

**AN CHOMHAIRLE OIÐHREACHTA  
THE HERITAGE COUNCIL**



**PUBLIC CONSULTATION ON WATER QUALITY:**

Summary report on responses to  
“Seeking your views on Water Quality”

Athlone  
18 October 2003

## Introduction

In 2001, the Heritage Council decided to embark on a consultative process to advise its future policy on water management issues and the WFD. A working group on water quality was established whose membership reflected a wide range of concerns from agriculture, recreation, scientific (freshwater and marine) and environmental. In March 2003, the Heritage Council completed its consultative document "Seeking Your Views On Water Quality" and a total of 1131 copies were posted out to a wide range of groups and individuals identified as having a potential interest in water quality and the implementation of the WFD. The document was also available via the Heritage Council website.

The questions posed in the consultation document were:

1. What water-related issues are of most concern to you?
2. What do you think of the Water Framework Directive's new, and potentially tough, approach to protection and management of our water resources? Why?
3. What risks do you see with the proposed administrative arrangements for the implementation of the Water Framework Directive?
4. How do you think that individuals, organisations and community groups can get involved in the preparation and implementation of the River Basin Management Plans?
5. Who should be involved in the long-term management of the River Basin Districts?
- 6 and 7. Would you be willing to accept an increased personal cost for implementation of the Directive? If not, how should its costs be met?
8. How might implementation of the Directive affect your own activities?
9. What other human activities should be controlled or restricted in the interests of achieving the aims of the Directive?

## Response Rate

Recipients were initially asked to submit responses by the beginning of June. This date was extended to the 1<sup>st</sup> of September, to allow further questionnaires to be returned.

By early September 2003, a total of 140 replies had been received, of which 120 included completed questionnaires or letters of response to the consultative document. This amounted to a 10.6% response rate. The remaining 20 replies were acknowledgements, notifications that the document had been forwarded to another party for response, or that the individual concerned would not be responding.

Since the recipients were not chosen as a sample to be representative of any groups or the population as a whole, the response rate is in itself not significant. This is particularly the case given the qualitative analysis performed.

## 3.2 Respondents

Responses were assigned to the following categories:

	% recipients of document	Responses	% of responses
Agriculture	12.5	1	0.8
Angling	18.0	18	15.0
Business & related	4.0	6	5.0
Clergy	7.0	9	7.5
Community NGOs	4.0	1	0.8

Education	0.5	5	4.2
Environmental NGOs	3.5	14	11.7
Individuals	4.0	12	10.0
Local authorities	22.0	16	13.4
Other statutory agencies	15.0	23	19.2
Professional bodies	0.5	1	0.8
Recreational NGOs (excl. angling)	9.0	14	11.6
<i>Total:</i>	<i>100.0</i>	<i>120</i>	<i>100.0</i>

*(Three responses in the Other statutory agencies and Recreational NGOs categories came from Northern Ireland or UK-based organisations.)*

## OVERVIEW OF CONSULTATION FEEDBACK

### Question 1 – Water Concerns

A wide range of water-related concerns was identified by respondents reflecting their working and personal interests. The dominant concern was in relation to water quality (over 62% of respondents), with a majority of respondents referring particularly to quality of water for consumption, but also for commercial and recreational activities and for wildlife and nature conservation reasons. In many cases these concerns were linked to other issues such as particular sources of contamination, or activities, etc. The next most significant concern related to pollution (as distinct from waste disposal), which was raised by over a quarter of respondents, followed by habitat loss/ damage (17%), waste disposal issues (13%) and eutrophication /nutrient enrichment and agriculture (both 12%). A considerable number of other areas of concern were reflected by around 10% of all respondents.

Three general themes emerge as dominating the concerns of respondents in relation to water.

The most frequently cited concern is that of overall water quality. Precise definition of the issues included in this area was difficult to establish in all cases, and certainly varied between the responses of different sectors. There was a strong pre-occupation with drinking water supplies, perhaps not surprisingly this was particularly the case amongst the Local authorities, other statutory agencies, clergy and individuals. However, water quality for a wider range of uses, and by more than just humans, was clearly of concern. This was the case amongst anglers, environmental NGOs, business and education respondents, who identified recreational requirements, commercial production, and other aquatic life forms (such as the Freshwater Pearl Mussel) as having specific water quality needs.

