European Union Network for
the Implementation and Enforcement
of Environmental Law

Establishing neighbourhood dialogue

Toolkit

Contents

Preface

This document is aimed at authorities and companies who want to use or promote a direct dialogue approach to solving environmental conflicts between residents and industrial sites.

5   It was developed within the European Union Network for the Implementation and Enforcement of Environmental Law (IMPEL Network).

Since 2004 participants of 18 member states have been involved in a project which has collected and evaluated examples of how environmental conflicts between companies and their neighbourhoods could be solved by dialogue. The participants are representatives of local, regional and national
10   inspection/permitting authorities and environmental ministries and agencies. The project was supported by external consultants experienced in the establishment and facilitation of neighbourhood dialogues.

Several meetings were organised to exchange information about dialogue activities within the member states. It was then decided to develop a toolkit to disseminate the voluntary and cooperative instrument
15   more widely and support companies and authorities in establishing neighbourhood dialogue.

Introduction to the reader

20 **Are you an authority or a company**
  o **receiving complaints from residents concerned about a local environmental issue?**

  or

  o **preparing a permit for an installation with impact on the**
25 **neighbourhood?**

e.g.

- **an inspection authority**

- **a permitting authority**

- **another political or administrative body involved in environmental legislation, enforcement or complaint management of residents**

- **a company with environmental impacts on or hazardous risks for the neighbourhood**

Is there a conflict between a site in your responsibility and its neighbours?

Is there a conflict between your site and the neighbourhood?

Yes?…. consider starting a NEIGHBOURHOOD DIALOGUE

30 **Are you interested but want to know more about what neighbourhood dialogue is and if it could help you and your local residents?**

Yes? ... Read the Executive Summary to help you find out more about whether
35 neighbourhood dialogue could help you.

Do you want to start a neighbourhood dialogue or are you already participating in one?

40 **Yes?**… Use the 'Establishing neighbourhood dialogue' toolkit to find out the do's and don'ts, the role of facilitators and guidance on overcoming critical situations. Learn from others' experience through the neighbourhood dialogue success stories.

Executive summary

Neighbourhood dialogue:

A successful instrument for solving environmental conflicts between companies, their neighbours and authorities

Neighbourhood dialogues are structured long term communication processes in which companies, neighbours and the competent authorities meet face-to-face. Their aim is to resolve environmental conflicts by balancing their interests and by improving the environmental performance of industrial sites.

Their objective in the long term is to establish and maintain good neighbourhood relations in order to reach a consensual co-existence with the local community. This can be achieved by alleviating residents' concerns at an early stage and by running and regulating the site well to safeguard its continued existence.

Experience has shown that even sites with a long history of conflict and sites which produce continuous nuisances like noise, odour, air pollutants, vibrations and other negative effects or impacts with relevance for hazardous risks can succeed in building trust with local residents and good relations with the authorities. This allows companies and authorities to develop the best solutions for environmental problems, while neighbours benefit from high environmental standards and good communications.

This toolkit takes you through advantages of neighbourhood dialogue and best practice examples of different member states, but also information about preconditions, risks, limitations and boundaries. It aims at giving support to establish a neighbourhood dialogue step by step, especially

- how to prepare a neighbourhood dialogue (step 1)
- how to identify and work with participants (step 1.6)
- how to design the concept and to assess opportunities for success (step 2)
- how to establish and progress cooperation and overcome critical situations (steps 3 and 4)
- how to get results and when to end dialogue (steps 5 and 6).

Neighbourhood dialogues are voluntary instruments generally established by companies. However authorities may also take the lead and invite affected parties to a neighbourhood dialogue. The processes are often prepared and guided by impartial facilitators.

Neighbourhood dialogue may be particularly useful, if:

- residents are complaining constantly about environmental emissions of a company's site
- residents and the public are afraid of detrimental environmental or health impacts and fear hazardous risks
- the site as a whole, its products or its production technology are opposed in the neighbourhood
- changes in production, expansion plans, visible building activities or approval procedures with public involvement are leading to protests and objections from residents
- a permit procedure dealing with environmental impacts on the neighbourhood or risk assessments is planned or has already started.

Furthermore you can use a neighbourhood dialogue as a proactive instrument of conflict management and crisis prevention.

85 The following neighbourhood questions and answers will give you further information. You may then want to continue with the six steps to guide you through establishing a neighbourhood dialogue. These steps will help you to follow an ideal approach as well as find the issues of specific interest to you, thus allowing a target-oriented reading. You will find more background, supporting and reference material in the annexes.

A) Introduction: Neighbourhood dialogue questions and answers

I   What results can you achieve within a neighbourhood dialogue?

Neighbourhood dialogues are aimed at **preventing, managing and resolving** disputes between a company and its neighbourhood:

Prevent	Identify conflicts at an early stage and build relationships that are stable in a crisis
Manage	Collaborate to identify and handle different interests and sources of dispute
Resolve	Establish effective communication to clarify and resolve disputes and find effective solutions for the environment

This applies mainly to specific decisions and future plans which will directly affect the neighbourhood. Unlike stakeholder dialogues, neighbourhood dialogues rarely cover strategic impacts.

Neighbourhood dialogues focus on mutual understanding through an increasing commitment of all the parties involved to achieve reliable results and a fair balance of interest on a legal basis by building trust through communication.

Furthermore, the results of neighbourhood dialogues have successfully reduced nuisance and health impacts to levels which the neighbourhood finds acceptable, by means of voluntary efforts and commitments and by respecting the law.

Last but not least neighbourhood dialogues are also suitable for crisis prevention and are worth establishing before a conflict arises.

Recommendations for companies and authorities:
Use neighbourhood dialogue as a proactive instrument

Neighbourhood dialogue is often used to resolve conflicts. However, it is also a useful permanent, proactive instrument for communicating with the neighbourhood when other topics relevant to the neighbourhood are discussed (corporate social responsibility – CSR, sponsoring, economic development, job and training development, future plans etc.). Companies can use neighbourhood dialogue as an early warning system in order to recognise investment risks, to better incorporate the neighbourhood's interests into their decision-making processes and, thus, by dealing with them early on, to avoid conflicts escalating (which can be very costly). Furthermore, a fair and effective neighbourhood dialogue can create and stabilise local acceptance. In a crisis you can rely on good relationships and inform the network of dialogue partners directly to prevent rumours and to minimise damage to image.

Find out more about how to start a neighbourhood dialogue and how to agree on a goal in the toolkit, step 1.1 and figure 1).

II   When should you initiate a neighbourhood dialogue?

The following situations are typical of where a neighbourhood dialogue would be of benefit:

- A company's production operations are placing a permanent burden on residential areas in its immediate vicinity on account of **emissions**, for example noise, odours, dust, vibration and, traffic. Several residents and groups have been **complaining** for a long time about (diverse) burdens.

- Residents are expressing their **fears in public** concerning impacts of the production process and its **accident risks**, **detrimental health impacts** or a reduction in the value of their property.

- The site as a whole or its products and procedures are **not accepted** or are controversial, as is often the case for instance with chemical and incineration plants.

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- New installations or extensions, apparent changes, expansion in production, visible building activities and public **approval procedures** leading to protests and objections from residents.

> *Recommendations for companies and authorities:*
> *It is sensible to start the dialogue early*

140 It takes time to set up good communications with the neighbourhood, since personal contacts need to be established. Experience has shown that companies do not take action until they are under public pressure to do so - they then not only have to deal with an acute conflict, they also have to act under extreme time pressure. However, it is never too early - and seldom too late, but it will then take longer - for the neighbourhood to accept the company as a credible and trustworthy dialogue partner.

145 **Find out more about who may initiate a neighbourhood dialogue in the toolkit, step 1.1.**

III   What problems can be solved by neighbourhood dialogue?

Neighbourhood dialogues were originally developed to settle hardened environmental conflicts where old industrial sites have now become surrounded by residential areas. These sites demand substantial

150 regulation and enforcement efforts from authorities in order to mediate a balance of interests between the rights of industries to safeguard and develop their sites and the protection of neighbours and the environment.

The neighbourhood dialogue approach has proven to be applicable in many areas:

> **Areas of application**
>
> 155 Landfill sites, cement works, chemical sites, energy/power plants, composting facilities, incineration facilities (Energy from Waste plants), oil refineries, animal rendering plants, etc.
>
> Dialogue can strongly support public consultation prior to permit applications as set out in IPPC regulations.
>
> The approach can also be beneficial for sports and event complexes, flood risk management, nature
> 160 conservation and recreation projects and a variety of others.

Neighbourhood dialogue may be particularly useful before starting a permit procedure dealing with impacts on the neighbourhood, especially when public involvement is necessary during the permit procedure. Dialogue can then provide detailed information and help to identify, clarify and solve problems. Solutions recommended by dialogue participants may be considered by the company or by

165 the authority when preparing or assessing the permit. Even during a permit procedure or afterwards dialogue may be useful to handle controversial issues.

Neighbourhood dialogue can be used successfully both at large-scale industrial sites (e.g. IPPC sites) as well as in small and medium-sized enterprises.

IV   What will a neighbourhood dialogue change?

Residents who have no basic understanding of the company, its products and economic development often cannot make correct judgements concerning underlying factors such as a legal situation, technical options, investment planning, time constraints and the importance of investing in the future. Dialogue will help them understand the background to decisions. In addition, positive developments, for example when improvements are made based on investments in environmental protection, will remain unnoticed by neighbours if they are not communicated clearly. Vice versa, without proper communication, companies often misjudge the warning signs coming from the neighbourhood, which can lead to a sudden escalation of latent conflicts.

Find out more about how the neighbourhood dialogue works and cooperation evolves in the toolkit, steps 3 to 6.

V   Who should participate in a neighbourhood dialogue?

Dialogues allow for direct communication between all the parties involved in a conflict. This determines the specific composition of the participants in a neighbourhood dialogue, namely representatives from the companies, stakeholders from the neighbourhood and the local environment – individuals, groups and institutions – as well as the authorities responsible for the site.

Find out more about the possible participants of a neighbourhood dialogue, how to identify key people and convince them to join the dialogue in the toolkit, step 1.6 and figure 2.

VI   How do dialogue partners work together?

Facilitation and mediation techniques (see also annex 3.1) support the parties in understanding complex issues in the conflict, in agreeing on facts and on cooperation. Dialogue partners learn to accept the other participants' views and constraints and take responsibility for handling and resolving the conflicts.

In neighbourhood dialogue, both lay and 'expert' opinions should be valued. Opinions and values from non-experts should not be discounted.

In the long-run dialogues foster understanding, build confidence, create trust and contribute to resolving even hardened conflicts.

Also, there must be an awareness and acceptance of the following core principles:

Core principles of neighbourhood dialogues

➔ **Commitment with realistic expectations about possible results**

Neighbourhood dialogue aims to establish a long-term partnership to achieve joint goals by balancing interests, looking for win-win solutions in the future and providing a cooperative and mutually accepted approach. It defines clear-cut goals and results to achieve – without predetermination of concrete aspects by any one party (open results).

➔ **Active involvement**

Neighbourhood dialogue is based on the interest and willingness of people to become actively involved. Participants will take on the responsibility for resolving the conflicts. There will be time to listen and understand other parties' views, to learn about interests (not only positions) in order to develop and evaluate alternative solutions.

→ **Transparency and openness**	→ **Fairness**
Neighbourhood dialogue depends on a transparent approach. Information should be shared openly and presented clearly within the dialogue. Legal, technical or other backgrounds and boundaries for decisions will be communicated. People not directly involved should be kept informed of relevant developments, e.g. by the media, even if sometimes temporary confidentiality may be needed.	Within neighbourhood dialogue participants should meet as equal partners with mutual respect. Participants will commit themselves to common ground rules, taking other dialogue partners' views seriously. This and accurate preparation and facilitation should prevent parties using strategies to abuse the dialogue. Possibly an impartial third-party may be called in as facilitator.

Find out more about how neighbourhood dialogue works and cooperation evolves by reading the toolkit, steps 3 to 6.

205   **VII   Are there any preconditions to be met before starting a neighbourhood dialogue?**

The following basic conditions for a neighbourhood dialogue should be met as minimum criteria:

- Legislation sets the framework and limits for the dialogue. The company should be compliant with the law before starting the dialogue or willing to become so within a clearly defined time period; the results of a neighbourhood dialogue must also be compliant.

210   - The company must acknowledge and thoughtfully consider its neighbours' views and provide feedback on neighbours' recommendations.

- The company must be willing to investigate and negotiate measures to improve their environmental performance or possibly offer and carry out compensatory measures.

- All participants must be willing to enter into constructive dialogue about consensual co-existence.

215   - Human and financial resources must be available (expertise, facilitation, possibly investments etc.).

- Authorities should be willing to take part in the dialogue and give their legal expertise when it is needed.

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220   **Find out more about how a neighbourhood dialogue should be designed, what the basic needs are, where its limitations and boundaries lie and how you can assess opportunities and risks in the toolkit, step 2.**

VIII What is the role of authorities within neighbourhood dialogues?

225   Authorities play an important role within neighbourhood dialogue processes, e.g. as persons responsible for the public good, as environmental law and enforcement specialists and technical experts, as project managers dealing with different interests, as impartial facilitators etc. In some cases, authorities may take the lead by initiating a dialogue between a company and residents who have a complaint. In this case, authorities' representatives could act as a facilitator by

230   - encouraging direct communication

- mediating between companies and complainants

- initiating cooperation and partnerships

- using tools and instruments to achieve compliance and resolve conflicts in a shorter time period.

235 Neighbourhood dialogues can complement the tasks and responsibilities that usually fall to permit and inspection authorities in a very effective way. Of course, they are voluntary instruments and no substitute for the law. However, in specific cases and depending on the national regulatory systems, authorities can integrate dialogue results into formal procedures, for instance into a permit, or fix them on a voluntary basis by means of private or public-private contracts to ensure the outcomes are binding.

240 Authorities can draw many benefits from dialogues, since in certain respects, neighbourhood dialogues can handle and solve difficult situations more effectively and efficiently than the traditional approach taken when enforcing regulations (see also step 2.1):

- Dialogues support access to information and public participation in environmental issues as required by the Aarhus Convention and can be used combined with or before public consultation
245 within IPPC. They also support the exchange of information and cooperation between companies and permitting authorities.

- Dialogues allow discretionary powers and scope to be used, e.g. to agree on research projects or to develop and implement new standards to achieve more improvement than can be done through legislation. This may also enable the concerned parties to speed up a permit procedure.

250 - Dialogues can create win-win situations, for example by obviating the need for a judicial decision when the legal position is unclear. If all parties agree on a compromise, this can cut time, costs and risks for all those involved.

- Dialogues can ensure the future of a company's site by increasing the general acceptance of the site and of necessary future investments (e.g. enlargements, changes or new installations with
255 permitting procedures).

In company-led dialogues authorities can contribute to achieving high-quality dialogues and outcomes, for example by assessing expert opinions, giving legal information to all the parties involved and ensuring that legal and public health requirements are met.

Authorities should especially encourage neighbourhood dialogue when a company is compliant and
260 citizens are still complaining.

Neighbourhood dialogues have shown that the use of a more proactive approach before public consultations on IPPC licences can be benefit all parties. Nevertheless, before initiating a dialogue process, authorities should carefully examine the opportunities, risks and implications for formal procedures (e.g. permit procedures) on a case by case basis (see steps 1 and 2.1).

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B. Toolkit: 6 steps to establishing and conducting a neighbourhood dialogue

Planning and preparation

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Step 1: Initiating and preparing a neighbourhood dialogue

Main points of step 1: Initiating and preparing the neighbourhood dialogue

1.1 Draft a provisional goal for dialogue and take the initiative

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- Define possible common grounds for the dialogue including the expectations of all important parties involved.
- Assess the situation and identify the most suitable initiator for starting the dialogue.
- Make sure there is a clear commitment from the company involved.

280
1.2 Engage the company and the authority in dialogue
- In convincing the company to take the lead, point out the numerous advantages for the company in doing so.
- If the company does not want to lead the dialogue, check its willingness to cooperate in a dialogue led by the authority.

