



Case Studies on Local Catchment Groups in Ireland, 2018-2020

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Executive Summary

The Water Framework Directive (WFD) seeks to protect and improve water including rivers, lakes and coastal waters in Europe. The WFD objectives are implemented through River Basin Management Plans (RBMPs). Ireland created new structures for water governance for the second cycle, RBMP 2018-2021.

This report seeks to draw lessons from the water governance arrangements at a local level for the River Basin Management Plan for Ireland, 2018-2021. It includes two case studies, from the **River Moy Trust** and the **Inishowen Rivers Trust**, with an outline of their role in knowledge creation. These case studies were chosen from the spectrum of community water groups, as they have built up an active presence in their catchments and have engaged closely with the Local Authority Waters Programme's (LAWPRO) community teams and with the Rivers Trust movement.

This report seeks to draw lessons from the water governance arrangements at a local level for the River Basin Management Plan for Ireland, 2018-2021. It includes two case studies, from the River Moy Trust and the Inishowen Rivers Trust, with an outline of their role in knowledge creation.

'Experimental governance' is a phrase used by academics to describe a system of governance that is open to change as a result of the lessons learned through implementation (Sabel and Zeitlin, 2012). In another paper that is part of this research programme, it is suggested that water governance in Ireland includes many features of experimental governance (Boyle et al., 2021). In assessing the case studies, use is made of certain enabling conditions identified as creating a supportive environment for experimental governance initiatives (Boyle et al., 2021). Where these conditions are absent, or weak, the chances of successful outcomes are reduced. The four enabling conditions are: organisational structures; budgetary and financial systems; human resources and capacity; and institutional capacity. These are examined in relation to the emerging catchment trusts. The OECD Principles on Water Governance (OECD, 2015) are also used as a framework for assessing local, catchment-level activity in the case-study trusts.

A qualitative approach was considered appropriate for data gathering and analysis. Interviews with a range of stakeholders provided insightful information. The case studies were supported by literature review and documentary analysis relating to the River Trusts in Donegal and Mayo. The role of catchment groups as settings for learning and knowledge creation was assessed.

While the River Moy Trust, formed in Mayo in 2017, has made good progress, it is challenged by a combination of factors, including the lack of a framework that enables financial support and capacity building, and the social geography of its large catchment. The Inishowen Rivers Trust (IRT) was established in north Donegal in 2016 and has matured more slowly than some other Irish catchment groups. Since their inception, both trusts have provided a fruitful setting for informal knowledge creation.

The study finds that while solid progress has been made under the second-cycle RBMP in kindling public awareness and participation, which have improved since 2016, catchment groups, rivers trusts and other local initiatives are challenged in key elements of organisational structure, human resources, financial capacity and role clarity within water policy. It suggests that the current model of financial support for catchment groups is inadequate, with little support for personnel costs and a reliance on project funding. If maintained in its current scale and form, the funding approach will be an impediment to the

continued activity and growth of trusts or catchment groups. Reviews by Pellegrini et al. (2019) and others show that in other countries, a spectrum of catchment-based structures have evolved in response to the Water Framework Directive. These initiatives are found in England (such as Rivers Trusts), Sweden, Denmark and elsewhere, with access to ongoing operational funding as a safeguard to their continuity.

Ireland has made good progress in the second-cycle RBMP, and effective relationships are being developed, but the community water structures are not as yet on a sustainable footing.

The final section considers the lessons learned at the catchment level and makes some suggestions for policy supports and governance arrangements for the third-cycle RBMP. Some key recommendations are as follows.

- The initial phase of LAWPRO activity brought dividends in terms of community outreach, but the insights, skills and benefits of engaging with communities need to be actively leveraged across both the community and catchment teams far as possible. The lead department (DHPLG), the Environmental Protection Agency (EPA), LAWPRO and other coordinating groups should engage in a structured dialogue with **An Fóram Uisce**, Rivers Trusts and the emerging networks to agree a revised framework of stakeholder engagement for the next RBMP. This could include consultative structures on water and environment issues at both county and regional levels, with a structured, two-way communications flow to **An Fóram Uisce** and to Tier 1 policy level.
- The review of structures and policy frameworks for catchment groups in the Third River Basin Cycle should be accompanied by a commitment to provide a blend of core funding and project support, to ensure a transition to a more sustainable and participative WFD landscape.
- The LAWPRO Water Fund should be scaled up, to provide for core funding and bring an element of continuity for community water groups, based on an annual work programme.
- It is timely for the departments, EPA and LAWPRO to review their current approach and work to mainstream transparency practices across the water governance frameworks, to create greater accountability and trust in decision making.

Introduction and background

This report assesses the experiences of two catchment groups and examines some of the learnings from the water governance arrangements put in place at the local, community level for the River Basin Management Plan for Ireland, 2018–2021, through the lens of enabling conditions for experimental governance identified as part of this research programme (Boyle et al., 2021).

1.1 Experimental governance defined

Countries and governments are facing difficult challenges, such as climate change and water management, which are referred to in the literature as ‘wicked problems’ (Head and Alford, 2015). To face these challenges, the different parts and levels of government have to coordinate with each other and with non-government actors in civil society and the private sector. In response to uncertainty, governments are inclined to set up collaborative governance arrangements. Sabel and Zeitlin (2012) coined the term **experimentalist governance** to describe one way in which these collaborative governance arrangements have evolved in the face of such wicked problems, fragmentation of political authority, and the uncertainty of technological and social conditions.

In essence, this means a system of governance that is open to change, based on the practical lessons learned through implementation. It is an apt description for European water governance since 2000.

Water policy is one of the policy domains where a new architecture of experimental governance has been set out. Framework goals and measures are established by the joint action of the Member States and the EU, while lower levels are given freedom to advance these ends as they see fit. (Pares, 2011)

This study draws from aspects of this experimental governance approach and examines its applicability to the quest for good water status and the evolution of water governance at the local level in Ireland, prompted by the momentum of the Water Framework Directive (WFD). It is part of a wider research programme on experimental governance (see Boyle et al., 2021 and O’Riordan et al., 2021 for more details).

1.2 Evolution of Ireland’s water governance system

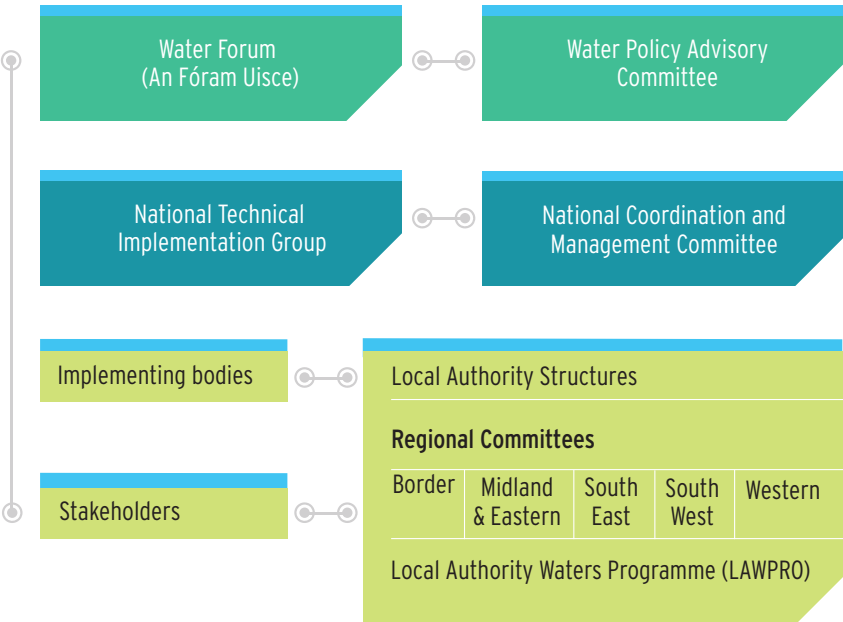
The Water Framework Directive, 2000/60/EC, is an EU directive that seeks to protect and improve water including rivers, lakes, groundwater and coastal water. The WFD objectives are implemented through River Basin

Management Plans (RBMPs), reviewed and updated every six years, and through Programmes of Measures (POMs). The second Irish RBMP 2018-2021 highlighted a number of limitations with the governance arrangements put in place for the first RBMP:

Governance and delivery structures in place for the first cycle were not as effective as expected. One could argue that the importance of local delivery for many measures was not well understood when the first-cycle Plans were being developed, or more importantly, when the implementation of the Plans was being considered. (Government of Ireland, 2018: 2)

In response to the critiques of the governance system, Ireland created new structures and processes for water governance for the second-cycle RBMP 2018-2021. These included new, three-tier governance and coordination structures (see Figure 1.1).

Figure 1.1 Water governance arrangements, Second-cycle River Basin Management Plan





The new structures set out to involve new levels of engagement with local communities and enhanced collaboration. As the Minister for Housing, Planning & Local Government said at the launch of the RMBP 2018-2021 in April 2018: 'The plan is underpinned by strong implementation structures and a commitment to meaningful community and civic participation' (www.housing.ie, 2018).

These governance innovations have occurred in the context of ongoing efforts across the EU to achieve the goals of the WFD and international engagement with the OECD's 'principles of water governance' (Voulvoulis et al., 2017; Giakoumis and Voulvoulis, 2018; OECD, 2015).

Two of the key structures that developed in the second-cycle RMBP 2018-2021, in support of public participation at a catchment level, are the **Local Authority Waters Programme (LAWPRO)** and the **Rivers Trust**. These are introduced in sections 1.4 and 1.5 below.