The closely related issue of pollution was also of serious concern to a majority of respondents, featuring as a clear theme in seven of the 12 respondent categories. Pollution clearly affects water quality, and there was evidence of overlap between these two themes, especially in relation to eutrophication, which was cited in discussions on water quality, pollution and habitat. However, it was distinguished from water quality in the answers given. In almost all cases pollution was considered as synonymous with waste disposal issues. These involved the activities of domestic individuals (for example in relation to use of phosphate-based household detergents), households (for example those relying on septic tanks), business and industry discharges, infrastructural developments in construction and operation (such as roads), recreational activities (for example the disposal of bilge waters and boat toilet wastes), and the activities of statutory authorities. The one activity of concern cited by all groups of respondents where pollution was specifically mentioned was agriculture. This was closely followed by issues relating to sewage treatment whether private or public facilities.

The third major theme emerging from the questionnaires related to habitat protection. Once again the concern was very broad, including aquatic habitats, wetlands and areas of peat bog, as well as other landscape features whose relationship with water resources (supply, quality and regulation of cycling) is not well understood. This concern was especially strong amongst anglers, educational interests and environmental NGOs.

In relation to each of these three themes, a significant number of respondents made clear that the issues of concern encompassed all activities that might detrimentally affect water resources. Agriculture was the most often cited commercial activity of concern, mentioned by just over 11% of respondents.

Specific areas of concern reflecting the definition of respondent categories are unsurprising, such as the theme of navigation-related issues that emerged amongst recreational NGO respondents.

### **Question 2 – Opinion on Water Framework Directive and its approach**

A significant majority of all respondents expressed clear support for the WFD (71.7%), with less than 10% opposed to the Directive. The remaining 19% of responses were unclear. In most cases where the Directive was supported, the support was strongly expressed. Majority support for the Directive is clear in all respondent categories except for agriculture and individuals.

The Directive is felt to be an important and, in a significant number of answers, an overdue initiative. Widespread support was apparent for a catchment or river basin based, ecosystem focused and integrated (cross-sectoral and multi-agency) means for implementation. While there was some question for many respondents about how ‘tough’ the implementation of the Directive would eventually turn out to be, a rigorous and robust approach was felt to be necessary. Scepticism was evident amongst a third of responses from the environmental NGOs and individuals, with one business respondent querying the need for the Directive and its timing.

Whilst welcoming the Directive, a significant undercurrent of cynicism was detected amongst respondents. This was detectable in a majority of responses. In part it is explained by reference to experience of poor policy implementation in the past. However, there were a number of issues raised that came up also under question 3. These included the challenge of co-ordination between government agencies, the resource requirements of the process and concerns over the need for sufficient political will to fully implement the Directive. There were also criticisms of aspects of public involvement; stakeholder identification and representation.

### **Question 3 – Risks regarding proposed administrative arrangements**

In terms of the risks that respondents perceived with the proposed administrative arrangements for implementation, there were two themes that emerged strongly. Just over a third of all respondents raised issues relating to management structures and procedures for implementation, and just less than one third raised fears of inadequate resources. A third slightly less widespread concern related to the credibility of local authorities in the process of implementation (raised by over 21%), and a fourth to the challenge of public involvement (over 18%).

Four main themes were apparent in the risks identified by respondents in the proposed administrative arrangements for implementation of the Directive.

The strongest theme emerging in the responses to this question concerned the management structures proposed for administration of the WFD. Concerns in relation to these were clear themes in ten of the 12 respondent categories (in all but agriculture and business), and indeed was a dominant or principle theme in 7 categories). The all-encompassing nature of the task, carried out at such a large RBD scale was clearly viewed as a risk. The fact that the boundaries of RBDs and local authorities are not coincident, the large size of the RBDs and the consequent requirements for co-ordination between competent authorities (and other pivotal agencies) were all seen as posing potential problems for implementation. The risks associated with excessive bureaucracy were noted by a number of respondents. There were clear fears of unacceptable inconsistencies between implementation in different RBDs, and even across different counties within RBDs.

Lack of resources to enable local authorities, other key agencies and indeed any actors (including the public / NGOs, etc.) to carry out their implementation role was seen as a problem, as was a lack of skills and dedicated staffing within these structures. This was seen as a major stumbling block to effective implementation, and also to delivering the public participation element of the Directive. This theme was evident in 8 out of the 12 respondent categories, and a key theme in 4 cases, including local authority respondents.

The role of the local authorities within the proposed administrative arrangements was a focus of considerable concern. In 5 of the respondent categories this emerges as a significant theme. Most types of respondent, including local authorities (although not amongst responses from other statutory agencies), raised the potential problem of local authorities experiencing conflicting goals as a result of implementation of the Directive being added to their existing roles. There was significant evidence of a lack of confidence in local authorities to be able to deliver effective implementation of the policy. Several proposals were made that a new authority be established, or an independent executive to oversee implementation.