285
1.3 Find a facilitator or team acceptable to all parties involved
- Ensure that the facilitator is acceptable to all parties involved.
- It is advisable to have an external facilitator in order to guarantee impartiality.

290
1.4 Examine what scope the company has to act, and what kind of involvement the dialogue will offer
- Companies should always check what scope they have to act and assess their legal position and its uncertainties.
- Examine timeframes for formal decisions, offers and limitations for involvement, availability of human and financial resources before starting the dialogue.

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1.5 Convince the company of a provisional concept and ensure the company is committed to the neighbourhood dialogue
- Ensure that the senior management is convinced that the dialogue is in the interests of the company, and acts supportively.
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- The top management must be willing to agree on decisions that are influenced by ideas and discussions arising out of the dialogue.

1.6 Contact neighbourhood representatives and clarify interests and expectations (stakeholder analysis)
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- Identify the key people.
- Take the provisional concept and involve all the relevant parties in investigating and analysing their interests, expectations, willingness to cooperate and constraints.
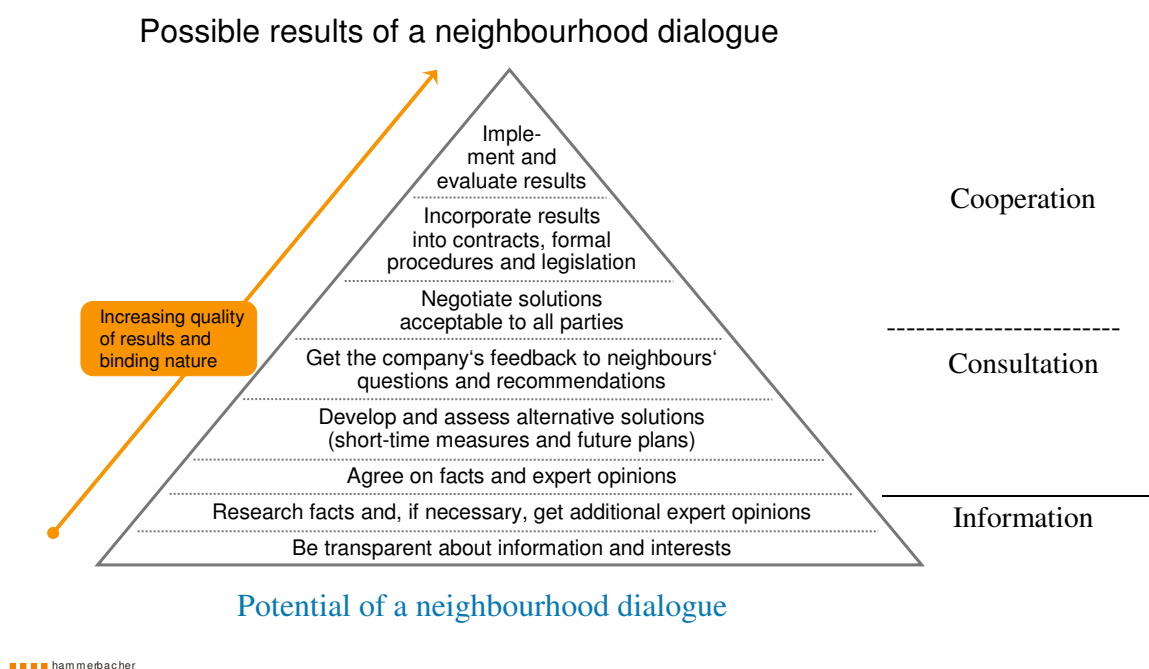
1.1 Draft a provisional goal for the dialogue and take the initiative

The initiator's goal can be to reach agreement on current or future topics or conflicts. It is recommended to draft a provisional goal which helps in defining the common ground for the dialogue. The goal or goals should not only consider the initiator's interests, why and how he wants to involve people, but the expectations of all important parties. The objective(s) has (have) to be acceptable and attractive for future participants to join the neighbourhood dialogue. At the very beginning the initiator can only assume those expectations. Therefore it is important to get in direct contact with future participants in order to examine in more detail whether mutual expectations are realistic and common goals are achievable.

Excursus: Purposes and goals of neighbourhood dialogues

By offering information access and additional influence through consultation – and sometimes by agreeing to cooperate – neighbourhood dialogues establish a voluntary instrument with a binding commitment to seek common goals and a consensus on how to proceed.

(Figure 2)

Possible results of a neighbourhood dialogue

Implement and evaluate results	Cooperation
Incorporate results into contracts, formal procedures and legislation	
Negotiate solutions acceptable to all parties	
Get the company's feedback to neighbours' questions and recommendations	Consultation
Develop and assess alternative solutions (short-time measures and future plans)	
Agree on facts and expert opinions	
Research facts and, if necessary, get additional expert opinions	Information
Be transparent about information and interests	

Increasing quality of results and binding nature

Potential of a neighbourhood dialogue

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In a neighbourhood dialogue a company – normally in agreement with the authorities – invites its neighbours to

- share information and perhaps carry out additional expert research together

- be proactive in learning about mutual needs and issues

- clarify facts and relevant conditions

- discuss and assess risks, possible solutions and alternatives

- receive feedback on how the neighbourhood's interests, concerns, recommendations or requests will be met.

Depending on the individual case it is possible to move on to

- identifying and cooperating on solutions that are acceptable to all

335 • negotiating solutions and formal agreements on results.

Further binding agreements may be reached

- to safeguard results by integrating them into legal and formal procedures and

- to support their implementation and evaluation.

Question: How will I find the goals for dialogue?

340 **Answer:** Define the level of consultation or cooperation you need to solve the problem and motivate participants to join. Then set out the goals that are appropriate to the level of consultation required. Goals should be "*SMART*": **S**pecific (concrete), **M**easurable, **A**ttainable, **R**ealistic and **T**imely. It is important to find a form of words which does not focus on solutions to your problem but on solving a common problem – this allows goals to be set out in a neutral way. As all participants should agree on 345 the goals you might have to change them during the preparation process in order to incorporate and balance all expectations.

Many players can take the initiative and establish a neighbourhood dialogue, for example

- *Authorities*
  who want to convince companies to set up a proactive and constructive dialogue with their
350   neighbours, for instance in order to eliminate long-standing causes for complaint or to agree on a
  balance of interests as regards future plans which are expected to be controversial.

- *Companies*
  who want to secure the economic future of the site in the long term, proactively start or deepen
  contact with their neighbours, address conflicts and reach agreement on possible compromises
355   and reach joint solutions.

- *Neighbours and local groups or institutions*
  who are looking for direct interaction with the company in order to get specific information and
  influence company decisions instead of merely voicing criticism through authorities and the
  media.

360 However: A clear commitment of the company is needed to establish a neighbourhood dialogue (see step 1.6).

Pitfalls for companies which make it more difficult to get in contact with neighbours:

- Missing feedback: complaints get lost in day-to-day business, are not dealt with or are not taken seriously.

365 • Public awareness: a breakdown, an accident or a fire which causes emissions makes the neighbourhood more aware of environmental and health risks.

- Escalation of confrontation: neighbours seek to involve the regulatory authorities, the local government and the media to support their position. They may as well set up a citizens' action group in order to more effectively articulate and assert their interests. Positions and expectations
370   become more demanding, the conflict permanent – opportunities for cooperation decrease.

- Changing level of acceptance: the neighbourhood's understanding of the company and its future development declines, for example because the environmental burdens overstep their previous acceptance threshold, or neighbours moving into the area do not accept them.

1.2   Engage the company and the authority in dialogue

A neighbourhood dialogue requires preparation right from the start – both internally and also between the responsible authority or authorities and the company.

To start with the **authorities**: successful dialogues will reduce costs and staff time and improve the reputation of authorities in dealing with complaints and delivering their work. For example, experience has shown that complaints decrease significantly and collaboration between companies and authorities and the community increases. Authorities therefore have an interest in initiating dialogues.

Nevertheless authorities should not enter dialogues without careful preparation. Before taking concrete action they have to define their position and interest in dialogue and decide on their role.

To define their position they should answer the following questions:

– Will immediate action be required (e.g. pollution incidents) and/or a dialogue?
– Should the authority act alone and simply provide information about its actions?
– Does the authority have an interest in cooperation and what role will it play then (see further down)?
– Is it really the authority's responsibility to act?
   Or are there other choices such as
   • supporting the efforts of the company or an external organisation involved,
   • referring the problem to an appropriate, neutral organisation, or
   • taking no action (which still requires explanation to the public)?

If a dialogue is initiated, authorities will need to consider their role:

– Will the authority take the lead in the dialogue process (as initiator and/or facilitator), or will it encourage the company to take the lead?
– Will the authority work in partnership with or support the dialogue by giving information and supervising the outcome (as a full participant or observer)?
– Will the authority react to someone else's initiative?

Pitfall for authorities:
The responsible authorities take different positions

Sometimes various authorities are responsible for handling a specific case and may therefore take different positions. If this is the case, check how these different positions can be co-ordinated before starting a dialogue,

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> ***Recommendations for authorities when they get involved in a dialogue arranged by someone else***
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> As authorities are then not in control of and have less influence on the process, they should have a clear view of their role and position and pursue the following strategies:
>
> **Stay independent**: emphasise that authorities are neutral and independent, especially of the operator of the site (and, depending on national regulations, of the local authority).
>
> **Listen**: respect feelings of anger, fear and frustration expressed by members of the audience and take people's concerns seriously.
>
> **Call on other experts**: try to get other specialists along to answer questions directly (i.e. health experts).
>
> **Help to create and support the right atmosphere**: help to make sure that the common ground rules are followed, the meeting stays on track and participants are encouraged to make constructive contributions.
>
> **Direct and personal contact**: personal contact is vital for successful communication. It is crucial to choose the right person to interact with the public.
>
> **Introduce the "bigger picture"**: put the current issue or problem in a wider and more complex context in order to really be able to solve the problem and uncover more options that will lead to resolution. However, it is important not to overcomplicate the issues for those involved.

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435 If **companies** want to take the lead in implementing a neighbourhood dialogue, they should clarify that the following conditions are met. The company should

- comply with permit conditions and the law, or be willing to do so within a specified time
- be ready to negotiate further aspects and (voluntary) benefits and to improve environmental performance
- have room to manoeuvre

440
- be willing to give information openly to the public
- act as a dialogue partner (mutual respect between participants)
- be ready to include legitimate neighbourhood interests in some of its investment planning
- find out whether there are obstacles to dialogue within the company and try to overcome them
- be clear about goals, intentions and expectations before initiating a dialogue

445
- finance the costs (e.g. meetings, facilitation, experts and research projects)

To convince the senior management of a company, point out the potential advantages of neighbourhood dialogue (see step 2.1). Another important motivation is to get support from authorities when setting up a neighbourhood dialogue, since it enables companies to positively develop their

450 relations with the authorities. Past experiences have shown that the image of both improves while carrying out a good neighbourhood dialogue.

Perhaps the authority may even be able to offer further incentives to the company, for example by extending permits or reducing inspection cycles or fees. Another possibility would be supporting companies in gaining access to national or European programmes e.g. for technical investments, environmental improvements etc.

If the company does not take the lead (e.g. because of a lack of resources for smaller companies), check if an authority may be able to organise the dialogue. Also in this case the company should cooperate and define its role and commitment (see step 1.5).

Examine what approaches and methods are appropriate to the specific situation (see step 2.2). Of course this may vary depending on the initial position (simple or complex project), the scale of public interest and the size of the company (small, medium or large).

Questions the representatives of authorities and companies may ask

Q: Will a process of dialogue take up a lot of staff time?

A: For the authority or company which takes the lead, establishing a dialogue may take more time than traditional approaches, but in the long term you will spend less time dealing with conflict and complaints about the site, because stakeholders and the company will take responsibility for finding solutions themselves.

 Q: Where do I get funds to finance dialogue?

A: Costs for dialogue normally are low in terms of organising the meeting itself (sending out invitations, finding a room and offering refreshments) – and also compared to investments and planning costs. Besides staff time the most expensive factors are paying an external facilitator to establish and conduct the dialogue or provide additional expertise. If the company is not ready or able to bear the costs, look for public funds or assistance from environmental foundations.

Q: Where can I find support to conduct a dialogue (expertise and background information, facilitators)?

A: You will find hints for background information and how to choose a facilitator in the annexes of this toolkit. The neighbourhood dialogue approach is similar to proceedings of mediation, conflict management, public participation and stakeholder dialogue. You may find mediators and facilitators specialised in public conflict management by searching for professionals with these keywords in the web or contacting their associations in your country. Also think about people who may be able to give you personal recommendations.

Whoever the initiator and the leading party is, the most successful neighbourhood dialogue will be one which has the support and agreement of the authorities' and companies' senior management.

1.3 Find a facilitator or team acceptable to all parties involved

Neighbourhood dialogues need a facilitator to prepare, structure and lead the sessions and to ensure follow-up of the communication process. In cases of lengthy dialogue processes, a team of facilitators can also take on this role.

The decision on who should act as a facilitator should be made at the very beginning. This allows the facilitator's advice and experience to be involved while developing the concept and the acceptance of the person or team by future participants to be checked.

Facilitators: role and tasks

A facilitator

- acts as an impartial leader or moderator of the dialogue

- acts as a guide to assist participants in reaching their goals in the process of the neighbourhood dialogue : he/she does not evaluate or judge the discussion, nor contribute his/her own ideas

- encourages participation, promotes mutual understanding, enhances shared responsibility and enables group members to look for inclusive solutions and reach sustainable agreements

- is skilled in a variety of group facilitation and dialogue tools which can in particular be used to handle difficult situations.

(See also annex 3.4: Do's and don'ts for facilitators)

Facilitators must be accepted by all parties involved. They may be representatives of one of the involved parties – however this is often problematic in the beginning of a dialogue process – or intervening as a third party. You will find more information about "Choosing a facilitator" in annex 3.3).

Pitfall for authorities:
The authority is perceived as an affected party

Sometimes an authority can be perceived as having its own interests in the outcome of the dialogue process. That is when an external facilitator can make sure that the dialogue process runs smoothly and role conflicts are avoided. Within the dialogue it must be communicated clearly what the position and interests of the authority are.

Recommendations for authorities and companies:
Draw on the support of an experienced facilitator/consultant when setting up the dialogue

Even if an internal facilitator will be put in charge of establishing the neighbourhood dialogue, the support of an external facilitator/consultant can be helpful. He/she can provide advice and support in the starting phase to overcome obstacles (see annex 3.5), withdrawing step by step once the dialogue moves along.

Environmental or inspection agencies can qualify a team or initiate and build networks to support their local staff and companies in establishing effective dialogue and involvement methods.

1.4   Examine what scope the company has to act, and what kind of involvement the dialogue can offer

530   Before embarking on a neighbourhood dialogue, companies should always check what scope of action they can utilise in order to be in a better position to take the neighbourhood's interests into account. Furthermore they should assess their legal position, including possible uncertainties, and find out what the competent authority will require. On the other hand they should also evaluate and develop alternative options regarding how a balance of interests between the site and its residents may be achievable.

535   Often, targeted research will open up new opportunities to integrate neighbourhood interests at an early stage in the company's plans. These new opportunities could be technical or structural changes and investments, organisational restructuring or a better information policy. In this way the company can invest at the right time, avoid expensive adjustments afterwards and show consideration for the residents.

540   However, before starting a dialogue it is important to precisely examine timeframes for formal decisions, offers and limitations for involvement, availability of human and financial resources. Otherwise, unrealistic expectations may arise concerning time, expense and results.

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545   *Recommendations for companies:*
Seek out and make use of extended room to negotiate in dialogue

Dialogues seek forward-looking solutions - utilising the time factor opens up more opportunities for linking improvements to investments. Expanding the list of topics to be negotiated and looking for alternative solutions can result in more opportunities and options for a compromise.

