# Stakeholders in Swedish Marine Planning

Who they are and how they can be involved

# *Preface*

This report is produced by the consultancy firm Kontigo AB on commission from SwAM. The study is commissioned in relation to SwAM's work within the European Union funded project Partiseapate.

One of the main tasks of SwAM is to organise the new Spatial Maritime Planning process. In relation to this task, identifying and organising the involvement of stakeholders represents one crucial aspect.
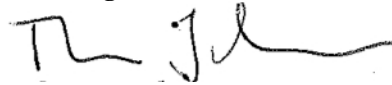
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The results, conclusions and recommendations presented in this report are the consultant perspective only.

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Göteborg November 2013

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# Summary

The overall purpose of this study is to analyse the stakeholders in a future Marine Spatial Planning process for Sweden. This involves analysing the characteristics of stakeholders, analysing and categorising the most important stakeholders, proposing how stakeholder involvement can best be arranged, as well as proposing how the international dimension may be integrated in the Swedish MSP.

The work carried out for this report relies on five steps: i.e. (i) establishing a preliminary list of possible stakeholders; (ii) selecting stakeholders to interview; (iii) carrying out circa 35 stakeholder interviews; (iv) through each interview attempting to identify further stakeholders; and finally (v) analysing stakeholder positions and possible involvement using stakeholder theory and theory of social and political legitimacy of organisations.

## Swedish Marine Planning

The task of establishing an integrated MSP covering both the territorial sea and the Exclusive Economic Zone (EEZ) is still an unfolding story. The first steps towards an integrated MSP were taken in the early 2000s, with the public inquiry *The Sea – time for a new strategy* (SOU 2003:72). However, the most important step came through the inquiry for establishing a Swedish authority for the marine and aquatic environment (SOU 2010:8) and the related inquiry of *Planning in depth – marine spatial planning* (SOU 2010:91). Following these, the Swedish Agency for Marine and Water Management (SwAM) was set up in 2011, with the government commission to prepare for a Swedish MSP.

However, no formal decisions have yet been made concerning the structure of the Swedish MSP process, the proposal made in the public inquiry suggests that SwAM should be responsible for drafting planning proposals for three planning areas covering seas outside the entire coastline. The 14 coastal regional authorities (County Administrative Boards – CABs) support SwAM as well as coordinate the 80 coastal local authorities. Three (of the 14) CABs are given a coordinating role, for each of the planning areas. National government agencies as well as local authorities provide data and take part in the process. The Swedish Environmental Protection Agency is responsible for environmental consultation according to the Espoo convention. The government, finally, adopts the plans.

In order to understand the proposal for MSP it is necessary to look at spatial planning in Sweden in general, i.e. at physical planning on shore. Characteristic to Sweden is the lack of national comprehensive spatial planning. Planning powers are largely devolved to the local authorities. The 290 local authorities are responsible for both master plans and zoning plans.  The CABs have the authority to appeal plans, in order to protect vital national interests or to resolve inter-local authority conflicts. Regional planning exists only for the largest city-regions. Consultation and stakeholder involvement are statutory in both the master plan and zoning processes, and it is common for local authorities to engage in broad stakeholder consultation processes, especially in master planning, in order to make later zoning smoother.

Some challenges are still waiting to be met before a Swedish MSP process is in place. They mainly involve three issues: firstly, forming a planning process that can cope with the intersection of national and local planning; secondly, forming a process that integrates sectoral interests at

different geographic levels; and finally, building the international dimension into the planning process.

# The stakeholders' involvement

This study draws on a combination of stakeholder theory and a theory of social legitimacy in order to discuss how interests of different kinds may be involved in an MSP process. The main contribution from stakeholder theory is perhaps its recognition of the influence and powers of others than those with formal rights or powers. Modifying Swedish political scientist Bo Rothstein's work and applying it to the issue of MSP and its stakeholders, a preliminary attempt at categorising stakeholders may look as follows:

- Stakeholders who derive their prime legitimacy from legislative sources
- Stakeholders who derive their prime legitimacy from economic powers and interests
- Stakeholders who derive their prime legitimacy from political power and influence
- Stakeholders who derive their prime legitimacy from a scientific basis

Drawing on the interviews the possible stakeholders are categorised based on the above groupings and their respective attitudes towards their involvement as stakeholders in the MSP process. In the figure below the basis for the stakeholders' social legitimacy and their attitude towards being involved in the planning process are illustrated.

| Activity/ Legitimacy | Legally strong | Legally weaker | Economically strong | Economically weaker | Politically strong | Scientifically strong |
|---|---|---|---|---|---|---|
| Proactive | SwAm, EPA, Transportation Agency | | Shipping | Fishery, agriculture | Fishery, agriculture, some NGOs | Designated research institutes, some NGOs |
| Reactive | CAB:s, Most sectoral agencies, Local authorities | | Energy (partly) | Energy (partly) | Energy (partly), Swedish Army | Universities, individual researchers, sectoral agencies |
| Dormant | Local authorities | Regions | | | Landowners, recreational organisations | |

The involvement of stakeholders may vary, and four different levels of involvement are identified:

- Informing
- Consulting
- Involving
- Participating

For local authorities, the degree of proactivity varies, but mainly they seem to be awaiting more information on what is expected from them in the MSP process. Most local authorities see their role as one of interacting primarily with their CABs, although some local authorities explicitly

express that they want direct access to SwAM. In general, they want and expect to be involved from the early stages, from the clarification phase and in particular in the analysis phase.

The County Administrative Boards (CABs) are highly aware of the MSP. They see the collection of new data as a challenge due to scarce resources. In this respect the CABs will be relying on local as well as national authorities.

Organisations of economic interests often take on a practical approach to planning. They are primarily reactive, or even more precisely they are ready to act, and when they do so they will be prepared, but they are unlikely to take the first step. Furthermore, these organisations quite openly state that they want to be involved at the stages where they can influence the process and where their voices will be heard. In particular, this means providing and commenting on data or being involved in the process where conflicts of interests are resolved and plans are adopted. They are often sceptical of the planning process.

The research institutions generally want to play an active role and are genuinely interested in providing data and information.

There is also a large number of highly diverging other non-governmental organisations who are looking for a role in planning processes. They vary greatly both in terms of the resources available for their job and the strategy they adopt towards their involvement, where some of them are happy to become involved while others are more reluctant.

