup> E. Van Hooydonk, *Soft values of seaports* (Antwerp 2007).

<sup>42</sup> Ibidem, 54-55

<sup>43</sup> The writers interpretation of Ibidem, 57

<sup>44</sup> M. Wesselink, *Handboek strategisch omgevingsmanagement*.



much support at the end of the decision-making process of Maasvlakte II (1993-2008)?

Using the theory on *discourse coalitions* it becomes clear that in contrast to the 1970s the pressure groups and governments shared a common vision: the integral planning of regions. As a result, the pressure groups wanted to be involved in the decision-making process as representatives of liveability and nature. However, whereas during the early 1990s the pressure groups fast recognized the need for cooperation, the governments transformed more slowly. As a result, conflicts were needed to create break-throughs both on local as on national level. After the 2000 break-through was a fact, agreements on the content were made fast, as both parties underlined the need for an integral development of the region.

The 2005 conflict showed, however, that even more parties had to be consulted before coming to a final solution. Again the conflict itself was the incentive for the Port Authority to use a radical new strategy to persuade the 170 stakeholders to withdraw their appeals. As the Port Authority was corporatized it was able to react faster to changes in society and make covenants. Moreover, as increasingly more stakeholders began to support Maasvlakte II, public and political pressure was put on the opponents of Maasvlakte II to withdraw their appeal.

All in all, a few conclusions can be drawn. Firstly, the analysis showed that only through covenants and specific (compensation) projects local stakeholders can be persuaded to support port development. This is in concordance with recent literature on port development, which underlines the need to stress the soft values of the port.

Secondly, in order to accomplish a port development projects the local mentality is of paramount importance. Whereas during the 1950s the local communities were passive, during the 2000s they were pro-active and even prepared to make appeals at the Council of State. Consequently, the coalition had to be broadened to include all stakeholders and the story has to be changed into smaller stories. In other words, it seems as if during the 2000s a new *discourse coalition* is rising. However, more research is needed to show whether such a broad coalition really exists or one should speak of a whole range of smaller discourse coalitions bound by one single project.

Thirdly, in the introduction it was put forwards that all port in the Hamburg - Le-Havre range were confronted with conflicts during the decision-making processes

of port expansion. This case shows that only through conflict, innovative new approaches can be applied. Only then politicians became willing to accept changes to the decision-making process. In other words, the comforting thought is that actually the conflict is the key to a structural solution.

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