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550   *Recommendations for companies:*
Analysing existing relationships to the neighbourhood

A company should not only know its physical environment, it should also get an overview of its social environment (see also step 1.6 on stakeholder analysis): stakeholders and their range of interests clearly demonstrate that different players have different and diverse relations to the company:

555   • Examine which players are important in the company's neighbourhood

• What contacts already exist? Which contacts should be established or consolidated?

• How much do the players know about the company and what perceptions do they have of it?

• What interests and expectations exist in the neighbourhood (topics, demands, wishes)?

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560   **1.5   Convince the company of a provisional concept and ensure the company is committed to the neighbourhood dialogue**

Initiators and facilitators of dialogues should draft a rough dialogue concept including goals, working methods, possible participants, topics, important rules and important framework conditions. Then they
565   should make sure that they have the company's support for the concept before they contact the stakeholders in the neighbourhood.

Commitment and participation of top management

The top management must be convinced that the dialogue is profitable for the company and must actively support it. Top management must internally communicate, drive forward and carry through the establishment of an open, transparent communicative attitude to its neighbours that is based on trust. The top management must be willing to give feedback on recommendations and possibly also be ready to agree on decisions that are influenced by ideas and discussions arising out of the dialogue.

Representatives from the top management should take part in the neighbourhood dialogue to present the corporate management's position and to react directly to questions. In addition, this shows both those within the company and those outside the importance and credibility of the dialogue and the respect for external views.

Integrating key areas of responsibility and convincing middle management

Key areas of responsibility (e.g. corporate management, environmental management, safety and accident management, contacts with authorities, communications) and the worker trade union representatives should also be regular participants in the neighbourhood dialogue process.

Experience has shown that all the company's permanent representatives should build a team (e.g. led by the key contact person) to prepare the dialogue and follow up its results.

Recommendations for companies:
Establish a key contact person for the neighbourhood dialogue

There should be at least one employee in the company known personally to neighbours and other interested people. This enables them to directly approach that employee with their questions and concerns. The contact person coordinates the feedback within the company. In this way the company can itself deal with a lot of questions, complaints and issues without having to involve the authorities or a facilitator.

Further competent staff members within the company can be included on an ad hoc basis depending on the issue. However there needs to be a balance between the company's management representatives and people working 'on the ground'. Furthermore the company's representatives should only constitute a small group among all participants.

In some cases middle management is initially sceptical, sometimes even putting up resistance to establishing dialogue. The company's goals in taking part in the dialogue and how the instrument works should be communicated internally to overcome misgivings and fears and to convince these managers.

Overcoming the uncertainties and fears of company representatives

Q. Why are we bothering to work with our neighbours and making them aware of sensitive issues (Why don't you let sleeping dogs lie)?

A: If you inform and involve neighbours early you are able to consider their concerns calmly - plans and decisions are often still flexible. To keep quiet about something is taking on the risk that neighbours will get to know sooner or later and the result may be to destroy trust and escalate conflicts. This course of action also risks damaging the company's relationships with the authorities and the community up and tarnishing its public image. Inviting neighbours to join dialogue is the

opportunity to act and influence the communication process proactively and to facilitate a more matter-of-fact discussion.

Q: How much time will it take and why is it worth investing that time?

A: Generally and in the long term staff members spend a lot more time when they are forced to deal with a great number of complaints and media enquiries and have to manage public conflicts. Even if the time to initiate and prepare a dialogue is considerable, companies will profit because of improved relations (trust will have been built up in the event of a crisis situation arising), less complaints to deal with and wiser decisions (from integration of the external feedback of the dialogue participants into the internal decisions).

Q: How can I publicly communicate the company's positions without being attacked or overwhelmed with requests from complaining parties?

A: When starting a dialogue, all participants have to commit themselves to fairness and cooperation. When emotions rise, the facilitator also helps to get all participants back to objectivity. Dialogues offer the opportunity to explain facts in-depth and to convince. Sharing open information including communicating the boundaries to scopes for action helps to establish a better understanding of the company's decisions.

Recommendations for companies:
Prepare the company to adopt the right attitude to communication

Companies can use and combine various means of communication. However, every contact counts. Communication between the company and its neighbours is sometimes rather more incidental, for example a neighbour rings the company or addresses a member of staff on the street. Communication should be thoroughly prepared, for instance when inviting residents to an information event. In any case it is important that each contact is handled professionally and there are no contradictory communication messages and no inconsistent information is provided.

Companies should prepare and coordinate their communication activities internally so that what they say "with one voice" on the matter is based on well-founded facts.

It is important that neighbours and representatives of local groups perceive the company as a dialogue partner that

- is interested in direct exchange with neighbours, authorities and politicians

- is responsive and willing to participation in an exchange of ideas

- openly provides information

- is interested in developing its neighbourhood and cooperating with it

- is rooted in local and regional structures

- takes social responsibility seriously.

1.6   Contact neighbourhood representatives and clarify interests and expectations (stakeholder analysis)

Think about who is or could become affected by the issue, who has (publicly) taken position on the issue, whose knowledge and input will be needed, who is influential (on others, on decisions), etc. (Figure 2 "Possible dialogue partners").

Participants in a neighbourhood dialogue

Figure 2:

Possible dialogue partners

Police, fire brigade

Associations, chambers

Politicians

Trade unions

Churches

Press, media

NGOs, e.g. environmental and social groups, sports or culture clubs

General public

area of direct concern

Schools/kindergartens

Neighbourhood companies

Citizens' initiatives/forum

Community/administration

Others

Residents

Competent authority(ies)

Company

(Impartial) facilitator

Further input may also be organised by inviting additional experts

660   You may also ask key persons in local authorities, the community and businesses to find out more about important stakeholders.

Recommendations for facilitators:
Identify the key persons in the neighbourhood

665   Always ask every contact person about other people, groups or organisations who may be interested in the dialogue, who should be taking part and how you can get in touch with them. Consider all relevant stakeholders – not only the "usual suspects".

It is important to identify the right representatives of the neighbourhood for the dialogue: find the key persons who have support from others and are willing to cooperate. Therefore always check the
670   background of people, e.g. if they are single or organised stakeholders, representing a group of neighbours, informal status or mandatory, such as a spokesperson elected by the members of an association.

Then take the provisional concept and involve and talk to all the relevant parties directly – by
675   telephone or even better in a face-to-face meeting. This step is essential to find out if there is enough common ground and who may participate in the dialogue:

• Investigate and analyse interests, expectations, willingness to cooperate and possible constraints from the stakeholder's perspective.

- Clarify which aspects and targets the stakeholders would like to discuss in the neighbourhood dialogue.

- Ask whether certain demands or conditions are linked to participation: What would motivate or stop the party taking part? How would the party like to be involved? When would the party assess the dialogue as a success/failure?

You can refer to the *Guideline on questions to ask neighbourhood stakeholders:* (see annex 3.4), which helps in structuring and evaluating these pre-meetings with stakeholders.

Structure the various interests and expectations and search for common ground

A company is often confronted with supporting and demanding interests at the same time, e.g. demand for lower emissions are often linked to the expectations that the company will provide jobs and training vacancies, pay trade tax and award contracts to local companies in the future, too. Usually the large majority of the neighbourhood does not want to put local companies at risk, but is prepared to reach compromises on improvements that are viable for both sides.

Companies and authorities benefit when the variety of players and their interests and points of view - supporters and objectors - become apparent in the dialogue. This avoids over simplification of complex interests and situations into only two players (e.g. complainants vs. a company). Typical clichés of a conflict (e.g. good guy vs. bad guy) are shattered. Discussions in a larger circle help to resolve hardened bilateral confrontations and to identify the most fruitful topics. A high quality dialogue creates a finely differentiated picture for all those involved, enabling issues to be weighed up objectively.

A structured analysis of interests, conflict issues, dialogue topics and the potential for common ground is the first step of the basic analysis. It is key to assess whether the neighbourhood dialogue will be the most suitable instrument to improve relationships and resolve conflicts and if it is worthwhile to start with this.

Recommendations for companies: Invite critical stakeholders to take part

Often companies shy away from approaching critical players. They withdraw to the supposed safety of their legal position and hope that attacks and criticism will die down over time.

Instead of this defensive strategy, companies can explain their alternatives and decisions in a neighbourhood dialogue under fair conditions. They should publicly deal with the arguments put forward by critical stakeholders. Therefore critical stakeholders should not be excluded – the better strategy is to invite them to take part and cooperate.

710

What can be done if a stakeholder does not want to participate?

- Explore the reasons for this (by telephone or a meeting)
  - — to dispel possible misconceptions about the proceedings
  - — to find out the stakeholder's fears and suspicions (e.g. if he wants to stay
715   anonymous)
  - — to ascertain the stakeholder's BATNA (best alternative to a negotiated
       agreement)
  - — to offer assistance if the stakeholder needs empowerment.
- Invite the stakeholder (representative or the whole group) to a face-to-face meeting (or
720   visit their meeting) to illuminate the procedure of the dialogue and to discuss their
   interests, influence and opportunities when participating in the dialogue.
- Ask other participants to contact and convince the stakeholder to participate.
- Engage in "shuttle diplomacy" by contacting all parties bilaterally several times in order to
   transmit negotiation offers and negotiate a framework of rules acceptable to all future
725   participants.
- Adjust the dialogue concept, for example:
  - — add certain topics or interests of that particular stakeholder to the agenda
  - — give the stakeholder(s) a more equal or stronger influence
  - — include more neighbours in the dialogue to gain more equality
730 - — formulate targets and desired results less rigidly (exchange ideas and
       information including the option of renegotiation and finding an alternative
       solution to the problem).
- Ask the other stakeholders if the participation of the stakeholder in question is necessary
   or if it may be compensated alternatively.
735
- Search for another, equally legitimate stakeholder for the issue at hand.

Participation in dialogue is voluntarily – no party can be forced to take part. If parties are not willing
to participate it is mostly better not to close the door in case they want to accept the dialogue
framework and join in at a later date.

Step 2: Developing and designing the concept

740

Main points of step 2: Developing and designing the concept

2.1 Carrying out the basic analysis to assess opportunities and risks for dialogues
- Analyse if there is enough common ground to get a commitment for dialogue and scope for action to agree on solutions.
- Decide whether or not to start the neighbourhood dialogue after having carefully balanced the advantages and opportunities with the risks for all participants.

2.2 Designing the neighbourhood dialogue concept
- Take site specific particularities into consideration to choose your approach.
- Reaching agreement on the dialogue concept may be the first experience of negotiating and agreeing on compromises.

2.3 Choosing the dialogue form and composing common ground rules
- Compose the different elements of a case specific dialogue depending on characteristics of the starting position (e.g. number of affected people, stage of conflict, public awareness).
- Integrate these arrangements into the common ground rules of the dialogue.

2.1   Carrying out the basic analysis to assess opportunities and risks for dialogue

Basic analysis

All the information gleaned during the preparatory phase should be analysed as part of a basic analysis. It provides an overall summary and evaluation not only of the opportunities but also of the process risks in each specific case. It comprises of:

1. An analysis of the composition of the possible group of participants and their interests (participants/stakeholder analysis, see step 1.6)

   - How can all the important interests be represented and their composition well balanced?

   - Are there any special demands to integrate a specific stakeholder?

2. An analysis of topics for dialogue and their conflict potential, needs for information and expertise, possible scope for action, opportunities for win-win solutions, limiting preconditions or constraints (issue analysis, see steps 1.4-1.6)

3. An analysis of expectations and risks of the process and possibly specific demands for the dialogue concept (process analysis)

   - Are the basic conditions fulfilled (see question VII page 10)?

   - What timeframes must be taken into consideration and how can possible results be integrated into the formal decision processes?

   - Do **opportunities and advantages** outweigh the risks and limits?

   - Can **risks be handled** by changing the design of the dialogue in advance or during the process without seriously risking the continuation and results of the dialogue?

4. A **recommendation to start or not to start the neighbourhood dialogue**
   Is there enough common ground and a clear and realistic goal for overcoming obstacles and difficult situations during the process (see step 2.2) ?

785 **Deciding whether or not to start a neighbourhood dialogue**

The basic analysis with the recommendation to enter (or not) into dialogue should be communicated as a feedback and confidence-building measure to all possible dialogue participants, including the company and the authority, e.g. as a short written report. If establishing a dialogue is recommended, a
790 concrete concept proposal should be put forward along with the analysis (see step 2.3). On the basis of these, t all those involved can make their decision as to whether or not to take part. If no dialogue is recommended, explain why.

Recommendations for facilitators: Check the relationship of a dialogue to formal decision-making processes

795

Consider how the dialogue approach and possible results can be reconciled with the respective formal decision-making processes:

• Which decisions can also be prepared as part of the dialogue and what exact influence can be taken?

800 • Are the formal decision-makers prepared to deal with the recommendations put forward by dialogue participants and to give well-founded feedback? It is especially important that the company's management and political decision-makers are willing to do so.

• Can the results of a dialogue be integrated into formal decision-making processes and administrative acts, for example permits?

805 • Can dialogue results be fixed on a voluntary basis by means of private or public-private contracts to ensure their binding nature?

This must be decided on a case by case basis and in accordance with the national regulatory systems.

A neighbourhood dialogue is a particularly promising approach if participants judge the goals and
810 concept as being to their advantage (win-win cooperation). The dialogue should, in addition, also be the best alternative and the most attractive strategic option for all those involved. Then all participants can overcome their scepticism and the risks associated with taking part in the dialogue. In mediation, the assessment of every participant as to whether a better alternative exists to pursue his interests before he decides to join a negotiation process, is known as the principle of the "best alternative to a
815 negotiated agreement" (BATNA). In looking for each party's BATNA a facilitator is able to assess which incentives and advantages must be considered when inviting a party to join dialogue.

Advantages of dialogue	
Building relationships and trust by means of information sharing and communication	**Improving environmental performance without judicial pressure**
- Solutions and decisions are more robust and more sustainable because of the involvement of and acceptance by all the parties.	- Environmental performance can improve; e.g. prioritising scheduled investments or additional discretionary improvements are possible.
- Participants get additional access to information and influence.	- Dialogues support sustainable management approaches and improve the

	crisis management.
- Companies become more understanding of views, concerns and values in the neighbourhood and the community.	- Improvements can be based on voluntary efforts.
- Sites become more accepted by neighbours.	- Companies get a positive image because of voluntary improvements without judicial pressure.
- Good relationships and trust can be built between conflicting parties.	- Results can achieve more than is required by law.
- All parties are aware of and deal with complaints and conflicts very early on and openly.	- All parties spend less time on complaints and can avoid legal confrontations (e.g. court cases, fines).
- Makes people aware locally about work and role of authority.	- Clearance procedures can be more efficient for companies and authorities.
- Encourages all participants to take responsibility and ownership of the solution to the problem and identify with the results found through dialogue.	- Companies with dialogues may benefit from a reduction in inspection frequency and reduced fees.
- The authority is actively involved and not only caught between the positions of the opposed parties	- Companies get calculable conditions for the future development of the site and better access to financial capital due to the minimisation of risks.

Assessing risks

820 There is no guarantee for a successful dialogue – however without communication and involvement strategies, complex issues and conflicts often cannot be resolved. Nevertheless the following risks should be weighed up against the opportunities:

• There is no guarantee that the conflict will be resolved.

825 • Using the dialogue approach does not guarantee at the beginning of the process that it will always cost less and need less time than dealing with complaints in a traditional way.

• Immediate action needs to be taken (e.g. to prevent significant health and environmental risks) and the authority must use traditional instruments to regulate the site (e.g. supervising measures, legal constraints or judicial measures).

• The company is not compliant with the law (and is not willing to become so in due time).

830 • There is no long-term scope for action to achieve a balance of interests between neighbours and the company or to improve the environmental situation.

• The timeframes for the dialogue are too short in view of the important decisions that need to be made.

• No realistic goals and prospects for cooperation in the dialogue can be agreed on.

835 • An important party refuses to participate in the dialogue process or starts dialogue with the strategic goal of leaving the dialogue soon. (See "What to do, if a stakeholder does not want to participate", step 1.6).

- A relevant party is trying to abuse the dialogue process to pursue its own interests, e.g. to gain time and information, to delay necessary investments in environmental performance technology or to gain media attention.