## Towards a strategy for involving stakeholders

The figure below summarises the main elements of the stakeholder strategy throughout the three phases of the MSP planning process.
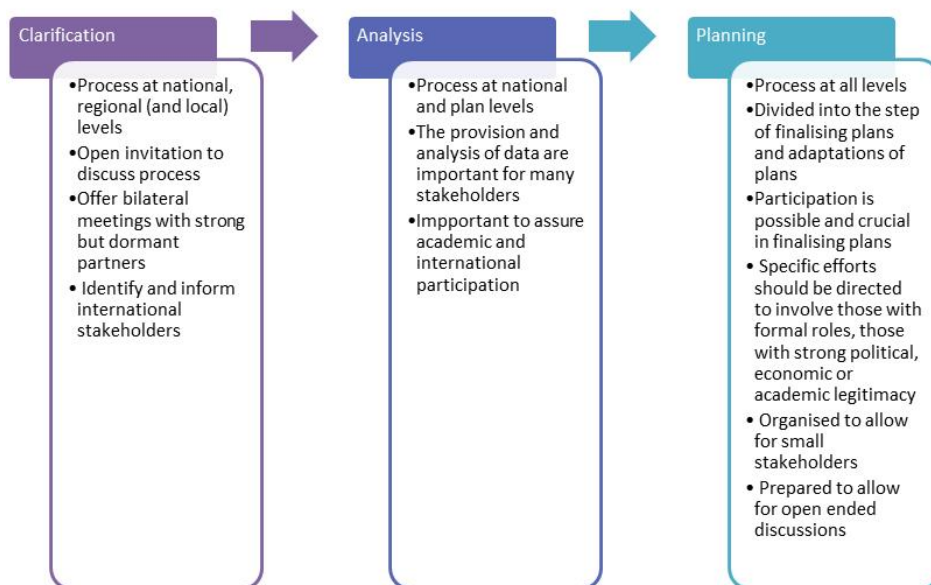


In the graph below we summarise the geography of stakeholder involvement. Hence, it is an attempt to illustrate the shifting geographic focus of stakeholder involvement, illustrating that regional and local stakeholder involvement are likely to be more intense in the clarification phase and in the adoption step of the planning phase, while the analysis phase and the finalising of

plans for practical reasons must be coordinated primarily at the level of plans, perhaps with the exception of providing data, which could at least partially be coordinated at the regional level.

Internationally

Nationally

Regionally at countylevel

For each plan

Locally (organised by districts)

Regionally at countylevel

For each plan

Internationally

Nationally

Regionally at countylevel

Locally (organised by districts)

| Clarifying | Analysing | Finalising | Adapting |
|---|---|---|---|
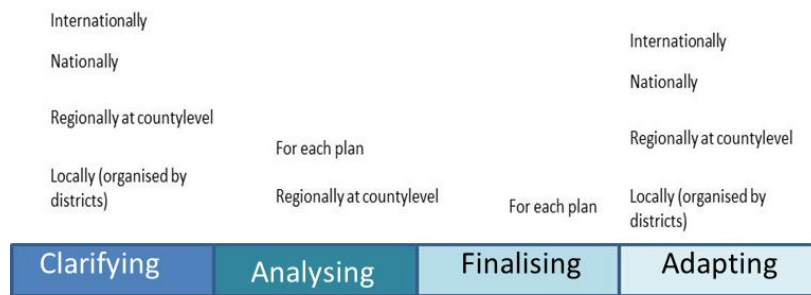
# Introduction

The Swedish Agency for Marine and Water Management (SwAM) was set up in 2011. One of the new agency's central tasks is the responsibility for Marine and Water Management, including preparing for integrated marine spatial planning (MSP) in Sweden.

In the Swedish Housing, Planning, and Building Act (PBL) water-land integration is included since the 1980s. According to PBL, local authorities are responsible for including inner waters and territorial waters up to 12 nm from the "baseline" in their spatial planning process. However, there is no coordinated planning for the sea outside of territorial waters. Furthermore, the inclusion of waters and sea in local authorities' planning is highly varying in practice, both concerning how it is done, or whether it is done at all. In fact, only 4 out of 80 coastal local authorities have integrated plans for the sea in their spatial planning (SOU 2010: 91).

A variety of driving forces have over the last decades or so placed renewed focus on the need for an integrated MSP in Sweden. In 2011, following on from a series of national inquiries, SwAM was set up. In 2012 and 2013 SwAM was assigned by the Swedish Government to prepare for the introduction of national marine spatial planning. In part this work involves preparing for an efficient and inclusive stakeholder involvement. This report is intended to represent one step in such a process.

## The objectives of the study

The overall purpose of the study is to identify, survey and analyse the stakeholders in a future MSP process for Sweden. This overall purpose can be broken down into four separate tasks:

- To identify and analyse the characteristics of stakeholders in the forthcoming MSP process
- To analyse and characterise the most important stakeholders
- To propose how stakeholder involvement can best be arranged, including an analysis based on the above characterisation and an analysis of best timing
- Propose how the international dimension may be integrated in the Swedish MSP, including both formal bilateral state-to-state relations as well as relations to NGOs, etc.

Besides the above main objectives and as a background, this report shall also, provide an introductory description of how stakeholder involvement processes in Swedish planning in general have traditionally been organised and how national and international stakeholder involvement may differ from one another.

## Methods

This study has primarily focused on the identification, categorisation and analysis of stakeholders' interests and priorities in the forthcoming MSP process. To carry out this task we have progressed in five steps:

- A preliminary list of stakeholders in the MSP process was drafted, using information from SwAM and secondary sources, such as reports focusing on the introduction of MSP in Sweden.

- From this preliminary list, a selection of stakeholders to interview for the study was made. This selection was made in close dialogue with SwAM. One guiding principle was to select stakeholders with whom SwAM had not yet established a close working relation. Hence, for example, fewer County Administrative Boards (CABs) and more other local and regional authorities were included in this selection. For some stakeholders SwAM was also able to provide information on who to contact within the stakeholder organisation. In other cases the right persons were sought in the process of contacting the stakeholder.

- Telephone interviews were carried out with the organisations' contacts. Each telephone interview typically lasted between 30 minutes and 1 hour, although there were cases of both shorter and longer interviews. The interviews followed a semi-structured guide ensuring that all important topics were covered as well as allowing for flexibility depending on the answers given. A total of four persons were involved in carrying out interviews in Kontigo, although one person made more than 50 per cent of the total number of interviews.

- Each interviewee also added to the list of potential stakeholders to interview by suggesting who they thought should be included among the major stakeholders in the MSP process. In total two new stakeholders were added to the list of interviewees in this way.

- Finally, the material was analysed against a background of stakeholder theory and theory of social legitimacy.

The other material draws primarily from secondary sources such as material from SwAM, research undertaken in the BaltSeaPlan project and material from the recent government inquiries.

# Structure of the report

The report starts by outlining the national context of MSP in Sweden. Chapter 3 takes a somewhat closer look at stakeholder involvement. This chapter however takes on a theoretical approach to the stakeholder concept and its merits for planning processes. In chapter 4, we leave theory and enter the "real world" of stakeholders in Swedish MSP. In chapter 5 we look at the stakeholders' own accounts of how they would like to be involved in the MSP process. Finally, in chapter 6 the basic elements of a stakeholder involvement strategy are presented. A short summary in Swedish is found before the annexes.

