

## TERMS OF REFERENCE FOR IMPEL PROJECT

No	Name of project
2007/1	<p><b>Resolution of environmental conflicts by neighbourhood dialogue</b></p> <p>Exchange of experiences from and promotion of the use of neighbourhood dialogues through the development of a guideline for self evaluation (2008).</p>

### 1. Scope

<p><b>1.1. Background</b></p>	<p><b>Project History:</b>            A first IMPEL project “Informal resolution of environmental conflicts by neighbourhood dialogue” was carried out in 2004 and 2005. Results are summarized in its final report, which were presented at the IMPEL Plenary (Cardiff, 30<sup>th</sup> November to 2<sup>nd</sup> December 2005)</p> <p>The first project was adopted by IMPEL to share experiences on dialogue instruments. It has shown that several member states already use different dialogue approaches to solve environmental conflicts and that conflicts between authorities, company sites and neighbourhoods concerning environmental pollution can be solved through dialogue if certain (pre)conditions are met.</p> <p>Participants in the first project <b>recommended supporting the further application of dialogues</b> as voluntary instruments. They were interested in continuing work in a follow-up project to exchange and obtain more information on how to successfully initiate and continuously support neighbourhood dialogue and identify appropriate cases for its application.</p> <p>As a follow-up to the 2004/2005 project on neighbourhood dialogue, it was proposed in a <b>first step to develop a toolkit</b> for inspection authorities for the initiation and support of specific types of voluntary neighbourhood dialogue to address environmental problems as a complementary means for better enforcement. The toolkit was adopted by the IMPEL plenary in Lisbon (28<sup>th</sup> – 30<sup>th</sup> November 2007). It is available on the IMPEL website.</p> <p>This TOR describes the <b>second step</b> of the follow-up project, in which a <b>self-evaluation guideline</b> shall be developed to assess the quality of dialogues. Furthermore, it should help the authorities to roughly estimate in advance their possible workload related to the neighbourhood dialogue (to compare it with the expected workload of a traditional approach without neighbourhood dialogue).</p> <p>An exchange on further dialogue cases is planned throughout the whole follow-up project period (2008-2009), thereby gaining more experience with neighbourhood dialogues and possibly identifying</p>
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	specific needs related to neighbourhood dialogue within the national regulatory frameworks.
<b>1.2. Link to MAWP and IMPEL's role and scope</b>	<b>Legal Background:</b> The Sixth Community Environment Action Programme calls for the encouragement of more effective implementation and enforcement of Community legislation on the environment, among other things through the promotion of improved standards of permitting, inspection, monitoring and enforcement by Member States and through improved exchange of information on best practice on implementation. Article III, Para. 4 of Recommendation 2001/331/EC providing for Minimum Criteria for Environmental Inspections in the Member States pursues the same objectives. Dialogues of good quality can further the achievement of those goals.
<b>1.3. Objective (s)</b>	The main objectives are: <ul style="list-style-type: none"> <li>- to develop a <b>guideline</b> for the <b>self-evaluation</b> of neighbourhood dialogues to assess their quality,</li> <li>- to look at and analyse further cases of environmental conflict dialogues in the participating IMPEL member states; <b>exchanging experiences</b> between participants in the project meeting and via a project website ("circa-net") about the cases, possible guidelines for self-evaluation and possible indications for roughly estimating the related workload.</li> </ul>
<b>1.4. Definition</b>	The project will help to promote the application of voluntary neighbourhood dialogues as a complementary instrument to solve environmental conflicts.  It will be carried out by a project working group consisting of max. 33 participants from IMPEL member states. A consultant will support and assist the group. The project participants will meet once in 2008 to discuss the guideline draft and exchange experiences. A project website will be provided for. A final report will be written which will cover the findings of the follow-up project step 2.
<b>1.5. Product(s)</b>	<ul style="list-style-type: none"> <li>- a <b>self-evaluation guideline</b> with practical advice on how to assess the quality of neighbourhood dialogue used as a complementary instrument for environmental conflict resolution (and hints on how to roughly estimate the connected workload in advance),</li> <li>- a <b>final report</b>.</li> </ul> <p>The guideline will be available in English and could be translated into all official EU languages and adapted to national needs by the participating member states.</p>