Photograph courtesy of the Department of Housing, Local Government and Heritage

A dynamic and learning approach will pay off in the future.

(EU Commission, 2003)

An Fóram Uisce (The Water Forum) 'provides a national interface between science, citizen/stakeholder engagement and policy', and a new Agricultural Sustainability Support and Advisory Programme (ASSAP) was established within Teagasc (Government of Ireland, 2018), but they are not per se the primary focus of this report, being addressed in more detail in Boyle et al. (2021) and O'Riordan et al. (2021).

1.3 Learning and knowledge in the water governance system

One of the goals in experimental governance is to establish effective systems for social learning and knowledge management at the local and regional scales (Gertler and Wolfe, 2004). There is a recognition that standardised solutions are not applicable, and that experimentation is needed to identify initiatives that work in local contexts. This supports Schorr's contention that:

communities will be able to act most effectively when they can combine local wisdom and their understanding of local circumstances with accumulated knowledge, drawn from research, theory, and practice, about what has worked elsewhere, what is working now, and what appears promising. (Schorr, 2003: 10)

The EU Commission published guidance on public participation for the WFD, which was endorsed by the Water Directors from the member states in December 2002. This EU guidance encouraged a 'learning approach to public participation' and included an official recognition at EU level of the close links between public participation and learning:

A willingness to improve trust, transparency and a positive attitude to the process of implementing the Directive with stakeholders and members of the public is essential for success. Each can learn much from the others. A dynamic and learning approach will pay off in the future. (EU Commission, 2003)

Based on her early work on WFD in the UK, Orr gave a clear definition of this approach: 'We need to take a social learning approach in water, where we can learn together to make sense of complex problems and adapt our ways of managing' (Orr et al., 2007).

One of the key elements of social learning is a feedback loop between structures, problems and outcomes:

The governance structure can influence the process whereby groups learn to solve problems and this can in turn affect the outcome of the group. By learning how to tackle issues and to design solutions around shared issues such as pollution in a river catchment, these structures can build positive outcomes and social capital. (O Cinnéide, 2014)

In this context, the role of the evolving Irish catchment groups as potential settings for learning and knowledge creation will be assessed.

1.4 Local Authority Waters Programme (LAWPRO)

LAWPRO is a shared service, operated on behalf of the local authorities. As a key innovation in the second-cycle River Basin Management Plan, it has been given a central role in the fostering of public engagement in water quality. In its first year (2016/2017), the core aims of LAWPRO were set out under five areas, as follows.

-
- **Coordination:** Working with Local Authorities and WFD implementing bodies, both nationally and across the 5 agreed regions, to ensure an integrated approach to the protection, improvement and management of the whole water environment.
 - Encouraging active **Public participation** in the development and delivery of the WFD River Basin Management Plans. Supporting community action in the protection and management of our natural water resources, through local initiatives and projects, which align with WFD objectives.
 - **Governance:** Assisting the DHPLG and EPA in the development and implementation of River Basin Plans and Programme of Measures. Coordinating and supporting networks of public bodies and stakeholders in river basin management planning.
 - **Awareness:** Raising awareness and promoting public information on water in a clear and meaningful way. Promoting active public participation and knowledge sharing between local authorities, public bodies, stakeholders and communities. Promoting community learning by sharing examples of successful projects and best practice.
 - **Innovation:** Identifying and delivering new ways of supporting community action in the protection and management of our natural water resources.' (LAWPRO, 2018, p. 10)

Since 2018, LAWPRO has comprised two teams: the Communities team and the Catchments assessment team, operating out of 13 different local authority centres across the country. The Communities team supports communities and stakeholders in the delivery of local water quality projects and initiatives. The team works with the emerging Rivers Trusts and catchment partnerships and is thus the primary focus in this study. The Catchment Assessment team consists of 35 scientists with a wide range of technical expertise. They have a defined set of roles to plan and progress measures within the 190 Priority Areas for Action (PAAs), aimed at improving local water quality.

1.5 Rivers Trusts in Ireland

During the second river basin cycle, the concept of Rivers Trusts¹ began to gain momentum in Ireland due to a combination of circumstances – the proactive approach of the Ballinderry Trust in County Tyrone, the early interest shown by community groups and promoters such as Dr Ken Whelan and, after 2016, the growing partnership with the LAWPRO community team.

There was a significant evolution in the support structures for Tier 3 groups in March 2018, when the Rivers Trust and LAWPRO signed a Partnership Agreement. This set out the basis for a closer partnership and understanding between LAWPRO, the Rivers Trust and its member Rivers Trusts in Ireland. The aim was ‘to achieve more effective partnership, working towards common interests in improving river catchments to bring wider environmental, community and social benefits’ (www.theriverstrust.org, 2018).

An early overview of the Rivers Trust was given in an article in the EPA Catchments Newsletter in 2016 (see Appendix 2). A follow-up article (EPA, 2019) traced the ongoing progress:

Rivers trusts are community-led charities, started by local people to care for their local rivers. They concentrate on delivering practical improvements for their rivers, get involved in education, flora, fauna, fisheries, biodiversity, habitat, access, pollution and other issues that impact their river catchment, such as climate change, acid rain, litter and social problems leading to environmental decline. Over the past 12 months, The Rivers Trust family in Ireland has grown from strength to strength. There are now 10 trusts, stretching from northwest Donegal to southeast Wexford. (EPA, 2019)

¹ The Association of Rivers Trusts began in England and Wales in 2001 and changed its name to the Rivers Trust in 2011.

As noted by EPA water scientist Martin McGarrigle:

In recent years, some new Irish river trusts have been formed, adding to the existing voluntary angling clubs and focusing on the broad community benefits arising from high quality water. (Kelly-Quinn & Reynolds, 2020, p. 436)

The Rivers Trust has provided mentoring and support to the emerging trusts in Mayo and Donegal through the All-Ireland Director post, funded through LAWPRO. The Director facilitated a two-day fact-finding trip for LAWPRO, Water Forum and the EPA to visit Westcountry Rivers Trust and Bristol Avon Rivers Trust in 2019, to 'learn more about the formation, function and sustainability of rivers trusts in Great Britain and how this knowledge could be transferred to Ireland' (www.theriverstrust.org). The relationship between Rivers Trust and LAWPRO led to the decision in late 2019 to fund a 'resilience pilot project' with part funding for two trusts, as detailed in section 7.

1.6 Research approach

Given the nature of water governance, and the fact that the governance arrangements for the RBMP are new and evolving phenomena, a **qualitative** approach was considered appropriate for data gathering and analysis. Qualitative data, as Ospina et al. (2017) note, 'at their best, are words that emerge from observations ... interviews ... or documents ... are collected (or accessed) in a naturalistic way ... and are processed through several iterations of systematic analysis'.

This report sets out **case studies** of aspects of experimental governance and practice in two Irish catchment settings - the River Moy Trust and Inishowen Rivers Trust. Three complementary research methods have shaped the gathering of the evidence presented in this report:

-
- **Key informant interviews.** Interviews with stakeholders were important in collecting insights and information. Eight people were interviewed. The interviewees were selected from the leadership of the catchment groups, from LAWPRO, ASSAP and the Rivers Trust, which are key elements of tier 3 of the governance structure (details are provided in Appendix 1).

- **Documentary analysis.** A review of relevant documentation (OECD, government policy and LAWPRO papers, academic literature, Rivers Trust websites) provided supportive evidence.
- **Participant observation,** distilling the principal author's experience in a number of state agencies that are part of the Irish water landscape (EPA, Marine Institute, Inland Fisheries) and in water groups, including participation at LAWPRO and Rivers Trust conferences.

By using this suite of methods, triangulation of the data was possible to validate the emerging findings (Salkind, 2010).

1.7 Report structure

The evolution of the catchment groups the **River Moy Trust** and **Inishowen Rivers Trust**, including an outline of their role in knowledge creation and their links with LAWPRO, is set out in sections 2 and 3. These two case studies were chosen from the wider spectrum of community-based water groups, as they have built up an active presence in their catchments during the Second-cycle RBMP, and have engaged closely with the LAWPRO community team and with the emerging Rivers Trust movement in Ireland.

A review of the literature on experimental governance (NESC, 2010; Head and Alford, 2015) suggests that a number of **enabling conditions** can help create a supportive environment for experimental governance initiatives. Where these conditions are absent or weak, the chances of successful outcomes are reduced. Four enabling conditions were identified: organisational structures; budgetary and financial systems; human resources and capacity; and institutional capacity. Each of these is assessed in relation to the emerging catchment trusts in sections 4 to 7.

Section 8 considers the experience of Irish catchment groups through the lens of the OECD principles of water governance, including 'stakeholder engagement' and 'transparency practices in water governance'. The final section considers the lessons learned at the catchment perspective and makes some suggestions for policy supports and governance arrangements for the Third-cycle RBMP in Ireland.

The River Moy Trust

2.1 Background and evolution

The **River Moy Trust (RMT)** was formed in County Mayo in 2017, with the early support of the All-Ireland coordinator of the Rivers Trust, Mark Horton. The initiative came from a group of up to 20 angling clubs and fisheries on the Moy. The Moy is one of the most productive salmon fisheries in western Europe, where rod catches of over 7,000 salmon have been recorded in a single season (www.fishinginireland.ie). The angling clubs had initially formed the Moy Catchment Association in 2016 and were working on a long-term strategy to enhance river habitats.