# Swedish Marine Planning

The main objective of this section is to put MSP in its context of Swedish spatial planning in general. It will be demonstrated that, although the current Swedish spatial planning mechanisms were largely carved out in the 1970s and 1980s, an integrated and comprehensive process for planning for the sea is a more recent story and one that largely remains to be written.

In this chapter we firstly outline some of the basic elements of marine planning in Sweden, followed by a brief characterisation of how integrated marine planning has emerged. Secondly, this chapter will provide a brief overview of the Swedish spatial planning framework in general. The final section of the chapter is concerned with the remaining challenges of establishing an MSP process, focusing on both the differences between spatial planning at sea and that on shore and the challenges involved when moving from a nationally contained to an open international context.

## The basic elements of MSP in Sweden

### The geography of MSP

The Swedish coastline is one of Europe's longest. The MSP process is, according to the proposal for MSP, intended to be divided into three planning areas, spanning the entire coastline: the Gulf of Botnia, the Baltic Sea, and the Kattegat and Skagerak (see figure 1, below).

The counties covered in the Gulf of Botnia area are Norrbotten, Västerbotten, Västernorrland, Gävleborg and Uppsala. In the Baltic Sea area the counties include Stockholm, Gotland, Södermanland, Östergötland, Kalmar, Blekinge and Skåne. Finally, the Kattegat and Skagerak includes the counties of Skåne, Halland and Västra Götaland.

One plan is to be produced for each of the three planning areas.

*Figure 1. Geography of the proposed Marine Spatial Planning in Sweden*
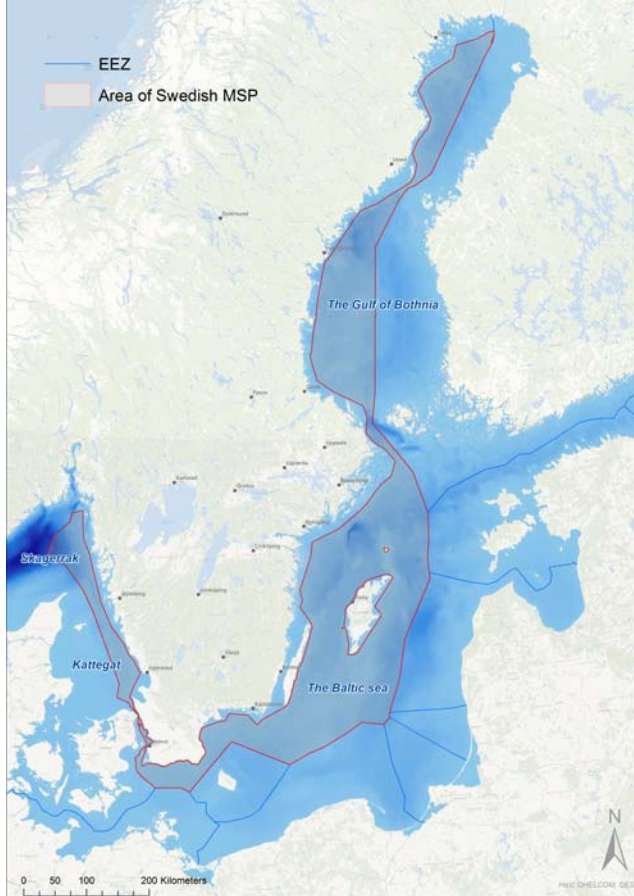


There is also the geography of coast-sea to take into account. The MSP process includes inner waters, territorial waters and the Exclusive Economic Zone. Local planning already includes the inner waters and the territorial waters. Hence, there is quite a considerable overlap between the proposed MSP process and the current responsibility for local planning, as illustrated in figure 2 below.

*Figure 2. The coast-sea overlap of planning responsibilities*
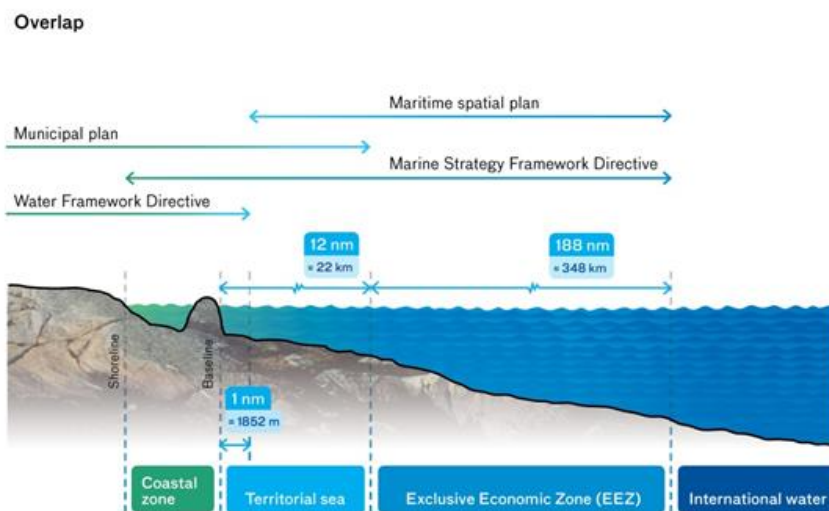
## The division of tasks between responsible authorities

Following from the proposed process in the national inquiry (SOU 2010:91) and work conducted by SwAM in preparation for a national MSP a draft division of responsibilities between pinpointed authorities in a future MSP process were laid out by SwAM. The following main principles for the division of tasks between the authorities involved are proposed:

- SwAM is responsible for drafting planning proposals for each of the three planning areas
- The 14 coastal CABs shall support SwAM in the above task and coordinate and support the local authorities
- Three of the CABs (Västernorrland, Kalmar and Västra Götaland) have a coordinating role for each plan
- National government agencies produce relevant data
- Local authorities and other (than CAB) produce relevant data
- The Government produces guidelines and adopts plans
- SwAM is responsible for coordinating input for international consultation
- The Swedish EPA is responsible for carrying out international consultations according to the ESPOO convention

# A recent story

The task of establishing an integrated MSP covering both the territorial sea and the Exclusive Economic Zone (EEZ) is a recent, or rather still unfolding, story. In this section we shall look briefly at both the political and other factors behind the needs for and emergence of a new integrated MSP. We shall also look at the individual milestones in the process so far. [1]

## Drivers for change

The need for an integrated MSP has emerged over time, against several backdrops. Morf (2012) lists what can be seen as series of both "real world" challenges and external legal pressure.

