

making the case for participatory TIA



Public policies in a range of sectors can have direct and indirect impacts which extend beyond the field and issues that they are primarily designed to address. These impacts can include intentional or unintentional spatial or territorial impacts that may be perceived as having a positive or negative effect on particular places. A national transport policy on charging for motorway usage, for example, might lead to an increase in traffic on other roads, affecting noise and emission standards in settlements and areas nearby. This was one effect of the introduction of a distance-based toll for heavy goods vehicles on German federal motorways in 2005. Such impacts might in time come to affect decisions on the location of housing and other development activities, and thus have clear spatial impacts.

Another example is the impact of policies promoting renewable energy crops on policy goals of food security and biodiversity.¹ Unanticipated spatial impacts may also be produced by such a policy, as a result of, for example, changed food logistics networks and associated infrastructure needs. National waste management policy is another field where decisions can be taken which come with a multitude of spatial consequences. This was recognised in New Zealand in 2006, where a range of unintended or 'perverse outcomes' were anticipated following the introduction of a national waste levy. Some of these effects were territorial in nature, such as illegal dumping of waste.²

Anticipated or unanticipated territorial impacts of public policy can occur at a variety of geographical scales, including the global, continental, national, regional and local levels. In Europe, for example, such effects have been observed in relation to EU Directives and policies.³ This instalment of 'The Euro Files' explores this issue and reports on ongoing work on devising and testing a participative Territorial Impact Assessment (TIA) methodology, which may facilitate the contribution of sub-national levels (regional and local) to the drafting process of EU Directives.

Recognising the territorial impacts of EU legislation, policies and programmes

The territorial impacts of EU legislation, policies and programmes on EU Member States, regions and localities have been identified by a number of researchers.⁴ Their impact on the Netherlands, for example, has been extensively documented by Nico van Ravesteyn and David Evers in a report entitled *Unseen Europe*.⁵

On a wider front, there are numerous examples which can be cited showing the – sometimes unintended – territorial impacts of EU Directives. By way of illustration, the consequences associated with four of these – the Habitats Directive, the Seveso Directive, the Air Quality Framework Directive and its first 'Daughter Directive', as well as the Energy Services Directive – are considered below. It is important to emphasise that impacts can be both associated with a Directive itself and also with the way it is implemented in a particular member state:

- The development of the Natura 2000 network of protected sites based on the Habitats Directive, on the conservation of natural habitats and wild fauna and flora (Directive 92/43), acted to restrict development opportunities in certain designated areas. This has affected the development of on-shore wind farms in some cases.⁶
- The Netherlands provides an example of an unintended impact of the Seveso II Directive on the control of major-accident hazards (Directive 96/82/EC). In one case a new stadium could not be built adjoining a railway station given the potential for trains carrying dangerous chemicals to also use the railway and pass in close proximity to the site. This created a conflict with existing Dutch transport and land use policy, which strongly supports good public transport access to stadia.
- Another example from the Netherlands concerns the national implementation of the first Daughter Directive of the Air Quality Framework Directive, limiting sulphur dioxide, nitrogen dioxide and oxides of nitrogen, particulate matter and lead in ambient air (Directive 1999/30/EC). As Bas Waterhout has explained, the Netherlands was the only Member State to connect air quality to spatial planning when transposing this Directive

into national legislation – effectively meaning that development in areas with air quality exceeding the Directive limit values had to be restricted.⁷ As air quality in the majority of the country exceeds these limit values, particularly in terms of particulate matter, owing largely to natural factors (sea salt aerosols),⁸ many development projects were subsequently blocked.

- Finally, the Energy Services Directive, on energy end-use efficiency and energy services (Directive 2006/32/EC), is another example of an EU legislative act that may come to have territorial effects. While in the long term the Directive is expected to lead to falling energy prices in more populous countries dominated by a few providers, it may have the opposite effect in less populous countries or regions, where the market is not large enough to sustain several smaller providers. This has been raised as a concern in some territories – such as Northern Ireland.



Oliver Stokes

Above

Paris Gare du Nord – the north European high-speed rail network has modified the position in relational space of certain cities and regions, opening up opportunities for some places and posing development challenges for others

While the consultation of regional and local stakeholders in European Commission Impact Assessment could potentially help to obtain a better territorial picture of possible impacts, it would be difficult, if not impossible, to obtain a clear picture from the responses of Europe's many regions and localities. Territorial dimensions of EU Directives (and their transposition), as well as of other sector policies and programmes, can therefore be overlooked, either in generic terms or as regards their impacts on certain regions or localities.

Against this backdrop, participatory Territorial Impact Assessment (TIA) of developing European policies and Directives, applied at the level of EU Member States, with input from regional and local levels, has recently been proposed as a tool that may help stakeholders to better anticipate and understand the territorial impacts of policy proposals. In this context, territorial impacts can be seen both as impacts on spatial usage (for example sprawl or new infrastructure) and also as broader socio-economic and environmental impacts that may differ in different regions or localities across the EU territory. Ultimately, it is hoped that TIA should benefit both sector policy and territory.