The focus of the RMT was set out as 'Connecting communities, valuing our waters and wildlife'. Among its stated aims are 'to resolve issues identified by the community which are having a negative impact on water quality' and 'to secure funding of projects in the catchment to improve water quality and biodiversity'. As stated at the launch in 2017 by one of the RMT founding members:

The Moy is not just the responsibility of the fishing clubs and private waters. It's much bigger than that. We need to involve walking groups, nature group, forestry groups and schools in the area.

2.2 Relationship with LAWPRO

The RMT had active support from the local LAWPRO staff from its inception; LAWPRO made introductions for the RMT officers with senior staff in Mayo County Council, the National Parks and Wildlife Service (NPWS), the EPA and other agencies.

A person is fly fishing in a river. The person is wearing a dark jacket, light-colored pants, and a cap. They are standing in the water, casting a line. The background is a dense forest with trees showing autumn foliage in shades of yellow, orange, and red. A large, semi-transparent red circle is overlaid on the right side of the image, and a smaller, solid green circle is overlaid on the bottom left, containing text.

The Moy is one of
the most productive
salmon fisheries
in western Europe

This process was described by a local LAWPRO staff member:

The agencies were slow to come [on board] initially; Gradually, they realised - these guys [in the Moy Trust] are all right. Our links in the Regional Operational Committees helped the cooperation. I probably spent up to 30% of my time with the RMT over a two-year period. It worked because of the autonomy and freedom that we had. There was a lot of enthusiasm in the early storming phase, but that can dissipate as people come up against problems. The joined-up thinking of a catchment approach can be a challenge.

The comment in relation to the challenges of joined-up thinking relates both to the 'scientific' aspects of catchment management, crossing a range of disciplines, and, in the case of the Moy, the added 'geographical' challenge for local groups of widening their perceived sense of place to cover an entire river catchment. The evolution of links with LAWPRO and with other stakeholders was recounted by an RMT founder:

We had good support and learned a lot from LAWPRO in the early days. We engaged early with the local authorities and Agencies with an interest in the river. There are so many agencies criss-crossing each other in the management of waters on the Moy - there has been a lack of connectivity. We need a joined-up approach to deal with the issues. We reached out to the community with a press campaign and local radio, before our launch event. The angling clubs are a good starting point, they are 'custodians of the water', but you need to bring in other groups.

2.3 RMT activities

RMT hosted an event, 'Who's Who on our Rivers', in December 2017. It had support from LAWPRO, was attended by over 100 people, and received extensive media coverage (see photo). It published a guide, *Directory of Organisations Involved in the Monitoring and Promotion of the Lakes, Rivers and Coastal Areas*. In the first two years, it hosted events for Heritage Week and education events for school groups, with the support of LAWPRO. RMT activities in the community were severely curtailed by Covid-19 measures in 2020, as was the case with virtually all Irish community services.



2.4 Setting for knowledge creation and learning

During 2018 and 2019, the RMT organised a series of talks by invited experts from NUIG and training workshops for community groups completing projects on rivers in Mayo. It commissioned and published a set of *Guidelines for Community groups Completing Projects on Rivers in County Mayo*, with funding from a LEADER company (www.moytrust.com, 2018). The RMT group sought tenders in late 2020 for an aerial survey on a 3 km stretch of the upper Moy in south Sligo, to be part-sponsored by an agribusiness company. One of the aims of the study is 'to assess the carbon sequestered in the biomass of the area' and the data is to be presented to the RMT.

The RMT has sought to combine its local community knowledge of the Moy with 'expert knowledge' to produce better outcomes. As described by an RMT director:

We have learned a lot about the environment. This work has been a transition. People can educate themselves, whereas in the past it was left to someone who was an expert, a guru. We have started to align ourselves with people who can deliver and to increase our knowledge base. We are working with the Green Restoration Ireland group;² a cooperative that was established 'to help bring climate solutions closer to home'; they come in and survey the riverbank and advise us. We have engaged with farmers on local projects like bog restoration. Local communication is central to getting the farmers on board.



Host Angelina Nugent
addressing the gathering at
the River Moy Catchment
Trust Expo event at Mount
Falcon Hotel, Ballina.
Photograph: John O'Connor

² Green Restoration Ireland is a cooperative society founded in 2019 by a group of scientists, farmers and business people. It aims to fight climate change and biodiversity loss and has purchased a bog area in Mayo to provide carbon offsets (www.greenrestoration.ie).

2.5 Future challenges

As seen from the LAWPRO side in relation to the Moy:

The Trusts or catchment groups need some legitimacy, recognition from state agencies to be long-term, sustainable groups. They should have an ecologist employed and then a few social employment schemes, for part-time farmers to work on river projects.

The future direction of the Moy Trust, as described by an RMT director, included:

We want to have a permanent office, to be able to communicate regularly with our communities and to host regular or seasonal events. We would like to develop a results-based farming programme in our catchment, for the benefit of our farmers and where the community can take more ownership. LAWPRO has brought us on a journey, but there are lessons to be learned - nationally, there is a long way to go.

While the Moy Trust has made some good progress, it is challenged by a combination of factors, including the lack of an RBMP framework that enables financial support and capacity building; the patchwork of well-established statutory groups that have a link with the Moy (IFI, OPW, NPWS, EPA, Councils), each with a regulatory mandate but perhaps not seen as 'connected' locally; and the social geography of its large catchment, whereby each of the six Mayo towns in the catchment has built up its network of social capital and local identity.

Ballina and river Moy
Co. Mayo



The Inishowen Rivers Trust

3.1 Background and evolution

The Inishowen Rivers Trust (IRT) is a grassroots organisation in north Donegal that was formally established as a company in mid-2016 and became a charity in 2018. The IRT aims 'to conserve, protect, rehabilitate and improve the rivers and natural waterbodies of the Inishowen Municipal District, including adjacent estuarine and coastal areas, for the advancement of environmental protection or improvement for the benefit of the public'.

The IRT has evolved and matured more slowly than some other Irish catchment groups. Its members' interest in their natural waters can be traced in part back to 2007, when a public meeting was arranged in Moville, which had one of the most polluted rivers in Ireland, the Bredagh. Dr Trish Murphy (who was appointed the IRT Project Officer in 2020) attended the Moville meeting and, as she recalled:

The mood was quite despondent; towards the end of the meeting, I mentioned that from my knowledge as a zoologist, a river is resilient, it can bounce back and then people began to remember and to become more positive. So, I got a sense, what if we could bring back that sense of positivity?

In 2011, Murphy and two friends in Moville set up a local group called Celebrate Water, with the slogan of 'Connecting People, Place and Nature'. In June 2012, this informal group organised a 'Celebrate Water Festival' in Moville and promoted the idea of regenerating the old river walk along the Bredagh River. Six months later, this project, entitled 'Let it Be - Biodiversity on the Bredagh', secured funding through the Local Agenda 21 Environmental Partnership Fund. In February 2013, Celebrate Water, the Tidy Towns group, the local FÁS team and members of the



Malin Head, Inishowen
Donegal.
Photograph courtesy of
Tourism Ireland

community began work to open up the Bredagh walkway, clear an old path, enhance the biodiversity of the area and create awareness of the heritage of the river. Over the next few months, the community worked together by the river. During this time, they learned of the Ballinderry Rivers Trust, which is based near Cookstown in an adjacent part of Northern Ireland (www.theriverstrust.org). The group from the Moville area went to visit Ballinderry and began to forge links with Mark Horton and his colleagues.

As Horton recalled: 'It was absolutely fascinating what the group was doing and the amount of public enthusiasm they were able to generate around Moville.' In October 2014, following a roadshow by Murphy, Horton and their colleagues to explain the concept of a Trust to local audiences ('it might be better that we were all working together rather than trying to do the same things individually'), the communities of Inishowen agreed to form the IRT.

3.2 Relationship with LAWPRO

The first group of LAWPRO Community Water Officers (CWOs) took up their roles in late 2016, including Jimmy McVeigh in Donegal. As part of its initial stakeholder mapping in Donegal, LAWPRO identified the IRT as a key group. It made contact with the IRT to arrange a meeting to outline the anticipated work of LAWPRO, and to research the plans for developing the IRT. When the CWO met with members of the IRT in Muff, they agreed to jointly host a **Who's Who Event** in 2017 to bring together all river stakeholders (agency, community and voluntary), with financial and logistical/administrative support from LAWPRO. The CWO facilitated several applications by the IRT for financial support with a range of trust activities in 2017, including website development, information leaflets and display equipment.

'It was absolutely fascinating what the group was doing and the amount of public enthusiasm they were able to generate around Moville.'



The local LAWPRO officer was aware of the many challenges faced by the IRT:

The IRT Trust have been an excellent group to work with, although there have been many challenges to be overcome. A lot of the internal challenges surrounded ongoing costs incurred by the Trust in regards their operation (insurance, administration, accounting). These challenges were somewhat alleviated by the annual grant by LAWPRO to the group. In regard to external challenges the IRT, as a fledgling Trust in an area with little or no knowledge of the trust model, needed a few wins to gain traction and support from the local community.

In response to these challenges, LAWPRO took a proactive role in supporting the IRT.

With the support of LAWPRO, the Trust organised a number of events to raise their profile and set out a suite of activities that were central in their success. Since LAWPRO started operating in Donegal, ongoing funding support has been given to the Trust. This has helped them to fulfil their potential and get to the stage where they are now part of the Rivers Trust Resilience Pilot. The Trust model in Inishowen is seen as an exemplar nationally; it has increased collaboration between local communities, Agencies and the Council in the management of the waterbodies of Inishowen.