Among the "real world" challenges are on the one hand the ecological challenges, such as conservationist issues and issues relating to the fishery industry. These issues have long since called for increased international cooperation, both within the EU and internationally in general. Other "real world" challenges are of course the increased exploitation pressure on the seas, for example stemming from the increased interest on sea-based wind power and the building of the gas pipeline (Nordstream) in the Baltic Sea. Taken together, these events highlighted the call for integrated and coordinated management of maritime resources, in which MSP was to be seen as *one* important way of addressing the challenges.

The above identified "real world" needs have also been paralleled by the development of a new legal framework primarily at the EU level. Among the EU legislation and other policy instruments influencing the introduction of MSP are the NATURA 2000, the WFD (Water Framework Directive), the MSFD (Marine Strategy Framework Directive) and the IMP (Integrated Maritime

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[1] This section draws heavily on the text in BaltSeaPlan (report no 7).

Policy). Furthermore, a proposal for a new Directive for establishing a framework for Maritime Spatial Planning and Coastal Management is currently being negotiated (COM, 2013). Together they formed a strong imperative for Sweden to ensure that a coordinated and integrated management including a planning framework for the sea be installed. This puts focus on the fragmented and incomprehensive planning processes for the seas under the current Swedish planning framework.

### Milestones on the way to MSP

The first steps towards an integrated MSP were taken in the early 2000s, with the public inquiry *The Sea – time for a new strategy* (SOU 2003:72). Here some of the emerging new needs were demonstrated and the major tasks to be dealt with outlined.

It was, however, not until the latter part of the 2000s that real progress towards an integrated MSP process was made. Following on from a series of government inquiries – the Government inquiry on a Swedish authority for the marine and aquatic environment (SOU 2010:8), *Planning in depth – marine spatial planning* (SOU 2010:91), and *Knowledge in depth – a knowledge basis for MSP* (SOU 2011:56) – some of the milestones towards an integrated MSP process could be passed.

Firstly, a series of new policy initiatives were passed. The most important of these is the government bill for a Coordinated Marine Policy for Sweden (prop. 2008/09: 170), in which the foundation for an MSP is laid. Perhaps the single most important piece of legislation is, however, still not in place, i.e. the act on marine spatial planning.

Secondly, the creation of the new national agency Swedish Agency for Marine and Water Management (SwAM) in 2011 represents a very important step. One of the main tasks for this new government agency is to prepare for the MSP process.

## The Swedish spatial planning framework

Understanding the process for building a new system for MSP relies on at least a rudimentary comprehension of the history of Swedish spatial planning in general. Administratively, Sweden is divided into 21 counties (län) and 290 local districts (kommuner). The local districts are governed by directly elected councils. We will use the term local authorities to refer to the political and administrative body at this geographic level. All local authorities, urban or rural, have the same legal status.

At the county level the situation is more complex. In principle, three different authorities are present. The County Administrative Boards (CABs) are the cross-sectoral regional body for the national government's governing of the regions. The CABs' direct involvement in spatial planning (onshore) is, as shall be demonstrated, rather limited. However, the CABs do still play an important role in spatial planning due to some of their other tasks. The CABs are e.g. responsible for regional environmental protection (chemicals, water regulations and natural areas); animal welfare; hunting and fishing management; and the management and preservation of cultural heritage, etc. Hence, the CABs are often identified as a stakeholder in relation to these particular interests and as such may appeal local authority plans.

Besides the CABs, the regional level is also governed by County Councils (landsting - directly elected bodies mainly responsible for medical and health care, but in Stockholm County also responsible for regional planning under a special amendment to the PBL). In general, however, the county councils play at present little or no role in spatial planning.

This is also true for the third form of regional authority in Sweden, the so-called assemblies of local authorities (regionförbund) that now exist in most counties. The main responsibility of this body is regional economic planning. In one instance, the case of Göteborg metropolitan region (which is, however, geographically narrower than the county of Västra Götaland), a similar assembly of local authorities is also responsible for regional physical planning following on from PBL's opening for collaborating local authorities to engage in regional planning.

Recent reforms in regional economic planning have also called for an increased integration of economic and physical planning, and in some instances county councils and assemblies of local authorities are now taking small steps towards an integrated economic and physical planning at the regional level.

In figure 3 below we summarise the local and regional system of governance, with some reference to spatial planning. Figure 4 illustrates the Swedish regional and local divisions.

*Figure 3. The local and regional governance of Sweden*

| Concerns | Regional level | | | Local level |
|---|---|---|---|---|
| *Geographical entity* | *County (21)* | | | *District (290)* |
| **Authorities** | **County Administrative Boards** (Länsstyrelser - CAB) | **County Councils** (landsting – in some cases called "*Regions*".) | "**Regional Assemblies of local authorities**" (regionförbund) – in operation in some counties. | **Local authorities** (kommun) |
| Political governance | "Appointed" by central government | Directly elected | Appointed by local authorities | Directly elected |
| Main functions | Environmental protection, natural resource management, etc. In some regions responsible for economic development | Health services, cultural policies, and regional public transport. In some regions responsible for economic development. | Assumed responsibility for cultural policies and economic planning from CAB:s and county councils. | Responisble for housing, planning, social welfare, education etc. |
| Role in spatial planning | Formally in relation to protecting national interests and inter-district issues | Limited or none, with the exception of regional planning in Stockholm county | Limited or none, with the exception of regional planning in Göteborg metropolitan region. | Responsible for local spatial planning |

*Figure 4. Sweden's 21 counties and its local districts – the example of the Region of Skåne*



## Vast devolution to local authorities

The modern history of spatial planning in Sweden dates back to the post-war era and to the Building Act of 1947. In this act, Swedish local authorities were endorsed with the power to control building within their territories. This is when the term "the local planning monopoly" was coined. However, under the 1947 Building Act, all local plans were to be adopted by the government through their regional bodies, the CABs. In the 1960s and 1970s the National Physical Planning instrument was introduced, strengthening the national level's authority for planning.

However, the importance of local authorities was to be reinforced later. In the Housing, Planning and Building Act of 1987 the need for government (through the CABs) to adopt local plans was abolished. The government's control was retained only in issues concerning "national interests", inter-local authority relations and matters of health and security. In the current Housing, Planning and Building Act (PBL) of 2010, the main division of powers between the local authorities and the government remain unchanged. This means that, with few exceptions, integrated spatial planning in Sweden is primarily a local business. Regional authorities (county councils or assemblies of regions) may undertake voluntary regional spatial planning and have recently done so only in the case of Göteborg metropolitan region. In Stockholm County an amendment to the Housing Planning and Building Act states that the county council shall be responsible for undertaking regional planning.

The "local planning monopoly" is in some ways a sensitive issue in the Swedish housing and planning debate. Recently attempts have been made to provide for better integration between the economic plans drafted by regional authorities and the local plans drafted by local authorities. Some progress has been made in e.g. Skåne region, where so-called "structural overviews" (strukturbilder) have been produced. The process of drafting those "regional overviews" has been managed extremely carefully in order not to be seen as violating "the local monopoly of planning"

(Tillväxtanalys 2013). The Government has recently commissioned an inquiry focusing on how increased regional cooperation shall provide for a more co-ordinated planning and building process, an inquiry already stirring debate.