840

Even if a number of risks apply to full, high quality dialogue, the community and worried neighbours still need to know what is happening and be kept informed, particularly in the case of a non-compliant company, for example. The community and the neighbours could then get involved in another form with the authority (see annex 3.1). However the opportunities to come to a sustainable solution are often there and linked with long-term benefits because of the improved relationships and the experience of a common success.

845

Recommendations for all participants: Overcoming obstacles or ending dialogue

Think about the end of the dialogue from the beginning. Define clear goals and reach an agreement about how to proceed (e.g. by common ground rules, see step 2.3). If problems occur later the facilitator or the authority can intervene to try to overcome them (see annex 3.5). If problems cannot be solved the dialogue process may have to be ended. Imagine the situation where you may have to stop. Sometimes you need to end dialogue also when all participants agree to disagree – then try to agree on terminating the dialogue and communicate to the public why it is best to stop dialogue now. Then the authority is required to use the traditional regulatory processes.

850

If you have no agreed commitment of all parties before starting the dialogue you may invite parties to a first meeting to discuss and then decide jointly if to continue – but this can be a risky option: if you do not succeed in starting a dialogue, you may have damaged your relations or provoked a negative public image.

855

In some situations other information and involvement instruments (see annex 3.1) may be more appropriate than a neighbourhood dialogue.

860

2.2   Designing the neighbourhood dialogue concept

A good dialogue concept takes the needs of the neighbourhood and location-specific particularities into account. It makes use of communication channels already available to the company and, if possible, incorporates these into the dialogue concept.

865

Recommendations for facilitators:
Tailor the design of the neighbourhood dialogue to specific needs

There is no "one size fits all" approach to a successful neighbourhood dialogue: participants, issues, methods of working and procedure should be designed on a case by case basis to best fit the needs and the expectations of the parties involved and achieve the commonly accepted goals.

870

A dialogue concept comprises the following elements:

- goals and intended outcomes (should be reflective of the level of consultation or co-operation planned)

875

- participants to be involved (see Figure Possible Dialogue Partners, step 1.6)?

- combination of instruments and methods to be used

- involvement of the media and the public

- facilitation

- involvement of further expertise, if needed

880 - finance/budget

- work programme with timeframes

See structure of a dialogue concept in annex 3.6.

Recommendations for facilitators:
885 *Do not underestimate careful dialogue preparation*

- **Just start. It will all work out OK**
No. You need:
a clear purpose which is carefully linked to the decision-making process: what decision is being made, how is it being influenced, by whom?
890 **a planned approach**. You can not just start and add bits on as you go along. People need to know how and when their involvement will shape things.

- **You can do just one consultation event or send out just one questionnaire**
No. It is very unlikely that you can build trust or get the information you need after just one event. You will need to engage the participants in a number of ways throughout the process. For example,
895 you should really reach agreement on needs and ideally on principles/guidelines before moving on to solutions.

- **You need to have a concrete issue for the consultation**
No. Again, to build trust there is a real need (especially if there are conflicts) to start as early as possible. You need early information on scientific and technical issues as well as on values and
900 preferences. You need to exchange information on the different views of the authorities, the companies and the participants, and use facilitation skills to develop alternative solutions. You do not have to have solutions to the problem in place   and everything clarified before going out to consultation in a neighbourhood dialogue.

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905 These aspects should be integrated into a case-specific proposal for common ground rules (see step 2.3). Common ground rules and a work programme with timeframes should be agreed on by all participants in the first dialogue meeting (see step 3.1).

910 Thus, reaching agreement on the dialogue concept can represent the first step in terms of cooperation and negotiation, since all the parties involved must accept the dialogue concept in order to make a binding commitment to take part in the dialogue. It may, therefore, be necessary to initially negotiate on individual elements, specific ground rules, the work programme, the number and representation strength of participants etc. before embarking on the dialogue.

915 A good dialogue concept also contains opportunities for adapting to future changes as regards the interests of those taking part and the composition of the group of participants.

2.3   Choosing the dialogue form and composing common ground rules

In deciding which method(s) to employ, one must take into account the following five elements:

- Goals: reason(s) for dialogue and expected outcomes

920 - Topics: nature and scope of the issue(s)

- Participants: who is affected, interested or can contribute to solutions? How to inform the public and the media?

- Time: amount of time available and necessary to clarify the issues and work out solutions/compromises

925 • Budget: availability of resources

The following overview gives you some hints as to which characteristics and elements describe which situation. Of course, every case is special and will possibly apply to more than one column.

model: criteria:		simple (S)	medium (M)	large/difficult (L)
c h a r a c t e r i s t i c s	complainants	some individuals · one main issue · several complaints over certain time · simple to assess if complaint is justified	· several individuals and groups · more than one issue · escalating amount and issues of complaints · not easy to assess which complaint issues are justified and to what extent (takes several month, expertise to be conducted, …)	· many individuals and organised groups with spokespersons · many issues · high amount of complaints and signature lists, persistent · complex judicial situation not to be assessed and regulated easily (measure results near limits …)
	starting position	single issue or planning project with little conflict potential	several issues and hardened conflicts about current situation or future planning	complex issues with hardened conflicts, site in question
	public awareness	low: predominantly only directly affected neighbours	elevated: possibly a newspaper article, establishment of a citizens' group	high: articles in newspapers, media awareness, politicians and other key persons, campaigns from NGOs
	size of the company	small and medium sized	all sizes	all sizes, predominantly big companies
	number of affected stakeholders/participants	low < 15 people, mostly direct neighbours	medium < 30 stakeholder group representatives and direct neighbours	> 30 people, several meeting offers for target groups, e.g. combination of public plenary sessions and working groups/ liaison group work
	company representatives involved	1-2 (top management and person responsible for conflict issues)	3-5 (top management, environmental manager, other internal experts)	5-10 (top management, responsible managers and operators, further internal or external experts if needed)
e l e m e n t s	facilitator	internal by company or authority	external, possibly internal	external professional
	minutes	verbal summary and written results by facilitator or member of company/authority	written report of facilitator or company or authority with results to be agreed on by participants	written report and visualisation by facilitators, to be agreed on by participants
	involvement of media/the public	mostly direct informal contact	public meetings or close information to the media about intermediate results	agreement about the way to contact the media and the public, possibly choosing a spokesperson for the stakeholders' views

	frequency	3-5 meetings to clarify the issue and solve the problem over several months, then once a year to maintain dialogue	4 to 6 meetings to clarify the issues and solve the conflict over 1-2 years, then 1-2 meetings/year to maintain dialogue	4 to 6 meetings to clarify the issues and solve the conflict over 1-2 years, then 1-2 meetings/year to maintain dialogue

930

When composing the common ground rules pay special attention to:

- agreeing on common goals and the quality of results which should be achieved
  (see step 1.1)

935

  - involvement rights of the dialogue participants
Do they have the right to vote on recommendations or influence decisions? Is unanimity or majority needed?

940
  - defining different rights to participate:
The definition of participants should be based on how affected or concerned stakeholders are and should represent all the interests. It is not recommended to pre-select participants by their supporting attitude towards the company – experience with Community Advisory Panels (CAPs , see annex 3.1) in the US has shown that then critical stakeholders are often left out and results have less impact. You
945 may distinguish between members (individuals, group representatives), observers (e.g. competent authorities, police, fire department, …), the public, journalists, experts,…

  - right to call in additional, impartial experts and assure that their costs are covered:
If mistrust is prevalent, the right for stakeholders to call in additional experts or to influence their
950 selection and their tasks is trust building and help to clarify facts.

  - choosing a facilitator:
The facilitator or the facilitation team should be unanimously adopted by all participants, including a right to distrust and change the facilitator(s), e.g. if the majority of participants wish to do so (see also step 1.3 and annex 3.2). The more mistrust and hardened conflict are to overcome, the more
955 responsibility the facilitator(s) may take in leading the dialogue process.

  - forms of involvement
Do the dialogue participants meet in a big plenary (only recommended for up to 30 people), or should
960 additional working or liaison groups be formed and prepare the plenary meetings. Can other information and involvement offers be integrated into the dialogue, e.g. site visits, field trips, expert hearings, …. (see steps 3 to 5).

  - commitment of decision makers to dialogue results (company, authority, others)
965 Assure the commitment of the company and the authority to at least provide feedback to neighbours' recommendations (see step 2.1).

  - public or closed meetings, informing the public and the media
Choose the suitable proceeding, being aware that you will not be able to hide information in the long
970 term and that it is better to be proactive in directly informing the public and the media.

Integrate all these aspects into the case specific common ground rules (see example, annex 3.7).

Putting the concept into practice and making progress

Step 3: Starting neighbourhood dialogue

Main points of step 3: Starting neighbourhood dialogue

3.1 Send out invitations and make preparations for the first meeting
- Neighbours will need detailed information about the goals of the dialogue before they can commit themselves to the method and its common ground rules
- Plan sufficient time on the agenda for contributions from all stakeholders.
- There should be enough time for an initial discussion about the main issue.
- The first meeting is the warm-up phase for the dialogue.
- Choose methods which encourage involvement, build trust and focus on interests, empowerment and equalising differences in power and status.

3.2 Continued neighbourhood dialogue meetings
- The schedule and work plan should be well-structured to ensure that the dialogue is effective and focuses on outcomes.
- The time schedule for individual meetings should not be too strict and the intervals between meetings should not be too short.
- Apply facilitation, visual and involvement techniques, site visits and establish smaller groups to work efficiently.

3.1 Send out invitations and make preparations for the first meeting

Once the decision to set up a neighbourhood dialogue has been made, preparations need to be made for the first meeting.

At the very latest, when they receive their invitations neighbours must have detailed information about the goals of the dialogue (what the dialogue sets out to achieve), a suggestion for common ground rules and, if possible, a work plan. These should be agreed by all participants at the first meeting.

It is important to allow sufficient time on the agenda for contributions from all stakeholders. Particularly where complex issues are concerned, all participants should agree on the work programme for the dialogue. Further proposals may be put forward before or during the meeting. In any case there should be enough time for the discussion of additional topics and questions.

However, the first meeting should not only be used to clarify procedural issues. It should also enable discussion to begin on the most important issue, for example based on a well-prepared presentation with subsequent discussion.

The first meeting allows all those involved to gain an initial impression of how constructive dialogue works and can also be seen as a warm-up phase. The first dialogue event organised by a company does not have to be "perfect" - especially if a representative from the company is facilitating. However, for the process to be successful, it must be clear by the end of the first meeting that the company is genuinely interested in good neighbourhood relations. Neighbours generally welcome a willingness to take part in dialogue and the fact that the company is willing to open up.

Intensive work on actual content cannot generally begin until the second meeting, which should be prepared at the end of the first meeting. That is why it is also advisable for the company to ask for feedback on how the meeting was perceived by the participants.

In the initial stages it may take time to build trust with the people involved and it may be hard to say
1020   whether the dialogue will continue successfully. More often than not, it is possible to create a
constructive and objective atmosphere from which all parties benefit.

Pitfall for companies:
Avoid giving the impression that the dialogue is a Public Relations (PR) activity to push through
1025   *predetermined results*

Neighbours are generally willing to accept an invitation to take part in constructive discussions.
However, if they get the impression that they are merely being expected to accept ready-made results,
they are unlikely to want to take part, or will leave the dialogue as soon as they suspect that the
dialogue is being staged as a PR event to boost the company's image. This suspicion is often expressed
1030   ahead of dialogue meetings.

It is important to ensure that none of the parties have any preconceived and fixed ideas or
preconditions about what is to be agreed on. Only a willingness to exchange views about different
positions can open up new points of view and enable the participants to accept other positions and
lines of argument.

1035

3.2 Continued meetings of the neighbourhood dialogue

Only a well-structured schedule and work plan will lead to effective results.

How to keep the work programme transparent and flexible:

A work programme or a list of topics for future discussion (e.g. on a pin board) can help to make the
1040   process transparent. It enables all participants to verify which topics will be on the agenda and when.
It may also document which issues have already been dealt with and when results were achieved.

The time schedule for individual meetings should not be too strict and the intervals between meetings
should not be too short. Meetings can range from every 4 to 6 weeks to 2-4 times a year depending on
the issue, how urgent it is to find a solution, and the level of concern. You need to allow sufficient
1045   time between meetings to follow up any questions raised, and to avoid making too many demands on
participants' schedules. Nevertheless, important deadlines and time constraints must be kept in mind.

The facilitation cycle (see annex 3.8) provides assistance in planning a dialogue meeting.

How to encourage open questions and collect feedback:

Open exchange and honest feedback are essential to successful dialogue. Encourage participants to
1050   voice their expectations of the process, in order to integrate these into proceedings and agendas.
Motivate all parties to express any criticisms at an early stage: it is often better to provide an outlet for
emotions, and it may prevent further escalation of the conflict. Once participants have been able to let
off steam, it may then be possible to return to matter of fact discussions.

1055

Pitfall for companies and facilitators: Silence does not signal approval

The commitment to cooperation in a neighbourhood dialogue will change attitudes. Normally
neighbours do not feel it necessary to express criticism or to complain in a dialogue meeting if they are
dissatisfied – they remain silent. Company representatives often therefore decide too early on that
1060   participants are in agreement without making sure that this impression is correct. That is why it is

important to actively ask all participants to give honest feedback. Especially when working through issues one should always check whether all the questions have been answered and whether all participants are in agreement with each of the results achieved.

1065 Otherwise those who are not interested in a constructive dialogue may remain silent, may not acknowledge results and agreements, or may, possibly, withdraw or break off the dialogue and try to push through their interests by another route which promises more effective publicity.

For a dialogue to succeed, appropriate methods and techniques are required to
- encourage involvement
1070
- build trust between participants
- focus on interests (sometimes even on values) rather than on fixed positions
- empower laypersons and break down differences in power and status

You will find some facilitation and participation techniques in this toolkit in the "How to" boxes.

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If you have to coordinate a large group of participants or you need to install short communication channels to keep in touch between the meetings, think about establishing the following instruments:

How to organise in-depth work by setting up a liaison group:

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A liaison group should be formed if the number of people affected is too large to take part in meaningful dialogue at public meetings. In-depth work can then be done by a liaison group (with around 15 to 25 participants) representing the key stakeholders. However, it is essential to consider carefully how the composition of the group is determined (e.g. by vote, nomination…) and how the

1085 liaison group reports to the wider community.

How to keep in contact between meetings by choosing a spokesperson or coordination team among the stakeholders:

1090 Let the stakeholders elect a spokesperson or a little team for a certain time periods (one or two years). This will help to coordinate neighbours' interests, e.g. to agree on agendas or changes to the work programme in between dialogue meetings, or to inform the media and conduct public relations work.

Step 4: Making progress

Main points of step 4: Making progress

4.1 Supply open and comprehensive information that is understandable to laypeople
- Prepare all information in a way that all people involved will be able to understand.
- Encourage participants to be clear and open about facts, uncertainties, shared responsibilities, constraints, obstacles and fears.

4.2 Achieving results through consultation
- After all interests have been analysed, a joint and objective basis for discussion can be established.
- Alternatives subsequently need to be developed and criteria for decision making need to be agreed on.
- During the dialogue it is important to encourage and support the process of reaching agreement and learning from one another.

4.3 Cooperation
- Cooperation agreements are a sensible option when the dialogue partners find themselves in mutual dependency.
- In such cases it is sensible to work towards a consensus that is acceptable to all parties in the dialogue.

4.1 Open and comprehensive information that is understandable to laypeople

Openly providing information is a key factor in the success of neighbourhood dialogue. All participants should communicate their concerns and present their positions and interests. Issues and background details that are important to a particular party thereby become apparent and can be discussed during the dialogue. Questions to which no immediate answer can be provided can be followed up and dealt with, for example before the next dialogue meeting, by agreeing to:

- conduct further research

- invite experts

- set up a sub-group or liaison group to deal with the specific issue

- provide more in-depth information at an additional meeting.