IRT activities

The *Who's Who on Inishowen Rivers* event allowed the IRT to take centre stage and gave a platform for LAWPRO to introduce its new role to the local community and agencies. Over 100 people attended and presentations were given by LAWPRO, the Rivers Trusts UK/Ireland and the IRT. This was followed by a facilitated Q&A and an opportunity for the participants to tell the audience about their roles and responsibilities.



3.3 Setting for knowledge creation and learning

Since its inception, the IRT has provided a rich setting for formal and informal knowledge creation. This derives in large part from the ethos and backgrounds of its members. It is noteworthy that the outreach work and events led by IRT have covered the spectrum of environmental challenges, which include water quality, climate change, flood management and biodiversity. Some examples of the IRT's careful investment in action learning are given below.

As part of its community education work, the IRT has successfully coordinated a 'River Guardians' training programme (see photo), with eight modules and funding from LEADER. During 2019, 83 places were available on the IRT programme and 77 were used, spread over 37 volunteers. There was a high return rate, with some volunteers completing as many as six of the courses. Arising from these courses, a trained, dedicated cohort of River Guardians is now operating in the Inishowen area.

The Inishowen River Guardians is our specialised training programme, which provides volunteers with the skills to survey, monitor and restore the rivers and natural waterbodies of Inishowen. When we first ran this course in 2019, we had a phenomenal response from the participants. Everyone loved getting involved and in September 2020, we used our skills on a restoration project on the Glennagannon River in Carndonagh.

*In December 2020, the IRT was awarded funding of €59,471 from Rethink Ireland's **Innovate Together Fund** to expand the River Guardians programme. With this funding, we plan to expand the programme, providing a richer and more effective training experience and be creative around the delivery of the training material. Learning together in a social environment and actively engaging in nature brings many benefits for us and for our rivers. (IRT, 2020)*

In August 2017, a major flooding event impacted much of the Inishowen peninsula. Ongoing discussion took place between LAWPRO and IRT on the concept of natural flood management (NFM)³ in regard to the impacts of flooding in the area. The IRT decided to host a Slow the Flow event, to explore the benefits of adopting NFM techniques in mitigating the impacts of future floods in Inishowen. This event was co-funded by LAWPRO and OPW, with local organisation by the IRT. LAWPRO facilitated contact with the Office of Public Works, Inland Fisheries Ireland and other officials to speak at the event. It provided funding to bring expert speakers from the Yorkshire Dales River Trust and Trinity College Dublin. The event consisted of talks, using a river model as a demonstration, with a discussion on how NFM could be used to lessen the impact of flood events. Over 150 local people attended, including councillors and TDs.

As a follow-up, the local CWO assisted a large application by the IRT to the 2018 Community Water Development Fund. This project envisaged the identification of five areas in Inishowen for natural water retention projects, to engage communities, provide training and acquire educational models. LAWPRO did not allocate full funding to this project due to constraints on the fund's resources, but a smaller community awareness-raising and training workshop was held, with a grant from LAWPRO.

Arising from the 2018 event, IRT commissioned Professor Mary Bourke and a team from Trinity College Dublin to carry out a detailed study on 'The Opportunity for Natural Water Retention Measures in Inishowen' (Bourke et al., 2020). Following a request from the IRT, the study was funded by the Office of Public Works, which is the national agency with responsibility for flood management. It found that 'local level coordination for local flood risk management is appropriate' and 'there are opportunities for Natural Water Retention Measures in Inishowen peninsula'. It provided mapped data and a first-order budget estimate for work in six possible catchments. This collaboration between IRT and Trinity academics was cited as a case study in the Annual Knowledge Transfer Survey, 2019. This is a good example of a local community working with experts to support generation and sharing of knowledge to produce better outcomes, which IRT plans to continue in the future.

³ Green Restoration Ireland is a cooperative society founded in 2019 by a group of scientists, farmers and business people. It aims to fight climate change and biodiversity loss and has purchased a bog area in Mayo to provide carbon offsets (www.greenrestoration.ie).

According to Dr Trish Murphy, IRT Project Officer:

By engaging with the University, the research carried out in Inishowen can be published in academic journals, further highlighting the work of the Trust and advancing knowledge of this topic in Ireland. It has enabled the Trust to deliver a high-quality project, which can be utilised by the relevant agencies and may lead to further collaboration in this field. (Knowledge Transfer Ireland, 2020, p. 45)

In other initiatives, IRT has taken part in annual tree planting events, supported by the all-Ireland charity Trees on the Land, from 2016 to 2020. Bat survey training was provided by an expert from Bat Conservation Ireland on the banks on a local river. The IRT Board have been active in drafting responses to national policy consultations. During 2019, the IRT team took part in many conferences and workshops, in Donegal and nationally (IRT, 2020). The IRT has published leaflets and made its many events and talks available on its website, www.inishowenriverstrust.com.

3.4 Relationship with catchment work and ASSAP

There are five priority areas for action (PAAs) in Inishowen, where the LAWPRO catchment assessment team do an initial desk study, carry out sampling, walk the main streams, draft catchment plans and refer any issues relating to agricultural use to the ASSAP sustainability advisor for Donegal. It is expected that agriculture will be a key pressure on water quality – there are over 150,000 sheep in Inishowen. The perspective of the ASSAP advisor on progress to date was:

We just held the farmer meetings in the Inishowen catchments on line. I have some of these LAWPRO desk studies, but not all. ASSAP's work has great potential, if we had all the tools, but we have been hampered by Covid and by not getting the DAFM farm data and maps till very recently. The IRT contacted me about work on a stretch of stream, near Culdaff. They asked if I could get involved, from an advice point of view, to address the farmers and I said of course. Yes, there is a role for catchment groups - we are trying to convince farmers to put X or Y in place, to improve water quality, but you need that wider, community-based approach and awareness. When you get the word out, you get more traction.

As seen from the IRT perspective:

There is a disconnect between the work of the catchment teams, ASSAP and ourselves. We haven't collaborated with them on a project to date. It's a bit unclear. We have been to all the local meetings in the priority areas for action and the LAWPRO catchment people have been out on the ground; we have asked, but we haven't seen any data.

In the Second-cycle RBMP, the focus of the LAWPRO catchment teams was very much on the scientific task of data gathering and assessment, with the data being supplied in a specified format to the **WFDApp** and database, managed centrally by the EPA (Ó Cinneide and Bullock, 2020). Due to time constraints on the catchment teams, it appears that there was limited opportunity for the team members to engage with the emerging catchment groups such as IRT, apart from the initial public meetings in the priority areas, as cited above, where little baseline data was available.

3.5 Future challenges

The success of the IRT to date can be attributed to the confluence of a number of factors, including the diverse skills, creativity and 'social learning' ethos of the founding group; the strong support and inspiration of key mentors such as Mark Horton (Rivers Trust), Jimmy McVeigh (LAWPRO) and Dr Liam Campbell, a social anthropologist from Donegal, whose PhD was on the cultural heritage of the Foyle and who has spoken at IRT events; the availability of funds from LAWPRO and a variety of cross-Border sources; the relative isolation and socio-economic profile of Inishowen; and the strong tradition of innovative voluntary groups in Donegal.



The group has a clear vision for IRT's future challenges and opportunities, as set out by IRT director Trish Murphy at a LAWPRO conference in 2019:

- Staffing and funding to keep momentum
- Increasing environmental pressures, biodiversity and climate change emergencies
- Increasing engagement and collaboration
- Further education programmes
- Increase data collection
- Farming community.

The issues facing catchment groups such as the Inishowen and River Moy Trusts are assessed in the following chapters, through the lens of the four enabling conditions that can help create a supportive environment for governance initiatives - organisational structures; budgetary and financial systems; human resources and capacity; and institutional capacity.

GB Culdaff Beach,
Inishowen Peninsula,
Co. Donegal
Photograph courtesy
of Tourism Ireland


Organisational structures

It is clear that both LAWPRO and the lead department (DHLGH) have invested in the promotion of Rivers Trusts as a key building block of the community water landscape in Ireland. By 2016, a number of rivers trusts were established or forming across Ireland (see Appendix 2). A senior LAWPRO manager said at the annual LAWPRO/Rivers Trust conference in Athlone in late 2019: 'Catchment partnerships and Rivers Trusts are dear to my heart.'

The main potential **benefits** of the Rivers Trust model as an organisational structure are:

- *Trusts provide a stable governance model, which enables groups to own assets and undertake physical, instream work, while limiting their members' liability.*
- *Trusts can build up resources to retain staff with technical/scientific expertise and these staff can promote citizen science.*
- *Trusts can operate on a 'source to sea' scale and become influential enough to engage with other interest groups. They can build up a positive profile and develop a meaningful relationship with their community.*
- *Trusts can have access to funding opportunities that other groups may not, such as the Resilience Pilot Programme (Ó Cinnéide and Bullock, 2020).*

However, the experience of the Irish Rivers Trusts to date is that it is an ongoing challenge to 'make the transition' from the start-up phase to a stable governance structure. Such a stable structure would most likely include: a membership base, a registered 'not for profit' company or trust, regular Board meetings and governance, a website and active communications channels, a funding base with some assurance of multi-year public support, based on a work programme, a full-time team and, ideally, a clear linkage to county, regional and national water policy frameworks.