## Two main planning instruments

In the current PBL there are two main planning instruments in the Swedish spatial planning framework, i.e. the local Master Plan (Översiktsplan) and the Zoning Plans (detaljplaner).

The function of the Master Plan is to outline the general land use from an integrated perspective. Furthermore, the idea of the Master Plan is to protect the environment and the health and safety of the population, to prepare for unexpected events and to foster more efficient zoning plans and the granting of building permits.

The Master Plan may also contain Detailed Master Plans (fördjupad översiktsplan), e.g. concerning a single built up area or a coastal zone, where the Master Plan for land use goes more into detail. However, the level of detail is not as far reaching as in the Zoning Plans. Neither the Master Plan, nor the detailed Master Plan is legally binding. The local authorities shall consider the relevance for its Master Plan at least once every electoral term.

The zoning plan regulates the conditions that building or other land use activities have to follow. The zoning plan is binding, in that a building permit application that meets the conditions laid down in the zoning plan shall be granted.

It is, however, important to stress that PBL in Sweden is a framework legislation. Besides what is described above PBL is not explicit concerning *how* planning processes shall be organised.

## Planning processes with stakeholder focus

The planning processes vary slightly depending on what planning instruments are at focus. Generally, however, the demand for involvement and consultation of stakeholders is relatively strong under PBL. For both Master Plans and Zoning Plans stakeholders shall be consulted. For the Master Plan, the preliminary planning proposal shall be discussed in dialogue with stakeholders. Thereafter the plan shall be revised and a final planning proposal shall be put on exhibition for a period of two months. If there are no major objections to the Master Plan during this period the local authority may go ahead and adopt the plan.

Apart from the general terms of consultancy and exhibition PBL is not specific about how this process shall be carried out or which stakeholders to involve. Many local authorities that have revised their Master Plans more recently have gone further in actually involving the general public or groups of stakeholders in drafting their Master Plans. For example, in the city of Helsingborg, where the Master Plan was revised in 2010, the consultation of stakeholders involved several series of seminars, open space events, etc., encouraging stakeholders from a wide array of interests and individuals in general to take part in the planning procedure (Helsingborg stad 2010). A similar process occurred in the city of Umeå, when initiation of the revised Master Plan led, among other things, to setting up a network of stakeholders for *"Sustainable Construction and Real Estate Management in Cold Climates"*.

Why local authorities chose to go further than what the law requires can be understood primarily through the rather generous right given to a wide array of stakeholders to appeal zoning plans.

Local authorities undertake this as it may make it easier to reach consensus and understanding for the final planning proposal. Hence, even though the process may initially be slowed down by involving more stakeholders, it is often felt that more will be gained when zoning plans are to be drafted at later stages.

*Figure 5. A simplified process for adopting a local Master Plan*
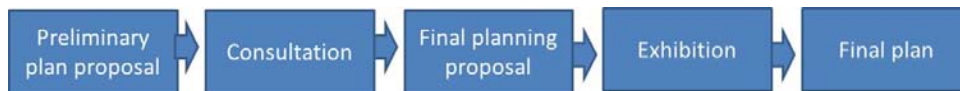


The local authorities are obliged to consult the CAB, who shall produce a written statement on the proposed plan's compliance with national interests, issues on health and security and inter-local authority matters. This statement is to be included in the plan before it is finally adopted by the local authority. The *planning process*, leading to the adoption of a Master Plan, can be appealed in court (Förvaltningsdomstolen). However, since the Master Plan *itself* is not legally binding, its contents cannot be appealed.

# Remaining challenges for an integrated Marine Spatial Planning in Sweden

There are numerous remaining challenges before a well-integrated and well-functioning MSP process can be said to be in place in Sweden. Firstly, there is no ready legislation in place to back the planning process. A new Marine Planning Act is underway, but at the time of this report's production, it was not yet published nor passed down by the Swedish Parliament.

There are also many other remaining challenges. Although one shall not underestimate the difficulties in tackling many of them, by nature they are either technical or organisational challenges. We can point to at least three such individual challenges:

- Developing a process for local-national intersection of plans
- Developing a process for spatial-sectoral intersection of plans
- Identifying and managing stakeholder involvement in an international marine context

### Developing a process for local-national intersection of plans

Since spatial planning in Sweden, as demonstrated above, is very much a local process, and the proposed MSP process is a national process one of the main remaining challenges is to design a planning process in which these two planning regimes smoothly dock into each other. It must be noted that this of course assumes that the proposed MSP process is also finally decided on. In theory a process differently designed may also be possible.

In addition to the challenge of setting up an entirely new body at the national level, both the local authorities and the CABs face a process in which their roles are totally different than those they usually have in relation to spatial planning onshore.

For the local authorities this means that they might be providers of data or be consulted or even involved in relation to the drafting of plans. They may possibly be involved in organising parts of the consultation with other stakeholders. But, and this is the main difference, they are not in

charge of the planning process in general. The relation between the local authorities on the one hand and the CABs and SwAM on the other hand will need to function well. Experience from planning onshore or from other instances in which local authorities have to cooperate with the CABs provides examples of how such collaboration may work excellently as well as cases in which there is clearly room for improvement of relations.

For the CABs this will mean taking on a much more active role in the planning process than they have in spatial planning in general. In addition to effective relations between CABs and local authorities this will also involve developing good working relations between SwAM and the individual CABs.

There is at least one area in which it is foreseen that the complexity at the regional level may cause further challenges to an integrated MSP process, i.e. when it comes to analysing economic and industrial needs. As was described above, this responsibly in most cases is no longer with the CABs but with the regional assemblies of local authorities or with the county councils. Here there are already many instances where the division of labour between the CABs and the regional authorities is unclear and chances are that we will see more such confusion of roles as knowledge of the MSP process becomes clearer among the regional authorities.

As is illustrated in figure 6 below, the introduction of MSP can in some instances be seen to represent a turnaround of the initiatives in spatial planning compared to the situation onshore. Going from a clear "bottom-up-perspective" to a "top-down-perspective". Clearly this represents a challenge and one in which stakeholder involvement truly will be central.