Information should be prepared in a way that is comprehensible for all people involved, for the following reasons:

- different levels of knowledge

- risk of misunderstandings which typically arise between experts and laypeople

- In certain areas experts and laypeople communicate in very different ways (e.g. when discussing risk, non-experts tend to concentrate on social aspects, such as individual responsibility, and can find it difficult to understand abstract probability assessments).

Recommendations for all participants:
Provide information early on, openly and honestly

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Each participant should be clear and open not only about facts but also about uncertainties, shared responsibilities, constraints, obstacles and fears. It is important not to hide critical information but also to communicate the limits of negotiation in the neighbourhood dialogue.

4.2 Achieving results through consultation

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Only when all interests have been analysed it is possible to build up a joint and objective basis for discussion. Based on that, alternatives subsequently need to be developed and criteria for objective decision making agreed on. It will then be possible to explore areas where consensus can be reached, to look into differences in more detail and to look for joint solutions and recommendations. In doing so, the dialogue partners can often develop win-win solutions together.

During the dialogue it is important to encourage and support the process of reaching agreement on facts, learning from one another and where appropriate, taking responsibility for resolving conflicts.

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During neighbourhood dialogues it needs to be made clear what participants can and cannot influence. Usually participants have no direct influence on decisions within the company or authority. However the company or authority - whoever the results of the dialogue will be presented to – should commit to examining the recommendations of neighbours and giving detailed feedback.

Important opportunities for participants to exert influence are:

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- being kept informed continuously of what is going on at the site

- submitting proposals for issues to be dealt with

- requesting support from the facilitator with a view to introducing and discussing concerns (empowerment to boost specialist competence, encouraging participation and addressing imbalances in power relations within the dialogue etc.)

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- if necessary, being able to mobilise input from additional experts (with agreement to cover costs by the sponsor of the dialogue).

How to provide access to independent expertise:

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Inviting experts (and choosing them together), organising an expert hearing, agreeing on the terms of reference of research projects or conducting research together – all elements empowering neighbours to access independent expertise will be valuable in building trust where there are hardened conflicts.

How to benefit from and use the expertise of neighbours:

Neighbours can, for instance, be involved in testing the intelligibility and practicality of information brochures, e.g. emergency and hazardous incident information brochures.

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How to encourage neighbours to voice their interests by working in sub-groups:

Splitting a large group into sub-groups of 6 to 10 people can encourage in-depth discussion between stakeholders and the company (or authority) representatives. It also helps to collect honest feedback, when the stakeholder participants will be able to present their points of view after discussion and with

1175

the support of a group.

4.3 Cooperation

Even if the dialogue is based on an attitude of cooperation, genuine cooperation agreements in which all participants have the same influence on decision-makers are rather rare in neighbourhood dialogue. Such cooperation requires a high level of commitment to dialogue and a clear-cut reason and remit for cooperation (see also Figure 1, step 1.1).

Cooperation agreements are a sensible option when dialogue partners find themselves in mutual dependency and none of the parties can push through their position without the agreement of the others. In such cases it is sensible to strive towards achieving a consensual result that is acceptable to all parties in the dialogue and which can later be incorporated into formal and legal procedures; implementation could also be guaranteed through a written contract.

Recommendations for facilitators:
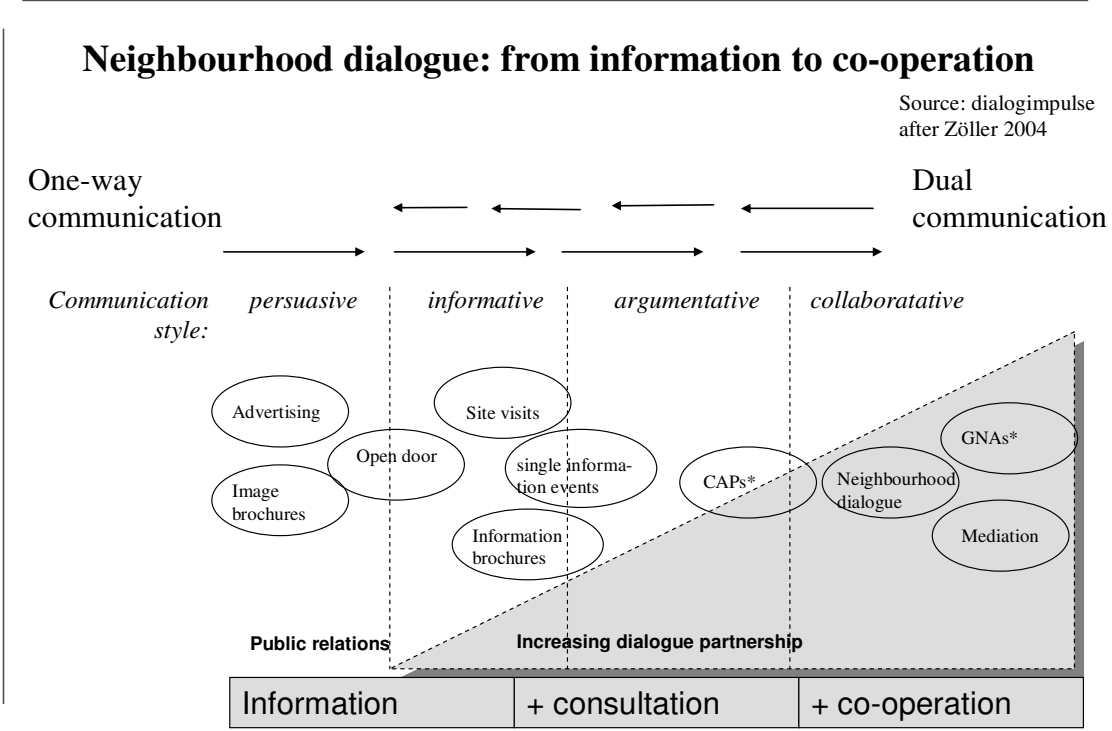*Establish trustworthiness through careful follow-up*

Offers to open up dialogue need thorough follow-up at the beginning. Commitments and agreements must be reliably followed up. This applies, for example, to a verbal offer made during a meeting to provide additional information, as well as feedback on additional research or inviting experts to participate.

Companies should keep neighbours and authorities up to date on progress as well as on delays in implementing measures. A successful conclusion should be documented and reported (including photos and other visual documentation, if possible), as well as with a tour of the site where appropriate.

The following figure shows the difference - although sometimes this difference is blurred - between traditional public relations approaches, which focus on providing information (often aiming to persuade, without inviting feedback) and dialogue approaches, which focus on open information, consultation and co-operation. Figure 3:

Neighbourhood dialogue: from information to co-operation

Source: dialogimpulse after Zöller 2004

One-way communication   Dual communication

Communication style: persuasive   informative   argumentative   collaborative

Advertising
Site visits
Open door
single informa-tion events
Image brochures
CAPs*
Neighbourhood dialogue
GNAs*
Information brochures
Mediation

Public relations   Increasing dialogue partnership

Information | + consultation | + co-operation

*Community Advisory Panel (CAP) and Good neighbor Agreement (GNA), see annex 3.1

Successful performance and continuous improvement

Step 5: Getting results and celebrating success

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Main points of step 5: Getting results and celebrating success

5.1 Getting results
• Each meeting should be followed up.
• The company and the authority should fulfil any promises made.

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5.2 Sharing experience and lessons learned
• Encourage people to adopt a different perspective and ask for active feedback in order to prevent misunderstandings and loss of trust.
• Build trust between participants: when openness towards each other increases and participants inform each other about critical issues, they start to think laterally and develop shared solutions.

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5.3 Review and evaluation
• Assess participants' perceptions and opinions of the dialogue at regular intervals, using either formal or informal approaches.

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5.4 Communicate and acknowledge joint successes
• The results and achievements of neighbourhood dialogue should be acknowledged and communicated.
• Successes need to be celebrated - to strengthen the identity of the dialogue group in the long term and boost confidence that problems can be dealt with in the future.

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5.1 Getting results

A dialogue will only be successful if all parties stick to what was agreed on. Otherwise participants may become frustrated over the time and money they have invested. For the company and the authority this means that following up events and implementing what they have promised is particularly important and must be consistently backed up in order to build up a credible and trustworthy dialogue partnership.

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The facilitator, the responsible company representative and, depending on the level of involvement, the responsible authorities should therefore follow up each dialogue meeting:

• What results were achieved?

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• What needs to be done by when and by whom?

• What, possibly, needs to be done within the company and what information needs to be researched and prepared for the next meeting?

• When and how can feedback be given to the neighbour participants if questions cannot be answered immediately?

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• When will implementation of agreed measures be completed and viewed by those involved?

Only if all participants have seen that what was agreed on was also implemented, that measures were taken and that improvements were achieved will the dialogue be deemed a success.

> ## How to use site visits and field trips to demonstrate improvements:
>
> Site visits and field trips enhance the understanding of technical aspects, alternative options or solutions already implemented at another similar site. Site visits are especially recommended before and after technical investment measures in order to demonstrate to stakeholders that improvements have been made.

This personal involvement enables a before-and-after comparison, and helps people to understand the process and effectiveness of improvements. This is an important aspect when designing the dialogue process which breaks traditional patterns of conflict: Instead of publicly denying the effectiveness of improvements made by the company for tactical reasons, critics can acknowledge them as a joint success. Likewise, companies can view and assess suggestions made by critics positively.

> ## How to ensure transparent documentation through visualisation techniques:
>
> A visual record (e.g. on flipcharts) of questions and answers during discussions supports trust building, because it can be corrected immediately. Furthermore participants share responsibility for making sure that all important issues are not only addressed but also documented correctly (e.g. when capturing results on pin boards and flipcharts). Visual support also helps to improve transparency. There are a range of special techniques for using with large groups.

The facilitator should document results achieved and agreements reached. In addition, the facilitator should ask participants to evaluate the effectiveness and success of measures once they have been implemented. Recognition and criticism are thereby documented in a transparent fashion and critical points can, if necessary, be dealt with further or a successful outcome documented.

> *Recommendations for dialogue participants and facilitators:*
> *Results should improve environmental performance*
>
> Be aware that in a dialogue process individuals may seek to reach agreements that are solely beneficial to them personally. Even if legally acceptable, such agreements may have impacts on other people, both those who are involved in the dialogue process and those who are not, or they may affect environmental quality (e.g. shift pollution from air emissions to wastewater). Make sure that the results implemented are legal, that they are also perceived as legitimate and that they guarantee or improve overall environmental performance.

5.2 Sharing experience and lessons learned

Establishing a dialogue is a mutual learning process which involves new experiences for all participants. Tensions will sometimes arise. Misunderstandings often occur when different viewpoints and communication cultures clash, for example those of laypeople and experts, or the culture prevalent in private industry, in authorities or in civil society.

> **Recommendations for facilitators:**
> **How can difficulties and critical situations be overcome?**
> Before starting a dialogue and during the process critical situations such as the following may occur:
> - a party refuses to take part, or breaks the ground rules.
> - emotions are running high and dialogue partners or experts feel under threat.
> - mistrust towards the company's management
> - participants pursue a hidden agenda
> - the company refuses to openly communicate and attempts to conceal critical information

Find hints on how to overcome these kinds of situation by reading annex 3.5.

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The facilitator should encourage people to experience and respect different perspectives and ask for active feedback (see also step 5.3) - these are important ways of preventing misunderstanding and the resulting loss of trust. In the course of the dialogue it may also be sensible to consciously agree to change a planned proceeding and to apply new methods. This will increase the commitment to cooperate in the dialogue. As trust between participants grows over time, openness increases and participants communicate their views on critical issues, think laterally and develop common solutions. Successful dialogue is full of surprises in terms of how much can be achieved together.

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Recommendations for all dialogue participants: Regular participation
Regular participation ensures that the level of information and knowledge of those taking part continues to grow, that positive mutual learning experiences occur and that trust and credibility develops.

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5.3 Review and evaluation

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In long-term dialogues it is recommended that participants should be asked from time to time to assess how the dialogue is going, and make suggestions for improvement. Targeted questions can, for example, be related to the relevance of the issues covered, the frequency of meetings, sufficient discussion time, atmosphere in the dialogue, comprehensibility and openness of information provided, perception of improvements and the extent to which participants talk to others in the neighbourhood about the dialogue (multiplier effect). The following tools may be useful:

- Getting informal feedback by taking people aside during/after a meeting and chatting to them during breaks.

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- Getting feedback from all participants during the meeting, for example letting each participant rate predetermined categories. There are a number of facilitation techniques which allow participants to provide feedback in interesting ways, and which help to collect suggestions for improvements.

- Written questionnaires sent to the participants with 'open' and 'closed' questions (yes/no answers or tick-boxes).

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See annex 3.9 for evaluation criteria for dialogues.

5.4 Communicate and acknowledge joint successes

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It is not only important to document results and to support the implementation of agreed measures. These also need to be celebrated afterwards - as a joint success and in public. It thus becomes clear why it is worthwhile for neighbours and companies, as well as authorities, to take part in the process, and demonstrates that concrete improvements can be made by reaching agreement. This strengthens the identity of the dialogue group in the long term and boosts confidence that problems can be dealt with in the future.

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Many residents explicitly ask companies for proactive press work that provides information to the wider public at regional level and, possibly, to the company's customers. They share the company's contentment at the positive impact on their image. Neighbours should also use the opportunity to communicate that they have been involved constructively.

The following examples show how companies can acknowledge the efforts of neighbours and authorities in successfully implementing measures:

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- Small celebrations during or after a meeting (mutual expressions of thanks, drinks, presenting flowers – but be careful not to misuse the event for PR work).

- Reports in the local/regional or industry-specific media.

- Reports in company-internal media (newsletters covering the site for the neighbourhood or for the staff; website).

1335
- Public events, exhibition in a public space or in the company offices.

- Guided site visits to which the press are also invited (e.g. part of a dialogue meeting).

- Events to launch new technology, facilities, buildings etc. (possibly in combination with an open day and further activities, e.g. an afternoon barbecue).

1340
- Spreading the news about successes by taking part in competitions which award prizes for best practice communication, technical innovations or environmental projects.

Pitfall for companies: Gifts

Try to avoid presenting gifts as a sign of appreciation, as these can sometimes be interpreted as bribes.

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A neighbourhood dialogue should also be presented to those environmental auditors who certify the company's environmental management systems. Experience has shown that this element of environmental communication is judged very positively and, for example, that it improves the site's position relative to the company as a whole.

Step 6: Maintaining good neighbourhood relations

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Main points of step 6: Maintaining good neighbourhood relations

6.1 Good neighbours
- Establishing a basis for discussion that is based on trust drives forward effective solutions to improving environmental quality.
- Continuous neighbourhood dialogue is valued highly by companies because they get feedback from residents and authorities on current issues.

6.2 Adapting the dialogue to new situations
- It usually makes sense to continue to cultivate good relations established during the dialogue.
- Continuing the dialogue with a reduced frequency of meetings makes it easier for the company to react quickly to any concerns that arise in the future.

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1360

6.1 Good neighbours

1365 Successful neighbourhood dialogues have long-term positive effects for companies, neighbours and authorities: misunderstandings can be clarified, fears abated, and trust and cooperation built up between participants who may often have been involved in fierce disputes prior to the dialogue.

Dialogues lead to social and organisational learning: ideally, participants not only clarify specific issues, but can also learn to better judge other dialogue partners as well as to accept the reasons with which partners justify their goals and values. This does not per se mean that they agree with their 1370 positions.

Generally the company and residents will still be pursuing different interests. That is why a consensus will always be either time-limited, a partial consensus or even "agreeing to disagree". Participants in the dialogue thereby learn to find realistic and viable compromises and to resolve opposing interests. Treating each other as equals when discussing controversial subjects enables agreement to be reached 1375 at the personal level. Mutual - and, in times of crisis, reliable - commitment continuously grows between dialogue partners because all participants trust each other and see each other as credible partners. Neighbourhood dialogue supports organisational learning: a company develops into open, transparent and self-confident corporate citizen, and this also has a positive impact on their image, and helps their neighbours to understand their concerns.