Involvement of the public was also seen as presenting difficulties within the administrative arrangements, as was enforcement, both of which were clear themes arising in 4 respondent categories. Interestingly, neither feature as major issues in responses from local authorities or other statutory agencies, but amongst those categories representing organised groupings of the public with a clear interest in participating (environmental NGOs, anglers, recreational NGOs, individuals and the clergy) this concern is clearly very real. The enormous challenge of involving the public without delaying progress on implementation was noted. However, the majority of concerns related to poor articulation as to how they will be motivated and equipped to take part in the process, the mechanisms for the public to participate, and the problem of an the absence of skills within existing statutory authorities to facilitate them in taking part. The need for facilitation and conflict resolution training was specifically identified in the response from one local authority respondent

#### **Question 4 – Suggestions for public involvement of RBMPs**

There was considerable variation in answers to this question. Many respondents identified various techniques and media through which communication of information and consultation could be facilitated. A significant number elaborated on proposals for the public to engage with the administrative structures responsible for implementation.

The dominant theme to emerge in answers to this question concerned the need for provision of adequate, accessible and comprehensible information, efforts to raise general awareness, and provide education in relation to water management issues, threats and the challenges of the WFD. This theme was present in 7 of the 12 respondent categories, including that of local authorities although not amongst other statutory agencies. It is a strong feature amongst the largest respondent groups, in terms of numbers of responses received – anglers, recreational NGOs, environmental NGOs, clergy, and individuals, which suggests that the majority of the ‘public’ represented in the responses overall sees this as an important issue.

Many suggestions were made as to how the public could be involved in the implementation of the Directive, and, several themes emerged as significant from the answers given. The dominant theme concerned the perceived need for a much greater level of awareness, which requires greater availability of easily accessible and comprehensible information, and is clearly linked to necessary education programmes. The second clear theme concerned the need for active, rather than passive, involvement of the public at all stages from development of the River Basin Management Plans through their implementation to their revision, and associated with this the concern that there must be a genuine acceptance by the authorities responsible for the Directive that this public involvement is necessary. A third distinct, but less widespread theme concerned the need to provide support for the public (individuals, organisations and community groups) to participate in implementation. This included both provision of varied resources, from financial to expertise. The final significant theme that emerged amongst a significant minority of respondents was the need to established formal mechanisms or structures for representation of the public with the processes of implementation for the Directive. A number of suggestions were made as to how this might be done.

There was widespread feeling that the public should not simply be recipients of information and able to respond in consultation exercises, but should be able to participate more actively both in the process of designing how implementation would take place and in the implementation itself. The relevant statutory authorities with responsibility for implementation also need to recognise the vital importance of public involvement. Angling groups, environmental NGOs and education respondents tended to stress the need to make full use of the knowledge and expertise held by NGOs, individuals and experts in the implementation process, and it was generally felt that there is an onus on the responsible authorities to motivate the public to become involved. The need for resources and support to enable the public to participate was also noted.

A significant minority of respondents suggested formal mechanisms for representation should be established for the interest groups and public who wished to be involved. It was suggested that various fora might be

established. In turn, small steering committees might be set-up, or representatives be selected, and that these would engage directly with the management bodies. In some cases this was envisaged as an advisory role or relationship, and in others as direct representation in the decision-making process. These proposals came from respondents in local authorities, other statutory agencies, angling groups and from individuals.

Interestingly there was some feeling amongst the local authorities and other statutory agencies responses that the onus is one the public to engage in the process of implementation, identifying what interests or affects them and making their position known to the relevant authorities.

### **Question 5 – Involvement in long term management of River Basin District**

Five groups feature strongly amongst respondents views as to who should be involved in the long term management of the RBDs. The dominant group consists of 'stakeholders' (those with an interest), which were identified by over 60%. Just under 50% felt that local authorities and/or the 'relevant statutory agencies' should be involved. Three other groups were identified by a lesser percentage of respondents, but are clearly significant. These include regional fisheries boards (20%), and the Environmental Protection Agency and agricultural interests (both named by 17%). No other group or sector was identified by over 9% of respondents.

The majority of respondents (over 60%) identified public stakeholders and interest groups as important participants in the long-term management of RBDs. In 9 of the 12 respondent categories stakeholders were the most (or jointly the most) frequently cited group to be involved in long-term management, and they were the second most significant group mentioned amongst responses from other statutory agencies. In only two groups of respondents were public stakeholder interest groups not identified most often in answer to this question; amongst other statutory agencies where local authorities were more commonly cited, and the professional representative body mentioned only local authorities overseen by regional authorities and the Environmental Protection Agency. Interestingly, the local authority category expressed the highest support for involvement of all stakeholders in long-term management (75% of responses).