*Figure 6. Regional and local authorities and their respective roles in spatial planning onshore and at sea (based on the proposed MSP process)*

| Geographical level | Wet | | Dry | |
|---|---|---|---|---|
| National | Government<br><br>Sectorial authorities | Adoting plans<br><br>Stakeholders | Swedish Agency for Housing, building and planning<br><br>Sectoral authorities | Indirect support with methodological development<br><br>Stakeholders |
| Planning areas (3) | SwAM | Drafting and proposing plans | - | - |
| Regional | CABs (14) | Participate in planning, providing data, managing regional proccess | CABs (21) | Protecting national interests, resolving interdistrict conflicts, etc. |
| Local | Local authorities (80) | Participate in planning, providing data, managing local process | Local authorities (290) | Drafting, proposing and adopting plans, providing data, managing local processes. |

## Developing a process for spatial-sectoral intersection of plans

A related challenge for the coming MSP process is the intersection between spatial and sectoral plans. Although there has not been any national integrated planning for the seas nor onshore, this does not mean that planning doesn't take place at all at the national level. Quite contrary, in the absence of integrated planning, sectoral planning has grown to become highly important. Crucial sectoral planning for the seas takes place in a number of government agencies, such as the

Swedish Maritime Administration, the Swedish Environmental Protection Agency, the Swedish Transport Agency, the Swedish Armed Forces and the Swedish Energy Agency.

In figure 7 below, we outline the general division of labour and responsibilities in integrated marine planning and in sectoral marine planning. The main challenge in integrating sectoral plans is to identify the geography of intersection between the integrated planning processes and the sectoral processes. In many cases this has to occur both at national level and at other geographies. Experiences from other attempts at cross-sectoral coordination indicate that it is difficult for regional authorities to interact with national agencies. National agencies often have difficulties in adopting an integrated perspective, especially at regional levels. Furthermore, the national agencies often have their own geography, which in most cases coincides neither with each other nor with the planning areas operated by SwAM or the counties.

*Figure 7 Spatial division of labour in integrated and sectoral planning[2]*

| Geography | Integrated planning | Sectorial planning |
|---|---|---|
| *International* | | |
| National | SwAM | EPA, Energy Agency, Transport Agency, SwAM, Marine Administration Agency, Swedish Armed Forces |
| Planning Area | SwAM | 1) |
| Regional | CABs | Regional authorities |
| Local | Local Authorities | Local authorities |

1) There is of course no single planning area for the sectoral plans. Instead, the sectors often have their own geographies, a factor adding to the challenges of creating an integrated MSP.

## Stakeholders in a marine context

As we move from spatial planning on land and in a national context to marine planning in an international context the planning process and some of its fundamentals changes. These changes will have an impact on how stakeholders can be identified and involved in the planning process.

A fundamental difference between the two planning frameworks is the role of land-owners. In spatial planning onshore land-owners play a crucial role for the process, including the identification and involvement of stakeholders. In marine spatial planning there are for the most part no legitimate land-owners.

One important role of land-ownership is that it gives precedence to the right to exploitation. Normally any exploitation requires ownership of land. Either it is the original land-owner who wishes to exploit his or her land, or the exploiter has to acquire land before exploitation can take place. There are of course exceptions, but this is the general rule. Hence, planning is about how to

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[2] The national authorities stated are to be seen as examples. Sectoral planning is also undertaken by other national agencies.

balance the land-owners interests in exploitation against the interests (either to exploit or to preserve) of other (often adjacent or otherwise affected) land-owners. Through a planning process this balance is checked both in the short run (zoning) and in the long run (Masterplans). Planning is also about protecting the general interests of society (e.g. future socially motivated exploitation, or protection of national interests, natural resources or ecosystems.) In the planning process, the balance therefore has to be kept between:

1. Land-owners' wish to exploit

2. Other land-owners' interest to exploit or protect their adjacent land

3. General interests of protection and preservation

When land-ownership is not there, as in the case of planning at sea, all interests are, in a way, general interests of both exploitation and protection. This represents a challenge to national and regional planning authorities, who when planning on shore most notably have the role to balance different land-owner interests and to protect natural and cultural resources and national interests. In a marine context taking future and general exploitation interests into account is therefore important. This may for example imply the inclusion of a wider set of national authorities and organisations in the planning process than  is normally the case on land. This is perhaps enhanced since the interest of environmental protection is catered for under the ESPOO convention of sea processes.

## Managing an international stakeholder process

In most land-based spatial planning processes the international perspective is not relevant. However, there are exceptions to this both in a European context and within Sweden. For instance, the Swedish city of Haparanda, sharing city space with the Finnish city of Tornio, recently adopted a new Masterplan in a planning process with many (at least bilateral) dimensions.

In a marine context the international dimension is at the forefront in several ways. Firstly, foreign-based interests may be important stakeholders in any exploitation process in Swedish waters and should as such be incorporated in the "general interest" of exploitation. Sweden has reached several bilateral agreements with all neighbouring states regarding access to Swedish territorial waters for economic and other interests. For marine planning to fulfil its role the plans on either side of the borders must at least not be in conflict with one another and should ideally support each other. This means that there is an immediate need to involve other states' planning authorities and stakeholders in a marine planning process.

Secondly, planning in the Exclusive Economic Zone means that planning is not covered under Swedish territorial legislation, unless explicitly stated. A number of international legislations are in place to protect environmental interests but there is no legislative framework for resolving conflicting interests in drafting and adopting marine plans. However, the European Commission has offered some guidelines in order make marine planning in an international perspective more feasible, and one important aspect is the need for stakeholder involvement through transparency and consultation.

All this means that it is both a more difficult task to identify and decide which stakeholders to include when planning at sea as compared to onshore, and that it may be more difficult to actually

balance different interests against each other when some of the guiding principles from local planning are not there.

For example, the MSP may need to involve potential investors in sea-based wind power, the fishing industry, the maritime sector and environmental protection interests. Such a range of stakeholders is both nationally based in the concerned countries as well as in many instances international. A multinational energy corporation with operations in e.g. both Sweden and Germany may be represented in different ways. Also for other stakeholders, such as environmental protection groups or the fishing industry organisations, different perspectives may need to be represented.

One major issue is deciding how to organise such stakeholder involvement. One guiding principle would be to let the organisations themselves decide who should be their representative in the planning process. This is perhaps adequate for a large-scale multinational organisation driven by integrated economic interests. But when it comes to e.g. representatives of the fishing industry, this is likely to be a much more heterogeneous body and one cannot assume that international fishing interests will be taken into consideration by Swedish fishing industry representatives. In that case the guiding principle would be to perhaps start with the multinational organisations.

This means that the process of identifying stakeholders must be kept open and transparent at all levels, i.e. locally, at the level of planning areas, and nationally. It must also be an issue at the bilateral or international level. At the international level, identifying stakeholders will be highly dependent on national authorities responsible for MSP in the respective countries. It should, according to the proposal, be the responsibility of SwAM to, as early as possible, inform them of the Swedish MSP process and ask them to help identify relevant stakeholders, both nationally and regionally. The basic principle for international dialog is between national agencies or governments. However, in a spatial planning process local and regional authorities will also be directly involved, which means that there is a need to design a process in which local and regional authorities may be directly involved in international processes. Furthermore, as demonstrated above, there will also be cases in which a more direct international approach is needed and where international representatives of important sectors are approached directly.