1380 In addition, companies value continuous neighbourhood dialogue because they thereby get feedback from residents and authorities on current issues. They, in turn, feel that it is an advantage that the company is taking an interest in them, investigating complaints immediately and giving them the chance to view and discuss the companies' application documents for environmental permits. It becomes possible to reach agreement on and to implement improvement measures based on a rational 1385 process - expert opinions, more in-depth investigations or innovative research projects.

Withdrawing complaints and handling issues without becoming involved in legal disputes is seen by both sides as positive. This emphasises that the legal situation is not the only crucial aspect: Measures taken by a company due to dialogue agreements can also lead to cost-effective, voluntary measures and improvements when organisational changes are made.

1390 **Establishing a basis for discussion that is based on trust drives forward effective solutions to improve environmental quality and at the same time makes it easier for the company to implement those solutions.**

6.2 Adapting the dialogue to new situations

What if communication concerning issues of immediate conflict has been successfully completed? Should the dialogue be brought to a close or continued?

From the company's or authority's point of view it makes sense to continue to cultivate the good contact that was established during the dialogue. This way the company can react quickly to concerns arising in the neighbourhood and the local environment and step up the dialogue again when necessary. This applies in particular when, for example, the company wishes to inform and involve the neighbourhood early when developing new plans and investments.

However, in the long run only large-scale industrial sites will generally generate sufficient topics and a sufficiently wide range of issues to justify continuous dialogue.

Decisions thus need to be made on a case by case basis:

- whether to cut back the dialogue by putting it on a smaller footing (i.e. once or twice a year) and, in addition, whether to maintain contact with participants by other means (inviting them to an open day, informal annual meeting or party of neighbourhood dialogue group)

- whether to take a break and agree with participants to resume if and when the need arises

- whether to regularly continue the dialogue with an extended range of topics, for example by dealing with more general topics that are less specific to the site (sustainability, sponsoring, corporate citizenship etc.).

Forms of dialogue, frequency of meetings and the range of participants are never static, but should be adapted over time to suit the needs and levels of interest of all participants.

Establishing neighbourhood dialogue

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Toolkit - Annexes

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C Annexes

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1. Short version of the Toolkit
Planning and Preparation

Main points of step 1: Initiating and preparing the neighbourhood dialogue

1.1 Draft a provisional goal for dialogue and take the initiative
- Define possible common grounds for the dialogue including the expectations of all important parties involved.
- Assess the situation and identify the most suitable initiator for starting the dialogue.
- Make sure there is a clear commitment from the company involved.

1.2 Engage the company and the authority in dialogue
- In convincing the company to take the lead, point out the numerous advantages for the company in doing so.
- If the company does not want to lead the dialogue, check its willingness to cooperate in a dialogue led by the authority.

1.3 Find a facilitator or team acceptable to all parties involved
- Ensure that the facilitator is acceptable to all parties involved.
- It is advisable to have an external facilitator in order to guarantee impartiality.

1.4 Examine what scope the company has to act, and what kind of involvement the dialogue will offer
- Companies should always check what scope they have to act and assess their legal position and its uncertainties.
- Examine timeframes for formal decisions, offers and limitations for involvement, availability of human and financial resources before starting the dialogue.

1.5 Convince the company of a provisional concept and ensure the company is committed to the neighbourhood dialogue
- Ensure that the senior management is convinced that the dialogue is in the interests of the company, and acts supportively.
- The top management must be willing to agree on decisions that are influenced by ideas and discussions arising out of the dialogue.

1.6 Contact neighbourhood representatives and clarify interests and expectations (stakeholder analysis)
- Identify the key people.
- Take the provisional concept and involve all the relevant parties in investigating and analysing their interests, expectations, willingness to cooperate and constraints.

Main points of step 2: Developing and designing the concept

2.1 Carrying out the basic analysis to assess opportunities and risks for dialogues
- Analyse if there is enough common ground to get a commitment for dialogue and scope for action to agree on solutions.
- Decide whether or not to start the neighbourhood dialogue after having carefully balanced the advantages and opportunities with the risks for all participants.

2.2 Designing the neighbourhood dialogue concept
- Take site specific particularities into consideration to choose your approach.

1490	• Reaching agreement on the dialogue concept may be the first experience of negotiating and agreeing on compromises. 2.3 Choosing the dialogue form and composing common ground rules • Compose the different elements of a case specific dialogue depending on characteristics of the starting position (e.g. number of affected people, stage of conflict, public awareness).
1495	• Integrate these arrangements into the common ground rules of the dialogue.

Putting the concept into practice and making progress

1500	**Main points of step 3: Starting neighbourhood dialogue** 3.1 Send out invitations and make preparations for the first meeting • Neighbours will need detailed information about the goals of the dialogue before they can commit themselves to the method and its common ground rules • Plan sufficient time on the agenda for contributions from all stakeholders.
1505	• There should be enough time for an initial discussion about the main issue. • The first meeting is the warm-up phase for the dialogue. • Choose methods which encourage involvement, build trust, focus on interests, empowerment and equalising differences in power and status.
1510	3.2 Continued neighbourhood dialogue meetings • The schedule and work plan should be well-structured to ensure that the dialogue is effective and focuses on outcomes. • The time schedule for individual meetings should not be too strict and the intervals between meetings should not be too short.
1515	• Apply facilitation, visual and involvement techniques, site visits and establish smaller groups to work efficiently.

	Main points of step 4: Making progress
1520	4.1 Supply open and comprehensive information that is understandable to laypeople • Prepare all information in a way that all people involved will be able to understand. • Encourage participants to be clear and open about facts, uncertainties, shared responsibilities, constraints, obstacles and fears.
1525	4.2 Achieving results through consultation • After all interests have been analysed, a joint and objective basis for discussion can be established. • Alternatives subsequently need to be developed and criteria for decision making need to be agreed on.
1530	• During the dialogue it is important to encourage and support the process of reaching agreement and learning from one another.
	4.3 Cooperation • Cooperation agreements are a sensible option when the dialogue partners find themselves in mutual dependency.
1535	• In such cases it is sensible to work towards a consensus that is acceptable to all parties in the dialogue.

Successful performance and continuous improvement

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Main points of step 5: Getting results and celebrating success

5.1 Getting results
- Each meeting should be followed up.
- The company and the authority should fulfil any promises made.

1545

5.2 Sharing experience and lessons learned
- Encourage people to adopt a different perspective and ask for active feedback in order to prevent misunderstandings and loss of trust.
- Build trust between participants: when openness towards each other increases and participants inform each other about critical issues, they start to think laterally and develop shared solutions.

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5.3 Review and evaluation
- Assess participants' perceptions and opinions of the dialogue at regular intervals, using either formal or informal approaches.

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5.4 Communicate and acknowledge joint successes
- The results and achievements of neighbourhood dialogue should be acknowledged and communicated.
- Successes need to be celebrated - to strengthen the identity of the dialogue group in the long term and boost confidence that problems can be dealt with in the future.

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Main points of step 6: Maintaining good neighbourhood relations

6.1 Good neighbours
- Establishing a basis for discussion that is based on trust drives forward effective solutions to improving environmental quality.

1565
- Continuous neighbourhood dialogue is valued highly by companies because they get feedback from residents and authorities on current issues.

6.2 Adapting the dialogue to new situations
- It usually makes sense to continue to cultivate good relations established during the dialogue.

1570
- Continuing the dialogue with a reduced frequency of meetings makes it easier for the company to react quickly to any concerns that arise in the future.

2. Promoting dialogue

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Neighbourhood dialogues are voluntary instruments looking for cooperation and win-win solutions between all participants involved on a legal basis. Within the multi-party communication process interests and expectations, legal positions and responsibilities, possible solutions and their limitations are worked out and become transparent. Taking also the further advantages of doing so into

1580   consideration (see step 2.1), authorities and companies have an interest in promoting neighbourhood dialogue as a useful instrument to solve environmental conflicts.

To promote and convince more authorities and companies to test and to implement dialogue approaches it is recommended to

1585   • communicate and disseminate the advantages of dialogue

    o   to involve key persons:

        ▪   within companies, e.g. environmental managers, staff responsible for Corporate Social Responsibility (CSR), stakeholders, the community and the neighbourhood

1590   ▪   within authorities, e.g. inspectors, staff responsible for permitting procedures and complaint management

    o   to address those who can disseminate the dialogue message information further

        ▪   within industrial associations and sectors

        ▪   within the different levels of administration and administrative networks – especially staff responsible for inspection, permitting processes and enforcement of environmental legislation

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        ▪   politicians to organise support for the dialogue approach

        ▪   judges of administrative courts and their associations

• promote best practice examples
(by documenting and disseminating examples of national and international experience)

1600   • address, convince and win the support of the senior management of authorities and companies

• convince sceptical employees in authorities and companies

• define quality standards and best practices

• initiate pilot projects

• offer the staff in the authority (and companies) training opportunities, e.g. in communication skills

1605   and basic knowledge of how to negotiate between different interests and build up cooperation

• build up a group of mentors able to support and coach people initiating and establishing dialogues

• initiate a dialogue network between authorities and people involved in dialogue (e.g. from courts, companies, NGOs)

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3. Supporting material

3.1 Involving neighbours and the community

1615   Besides neighbourhood dialogues a variety of other methods of dispute resolution processes or involvement exist for improving the participation of and decision making with neighbours, local stakeholders, authorities and companies in environmental issues and conflicts.

Figure 4:

Neighbourhood dialogue among other Dispute Resolution Processes
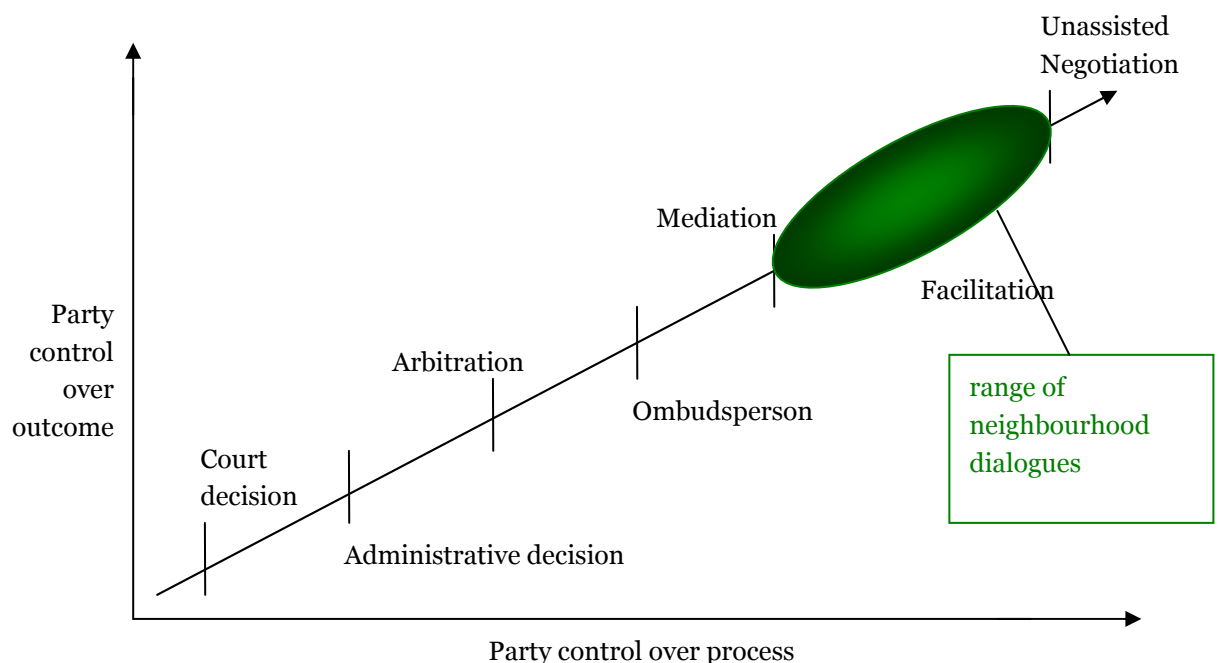
Source: dialogimpulse after Consensus Building Institute 2003, page 9

1620

Neighbourhood dialogues apply conflict management techniques and communications skills developed and used in methods like mediation, facilitation and negotiation. Normally their requirements do not reach the mediation standards. Furthermore an impartial third person – which is not always necessary in a neighbourhood dialogue (see step 1.4 and annex 3.3) - will take on the role 1625   of a facilitator, although sometimes with mediation competencies. Unlike court decisions or administrative decisions, in which the conflict parties have little influence, either on results or on process design, neighbourhood dialogues can integrate requests of the participating parties. Moreover, the concrete influence on results is agreed on at the beginning of the process (see step 1.1 and 2.2). Therefore a specific neighbourhood dialogue may range between mediation, facilitation and unassisted 1630   negotiation processes.

Besides neighbourhood dialogues, other involvement approaches and instruments have also been developed. These range from only providing information on request to cooperative participation designs, e.g.

1635   ▪   for information (e.g. leaflets, brochures, media campaigns, site visits, telephone hotlines) -
sometimes with real feedback possibilities (e.g. public meetings, surveys, interviews),
      ▪   for consultation (e.g. workshops, focus groups, expert meetings)
      ▪   for cooperation and partnership with joint decision making (e.g. see below).

1640   Often these instruments can be used in combination – and even methods designed in detail (e.g. citizens'juries or consensus conferences) will always have to be adapted to the needs of the specific case. Choose your method by analysing your starting position and then design your approach according to the specific needs – this ensures the success of the dialogue process more than being attached to a special tool.

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The following instruments have some similarities to neighbourhood dialogues – however, there are also differences, because they were each developed from different starting positions and to fulfil different purposes.

1650   **CAPs – Community Advisory Panels (USA and other countries)**
CAPs were developed within the Responsible Care-program of the chemical industry, which started in 1991. According to the American Chemistry Council there are now up to 400 CAPs.
The company invites up to 20 citizens representing key audiences and different stakeholder interests of the community – however their composition is often dominated by local business representatives, and

1655   environmental activists are missing. They meet with the management of the site (or sites in a multi-company CAP) several times a year to discuss issues of mutual interest, to share their concerns and ask their questions of plant management. External facilitation or access to external expertise are not common in CAPs.
Evaluations of CAPS (Lynn et all. 2000:1881; Zöller 2005: 199) observe improved relations and

1660   communication between the chemical sites and the CAP members – however they are less effective in influencing company decisions, in stimulating changes in environmental performance or serving as a systematic link to the community.

   Good Neighbour Agreements (US)
1665   Good neighbour agreements (GNAs) are negotiated agreements between local communities and polluting companies. They have been evolving in the US since the late 1970s. GNAs focus on involvement and by clarifying interests and through(technical) education and cooperation, can lead to enforceable agreements and legally-binding private law contracts. They promote communication, respect and trust. The community identifies social or environmental issues of local concern and the

1670   company agrees on implementing standards that are higher than those required by law. This is generally linked to a real influence of communities through enforceable rights. GNAs are rare, quite effective and are best viewed as long and difficult negotiation processes that can complement the environmental regulatory framework. Further elements are: expansive information rights, departing from a stakeholder's initiative, sharing the control of the participation process, parity in decision

1675   making, access to independent experts, aiming for shared benefits, holistic content including social and economic aspects, implementing best practice solutions.

In UK and The Netherlands other approaches were developed to address and involve local communities and residents:

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Building trust with communities (The Environment Agency of England and Wales – UK)

The Environment Agency developed the "Building trust with communities" approach to find a more effective way of managing high public concern around its regulated sites. In the past, the Environment

1685   Agency followed the 'traditional' approach of making decisions alone, announcing plans and then defending these decisions to those who did not like them. This made local people feel disempowered and frustrated and ran the risk of the Environment Agency making decisions without fully understanding relevant local issues and reactions.

1690   This past experience and a background of research (carried out over the last 10 years) formed the basis of a new approach. The Building trust with communities approach involves working with communities early on to understand their concerns, interests and priorities. The Environment Agency may still make the final decision but it will give people a real opportunity to have their say and at the very least they will understand the decisions that have been made and the Environment Agency's role.