Based on the mature reflection of one trust:

LAWPRO has brought us on a journey. And what has happened? Nationally, there is a long way to go. LAWPRO are the key drivers in the whole transition that I hope we are going to undergo in the next couple of years.

Human resources and capacity

When seen in the context of experimentalist governance, the investment in Tier 3 structures in Ireland has been an exciting journey since 2016. The challenge of building human resources, skills and capacities is common to each of the elements of local water governance in Ireland - in the local authorities, in LAWPRO, in ASSAP and, crucially, among the community groups. While LAWPRO has been proactive in encouraging the development of local trusts and catchment groups, the follow-up structures in the Second-cycle RBMP to provide training for these groups have been patchy and have primarily focused on building technical, in-stream skills.

The IPA study on water governance has identified that 'The issue of building capacity among volunteers in catchment areas is important. It's a big ask for volunteers to set up a local water protection organisation, which requires a constitution, insurance etc. Supports are needed to help get local groups involved in the RBMP process' (Boyle et al., 2021).

5.1 Capacity gaps for local community groups and trusts

Members of the emerging Irish Rivers Trusts are conscious of the wide complexities in water management and of the gap in scale/capacity relative to trusts in England and Wales. While the national structures and legal frameworks for water governance differ greatly between Ireland and the UK, there is clear potential for mutual learning and an ambition among the cohort of new Irish Rivers Trusts to follow the evolution and growth of the Rivers Trust movement, as seen over the past two decades. An IRT director spoke of their future challenges and opportunities at a Rivers Trust conference in 2018. Their vision of the future, in the next 10 years, included core staffing to oversee projects, resources for education work, IT and communication and the use of 'visiting experts' (www.inishowenrivertrust.com):




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- **Staff and premises:** Two to three members of staff (projects coordinator, administrator, marketing, IT, mapping and database management)
 - **Communications:** Develop the IRT website into a portal of advice and information; catalogue of training videos; regular River Clinics with visiting expert advisors
 - **Education:** Schools liaison programme (2nd level); placement students
 - **Membership:** Widespread across Inishowen; consistent core volunteer work
 - **Farming community:** Established bonds and partners in forestry and agriculture.
-

5.2 Capacity building in tier three - emerging networks


There have been some significant developments in addressing skills and capacity issues among the new cadre of trusts and catchment groups. At the first LAWPRO/Rivers Trust conference in November 2019, it was announced that the Inishowen Rivers Trust (IRT) and the Maigue Rivers Trust in Limerick were each awarded €147,000 over three years as part of a **Resilience Pilot**, with funding from the Department and overseen by the Rivers Trust. A key element was that the Resilience Pilot Project provided funding to the two rivers trusts to employ a project officer each for three years.

At the Second Rivers Trust seminar for catchment groups in November 2020, these two resilience pilot groups announced a joint initiative called **iCatch**, in an innovative move to address some of the skills and capacities deficit. The funding for this initiative has come from The Wheel (a national association of community and voluntary organisations, charities and social enterprises), with some additional support from LAWPRO. **iCatch**, was put forward as a national network to provide a range of supports, e.g. 'mentoring advice to newly forming and young organisations, peer-to-peer learning, expert facilitated training and a knowledge base of templated resources, case studies, strategic approaches and collaborative opportunities'.



The Desmond Castle on
the banks of the Maigue
River, Co. Limerick.

The Inishowen Rivers Trust
(IRT) and the Maigue Rivers
Trust in Limerick were each
awarded €147,000 over
three years as part of a
Resilience Pilot.



*The proposed training network - **iCatch** - is aimed at organisations working in the water sector at a community level. This is a unique thematic context, but one that is an emerging growth movement across Ireland.*

Due to the challenges of the Covid restrictions, the learning structures will be mainly delivered online, utilising the expertise of a Network Co-ordinator. This facilitates inclusion across the island and will provide opportunities for upskilling for all participants in the network, resulting in positive benefits for their volunteers and communities.

As Rivers Trusts and catchment associations are a recent development in Ireland, the structures enabling the organisations to work effectively are not in place. This means that young organisations struggle to understand the core aspects of operation and governance that apply in this water sector. A network would provide the supports needed to increase their efficiencies. Communicating and demonstrating the role these organisations can play in the water, environment and community sector will inspire further groups. Training needs on the following themes have been identified:

Establishment & governance structures; governance compliance; financial control and sustainability; project planning and delivery; needs analysis; project monitoring and evaluation protocols; volunteer engagement and management; communications; developing an educational programme and working on a catchment-based approach.
(<https://maigueriverstrust.ie>, 2020)

The catchment groups and river trusts, which are a key element of public participation in the future delivery of the WFD, will continue to need support from state agencies such as LAWPRO to build their human resources, skills and capacities. This is closely linked with the challenges of **organisational structure, finance and policy development**, as is discussed in the following sections.

Institutional capacity

Institutions are the 'rules of the game', determining what people may, must, or must not do under particular circumstances (North, 1990; Ostrom, 2005). Here the focus is on how institutions operate at the Tier 3 governance level to help shape the scope for local action, learning and policy input.

The development of skills, technical expertise and knowledge are preconditions for effective governance of water policy. Capacity building at all levels is crucial for effective water policies in response to the challenges of the twenty-first century. (OECD, 2012)

6.1 Building capacity to support implementation

Ireland created new structures and processes for water governance for the second-cycle RBMP 2018-2021. These included new three-tier governance and coordination structures (see Figure 1.1).

Both formal and informal institutions are present in the RBMP. The state has invested in the capacity of LAWPRO, the ASSAP team and, to a more limited extent, the Rivers Trust. These can be seen as examples of a greater focus on the use of informal institutions and in the building of a culture supporting civic-minded behaviours, based on trust and cooperation. However, while the River Basin Plan and LAWPRO signalled a greater role for 'non-state actors' - community groups and River Trusts - the 'rules of the game' have not shifted to provide these actors with a sustainable role on the stage.

The space created at Tier 3 for 'stakeholders' on the RBMP governance diagram (Figure 1.1) remains fluid, amorphous and largely undefined. In practice, it includes a spectrum of community groups and River Trusts, as well as the more formally structured farming and business interests.

As a representative of IRT in Donegal put it:

Capacity is the big issue for us. It's about maintaining the momentum, it's so busy! No, there isn't a recognised place for us in water governance. We would like to be included as a legitimate player at the table.

The challenge of building capacity was echoed by an RMT director:

We wanted a paid employee and we weren't able to achieve it fully. If you do a cost benefit on a paid employee, there is a huge amount to be gained. LAWPRO are the key drivers in the transition that I hope we are going to undergo in the next couple of years. We want to take our place at the table and act as a go-to place for the communities.

6.2 The national context for governance and innovation

In 2008/9, the National Economic & Social Development Office, at the request of the Department of the Taoiseach, carried out a foresight exercise on 'Ireland's transition to a Learning Society' (NESDO, 2009). A consultative panel of 183 members from a cross-section of Irish life (business, culture, education, environment, health, agencies and community groups), took part in the process. Their approach was: 'we should explore what local innovation and learning look like in business, society and the public system, then consider what this might imply for organisational structures.' Professor Charles Sabel worked with NESD to prepare the questions and attended the panels (Sabel, 2008).



A decade later, the key findings of the 2008 Futures Ireland project are still evocative in the context of assessing the practices and landscape of water governance, both locally and nationally:

- *New forms of cross fertilisation between the economy, society and public governance are increasingly evident, enhancing the ability to learn and innovate.*
- *Innovation and learning are systematic, almost always combining initiative, disciplined review and a willingness to confront challenges at three levels - institutional, inter-personal and personal.*
- *The kind of innovation and learning we have found cannot flourish and cannot yield their full harvest, without profound change to our organisational systems, particularly our systems of control and accountability.*
- *Ireland's public governance systems could be changed to yield a much better combination of stakeholder involvement, policy making and implementation, one which supports local learning and real accountability to a much greater degree. (NESDO, 2009)*

However, the question remains open as to whether the creation of the three-tier water governance system represents a 'profound change to our organisational systems'. The investment in Tier 3 can be seen as a positive, incremental step or 'green shoots', but the structures at local level (including LAWPRO and catchment groups) have not yet delivered the fruits of innovation and social learning that form the core of successful, sustainable water management.

Budgetary and financial systems

In parallel with the challenges in the other 'enabling conditions' of organisation, structure and human resources, the provision of financial resources to the new wave of catchment groups is problematic. To quote an old Irish proverb: *Ní chothaíonn na briathra na bráithre* (Words do not sustain the brethren).

The RBMP 2018-21 acknowledged the key role of funding for community work on water:

Access to funding is an important element in mobilising and empowering communities to take on a greater role in the management of their local water environment. LAWPRO provides community and voluntary groups with technical advice in relation to local, regional, national and EU and corporate funding streams with a connection to water management. (Government of Ireland, 2018, p. 131) As noted by the IPA review of water governance: 'The degree of autonomy and discretion granted to local units, not least budgetary discretion, is important in facilitating an experimental governance approach' (Boyle et al., 2021). The research on experimental governance found that:

On the community engagement side, there are a limited number of active catchment groups in the country, piloting new approaches but there are limited supports to help them scale up. In terms of helping local communities to access funding, and scale-up pilots, a key challenge is how to animate communities and farmers in an area to come together to initiate a project of agreed measures and thereby apply for funding from a scheme. Experience to date suggests this needs a driver/champion, like a LAWPRO adviser. (Boyle et al., 2021)

7.1 Financial support for community and voluntary groups a comparison

The Moy and Inishowen Rivers Trusts are both set up as registered charities. The Irish state has a long tradition of collaboration, outsourcing of services and funding for voluntary groups, which act in



a key challenge is how to animate communities and farmers in an area to come together to initiate a project of agreed measures and thereby apply for funding from a scheme.

support of government policy in a wide range of areas such as social services, health, sports, arts, culture, the Irish language and the environment (Boyle and Butler, 2003).