Under the ESPOO convention, there is an obligation to undertake a Strategic Environmental Assessment (SEA) for plans such as those in question here. Such SEAs shall include a broad international stakeholder consultation. The SEA and its consultation represent a process for international stakeholder involvement for part of the interests. At the same time the process for SEA consultation may also provide a starting point for a more complete stakeholder involvement. That would, however, require moving the involvement of stakeholders more to the front of the process than is the case in a typical SEA consultation. The environmental protection agencies who are the starting point in the identification of stakeholders for the SEA must in this case be sided by other national authorities identifying other interests and stakeholders. In order to determine which other sectors and authorities to bring in, the work of international organisations who have already identified general interests across e.g. the Baltic sea, such as Helcom or VASAB might play an active role.

After identifying stakeholders the process of involving them remains. Data may be provided both by national and regional authorities and by individual stakeholders. However, for this process to be manageable it needs to be coordinated. One way to achieve that would be by appointing national contact points for each of the three Swedish plans. Consultation with stakeholders may

then be channelled through such contact points. The exact number of contact points will depend on the individual states' organisation of MSP in their respective national contexts.

With such a model in place, planning proposals can be put to contact points for further dissemination and spreading through the system. Feedback from stakeholders should be accepted in many different forms, both via national and regional authorities in the respective countries but also in open meetings held in Sweden. Such meetings could perhaps be held for each planning area. The use of electronic fora is probably both an important and efficient tool.

# Stakeholder involvement – in theory

The objective of this chapter is to pave the way for an analysis and categorisation of stakeholders in the MSP process. The chapter opens with a brief section on the stakeholder concept, focusing on the importance of including all those affected by policies. In the second section an alternative way to think of stakeholders is introduced by linking the stakeholder concept to a theoretical account of stakeholders and how they gain their legitimacy, or alternatively formulated their "powers to influence". It is felt that the inclusion of stakeholders and the methods chosen to do so will gain from being well informed about the actual and potential powers to influence. In the final section of this chapter the question of stakeholder involvement is addressed, recognising that involvement can mean many different things.

## The stakeholder concept

The stakeholder concept appears to have developed out of the business management literature in the 1980s. The pioneering work was published by R.E. Freeman in 1984 (Strategic Management. A Stakeholder Approach). Since then the concept has become immensely popular and widely spread, across disciplines and into varying contexts.

The main contribution from stakeholder theory is perhaps its recognition of the influence and powers of others than those with formal rights or powers. With reference to the firm, the stakeholder theory represents a widening of the sphere of influence from the shareholder to the stakeholder, recognising that e.g. management, unions, suppliers, customers and the community in general may not only be of vital importance but also have large influence over the management of the firm. Also when used in reference to civil society, the concept of stakeholders often represents a widening of those with influence from those formally involved in the decision making process to a wider category of "all that may influence the decision making process" or "all that may be affected by the decisions". In spatial planning stakeholders are often precisely defined from the perspective of those being (or potentially being) affected by the plan and the developments approved with support from the plan.

The application of stakeholder theory in social processes, such as planning, has not been without critique. Two main points of criticism against widespread use of the concept have been raised. Firstly, it is frequently maintained that the concept is power neutral, i.e. that it omits and thereby restricts a power-based analysis and erroneously places all stakeholders at more or less an equal basis, a factor which may lead planning processes, despite all good intentions, to become forums for the strongest and most politically influential organisations, thereby discriminating against small and politically less influential groups.

Secondly, although intended to be inclusive, it is claimed that the use of the term tends to exclude groups with limited resources (i.e. groups *without stakes*) but who may nonetheless be highly affected by the decisions at play.

This report does not attempt to define the stakeholder concept, neither in general nor in relation to MSP. However, it is recognised that in relation to MSP stakeholders are often defined, as in the example of the BaltSeaPlan project as those "individuals or groups or organisations that are (or will be) affected, involved or interested (positively or negatively) by MSP measures or actions in various ways."

# Categorisation of stakeholders

Inspired by the work of Swedish political scientist Bo Rothstein we will adapt the stakeholder concept to a discussion on derived legitimacy (e.g. Rothstein 2010). Legitimacy in this context refers mainly to where power and influence stem from. In Rothstein's original work, which was concerned with the powers of public administrations in democratic countries, the legitimacy of power of such administrations can be derived from six different sources:

- Legal bureaucracy
- Professional competence
- Corporative
- User-influence
- Political representation
- Market orientation

The work of Rothstein's relates to the work of stakeholder theorists by acknowledging that the source of powers lies not only in the formal or legal constitution of power but is also highly dependent on a set of structures, more informal and tacit relations, networks and historical legacy. By using the term legitimacy we also stress the power relation necessary for the stakeholder to actively influence a planning process.

Modifying Rothstein's work and applying it to the issue of MSP and its stakeholders, a preliminary attempt at categorising stakeholders may look as follows:

- Stakeholders who derive their prime legitimacy from legislative sources
- Stakeholders who derive their prime legitimacy from economic powers and interests
- Stakeholders who derive their prime legitimacy from political power and influence
- Stakeholders who derive their prime legitimacy from a scientific basis

In the following we will develop the ideas of these different stakeholder categories a little further. We will also discuss the geographic and sectoral aspects of stakeholder categories.

The idea is not to create a discriminate categorisation where one agent can belong to one category only. Rather, these categories are continuous and one agent may belong to several categories.

## Legally legitimate stakeholders

The legally legitimate stakeholders in a planning process are all those who are defined as stakeholders by law and regulation. Stakeholders in this category may be endorsed by considerable or limited influence. The Swedish Planning and Building Act for example identifies stakeholders relatively widely, but the actual influence granted by legislation is more limited and granted mostly to national, regional and local authorities, and of course land- and property owners affected. This group can be termed legally strong stakeholders.

## Economically legitimate stakeholders

Stakeholder legitimacy also stems from the relative economic strength of stakeholders. However, it is perhaps not the economic resources of the stakeholder *per se* which grant them legitimacy, but rather their economic role or importance in society in general. Clearly firms or industries who play an important role in the national or regional economy may be seen as more legitimate (in the sense of that they are likely to be relatively more listened to) stakeholders than those with more limited economic importance, all others factors alike.

While this reasoning may seem provocative in a democracy where laws and regulations are designed to treat all interests equally regardless of economic resources we need only think of cases where exploitation interests may be put up against conservation interests to realise that the issue of economic value, e.g. measured in terms of the number of jobs involved, will possibly be of great importance for the outcome.