Local authorities, or relevant statutory authorities, were identified by over half the respondents as important to the long-term management of RBDs, featuring as a significant group in 9 of the 12 respondent categories.

Specific agencies (beyond local authorities) that were most frequently cited included the Regional Fisheries Boards (20% of all respondents, and particularly significant amongst angling, agriculture, local authorities and other statutory agencies), Environmental Protection Agency (17% of all respondents, and particularly significant amongst local authority and other statutory agency responses), and agricultural interests (17% of all respondents, and significant amongst angling and local authority response categories).

### **Questions 6 and 7 – Acceptance of personal costs for implementation**

Over 60% of all respondents indicated that they were prepared to accept increased costs for implementation of the Directive. Just over 13% were not willing to pay additional costs, while 25% either did not respond to this question or indicated that it was not relevant/appropriate for them to answer.

Just under 30% of all respondents mentioned the 'polluter pays' principle, all expressing support for this (usually strongly). However, it is important to note that often the responses made clear that the 'polluter pays' principle was not taken to apply to all users, i.e. domestic water consumption. Only two respondents referred directly to the 'precautionary principle', both supporting its application, and only one respondent explicitly supported the principle of 'recovery of costs of water supply'. Two further respondents raised perceived difficulties with this principle.

A majority of respondents clearly stated that they were willing to accept increased personal costs for implementation. In most of these cases this position was qualified by requirements that finances be efficiently and effectively managed, with benefits apparent and value for money evident. The respondent groups where there was not a clear majority in favour of additional charges were the environmental NGO, other statutory agency, professional and agricultural respondents). Strongest support was apparent amongst business, clergy, recreational NGO, individual, angling and local authority respondents.

A small minority specifically stated that they would not be prepared to pay additional charges. However, in many of these cases this answer was qualified in ways that suggested that charges might be acceptable under certain conditions.

In the remaining answers the respondents' position was not clear or the question was not answered, but further comments again suggested that a significant proportion recognised the need for additional charges.

Where charges were considered acceptable, respondents were clear that these should be on a sliding scale reflecting the level of water use/risk of pollution. In one case it was anticipated that the early introduction of charges for water consumption would create the imperative for local authorities to deliver quality water services.

Specific support was expressed for the 'polluter pays' principle, by a sizeable minority of respondents from across the different interest sectors. However, it appears from the way in which the concept is referred to, that many respondents do not associate this with individual or domestic water use. There is an implication that this concept applies to significant polluters, which many who indicate their support for the principle do not consider themselves to be. It seems likely that this interpretation of the principle and how it relates to water use may need to be clarified at an early stage in the process of implementation in order to avoid the potential for conflicts developing later.

### **Question 8 Impacts on personal activity**

A significant minority of respondents did not identify likely impacts of implementation of the Directive. Of those that were mentioned, two dominant themes emerge each in a third of responses. These are impacts on the work of respondents (especially amongst environmental NGOs, local authorities and other statutory agencies) and general environmental and commercial benefits to be experienced as a result of implementation. A lesser theme was picked up amongst 12.5% of respondents who saw positive recreational benefits from implementation.

The main areas of impact anticipated by respondents were in relation to work (33%), which was specifically cited by the local authority, other statutory agencies, and environmental NGO categories, and general environmental and commercial benefits (33%). Positive impacts on recreational activities was also anticipated by 12.5% of respondents.

There were significant differences between the responses of different interest groups to this question.

Environmental NGOs and local authority respondents identified primarily an increase in their workload and resource requirements as a result of implementation of the Directive. Local authority respondents also noted that it should make aspects of their work easier, but only in one case was mention made of directly of environmental improvements and enhanced enjoyment of these. A significant number of environmental NGOs did anticipate environmental benefits with positive knock-on effects for certain types of recreation.

The majority of other respondents anticipated improvements in water quality. In many cases they listed the effect of this improvement on their most immediate concerns first (angling and other recreational activities, drinking water supplies and so forth), but these were clearly linked to overall improvements in aquatic habitats and the wider natural environment. In some cases they were also associated with enhanced amenities and social and economic benefits for the population at large.

The business respondents identified very specific impacts on their activities, expecting to be subject to tougher controls, requiring related training and possible threats to their viability if high charges are imposed.