A survey of the non-profit sector in 2019 identified some 20,500 active groups (Benefacts.ie, 2019). The dominant sectors are: **Education** (5,196 bodies/groups), **Housing & Local Development** (3,181), **Sports & Recreation** (3,333) and **Environment** (796); collectively, they make up the 'social economy'. The Irish voluntary sector is very fragmented - some 9,000 of these non-profits are defined in law as 'micro enterprises' with a turnover of €700,000 or less; the median income of the groups was €175,000 per year and 50% employed five staff or fewer.

As economist Professor Stephen Kinsella commented:

We know that the State has been increasing its support for organisations in this area in recent years. Given the good work they undoubtedly do, this is a good thing. Absent the State's intervention, a large section of these groups from housing to the arts, environment and advocacy, are likely to struggle, some will fail.
(Benefacts.ie; 2019, p. 3)

In relation to the **Environment** groups, 51% of their income in 2017 came from the state, 40% was earned income and 4% came from fundraising. In most of these sectors, state policy has evolved to the point where there is a funding framework, which provides a degree of consistency and continuity. For example, the state has a policy of promoting the Irish language and Gaeltacht (Irish-speaking) communities. In the **Gaeltacht** areas of Donegal, Mayo, Galway, Kerry and Cork, non-profit community **comharchumainn** (coops) have evolved to provide a range of language services. Significant support was given to the Gaeltacht community development sector in 2019, averaging **€71,000** per group:

Údarás na Gaeltachta provided running funding of €2.37 million to 33 community organizations, both co-operatives and community-based bodies, during 2019, to enable them to undertake a community development program focused on the needs of the local community, language planning, renewable energy and technology, among others.
(Údarás na Gaeltachta, 2020)

As highlighted by Rivers Trusts and the case studies, there is a case for reviewing the current model of financial support for catchment groups, in order to support a more sustainable level of activity.

7.2 Local funding and the Community Water Development Fund

The financial realities at a catchment level are illustrated by the experience of the RMT in Mayo:

We prepared a three year Moy Plan, based on long consultations, at the stage of looking for funding from the County Council. We met with the CEO, senior staff and with the Councillors. We were told to go and get premises, which we did. We did a presentation to the County Council early on and asked for core funding, up to €35k, to enable us to leverage funds from LEADER. Our plan included details of operating costs, premises and projects. We made regular efforts, but it didn't come to fruition, no reason was given.

As Mark Horton of the Rivers Trust observed on the financial pressures facing IRT in its initial years:

In my opinion, they were taking on projects far bigger than any board of voluntary Trustees would be expected to do. It became apparent very quickly, they're delivering great projects, but they were really stretching themselves, putting themselves at personal financial risk. I could see they were nearly at risk of burning out. Trish & the IRT team, they were looking at all sorts of funding options and they were just not finding any money to support a Project Officer, to deliver on the ground. This seemed to be a fundamental issue in Ireland.

IRT was formally established as a company in mid-2016. From then up to the end of 2019, IRT had brought in total funding of €110,000, based on many project applications and multiple funding sources. It continued to face the challenge of needing multi-annual funding until it was successful in the **Resilience Pilot**, which was jointly promoted by the River Trust and LAWPRO (see section 5.2 above). This has resolved the financial pressures for IRT in the short term, but with a 'sliding scale' of reduced funding over three years, the annual challenges remain for IRT and the Maigue Trust.

With regard to encouraging more community involvement, a key initiative is the **Community Water Development Fund**, managed by LAWPRO. This fund is open to community and voluntary groups, Rivers Trusts and catchment partnerships that want to get involved in the protection and restoration of waters in their local area.

The LAWPRO water fund has increased from about **€180,000** in 2018 (69 grantees) and in 2019 (105 grantees) to a level of **€225,000** for 2020 (118 grantees), and is budgeted at **€320,000** for 2021. It is noteworthy that the **average** grant per applicant in 2020 was **€1,587**. The feedback from the catchment and trust groups is that while this may be seen as appropriate for a small project by a voluntary group (event, tree planting, survey), it is well below the level of funding that would be needed to support the work programme of an active catchment group or Rivers Trust. Details of the amount of funding available from LAWPRO and the types of community projects that the Community Water Fund supported for the year 2020 are set out in Appendix 3.

7.3 Identification of finance barriers

The scale and adequacy of financial systems for River Trusts and catchment groups has been reviewed at many events during the second-cycle RBMP. The All-Ireland Rivers Trust movement held a workshop in Dublin in March 2018, where civil servants from Ireland and Northern Ireland, along with key Rivers Trust personnel, met to explore the support mechanisms to help fledgling trusts to grow into sustainable charities. Rivers Trusts made a call for the need for core funding support, especially in the early stages of developments, to allow trusts to secure additional funding to build capacity in delivery, governance and sustainability.

The first annual **LAWPRO/Rivers Trust conference** was held in Athlone in November 2019. The event was attended by 54 delegates from Rivers Trusts, river associations, river-interest groups and various eNGOs, department and local authority representatives involved in freshwater

management. The report for the event (Rivers Trust, 2019) presented the key conclusions, which included:

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- *River trusts need support in ongoing governance of their organisations and in project development and funding applications.*
 - *There was a clear call from all groups that the Irish government should establish a mechanism for core funding to be provided to Rivers trusts to allow them to establish on a sound footing and seek external funding for project delivery.*
-

A 2019 review of public engagement in Irish water governance for the statutory body, An Fóram Uisce, also cited the 'strong emphasis placed in funding or a lack thereof'. It found that:

the funding model channels participation to particular forms of knowledge and modes of organisation and goals that align with the requirements of the funding bodies. Many large sources are tied to doing things that are new or innovative, meaning that pilots are regularly being pursued to test new methods. Public engagement should not be overly determined by this funding and the restrictions it carries. (Bresnihan and Hesse, 2019, p. 29).

In summary, the current scale and model of financial support for catchment groups is inadequate, with seed funding from LAWPRO, virtually no support for personnel costs and a high reliance on project funding. If maintained in its current scale and form, it may be seen as a serious impediment to the continued activity and growth of many trusts or catchment groups. The review of structures and policy frameworks for catchment groups in the next River Basin Cycle needs to be accompanied by a commitment to provide a blend of core funding and project support, to ensure a transition to a more sustainable and participative WFD landscape, as seen since 2000 in the UK and in many EU member states (Pellegrini et al., 2019).

Fit with OECD water governance principles

This section considers the experience of the local catchment groups, as viewed through the lens of the 12 OECD water governance principles (OECD, 2015). Among these principles of good practice in European water governance, the most relevant ones are: ' (#3), 'innovative water policy coherence' governance practices' (#8), 'mainstreaming transparency' (#9) and 'promoting stakeholder engagement' (#10) (OECD, 2015).

8.1 Policy coherence

In relation to the second principle of 'policy coherence', one of the main policy issues as seen at the local perspective is how to manage the ongoing pressure from agricultural activity on water quality, as evident in both Inishowen and south Mayo. As an IRT member saw it:

One of the big issues is Agriculture - the landowners are key, but farmers don't feel supported. They are saying: 'I can't do that because of payments, my Agricultural advisor wouldn't want that'. That is a significant problem. It's not very clear what the farmer can do. Even things like Buffer Zones or fencing off the streams, we have come across issues with it. Basically, the farmer thinks - if they fence off the river, they will lose money. Now that's not necessarily the case. A lot of it hinges on what happens with CAP. The Irish Government has some flexibility on transposing CAP.

The issue of coherence between agriculture and water policies has been discussed in a series of OECD reports in the past decade:

There are several obstacles to moving towards greater policy coherence between agriculture and water polices, including the difference in spatial scales and rigidities in the institutional structures that govern the agriculture and water sectors.
(OECD, 2012, p. 154)

Across the EU, the measures to tackle water pressures from agriculture in the third-cycle RBMP will need more policy coherence at the EU, national and local scales in order to be effective.

8.2 Innovative water governance

The eighth OECD Water Governance principle is to 'promote the adoption of innovative water governance practices across responsible authorities, levels of government and relevant stakeholders' (OECD, 2015).

From a local catchment perspective, the state's investment in Tier 3 structures such as **LAWPRO**, the Community Water Fund, the EPA focus on catchment management and the gradual building of the relationship with the Rivers Trust movement are all hallmarks of innovation in the last River Basin cycle. LAWPRO was established in 2016 'to work with local authorities, public bodies, stakeholders and the public to protect water quality' (Housing.ie, 2018). The innovative role played by LAWPRO in the context of experimental governance is assessed in a parallel paper (Boyle et al., 2021).

8.3 Transparency in river basin structures

Another of the OECD Water Governance principles (OECD, 2015) is to 'Mainstream integrity and transparency practice across water polices and water governance frameworks for greater accountability and trust in decision making'.