1695

Building trust with communities is designed to guide Environment Agency staff through planning and carrying out their work with individuals, groups and other stakeholders. It helps staff think about their objectives, why they need to work with others, who they need to work with and how to involve them.

1700   The Environment Agency has developed a Building trust with communities programme which includes a short, step-by-step guide, training courses, a learning network of 'mentors', and support materials such as case studies and 'how to' guides.

For more information please call Environment Agency of England and Wales, Community Relations

1705   Team, +44 (0)1454 205716

3.2   Do's and don'ts for facilitators

Facilitators should:	Facilitators should not:
▪ *Let themselves be guided by the interests of the participants* ▪ *Clarify issues and time horizons together with the participants* ▪ *Develop an agenda for each meeting* ▪ *Enforce ground rules agreed by the group* ▪ *Keep discussions on track and on schedule* ▪ *Ensure that all members participate* ▪ *Keep an eye on group dynamics* ▪ *Keep an eye on the objective and the subjective level (facts AND emotions)* ▪ *Protect group members from attack* ▪ *Offer suggestions regarding procedure* ▪ *Promote interaction and communication during meetings and overcome*	▪ *Back a particular opinion voiced in the group* ▪ *Offer their own opinions (except as a methodological step)* ▪ *Let the group unconsciously shy away from a difficult area* ▪ *Lead the group in what he/she thinks is the right direction* ▪ *Offer compromises (unless the group has commissioned the facilitator to do so in which case the facilitator would then*

communication barriers due to cultural or professional differences ▪ *Ensure that questions are answered to the satisfaction of the person asking them* ▪ *Clarify unclear and critical issues* ▪ *Summarise and document the status of discussions and results* ▪ *Bring issues to a satisfactory conclusion and possibly agree to address them again at a later meeting*	*extend his competencies to mediation or arbitration)*

1710

3.3 Choosing a facilitator

Facilitators belonging to participating parties may be:

- A representative of an authority, for instance from the top management level, or other fields of
1715   work or regional responsibilities.
    However, a facilitator of the competent authority should not be directly involved in the issue or be responsible for the company's activities, as he/she will most likely not be accepted by all parties.

- An employee of the company initiating the neighbourhood dialogue.
    However, role conflicts may occur when having to weigh up facilitation needs against the
1720   company's interests, for example insisting on clearer answers to neighbours' questions, communicating critical information to the neighbours, uncovering underlying conflicts. A facilitator chosen from a company may gain credibility and acceptance if he/she succeeds in guiding a transparent and fair discussion and if the situation has not already escalated.

1725 **A third party facilitator** from the area can be called in as an impartial party to avoid role conflicts, to ensure acceptance by all parties involved and to start off and support the process smoothly, for example:

- A well-known local personality (non-professional or semi-professional), for instance a mayor, a member of the local administration, a politician, a priest, a journalist, the president of a local
1730   association – possibly someone already retired.
    However the impartiality of mayors, politicians, priests having a certain political influence; journalists reporting on the case and influencing public opinion at the same time may be viewed sceptically.

- Someone with specific facilitation, conflict management or mediation skills, for instance a
1735   teacher, judge etc.

Professional facilitators would be particularly suitable in cases where

- The issue is very controversial and hardened conflicts dominate (conflict escalation has already been identified, expertise in dispute resolution is needed).

1740   • The issue is very complex and many parties are involved (professional expertise and process and communication management skills are needed to analyse the situation, consult all parties, and design and manage the process).

    • No other facilitator can be accepted by all parties.

1745

3.4 Guideline of questions to ask neighbourhood stakeholders (basic analysis)

1750 At the beginning of the first conversation with stakeholder representatives the facilitator should explain that the company "Name of the Company" (or authority) would like to invite them to take part in a neighbourhood dialogue. He should then outline the idea and motivation for dialogue and the provisional concept. The following questions help to identify the relevant interests and expectations of future participants, their willingness to cooperate, their knowledge level, their informal or formal background and communication network.

1755

Not every question makes sense in every case. Choose the questions appropriate for your company and issue.

Questions

1760
1. Which issues and conflicts should be addressed in the neighbourhood dialogue? Which of the company's activities do you have a problem with?

2. What have you undertaken so far? Whom have you already made contact with in the company? Have you (had) any contact with other people, groups, institutions and authorities about the company?

1765
3. In your opinion, what are the available options in terms of making improvements and resolving conflicts?

4. What developments could lead to a further escalation of the situation?

5. What do you know about the company's operations, production conditions and economic situation?

1770
6. Are there any other topics or future developments of the company which are of interest to you or to other players (residents, local government politics/administration, authorities)?

7. What should be the goal of the neighbourhood dialogue?

8. What results would you like to see achieved?

1775
9. In your opinion, how could these results be achieved?

10. How much time and money do you think it will take to deal with these issues?

11. What expectations do you have of the neighbourhood dialogue as regards:

    ▪ Transparency of information?
    ▪ Dialogue partnership and neighbours' influence?
1780   ▪ Dealing with criticism and ideas?
    ▪ Agreements regarding conflict-resolution?
    ▪ Public nature and confidentiality of discussions?
    ▪ Informing the public?
    ▪ Informing the press and other media?

                    ▪   Facilitation of the meetings?

    12.   What would motivate you to take part?

    13.   Which people and institutions should be involved in the neighbourhood dialogue?

    14.   What would be a reason for you to decide not to take part in the dialogue?

Is there anything else you would like to address at this point?

3.5 Overcoming critical situations

To overcome critical situations in a dialogue the best strategy is, of course, to prevent these by a transparent proceeding and careful preparation. Therefore good dialogues are based on common ground rules (see annex 3.7) agreed on by all participants to ensure transparency and fairness and to prevent conflicts. The following table gives some recommendations and ideas of what one can do or could have done in advance to manage, mitigate and solve typical critical situations which might occur in dialogues (see also Q and A boxes in steps 1.2 and step 1.6). It is not a complete list – every situation is special and interventions from participants and facilitators become necessary.

Critical situation:	What to do:
The legal background is unclear ■ the authority may not be able to decide what its legal position is (to provide certainty of the law), e.g. missing data or ongoing research ■ it may not be possible to say whether the company is compliant with the law or not (no legal basis and no limits prescribed)	■ Try to clarify the legal position and restore compliance with the law as quickly as possible. Explain to the public why the legal background is unclear. ■ Where the legal position remains unclear, dialogues can create win-win situations, e.g. by avoiding the need for a judicial decision and being faster than the formal procedure. ■ Dialogues allow discretion to be used or may provide incentives for the company to agree on research projects or to develop and implement new standards. This may lead to faster or higher quality results than can be required by legislation and achieved by following the formal procedures, e.g. if improvements can be combined with modernisation investments.
Internal conflicts become apparent… ■ within the competent authority ■ within the company ■ between the competent authorities ■ between companies	■ Get in touch with all relevant stakeholders. ■ Structure the different positions and interests. ■ Invite the participants to take part in a workshop(s) to discuss their positions and to work on common or at least agreed views before the dialogue starts.
A party does not want to participate in the dialogue	see step 1.6.
People mistrust the company's management because of critical or hazardous incidents or other technical failures, a lack of information or impression of	■ The company's management should apologise to the neighbours about incidents or mistakes of the past. This enables it to repair or (re)build a relationship based on partnership to the neighbours. ■ To take the neighbours' concerns and fears seriously and to

misinformation or other management faults	start behaving proactively, the company should explain what measures (personal, technical or procedural) have been take to prevent the same mistake happening again.
Some participants have doubts about whether the variety of different perspectives within a community is represented	▪ Make sure in a proactive way, utilising stakeholder analysis (see step 1.6) and concept suggestions (step 2.2). ▪ Define the group of participants and their rights by "common ground rules" and let the participants agree these rules.
One party tries to gain time or takes strategic action (with a hidden agenda) or Personal interests which have no link at all with environmental issues	▪ Participants or facilitator should address the issue. ▪ Behaviour that is dictated by special or strategic interest should be made publicly known. ▪ (New) rules or (broadened) commitment concerning the dialogue should be agreed on. ▪ If there is still no return to a constructive attitude towards the dialogue, it is better to pause or terminate the dialogue.
Company does not want to communicate critical information	▪ Point out the risk that trust and credibility will be lost when the information becomes publicly known later on. ▪ Advise the company of the danger that critical information becomes known anyway. ▪ There is a great chance that frankness and honesty will be appreciated. ▪ There might be an opportunity to develop a solution in cooperation.
Internal changes as regards one party's representatives (e.g. new board of directors or owners)	▪ If possible: ask the predecessor for a handover. ▪ Facilitator contacts the new participant personally, introduces the dialogue to him, asks about positions, interests and expectations, shows benefits of participation and advantageous behaviour. ▪ The change in the dialogue needs to be addressed, the new participant is asked to introduce him/herself and to give commitment to the dialogue.
Emotions are running high and emotional or even personal attacks between dialogue participants	▪ Emotions are normal human reactions and can be worked with in a constructive fashion (they do not have to be banned). ▪ Create outlets for emotion early on and in a targeted fashion, i.e. allow emotions to be expressed. ▪ Do not allow impertinent attacks (and ask participants for fair behaviour due as noted in the common ground rules). ▪ Emotional statements can be reformulated to make the underlying fears, values, interests, intentions or misunderstandings of facts transparent in a more objective way. ▪ Ask further questions about the reason for the emotional reaction (Why does that make you angry/annoyed? Why are you disappointed? Why are you anxious?). ▪ Facilitator should (not immediately, but after some time) lead back to a more matter-of-fact discussion and suggest or ask for

	suggestions on how to work further on the topic of concern.
Experts are attacked	This can best be avoided proactively: ▪ Access to experts and invitation of experts shall be negotiated before and laid down in the "common ground rules". ▪ Experts should be chosen collectively. ▪ Mandate and employer, as well as personal and professional background of the expert should be known. ▪ Avoid typical misunderstandings and pitfalls between experts and laypersons due to different knowledge base, patterns of expressions and value systems. ▪ Prepare a comprehensible presentation for the target group, clarify the management and decision-making processes; pay attention to emotions as well as social aspects and facilitate a critical discussion.
Company is afraid of neighbours' emotional reactions	▪ Prepare participants of the dialogue that there might be an escalation of conflict. ▪ Explain mechanisms of conflict escalation and management. ▪ Refer to (facilitation) techniques leading back to a more factual approach.
No agreement can be reached on ground rules	▪ Note down the critical topics ▪ Postpone the passing of the ground rules and try to work out compromises until the end of this or the next meeting. ▪ If agreement is not possible, perhaps discontinue dialogue.
critic and conflict management, e.g.: Loss of trust between those taking part in dialogue An important party is dissatisfied with the dialogue or plans to leave the dialogue A party breaks the common ground rules Facilitator is seen as biased	▪ Agree on ground rules that critical opinions shall be brought into the dialogue and possible solutions discussed (before a participant engages the media) – maybe the participants negotiate new rules and extend the common ground rules. ▪ If ground rules are not respected, discuss how to proceed immediately within the dialogue or with representatives of steering committee (if this exists). Try to find a new commitment for dialogue and ground rules.,Otherwise the group has to decide if it is worth continuing the dialogue without the involvement of this party whether it is better to end the dialogue. ▪ Participants of the dialogue decide about changing the facilitators (laid down in the common ground rules).
No results achieved/followed up	Avoid proactively and by a careful follow-up: ▪ Agree on work programme and timelines, if necessary also on time constraints and milestones and review these regularly. ▪ Follow-up by the facilitator and the person in charge at the company or authority. ▪ Query the degree of satisfaction with the dialogue regularly; in case of critical response: see critic and conflict management.
Staff feel they do not have the	▪ Call in a professional external facilitator

necessary support (training and experience) to deal with difficult situations that may arise	• Prepare the dialogue situations internally (see step 1.6).
Staff representing the company/authorities in the dialogue do not have the authority to make decisions or to make the decisions requested by other dialogue partners	• Ensure that a representative of the top management and key decision makers take part in the dialogue continuously. • Ensure that the dialogue sessions are well prepared internally and competent feedback can be given by the companies' or authorities' staff members. • Postpone the feedback to the next meeting. • Make responsibilities and decision processes transparent and invite missing decision makers.
There are differences of powers between the participating parties. Individual personalities seem to be playing too big a part in the dialogue (i.e. difficult personal relationships rather than real differences in opinion are blocking progress)	• Define participatory and decision rights which guarantee a certain balance of powers in the common ground rules. • Engage a professional facilitator and define his/her tasks clearly. • Apply facilitation and communication techniques with equalised participation opportunities.

1800

3.6 Structure of a dialogue concept

The following structure elements may support working out the dialogue concept:

I.   Executive summary

II.   Introduction: Motive, mandate, proceeding

1805
- Who wants to initiate a dialogue? (see step 1.1)
- Intention and motivation of the initiator? (see step 1.1)
- Background and mandate of the reporting person (if facilitator or consultant)?
- What were the main steps to develop the concept?

III.   Characteristics of the communicative starting position

1810
- Is there a special or up to date cause for the dialogue offer?
- Characteristics of the company/ies: products and production, site, legal position, communication, community relations, future planning?
- Characteristics of the neighbourhood (residential area) and relevant stakeholders (see step 1.6)

1815
- Issue and Conflict Analyses (see step 1.6s and 2.1):
    i. previous history
    ii. issues (each with analysis of the different perceptions and scope of action)
- Deficits in communication?
- Opportunities for negotiation, environmental improvement and common ground?

1820   III.   Recommendations to establishing a neighbourhood dialogue

1. General framework and time horizons

2. Goals and objectives

3. Participants

4. Issues of interest

1825   5. Principles for working together, key elements and suitable methods

6. Proposal for common ground rules

7. Media and public information

8. Work programme and time schedule

IV.   Annexes

1830   ▪   Resources

▪   List of contact persons (optional: with questionnaire of stakeholder interviews)

3.7   Example of common ground rules

1835

**Objectives and Procedures
of the Neighbourhood Association
for Honeywell Specialty Chemicals Seelze GmbH
and Sigma-Aldrich Laborchemikalien GmbH*
("Common Rules")**

1840

Version November 10th 1999
*hereinafter called: Honeywell and Sigma-Aldrich

Objectives

1845   The Neighbourhood Association is a forum to exchange information and to openly discuss conflicts and issues between Honeywell, Sigma-Aldrich and other companies at the Honeywell site and their neighbours.

If the participants wish, the association can assist in finding solutions for possible conflicts.

Public Nature

1850   All conferences of the Neighbourhood Association are public.

However, for plant tours and similar appointments it might be necessary to limit the number of participants for organisational reasons.

Media representatives as well as radio and TV recordings are permitted as long as no member of the Neighbourhood Association objects.

1855 **Meetings**

The Neighbourhood Association usually meets three times a year. Once a year, there will be a site tour.

In addition to the information and discussion parts between participants and the companies about relevant topics, the meetings are also meant to foster in-depth talks among neighbours and company
1860   representatives, e.g. by working in break-out groups.

Members and Representatives

Representatives of all social groups from Seelze and Garbsen who wish to participate regularly in the meetings can become members of the Neighbourhood Association. The term "social group" includes both formal and informal groups.

1865   Each group becomes a member by nominating a representative.

Staff members of Honeywell and Sigma-Aldrich cannot be members in the Neighbourhood Association.

Honeywell and Sigma-Aldrich appoint authorised representatives who regularly participate in the meetings.

1870   ## Residents / "Privileged Guests"

Residents who are not represented by a group of members may participate in the Neighbourhood Association as "privileged guests". "Privileged guests" of the Neighbourhood Association will receive invitations to meetings and the meeting minutes.

If issues are discussed that personally affect these guests they may vote on recommendations to be
1875   submitted and expertise to be obtained.

Coordination Group

The Neighbourhood Association can elect members to be part of the Coordination Group. This group will be the key contact regarding the content of the meetings and the agenda. This process will be handled by the facilitator.