The European Observation Network for Territorial Development and Cohesion (ESPON) Programme has undertaken some substantial work on TIA in recent years. Most assessments in this context have revolved around spatial modelling of impacts of

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Assessing the impacts of European policies and their territorial impacts

Since 2003, the European Commission has undertaken Impact Assessment (IA) of its policy proposals, to detect and evaluate potential positive and negative economic, social and environmental impacts.⁹ While this initiative is without doubt a laudable effort, making reliable predictions at this level of decision-making is notoriously difficult, particularly as impacts normally vary quite substantially across Europe and may depend in particular on the unique characteristics of a specific region or locality.

existing European policy and Directives, focusing on ex-post assessment. Examples include the SASI model, a recursive simulation model of socio-economic regional development which focuses on transport; the CGEurope model, a spatial, computable general equilibrium model (originally developed in the context of the Trans-European Transport Networks (TENs), with the intention of also being usable for other transport policy measures); and the STIMA model, providing an approach to 'Spatial Telecommunications Impact Assessment'.¹⁰

In addition, modelling tools for ex-ante assessment have also been developed, notably the TEQUILA model. To date, this has been used to carry out some exploratory assessments and in an ESPON project examining agricultural and transport policy (TIPTAP– Territorial Impact Package for Transport and Agricultural Policies).¹¹

Addressing the needs of policy-makers – developing a participatory approach to TIA

Seeking to build on and complement existing ESPON studies, the current ESPON and TIA (EATIA) project aims to develop a TIA approach tailored to the requirements of policy-makers. The EATIA project was initiated by stakeholders from the Ministries responsible for spatial planning in the UK, Slovenia and Portugal and is being delivered by a project team from the Universities of Liverpool, Porto, Ljubljana and Delft. In initiating the EATIA project, the key priorities were:

- that TIA should provide a supportive tool in the policy-making cycle to enable policy-makers and practitioners to anticipate or adapt to emerging sectoral policies;
- that TIA should be able to be undertaken ex-ante and without being delayed by heavy data requirements;
- that the TIA framework should not introduce new formal assessment obligations; and
- that the project should build on the conclusions of the Azores Informal Meeting of EU Ministers responsible for spatial planning and development in 2007, which agreed the First Territorial Agenda of the EU Action Programme¹² and recognised the role of spatial planning in promoting the coherence of sectoral policies and their territorial impacts in a multi-level governance system.

Interactive learning networks, consisting of between 15 and 25 public and private sector stakeholders with an interest in spatial planning, territorial cohesion and impact assessment, have been set up in each of the three stakeholder

countries. These provide for critical feedback and suggestions throughout the lifetime of the project. Furthermore, in addition to drawing on work from previous ESPON studies, the EATIA project draws on the findings of ongoing ESPON work, in particular the ESPON ARTS (Assessment of Regional and Territorial Sensitivity) and INTERCO (Indicators of Territorial Cohesion) projects.¹³

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The EATIA project's aim is to develop a 'policy-maker-friendly' TIA framework for regional and local level assessment of European Directives. While the focus of the project is on EU level policy, principally Directives, the methods and processes of TIA developed as part of the project may be applicable at other levels of policy-making. Indeed, the TIA framework being developed may provide an opportunity for better policy-making in Member States. In developing a TIA approach for European draft Directives, the project recognises that aspects of *governance, process and method/assessment technique*¹⁴ should be taken into account:

- **Governance:** TIA needs to be conducted at the correct administrative and (inter-) sector levels. Different sectors, stakeholders and administrations may need to collaborate - for example, at the EU level to assess the interaction of and potential for conflict between Directives/policies as these play out in space and impact on territory. From a policy-maker's perspective, application of the principle of subsidiarity is also crucial for effective and efficient impact prediction – impacts are best assessed at the most appropriate local level. As well as considering territorial impacts so as to contribute to improved EU policy-making, local

areas will hopefully have an opportunity to reflect on how they can achieve the aims of a policy/Directive, and how its implementation may enable delivery of locally-derived policy objectives.

- **Process:** There is a need for a participatory process that facilitates the prediction of direct and indirect territorial impacts by enabling relevant stakeholders to bring their knowledge, experience and insights to bear on the identification of possible territorial effects.
- **Method:** Effective prediction techniques that can add scientific credibility to the TIA process are required.

Conclusion

The participatory framework approach to TIA being developed by the EATIA project aims to be sensitive to the diverse contexts of different member states and EU territories, while retaining common elements that can provide for comparability in understanding the territorial impacts of proposed policies across Europe. The aim is not to develop a new formal assessment obligation at Member State, regional and local levels, but to consider how issues of governance, process and method can be addressed and combined to develop a TIA approach which helps to improve the territorial sensitivity of EU-level decision-making by soliciting the knowledge, experience and insights of the actors closest to the 'on the ground' territorial impacts of EU legislation.

Ultimately, the hope is that participatory TIA should lead to a better understanding of policy impacts at different levels, from the European level down to the local level, and perhaps foster a stronger consideration of territorial effects within the existing assessment procedures that public authorities conduct in relation to their own plans, policies or programmes and territorial circumstances.

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Notes

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- 7 B. Waterhout: 'Episodes of Europeanization of Dutch national spatial planning' (see note 4)
- 8 H. Priemus and E. Schutte-Postma: 'Notes on the particulate matter standards in the European Union and the Netherlands'. *International Journal of Environmental Research & Public Health*, 2009, Vol. 6 (3), 1155-73
- 9 *Impact Assessment Guidelines*. European Commission, Jan. 2009. http://ec.europa.eu/governance/impact/commission_guidelines/docs/iag_2009_en.pdf
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- 11 See www.espon.eu/main/Menu_Projects/Menu_AppliedResearch/TipTap.html
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