Since 2018, members of RMT and IRT groups in the Moy and Inishowen have attended the initial round of meetings in the PAA areas and have requested information and updates from the catchment teams, who are working on priority areas within their catchments, but they have not received access to the monitoring data or catchment assessments compiled by the regional LAWPRO catchment teams. These data, along with the ASSAP referrals, are downloaded by the catchment teams to the national **WFD App**, but the data is currently not accessible outside the state agencies. Similarly, the LAWPRO catchment team are consulting



In a 2016 submission on WFD implementation, it 'welcomed the commitment to a genuine stakeholder engagement' but expressed concern that the commitment 'remains under-developed'

SWAN, the Sustainable Water Network

with the local authorities in relation to the selection of priority areas for action for the next RBMP, 2021-2027, but the catchment groups do not currently have structured access to this process. The inequity of information has been ascribed to a reluctance by agencies to 'publish the information until it's ready' and to an equal reluctance to create possible tensions with local interest groups.

Concerns have been raised about transparency practice across the water governance frameworks.

Absolute clarity is needed as to which structures are vested with the necessary authority to provide catchment-based management and where decisions are taken regarding the selection and implementation of measures at a catchment level. The lack of transparency around operations is emblematic of a traditional, outdated and ineffective, centralized & hierarchical, command and control approach to water governance. (SWAN, 2016, p. 7)

This issue of transparency in the current WFD process had been raised in the review of LAWPRO:

While the outreach work of the 13 CWOs is commendable and much appreciated by the public with whom they engage, the boundaries around public engagement are still limiting in the work of LAWPRO and its sister agencies - i.e. there is little input or visibility for the wider public into the main work program of the Catchment Teams. While the public and NGO groups are aware of the LAWPRO/ASSAP investment, there is a concern about limited transparency with respect to the wider aims of the WFD programme, such as criteria for selection of the PAAs, progress on PAA measures, actions by farmers. (Ó Cinnéide and Bullock, 2020, p. 15)

Relationships in the Irish water sector are deepening, across agencies and with the growing maturity of Rivers Trusts and community groups. As part of the wider evolution towards open government and stakeholder input (Forde, 2020), the next River Basin Plan is a key opportunity to make progress on this issue and to embed the OECD principles of transparency more fully in Irish water governance.

8.4 Stakeholder engagement in water across the EU and Ireland

The tenth OECD principle is to 'promote stakeholder engagement for informed and outcome-oriented contributions to water policy design and implementation'.

This principle is closely aligned with Article 14 of the WFD, which states that:

Member states shall encourage the active involvement of all interested parties in the implementation of the Directive, in particular in the production, review and updating of the river basin management plans. (EU Commission, 2000)

It has been noted that 'the WFD is one of the first directives in EU environmental policy to include public participation as an explicit requirement' (Ecologic, 2006).

In **Sweden**, there is a long tradition of social democracy and stakeholder engagement (Ó Cinneide, 2014). The WFD participatory processes are conducted through Water Councils (Vattenrad) which are composed of local authorities, companies and interest groups. Since 2008, more than 100 of these non-statutory groups have been formed, acting as a forum for public engagement (Holmgren, 2012). 'The functions of these councils are two-fold: they have an advisory role and should be consulted on technical decisions, such as the classification of water bodies. They also serve as arenas for knowledge sharing and the development of local solutions' (Pellegrini et al., 2019). The activity of the Vattenrad in Kalmar, on the south Baltic coast, in the second WFD cycle included water education, river walks, drafting a local policy on drainage runoff, cooperation with university groups, building wetland and fish pass restoration. As a water official in the local Kalmar Council said: 'The groups decide on their own chair and work program. Nothing is either wrong or right' (Ó Cinneide, 2014).

In **Denmark**, in 2013, the Ministry of Environment established 23 water councils at the sub-River Basin level, each with up to 20 members, representing a range of stakeholders of water protection, use and management. The local authorities facilitate the work of these water councils. For the second-cycle RBMP 2015-2021, the Danish authorities allocated €93 million to these water councils and municipalities (Pellegrini, et al, 2019).

The adoption of the catchment approach in Ireland was influenced by the experience of the DEpra-led catchment projects in **England and Wales** in the first River Basin cycle (Daly, 2020). A summary of the UK approach is: 'an inclusive, civil society-led initiative that works in partnership with local authorities, water companies, business and others to maximize the natural value of our environment' (Rivers Trust, 2019). The UK Government refocused the scale of water planning in the second RBD cycle to 93 individual catchments and allocated £1.6 million to be distributed across the catchment partnerships in their start-up phase (Pellegrini et al., 2019).

Pellegrini et al. (2019) analysed WFD coordination and participation boards across seven EU member states. They concluded that 'there are no one size fits all solutions' but proposed that 'the EU should encourage and Member states should establish a connection between the arenas engaged in learning, networking and knowledge exchange and those where decisions are made.'

It was accepted that the advisory structures put in place by Ireland to realise the aims of public participation in the 1st cycle, from 2007, were not successful. As one observer wrote of these RBD Advisory Councils: 'In practice, the advisory councils were found to be strikingly passive and inert. The discourse of science was actively mobilised to shape conduct and the councils masked a continued centralisation of power. It was like swimming upstream' (Fallon, 2010, p. 204). The OECD review of Ireland's environment performance in 2010 concluded: 'Ireland should promote broader participation by NGOs and relevant organisations in the development and implementation of national and local policies, plans and projects' (OECD, 2010, p. 27).

Based on the feedback from the first cycle, the second -cycle RBMP (Government of Ireland, 2018) has taken a number of proactive steps to promote stakeholder engagement, in line with Article 14 of the Directive and with the OECD principles. Among the key achievements in this period are:

-
- The outreach work of the 12 **Community Waters Officers** (CWOs) and three regional coordinators from 2016 'to support communities, rivers trusts, catchment partnerships and stakeholders in the delivery of local water quality projects and initiatives' has been an important catalyst. LAWPRO shows that CWO team members took part in some **1,183** events over the two years from late 2016 to end 2018. The settings varied widely, including community groups, Tidy Towns, LEADER meetings, Water Heritage events and angling clubs across all counties. During a recent review of LAWPRO, the feedback from stakeholders was that 'LAWPRO has taken a proactive, flexible, innovative approach to carrying out its range of tasks across the water spectrum' (Ó Cinnéide and Bullock, 2020).
 - Based on a review of its community outreach, LAWPRO has built up a database of over 400 community groups, across a spectrum of activities, with whom it has engaged.
-

An EPA-funded study assessed the landscape for 'Integrated Water Management in Ireland' in 2016. Using stakeholder surveys and a gap analysis process, the project team identified a series of gaps 'which would need to be filled to achieve the ideal future state for water management and community engagement' (Ralston et al., 2016, p. 6):

-
- Gap 1 - Presence of a national water/ICM-focused community engagement framework, supported by policy, which encompasses the national framework/local delivery model to ensure consistency of engagement practices throughout Ireland
 - Gap 2 - Community-managed hubs as focal points for community access to water management/ICM information and resources
 - Gap 3 - Strategic initiatives which encourage local businesses to support local water management initiatives
 - Gap 4 - ICM-centred citizen science initiatives that focus on local water management and water quality issues (Ralston et al., 2016; cited in Bresnihan and Hesse, 2019).
-

Similar concerns were expressed by SWAN, the Sustainable Water Network. SWAN is an umbrella network of 24 of Ireland's environmental groups, working together since 2004 to protect Ireland's waters by participating in the implementation of the WFD and water-related policy in Ireland. In a 2016 submission on WFD implementation, it 'welcomed the commitment to a genuine stakeholder engagement' but expressed concern that the commitment 'remains under-developed' (SWAN, 2016).

There is a risk that the local, grassroots groups are mostly limited to river walks, clean-ups and 'balsam bashing' exercises. In reality, they have the potential to augment the collective capacity to deliver WFD objectives across the State, by identifying local issues and participating in collaborative action to address these ... In order to be fully effective, these groups need to have clear, functional links and regular dialogue with the various agencies involved in implementation of the WFD and to be integrated into the structures and mechanisms for delivery of the Directive. (SWAN, 2016, p. 2)

Bresnihan reviewed public engagement in Irish water governance for An Fóram Uisce. In his view:

one of the central tenets of effective public engagement is equity or more specifically, inequity. Inequity is the idea that there are differences in the power, resources and authority that individuals and groups have; these differences mean that members of the public and stakeholder groups do not begin from the same starting and do not have the same ability to participate, nor the same power to impact on decision making processes. In the last decade, Ireland has moved to more meaningfully include the public in water governance. However, these efforts continue to treat public engagement instrumentally within expert-driven approaches. (Bresnihan and Hesse, 2019, p. 3; An Fóram Uisce, 2019)

This critique by Bresnihan and Hesse (2019) echoes a perspective expressed by some of the community groups in the LAWPRO review: 'LAWPRO is hamstrung in being expected to animate the public without policy having decided how public participation would fit into the formal process of water management' (Ó Cinnéide and Bullock, 2020, p. 19). LAWPRO has prepared a detailed 'Overview of Catchment Management and Science' as part of its training programmes for LAWPRO, ASSAP and local authority staff (LAWPRO, 2020). It includes a short section on community participation in water management, which acknowledges that 'we need to include the development of forums for local actors to interact and engage as part of WFD implementation actions' (LAWPRO, 2020, p. 18).

It is evident that the landscape for public participation in Ireland is evolving, not solely in water management but also in climate change and across a range of environment, culture and policy spheres (NESC, 2013).