1880   Members of the Coordination Group are elected for two years with a simple majority.

Information, Expert Opinions, Experts

Honeywell and Sigma-Aldrich will provide the Neighbourhood Association with comprehensive and timely information on their plans and on any problematic issues. Particular emphasis will be placed on presenting information in a way that is comprehensible to a non-expert audience.

1885   Expert opinions on the above issues will be made available to the members of the Neighbourhood Association for personal inspection of company matters. (This stipulation applies with the exception of information that requires confidentiality. In this case an explanation is required and efforts have to be made to find other ways of supplying adequate information.)

Special plant inspections and talks with staff members of Honeywell and Sigma-Aldrich will be
1890   conducted and facilitated on request.

Also, if the majority of the members of the Neighbourhood Association wish, independent experts will be invited to deal with contentious core issues of the Neighbourhood Association.

Recommendations

The Neighbourhood Association can make recommendations to Honeywell and Sigma-Aldrich with
1895   the majority of members present at a meeting.

Honeywell and Sigma-Aldrich commit to look into the recommendations and to comment on them.

Facilitator(s) and Minutes

Conferences of the Neighbourhood Association will be prepared and directed by an independent external facilitator, who also creates the minutes and summarises important input and information.

1900   The minutes will be sent to the members of the Neighbourhood Association and privileged guests. On request, the minutes of individual meetings or issues will be made available to interested third parties.

The facilitator can be voted out with a simple majority of the members of the Neighbourhood Association.

Invitation, Agenda and Dates

1905   The date and agenda of the next session will be discussed at the end of each meeting. The facilitator may include requests for changes and amendments that arise between meetings flagged up by the Coordination Group.

Honeywell and Sigma-Aldrich will send out invitations to meetings about a fortnight (14 days) prior to a meeting and will - as far as possible – include some pieces of prior information on the issues
1910   planned.

Costs

Honeywell and Sigma-Aldrich will bear the costs incurred through the organisation and presentation of the Neighbourhood Association and the invitation of experts and speakers.

Changes to the Rules

1915   These rules can be changed with the consent of a two-thirds majority of the members of the Neighbourhood Association.

3.8 Facilitation cycle: Standard procedure during a dialogue meeting

In long-term facilitation processes the following phases reappear continuously – therefore the phases are shown in a cycle (symbolising the never-ending process). This tool supports the planning of a meeting and helps the facilitator to keep track of the goals and steps during the facilitation process. The circle shows an ideal progress in a facilitated meeting. It may also help the facilitator to identify causes of trouble or dissatisfaction among the participants which often occur because one of the aspects was left out or treated too superficially.

6. Rounding off
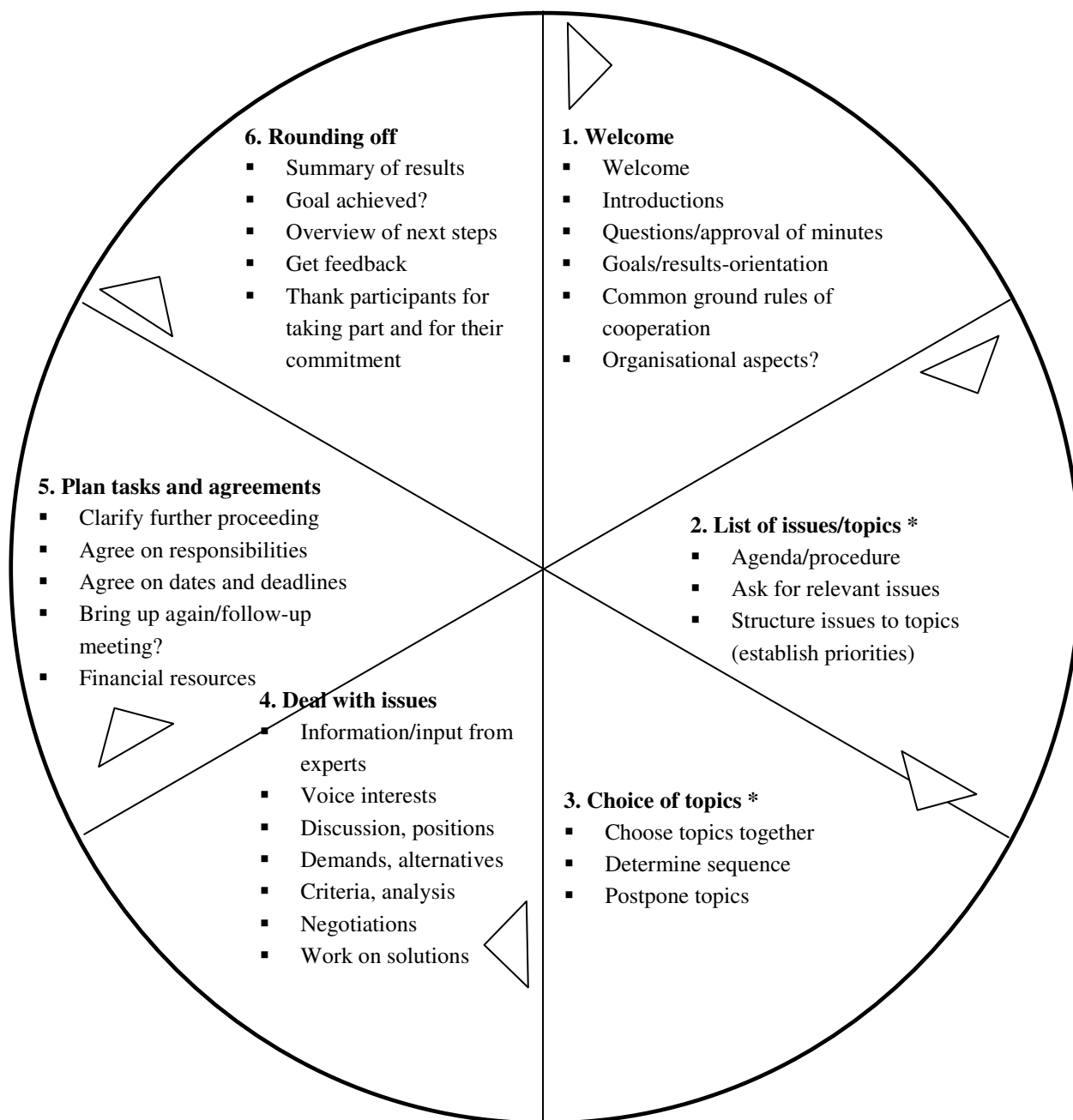- Summary of results
- Goal achieved?
- Overview of next steps
- Get feedback
- Thank participants for taking part and for their commitment

1. Welcome
- Welcome
- Introductions
- Questions/approval of minutes
- Goals/results-orientation
- Common ground rules of cooperation
- Organisational aspects?

5. Plan tasks and agreements
- Clarify further proceeding
- Agree on responsibilities
- Agree on dates and deadlines
- Bring up again/follow-up meeting?
- Financial resources

2. List of issues/topics *
- Agenda/procedure
- Ask for relevant issues
- Structure issues to topics (establish priorities)

4. Deal with issues
- Information/input from experts
- Voice interests
- Discussion, positions
- Demands, alternatives
- Criteria, analysis
- Negotiations
- Work on solutions

3. Choice of topics *
- Choose topics together
- Determine sequence
- Postpone topics

* = List/choice of issues/topics: These aspects can be dealt with in the neighbourhood dialogue as part of an overall work programme or at the end of each meeting. A list of topics can be drawn up during the dialogue meetings. Experience has shown that it is a good idea for the **facilitator**, the company and a group of neighbours chosen for that purpose to agree on the detailed agenda before the next meeting.

3.9 Criteria for reviewing and evaluating long-term dialogues
(source: Zöller 2005)

1965 The following aspects may help in reviewing and evaluating dialogues:
- Fairness
  - choice of participants and composition of the group
  - dialogue rules
  - choice of issues
1970 - distribution and balance of power supported by facilitation
- Competency
  - participation with access to information to increase competency
  - input from independent experts
  - quality of results
1975 - Efficiency
  - relation between time and effort invested in dialogue and its outcome
  - Continuous participation
  - Transparency of dialogue process and results
- Authorisation/acceptance
1980 - Goals and quality of result
  - Participation in decision making
  - Transparency
  - Internal and external evaluation

1985

4. Neighbourhood dialogue success stories

1. Variety of complaints about the Bryn Posteg landfill site, Wales, UK

1990 The Environment Agency of England and Wales were having to deal with complaints about Bryn Posteg landfill site every day and no Environment Officer envied taking on the role of regulating the site. The small local community wanted the site shut down and were worried about odour, the effect on nearby watercourses, litter, general appearance of the site and traffic through local narrow roads. The news that the site was planning to extend and double
1995 its capacity only increased the level of aggravation.

A traditional approach had been taken to dealing with the problem – complaints were dealt with one by one and public meetings were held. They were extremely heated and ultimately not successful in resolving the problems around the site.

2000

After a number of very difficult public meetings the Environment Agency decided to take a different approach and work closely with the operator and the community, taking time to build trust, explain its role and what the Agency were doing to tackle the problems on site. Focus was on putting a personal face to the Environment Agency, listening to people's
2005 concerns and making practical improvements on site using 1: 1 contact. A regular liaison group consisting of residents, the site manager, Local Authority representatives and the Environment Agency was also set up to provide a forum to talk about any issues or problems and to keep the community up to date with how the site is being managed and regulated.

2010 It took time to build trust but now the Environment Agency do not get complaints about the site and have trusting and effective dialogue through the liaison group.

2. Dust emission of the stainless steel plant of ThyssenKrupp Nirosta, Krefeld, Germany

2015

For years neighbours of the stainless steel plant of ThyssenKrupp Nirosta kept complaining to the competent inspection authority about damages on surfaces (cars, windows) due to calcareus dust immissions of the site. This led to several legal disputes to claim damages. In 2003, the Environment Agency of North Rhine-Westfalia also found highly elevated nickel
2020 and chrome measured values in dust deposits and airborne particles due to immissions from the nearby site. The competent inspection authority then examined vegetables and found high values of nickel and chrome in leafy vegetables.
After the implementation of a dust filter system in 2005, new measurements showed that nickel values were still elevated. Neighbours were worried and felt poorly informed about the
2025 status of immissions situation and their environmental and health impacts.
After two information events by the inspection authority, the authority convinced the company to offer dialogue themselves. In autumn 2005 the company, which also planned to build new installations on the site, commissioned a professional facilitator to contact neighbours about establishing a neighbourhood dialogue. Neighbours, local social groups
2030 and institutions (e.g. the community) showed some though at first muted interest.

Dialogue started in May 2006 covering two public meetings a year and the establishing and running of a liaison group (Kontaktgruppe) preparing these public events. The liaison group consists of representatives of social groups (e.g. local politics, nurseries, schools,

2035 representatives of churches and the Mosque Association, the citizens' association) and
several staff members of the company. Neighbours participating in the dialogue can join the
group meetings as guests. The competent authority and regional environmental groups also
have a guest status in the public dialogue. The dialogue deals with all issues and
developments of the plant of interest to its neighbours. The company now invites neighbours
2040 to site visits and has named a permanent contact person (with a hotline phone number).

After a fire incident the company and the competent inspection authority organised a public
hearing to inform about the immission situation. The hearing was chaired by the facilitator of
the dialogue. In the dialogue bodies the company and other experts report about the
2045 immissions situation, current measurements and technical options. By the end of 2006 the
community with support of the company published a reader friendly brochure for residents
and garden plot holders in the plant's surrondings. It informs about nickel exposures and
gives recommendations about a limited consumption of self-cultivated leafy vegetables near
the plant. Furthermore a simplified procedure was introduced for neighbours to get a car
2050 wash after dust emissions from the plant. Already one and a half year after starting the
dialogue the relationship between the neighbours and the company has improved and
complaints to the inspection authority have decreased significantly. Conflict issues are now
addressed early and the company searches for solutions to problems. Neighbours are ready to
accept impacts the company cannot avoid.

2055

**3. Fire incident of a chemical plant in the domestic area of Hillegom, South Holland, The
Netherlands**

2060 In the Netherlands the provincial authorities are responsible for the permits and controls of
chemical plants under the Seveso-guidelines. After a fire in the plant and because the plan of
the municipality to build a school for 1100 students next to the plant, a group of residents
were very worried and made life difficult for the local authorities by protesting directly and
through the media.
2065 The group of residents contacted the ministry of VROM, the VROM Inspection, the ministry
of the Interior and the Justice department and filed a complaint about the municipality and
the province, claiming that the fire was handled poorly, the situation not safe and the site not
in compliance with rules and regulations. Between the governmental organisations it was
agreed that the VROM Inspection would take the lead in this matter.
2070 The VROM Inspection decided that one or more meetings (dialogue) with all parties would
be the best option, because communication was clearly the most important issue. With the
first meeting at hand the Inspection spoke with all parties to get a complete view of the
situation. Most parties were at first reluctant to contribute to the meeting, but after talks it
became clear that the fire was handled correctly and the site complied to the safety rules, but
2075 communication on the whole had been poor. It also became clear that VROM could play an
important part, because VROM was the authority who made up the rules. If there was to be a
dispute over safety, VROM and the VROM Inspection were the proper authority to address.
At the first meeting with the mayor, the fire department, many members of the local council,
the province of South Holland, the VROM Inspection and the public (the meeting was open
2080 to anyone) the local press was also present. The meeting was emotional but in the end most
of the public accepted the explanation given by the authorities and also the apologies made
for the poor communication. The VROM Inspection explained the safety margins. The chance
of an accident was very small, but if one occurred, about 20 to 30 casualties were to be
expected. Building the school was possible, but its safety is within a margin where the local

2085 authorities have to decide for themselves if the development is desirable. The company was also present and offered an "open day" for everyone to see the safety measures.
The meeting was so succesful that, with the exception one person, everybody present felt the case was closed. The local press reported favourably about the meeting. It became soon clear that a second meeting was not necessary. The one person not satisfied still writes letters to
2090 the authorities to this day. She received a letter in which it was explained that no further response will be given. The province of South Holland decided later to stop the plan of the school on this spot. The school will be located elsewhere.
In this case dialogue played a very important role. Not all tools in the toolkit were used, but in general the guidelines given in the toolkit turned out to be very useful. That one meeting
2095 was enough is unusual, in most cases more than one meeting is necessary.

4. An example from a New Member State/Eastern Europe will be added later

5. Resources and reference material

   ▪ **laws, directives and conventions**

2100 Aarhus Convention:
http://eur-lex.europa.eu/smartapi/cgi/sga_doc?smartapi!celexplus!prod!DocNumber&lg=
en&type_doc=Decision&an_doc=2005&nu_doc=370

   ▪ **Public Involvement and Participation manuals and guides based on facilitation and mediation**

2105 Adler et alii :

Adler, Peter S./ Barret, Robert C. et alii: Managing Scientific and Technical Information in
Environmental Cases. Principles and Practices for Mediators and Facilitators.
http://consensus.fsu.edu/ResourceCtr/sci_culture.pdf

EPA 2003:
2110 Environmental Protection Agency, How to-Brochures for Effective Public Involvement, Washington,
USA 2003. Download: http://www.epa.gov/stakeholders/brochures/index.htm

Consensus Building Institute 2003:
Consensus Building Institute for the U.S. EPA Office of Environmental Justice: Using Dispute
Resolutions Techniques to Address Environmental Justice Concerns: Case Studies.

2115 Health Canada 2000a:
Health Canada, Corporate Consultation Secretariat, Health Policy and Communications Branch:
Health Canada Policy Toolkit for Public Involvement in Decision Making. Ottawa, Ontario: Minister
of Public Works and Government Services, Canada. 2000.
http://www.hc-sc.gc.ca/ahc-asc/alt_formats/ccs-scm/pdf/2000decision_e.pdf

2120 Health Canada 2000b:
Health Canada, Office of Consumer and Public Involvement: Public Involvement: Framework and
Guidelines. Ottawa, Ontario: Minister of Public Works and Government Services, Canada. 2000.
http://www.hc-sc.gc.ca/ahc-asc/alt_formats/hpfb-dgpsa/pdf/pubs/piframework-cadrepp_e.pdf

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