### **Question 9 Controlling human activities to achieve the aims of the Directive**

Amongst the very wide range of activities identified by respondents as needing control or restrictions in order to achieve the aims of the WFD, there are four main themes. Sewage treatment and disposal, including municipal treatment systems, domestic septic tanks, boat wastes and others, was cited by over 35% of respondents. Just over 30% of respondents listed agricultural activities. Waste disposal, including dumping, hazardous wastes, and packaging amongst others, was identified by over 23%, and planning and development activities and controls was also cited by over 22%. Other less commonly cited issues included industry (13.5%), water abstraction and use (9.2%) and domestic waste products such as detergents (8.3%).

Over 10% of respondents stressed the need for the establishment of a new, independent, national agency to take responsibility for overseeing implementation. It was made clear that this was for reasons of the scale and

complexity of the task, the need for consistency, and to deal with matters transcend the boundaries of local authorities.

Over 35% of respondents cited sewage treatment and disposal issues as needing control or restrictions in order that the aims of the Directive could be achieved. This included issues relating to septic tanks, absent, inadequate or overburdened municipal sewage treatment systems, and sewage disposal for boats. The issue emerged as particularly important amongst responses from anglers, individuals, local authorities and other statutory agencies.

Just under 30% of respondents identified agriculture as an activity that should be controlled. It featured as a significant theme amongst six respondent categories, angling, business, individuals, local authorities, recreational NGOs, and other statutory authority respondents..

Just over 23% of respondents listed waste disposal activities as requiring restrictions. These included dumping, hazardous substances, and landfill, but not industrial activities. The issue was noted most strongly amongst environmental NGOs, local authorities, recreational NGOs, business and agricultural respondents.

Planning and development of housing, commercial activities and infrastructure was also mentioned in a significant minority of responses (22%). It featured as a significant activity requiring control amongst education, individual, and angling respondents, as well as amongst local authority and other statutory agency replies.

Amongst the local authority, environmental NGO and some individual respondents particularly it was also felt that water supply and demand also needed to be controlled more closely.

### **Conclusions and issues raised**

The issues of concern to respondents shared three dominant common themes (illustrated in Table 2 below). Other more minor themes are apparent, some of which are shared between groups and others, which are related to specific interests, such as navigation.

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- Water Quality
    - o for drinking water, recreational and commercial uses, and aquatic life forms
  - Pollution
    - o Waste disposal issues
      - individuals (i.e. use cleaning agents)
      - households (ie. use of septic tanks & bio-flow units)
      - business & industry discharges (i.e. licensed discharges & incidental run-off, etc.)
      - infrastructure & development (i.e. road drainage & construction)
      - recreational activities (i.e. boat toilets and bilge pumps)
      - local authorities (i.e. waste disposal & municipal sewage treatment)
    - o agriculture
    - o eutrophication
  - Habitat
    - o aquatic habitats
    - o wetlands
    - o peat bog
    - o landscape features
- 

**Table 2. Issues of Concern Raised by Respondents**

There was strong general support expressed for the Directive and some of the main characteristics of its approach, most notably the focus on catchments and co-ordinating water management functions. It was clear that there was a significant amount of cynicism about whether the potential of the Directive will be realised and this was reflected in the range of risks identified in the proposed administrative arrangements. Four main areas of risk emerge in the responses. The management structures proposed were questioned, and serious doubts were raised about whether adequate resources would be made available for implementation (whether

to local or other competent authorities), thirdly, problems associated with local authorities were identified, and problems of achieving successful public involvement were cited.

Securing public involvement was seen as requiring increased provision of information, heightened awareness and education. This was a pre-requisite for achieving active participation in decision-making at River Basin District level. Several specific proposals were made as to how the public could become actively involved in implementing the Directive.

Stakeholders/ interested parties dominated suggestions as to who should be involved in the long-term management of the River Basin Districts. Local authorities (or relevant statutory agencies) came a close second.

A majority of respondents indicated they were prepared to accept increased costs for implementation, providing that these were not excessive and they obtained value for money. A limited number were unwilling to pay additional charges, but in many cases these answers were qualified. Any charges made should be on a pro rata basis. Significant support was expressed for the 'polluter pays' principle, although the interpretation of this concept does not appear to have been consistent across all respondents.

While workloads were expected to increase as a result of the implementation of the Directive, it was widely anticipated that most people would experience positive benefits.

Sewage treatment and disposal, agriculture, waste disposal and planning and development activities were most frequently identified as requiring control or restriction in order to realise the objective of the Directive.

There was a remarkable consistency in the responses of respondents from different interest groups in relation to most questions. The differences that do emerge can clearly be seen to relate to the specific focus or concern of the respondent concerned. This remained the case in instances where administrative arrangements were discussed and in relation to public participation, where differences between the local authority respondents and others might have been expected.

**END**