Public participation in environmental decision making is essential if the necessary hard decisions that are needed if humanity is to have a sustainable future are to be supported by the wider community.
(Ewing et al., 2011)

Further evolution of roles, structure and policy frameworks, combined with greater resourcing, is both necessary and desirable to achieve the stated aspirations of citizens and of the state for a culture of sustained public participation in the areas of water and environment.



Conclusions and lessons for 3rd River Basin Cycle

The local-level implications of water governance arrangements for the River Basin Management Plan for Ireland 2018-2021 have been examined here, using two case studies of community engagement involving the development of Rivers Trusts.

While solid progress has been made in the 2nd River Basin cycle in kindling public awareness and fostering participation, the case studies from Mayo and Donegal and research findings illustrate that the emerging community structures at tier 3 are still lacking many key elements of organisational structure, human resources, financial capacity and role clarity within water policy. It could be said that many of the community water projects are engaged but struggling to get a firm foothold.

Ireland has made some good progress on water governance in the four years of the second-cycle, but the relationships between the key state and non-state actors are still being developed. There is good evidence of knowledge creation, but the community structures are not as yet on a sustainable footing. The policy gap, identified by Ralston et al. (2016), regarding the 'presence of a national water/ICM-focused community engagement framework, supported by policy' is still apparent and needs to be addressed.

The synergies and overlaps between water, nature, climate and agricultural policies have been identified since the early days of the WFD (Litgtvoet and Beugelink, 2006) and are clear at the local scale - the work of Rivers Trusts span nature, water, climate and heritage. As stated in the IPA review,

there is a need for closer policy linkages between the water quality, climate change and biodiversity agendas. This would involve the next RBMP being more explicit about the linkages and the need for coherence across these themes. (Boyle et al., 2021).



With regard to the lessons learned to ensure appropriate policies and more effective governance arrangements for the 3rd Cycle River Basin Management Plan, 2022-2027, a number of observations and proposals are set out below, with a focus on Tier 3, the local scale. These are based on the views of interviewees and research findings and are grouped under the chapter headings in the report.

9.1 Organisational structures

- The governance structures for the next RBMP need to be adapted and improved in order to strengthen the long-term structures for public participation in water management, particularly in light of the ongoing challenges of diffuse pollution in Irish water bodies. This is to address the policy gap regarding the 'presence of a national water/ICM-focused community engagement framework, supported by policy' (Ralston et al., 2016).
- The initial phase of LAWPRO activity, since 2016, has brought rich dividends in terms of community outreach and these should be consolidated.

9.2 Human resources and capacity

- Capacity and capability building have been a positive feature of the approach to implementing the second RBMP within state agencies, particularly with regard to focused catchment science and the development of LAWPRO and ASSAP staff. However, during this period, there has been no recognised follow-up programme to provide training or capacity building for the members of the emerging wave of Rivers Trusts and catchment groups.
- DHLGH, LAWPRO, EPA and the other coordinating groups should engage with the Rivers Trusts and fledgling I-Catch network in order to agree a sustained five-year programme of support, training and capacity building for the period 2021 to 2027, as a specific measure within the next RBMP.
- While the LAWPRO teams have built strong internal links at regional level, the public-facing element of the larger catchment science teams could be strengthened in the next cycle.

9.3 Building institutional capacity

- The institutional capacity built up in the second-cycle RBMP has provided active supports to community groups in relation to water-based project work, but has not adequately addressed the 'de facto rules of the game' or the institutional gaps.
- There is a need for a more developed road map in respect of how knowledge is shared, in particular in this context from the local interface of Rivers Trusts and catchment groups via LAWPRO to the policy-making levels in central government.
- LAWPRO and its stakeholders need to invest in collective efforts to develop an equivalent framework on the 'social science' spectrum, to parallel the robust scientific framework of the integrated catchment approach. This would include the development of criteria and metrics for assessing the performance of both the LAWPRO community teams and catchment groups.

9.4 Budgetary and financial systems

- The current model of financial support is seen as a serious impediment to the continued activity of many trusts or catchment groups. The review of structures and policy frameworks for catchment groups in the next River Basin Cycle needs to be accompanied by a commitment to provide a blend of core funding and project support, to ensure a transition to a more sustainable and participative WFD landscape.
- The **Community Water Development Fund** should be expanded and scaled up⁴ to provide for core funding (administration) and bring an element of continuity for community water groups, based on an annual work programme, as is the case in several other EU member states. Access to current and capital funding is a key element in mobilising and empowering communities to take on a greater role in the management of their local water environment.
- The DHLGH and its agencies should build on the funding of administrative assistance to community groups, e.g. through the **Resilience Fund**, based on the results of the current pilot phase which has been under way since 2020 with trusts in Inishowen and the Maigue.

⁴ The Programme for Government, 2019 includes a commitment to 'support the Local Authority Waters programme and expand the Community Water Development Fund' (Government of Ireland, 2019, p. 41).

9.5 Fit with OECD governance principles

- A new and more holistic form of inclusive engagement with catchment groups is essential in the delivery and review of the 3rd River Basin Management Plan, building on the momentum generated since 2016 at local level and addressing the deficits that have been identified by the Water Forum and SWAN and in this review.
- DHLGH, LAWPRO, EPA and the other coordinating groups should engage in a structured dialogue with An Fóram Uisce, SWAN, Rivers Trusts and the emerging networks such as **I-Catch**, in order to discuss options and to agree a revised framework of **stakeholder engagement** for the period 2021 to 2027, to be included in the next RBMP. This could include consultative structures on water and related environment issues at both county and regional levels (these could possibly be facilitated by LAWPRO), with a structured, two-way communications flow from tier 3 groups/trusts to An Fóram Uisce and to the Water Policy Advisory Committee (WPAC).
- In relation to **transparency**, there is little input or visibility for catchment groups or the public into the excellent work programme of the catchment teams in the second-cycle RBMP. It is timely for the lead departments, EPA and LAWPRO to revise the current paradigm of 'maintaining technical decisions on WFD within a public sector closed loop' and to mainstream transparency practices across the Irish water governance frameworks, to create greater accountability and trust in decision making.
- Specific examples could include access and transparency of the operation of regional committees (minutes, the inclusion of observers) and the work programme for the next set of priority areas, including the PAA selection criteria, the draft catchment assessments, progress on measures, inclusion of citizen science and progress updates on water quality.





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Abbreviations

ASSAP	Agricultural Sustainability and Advisory Programme (in Teagasc)
CSMU	Catchment Science and Management Unit, EPA
CWO	Community Water Officer (in LAWPRO)
DAFM	Department of Agriculture, Food and the Marine
DCC	Donegal County Council
DHLGH	Department of Housing, Local Government and Heritage
EPA	Environmental Protection Agency
IFI	Inland Fisheries Ireland
IRT	Inishowen Rivers Trust
LAWPRO	Local Authority Waters Programme
MCC	Mayo County Council
NFM	Natural Flood Management
NPWS	National Parks & Wildlife Service
PAA	Priority Area for Action
POM	Programme of Measures
RBMP	River Basin Management Plan
RMT	River Moy Trust
WFD	Water Framework Directive

Appendix 1. List of interviewees

Catchment Groups, Rivers Trust, ASSAP and LAWPRO

Name	Organisation
Dr Trish Murphy	Inishowen Rivers Trust, Projects Officer
Gary Smyth	Moy Rivers Trust co-founder and Director
Dr Shaun P. Roarty	ASSAP Sustainability Advisor, Donegal
Bernie O'Flaherty	LAWPRO, Coordinator, Border & Western Regions
Tom Carolan	LAWPRO, Community Water Officer, Mayo
Mick Kane	Former LAWPRO Community Water Officer, Mayo
Jimmy McVeigh	LAWPRO, Community Water Officer, Donegal
Mark Horton	Rivers Trust, All-Ireland Coordinator

Appendix 2. Rivers Trust article in EPA Catchment News, 2016

The Department of Environment, Communities and Local Government (DECLG) and the newly formed Local Authority Water and Communities Office are keen to see the development of rivers trusts across Ireland.

The Department has provided funding to the Rivers Trust (the umbrella body for rivers trusts: www.theriverstrust.org) to support the role of the All-Ireland Development Officer – Mark Horton, who is based at, and manages, Ballinderry Rivers Trust in County Tyrone.

Rivers trusts are charities, established by local people to look after, protect and improve rivers, streams and lakes in a particular river-catchment or an area comprising many river catchments.

As local charities, they have the reputation of being 'doers', concentrating their effort on practical catchment, river and fishery improvement works on the ground. In the history of almost every trust, there has been a key trigger leading to their formation, for example through a concern over the decline in species and water quality in a river or a pollution incident which resulted in the loss of fish and other wildlife.

There are already a number of rivers trusts established or forming across Ireland. These trusts join the 7 established rivers trusts in Northern Ireland, 44 in England and Wales and 25 rivers and fisheries trust in Scotland – a network with a vast wealth of knowledge and expertise in river conservation and management. (EPA, 2016b)

Appendix 3.

Summary of LAWPRO funding, 2020

Region	Applications received	No. of grants offered	Max. grant sought (€)	Recommended grants (€)
Border	26	26	127,786.20	52,879.50
East Midlands	53	41	201,956.44	73,143.00
South East	20	12	130,184.63	32,585.77
South West	25	19	126,337.33	38,190.56
West	21	20	77,639.84	33,448.98
TOTAL	145	118	663,904.44	230,247.81
Average grant offered		€ 1,587		

Community Water Development Fund by project type, 2020





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