

Name of Exercise: Public discussion of the proposed north-east orbital section of road Nr. I/18

Location: Havlickuv Brod, Czech Republic

Participation Exercise under which Article? *Article 6*

Purpose of Participation Exercise:

To collect the public's comments on the proposed road around the town of Havlickuv Brod.

Background:

Due to its geographical location in the Sázava valley, Havlickuv Brod is very sensitive to any increase in atmospheric emissions of noxious substances. The emissions accumulate in the atmosphere around the town, especially during the frequent temperature inversions. Nitrogen oxide emissions are the most problematic according to measurements from the continuous monitoring stations. The pattern of daily and weekly concentrations suggests that traffic is one of the main sources of air pollution in Havlickuv Brod.

Havlickuv Brod is at the confluence of several important motorways leading from Prague, Vienna and Brno, Hradec Králové and Pardubice, České Budejovice and Pelhrimov. These roads cross the centre of the town and bring many difficulties, both to drivers and pedestrians.

For these reasons, an orbital road is being built which will improve passage along the motorways and also improve the traffic conditions within the town. This will also reduce the level of emissions within localities in the town.

The first part of this proposed orbital road is the north-east section. As part of the proposal, an "EIA" was carried out according to the Law no. 244/1992 Sb. Given the impact on the environment, part of the analysis must involve public participation in the decision making process. This will require the environment department of the district authority to issue an opinion on the EIA that will serve as a basis for the building procedures. Annexes 1 and 2 to the law set out which constructions or activities require an 'EIA' procedure.

Participation Techniques Used:

Citizens were invited to comment on the proposed investment at the town's main authority office. Each member of the public was met by an official of the Council and had the right to ask questions and record their opinion. Comments could also be submitted in writing. More formally, an opportunity was offered thirty days later to raise opinions during a public discussion.

Who participated?

Up to one hundred members of the public participated, submitting comments to the proposal in person at the town authority office, and during office hours. No other "protests" against the action appeared – e.g. critical articles in the newspapers, complaints and others. Citizens' groups did not participate.

Stage(s) at which public participated in the process:

First phase

The public were given 30 days to comment on the documentation provided by the municipality concerning the proposed scheme.

Marta Gerthnerová, chief of section of the town authority, commented that the level of public interest in the scheme was expected to be minimal. However, the reality was a pleasant surprise with over 100 participants attending the sessions and making comments. Participants could only visit the one to one sessions with Council officials during Monday 8.00-9.00 and Wednesday 16.00-17.00 for 30 days. Many found free time to use the opportunity to discuss the matter and to try to present their local interests. Other participants used the opportunity to ask for information about the scheme. Most respondents were seen for at least 15 minutes and often it was possible to explain the matter to more than one participant at the same time. In a town with a population of 24,500 inhabitants, this shows, in our opinion, a great interest in the proposal.

Citizens also came outside of office hours and if the person was sufficiently well-informed about the project, they were also seen. The public acknowledged this effort of the town authority and no other "protests" were registered during the thirty days period (see above).

Second phase –

A public discussion of the District Authority's subsequent assessment (see below).

What information was made available?

On 24 January 1997, one day after the environment section of Havlíčkův Brod Town Authority received the EIA documentation for the proposed road, the information and notification for it were publicised. The information was approximately 100 pages with some annexes. The notification set out when and where it was possible to study the documentation. Extracts or copies of all the material could be made. The notification was also published in the press in district periodicals, broadcast on local cable TV and regional radio.

No information concerning the proposal was withheld. Information was made available in text form as well as graphs, maps, etc and a fee for the information was not charged. Citizens interested in further information could photocopy what interested them.

What was the outcome of the public participation exercise?

The exercise resulted in three important issues being raised, which were incorporated into the resulting opinion of Havlíčkův Brod town. A further comment was received in written form from a firm dealing with engineering and investment activities.

The resulting report (a compilation of public opinions, summarised by the environment section of Havlíčkův Brod Town Authority which included the opinion of the Town council) was sent to Havlíčkův Brod District Authority on 4 March 1997.

The environment section of Havlíčkův Brod District Authority, in accordance with Law No. 244/1992 Sb., solicited an independent expert opinion on the matter, and compiled its own documentation. A public meeting was subsequently organised on 27 May 1997, to which the following were invited:

- Town authority of Havlíčkův Brod;
- District hygienic station of Havlíčkův Brod;
- traffic section and regional development section of District authority Havlíčkův Brod;
- Agency of protection of nature and landscape of CR, centre in Havlíčkův Brod;
- representative of the firm which had a written input to the explanatory campaign;
- the author of the EIA documentation;
- representative who compiled the independent expert opinion on documentation EIA.

This public meeting was the last step before publishing the final official opinion concerning the analysis of the EIA. Parts of this report also include relevant and original remarks of the individual respondents.

Among the final outcomes were requests for and agreement for:

- noise barriers for those residential areas lying close to the orbital road,
- protection against damage to nearby houses while carrying out explosive work ahead of road building
- alternative walking paths (tracks) to compensate for those destroyed by the new road.

Comments of participants in the process:

The Department of the Environment of the Municipality of Havlickuv Brod:

The public's involvement in the entire process was necessary and made a valuable contribution for all involved parties because appropriate solutions were found, without additional protest.

It is also essential that public and representatives of the state administrations and local government learn to communicate effectively and to overcome the information barriers and remove prejudices claiming that nothing positive can be achieved by discussion.

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REC view on participation exercise:

This case appears to be a very good example of public authorities following established procedures and doing their best to provide the relevant information to the public and to take comments into account. In this case the authorities interpreted the established procedures in a flexible manner and facilitated public participation in accordance with Article 3.2 of the Aarhus Convention. In particular, the availability of authorities for one-on-one consultations with interested members of the public shows a real concern for the effectiveness of the public participation in this case. The positive outcome of the procedure seems to have flowed naturally from the co-operative and supportive attitude of the authorities towards the public. While the final decision included excerpts from public comments, a more detailed response document could have shown how each individual comment was considered.

Significant omissions from requirements of Article 6:

None according to the information provided.