## 2. Structure of the project

<b>2.1. Participants</b>	<ul style="list-style-type: none"> <li>▪ Inspectors preferably with experience in dialogue processes</li> </ul>
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	<p>will be invited as participants from IMPEL member states, (two participants per country would be preferable)</p> <ul style="list-style-type: none"> <li>▪ IMPEL secretariat and Commission are invited to participate</li> </ul>
<b>2.2. Project team</b>	<p>Project team: Gisela Holzgraefe and Ulrike Struck (State Authority for the Environment Itzehoe),</p> <ul style="list-style-type: none"> <li>- Consulting agency, which will prepare a draft guideline for self evaluation and develop draft criteria for estimation of workload</li> <li>- prepare the meeting of the working group</li> <li>- document the results of the presentations and the discussions during the meeting of the working group.</li> <li>- incorporate participants' recommendations into the guideline and the criteria for estimation of the workload</li> <li>- prepare the draft final report Project bearer: <ul style="list-style-type: none"> <li>▪ State Authority for the Environment Itzehoe (Staatliches Umweltamt Itzehoe), Itzehoe, Schleswig-Holstein, Germany: <i>in cooperation with</i></li> <li>▪ German Federal Ministry for the Environment, Nature Conservation and Nuclear Safety, Berlin</li> <li>▪ Department for the Labour and Environmental Inspection Hanover (Gewerbeaufsichtsamt Hannover) and optionally another inspection authority</li> <li>▪ Experts of other IMPEL member states (optional)</li> </ul> </li> </ul>
<b>2.3. Manager Executor</b>	State Authority for the Environemnt Itzehoe, Itzehoe
<b>2.4. Reporting arrangements</b>	<p>The project progress will be reported to Cluster "Improving permitting, inspection and enforcement" (Cluster 1, first interim report in March 2009), to the participants and to possible observers. The Cluster will submit interim reporting to the IMPEL Plenary and the IMPEL secretariat. The final report of the whole project is expected to be submitted to the IMPEL Plenary in Summer 2009.</p> <p>Interim Reports: Spring 2009 Final Report: Summer 2009</p>
<b>2.5 Dissemination of results/main target groups</b>	<p>After adoption of the final report by the IMPEL Plenary, report and guideline (both in English) will be disseminated through IMPEL (website). Both will be sent to the IMPEL national coordinators. Interested IMPEL member states may then translate the guideline as well as adopt and supplement it according to specific national needs.</p> <ul style="list-style-type: none"> <li>⇒ The guideline will also be sent to other target groups (via IMPEL secretariat at the European level, via national coordinators at the national level), i.e. Environmental inspectorates</li> <li>⇒ Key business organisations and companies</li> <li>⇒ environmental and consumer organisations representing neighbourhood interests (where existing)</li> </ul>

### 3. Resources required

3.1 Project costs and budget plan		2008	2009
	<u>1. Overhead (organisation) cost (€):</u>	1.700	
	<u>2 Project meeting costs (€)</u>		
	<u>Meeting 1<sup>1</sup></u> : workshop in October 2008		
	No of Participants: 33		
	Travel <sup>2</sup> :	24.750	
	Accommodation <sup>3</sup> :	6.600	
	Catering:	3.650	
	Meeting venue:		
	<u>3. Other costs (€):</u>		
	Consultant	14.546	24.325
	Translation:		
	Dissemination:		
	Other (specify) Project team meeting 1-2, 6 participants per each, 1 night Accommodation: 100 €/capita	1.200	
	Other (specify) Project team meeting 3-4 6 participants per each, 1 night Accommodation: 100 €/capita		1.200
	<b>TOTAL cost per year €</b>	<b>52.400</b>	<b>25.500</b>
	<b>TOTAL project cost €</b>	<b>77.900</b>	
<b>3.2. Fin. from IMPEL budget</b>	<u>2. Project meeting costs (€)</u>	35.000	
<b>3.3. Co-financing by MS (and any other )</b>	<u>1. Overhead costs (€):</u> as co-financing contribution for the <b>meeting venue</b> , committed by German Federal Ministry for the Environment, Nature Conservation and Nuclear Safety, Berlin (BMU)	1.700	
	<u>3. Other costs (€)</u> as co-financing contribution; a) <b>Consultant</b> , committed by German Federal Ministry for the Environment, Nature Conservation and Nuclear Safety, Berlin (BMU)	14.500	24.300
	b) <b>4 preparatory meetings</b> committed by State Authority for the for the Labour and Environmental Inspection Hanover, Federal Ministry BMU	1.200	1.200

<sup>1</sup> specify, like Review Group Meetings, Workshop etc.

<sup>2</sup> normative: €750/person

<sup>3</sup> normative: €100/person/night

<b>3.4. Human from MS</b>	Meeting preparation and participation: 100 days (based on 25 participants)
<b>3.5 Human from Host country</b>	Meeting preparation and support: 20 days Meeting participation: 24 days (based on 8 participants) Project management support: 10 days

#### 4. Quality review mechanisms

The quality of the project will be reviewed by the project participants and appraised by the Cluster “Improving permitting, inspection and enforcement” (Cluster 1). It will then be submitted to the IMPEL Plenary for appraisal and adoption.

#### 5. Legal base

<b>5.1. Directive/Regulation/Decision</b>	Recommendation 2001/331/EC providing for Minimum Criteria for Environmental Inspections in the Member States
<b>5.2. Article and description</b>	Article 3, Para. 4: establishment of a scheme, under which Member States report and offer advice on inspectorates and inspection procedures in Member States
<b>5.3 Link to the 6<sup>th</sup> EAP</b>	Article 3. Strategic approaches to meeting environmental objectives. Para. 2: “ Encouraging more effective implementation and enforcement of Community legislation on the environment [...] <ul style="list-style-type: none"> <li>- promotion of improved standards of permitting, inspection, monitoring and enforcement by Member States; [...]</li> </ul> improved exchange of information on best practice on implementation including by the European network for the Implementation and Enforcement of Environmental Law (IMPEL network) within the framework of its competencies”.

#### 6. Project planning

<b>6.1. Approval</b>	The project was presented to and supported by Cluster “Improving permitting, inspection and enforcement” (former Cluster 1) at the Cluster meeting in Lübeck, Germany (15 <sup>th</sup> /16 <sup>th</sup> September 2005).  <i>It was submitted for approval “in principle” (under precondition of financial means being available and granted to the project for 2007 by the IMPEL Plenary of Autumn 2006) to the IMPEL plenary meeting in Cardiff (30<sup>th</sup> November to 2<sup>nd</sup> December 2005).</i>
<b>(6.2. Fin. Contributions)</b>	The project is supported by the Commission , the German Federal Ministry for the Environment, Nature Conservation and Nuclear Safety, the Ministry for Environment of Schleswig-Holstein and Lower Saxony and participating IMPEL Member States
<b>6.3. Start</b>	The project start is scheduled for 05/2008 (step 2), the first part of the project (step 1) was carried out in 2007 (see final report and toolkit adopted by the IMPEL plenary in Lisbon 28 <sup>th</sup> – 30 <sup>th</sup> November 2007)
<b>6.4 Milestones</b>	Milestones: <ul style="list-style-type: none"> <li>- From May 2008 onward: request for input to first draft of the guideline</li> </ul>

	<ul style="list-style-type: none"> <li>- August 2008: dissemination of the first draft to participants</li> <li>- Autumn 2008: working group meeting</li> <li>- winter 2008: adaptation of guideline to meeting results</li> <li>- Spring 2009: final project report</li> </ul>
<b>6.5 Product</b>	Final project report , self-evaluation guideline
<b>6.6 Adoption</b>	Presentation of the final report to the IMPEL Plenary is planned for summer 2009.