## Politically legitimate stakeholders

The stakeholders' legitimacy varies not only due to their economic importance but also with regards to their political importance. Politically legitimate stakeholders are stakeholders with the potential of influencing political decisions, regardless of their economic importance or their legal legitimacy. These stakeholders may either be groups of people or groups of interests who in general are well connected to the political power or the political elite, but they may also be groups which could potentially become politically powerful because they represent an issue with potential to rise to the top of the political agenda.

The best example of the latter may be groups trying to protect certain endangered species from exploitation interests, where some species may have the potential of stirring greater political interest than others, i.e. cute animals are more politically potent than animals not so cute.

So by politically legitimate stakeholders we do not necessarily mean those government agencies or local authorities with legally derived political powers, rather we refer to a more subtle derivation of political powers. Even though economic and political influence often go together, this is not always the case.

## Stakeholders with a scientifically based legitimacy

Science and scientifically based knowledge are a further important basis for legitimacy. Researchers, research institutes and other groups with significant knowledge of the issue may in many instances enjoy considerable influence over this type of process. This group's legitimacy, however, quickly erodes when there is no consensus within the scientific community.

Scientific legitimacy is not only granted to scientific institutions. Government agencies, non-governmental organisations, etc. may also enjoy high academic status, and hence scientific legitimacy.

## Spatial aspects on the legitimacy of stakeholders

The categorisation of stakeholders displayed above may represent a theoretical approach to analyse stakeholders in a planning process. However, when considering a spatial planning process, the issue of geography is always important. There are several ways in which geography matters to stakeholder identification and involvement.

The geography of stakeholders varies both between and within the different categories identified above. The roles of administrative authorities at various levels are often relatively clearly defined and bounded by national, regional or local borders. However, the Swedish Planning and Building Act is less clear concerning the geographic boundaries for defining which people, groups or organisations should be considered as affected by exploitation and hence, legally granted a right to appeal a Zoning Plan or a building permit for example.

Also, for other categories the geography of stakeholders represents a tricky issue. How shall we consider the economic legitimacy of a small firm acting as the single most important employer in a remote region or island community? Clearly the economic importance of the firm to the national economy is negligible, while at the same time it is of vital importance to the local community at stake. Moreover, the geographic boundaries of economic legitimacy are most often different from those of legal legitimacy. Instead we have a mosaic of geographic influences that need to be accounted for in designing a planning process for stakeholder involvement.

# From information to participation

The involvement of stakeholders in the MSP process may be organised differently depending on a number of issues, e.g. legal requirements, tradition, the objective of the planning process, which types of stakeholders there are, etc. Often the stakeholder involvement is pictured as a step-wise model, starting at the bottom with the information of stakeholders and finishing at the top with stakeholders involved in the actual decision-making through negotiations. In figure 8 below we illustrate such a step-wise model to involving stakeholders in the MSP process.

The exact number of steps in such a process varies between different sources. Kontigo claims, however, that there are four main steps of stakeholder involvement, as illustrated in figure 8 below.

*Figure 8 A simplified model of stakeholder involvement*
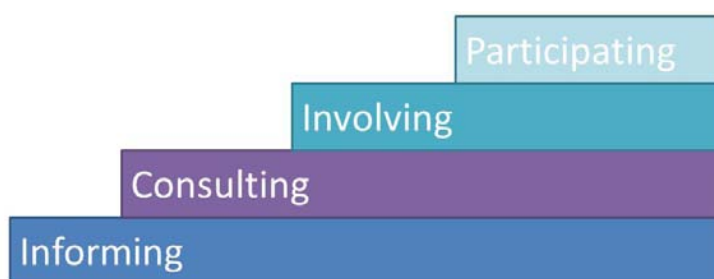


At the base is the step where stakeholders receive information about the ongoing planning process. It can of course be debated whether this step in its own right actually represents an involvement at all.

The second step in the model is represented by "consulting", i.e. when stakeholders are consulted in the planning process and given an opportunity to voice their interests and opinions. Typically there is no obligation for decision-makers other than to listen to the views of stakeholders. Such consultations may occur in different forms, e.g. through written responses to draft proposals, through hearings or through other forms of dialogue involving stakeholders.

The third step is what we call involving stakeholders (for real) in the MSP process. Such "for real" involvement may also take on different forms in practice, but in this model the role played by the stakeholder shifts from a reactive (to ready proposals or plans) to an active one, involving the stakeholders' contribution to the various steps in the planning process. A good example of involvement is when stakeholders provide data or other information for the planning process.

While the third step may take place without leaving any formal rights with the stakeholders, the fourth and final steps of our model empower the stakeholders not only to be involved in the first steps of the planning process but also in the decision-making steps, e.g. through actual negotiations. This step we call involving stakeholders by letting them participate, i.e. where stakeholders are actually partners in the planning process.

The four steps of stakeholder involvement in the above model will be used in the analysis of how and when stakeholders in the Swedish MSP process may be involved.

# Who are the Stakeholders in Swedish Marine Planning

## Possible stakeholders in Swedish Marine Planning

The potential stakeholders in Swedish Marine Planning have been identified on several occasions, e.g. in the public inquiries foregoing the introduction of an MSP process.

In this section we will use the categorisation developed in the previous chapter and apply it to the case of possible MSP stakeholders.

### Legally legitimate stakeholders

On a general level of course all identified stakeholders are legally legitimate, in the understanding that they should be involved in the planning process in order for the planning authorities to fulfil their task of a participatory and transparent planning process according to planning legislation. However, the legal legitimacy varies a great deal between those with clearly defined formal roles in the planning process and those without such roles. Stakeholders with strong legal legitimacy, by our definition, are stakeholders whose roles in the process are legally strong, e.g. those who adopt plans, those who organise the planning process, others with legally derived strength.

Therefore, those stakeholders with the strongest legal legitimacy are likely to be national and regional authorities:

**SwAM** is the only authority with both a cross-sector and a multilevel nation-wide mandate in the MSP process. This of course grants SwAM high legitimacy based on legal aspects. How high will of course depend on the actual legislation for MSP, which, as stated above, is not yet in place. Other cross-sectoral legally legitimate stakeholders are local and regional authorities. There are three in Sweden: the local authorities, the regions and the County Administrative Boards (CABs).

**The local authorities** enjoy strong legal legitimacy in Swedish planning in general, as stated earlier. According to the Planning and Building Act the local authorities have a legal planning mandate stretching from the base line outwards into the first 12 nm of sea. However, previous studies have demonstrated that many local authorities do not have a sophisticated plan covering the marine areas (Morf 2012).  The local authorities are also formally pointed out as important stakeholders in the MSP process.

Traditionally **the County Administrative Boards (CAB**) also enjoy strong legal legitimacy in Swedish planning. The strong legitimacy of the CABs stems both from their role as the government's regional offices within spatial planning, with the task of resolving conflicts both between different local authorities and between various sectoral interests and national interests. The CABs legitimacy also stems from its tasks within natural conservation and natural resource management. In the MSP the role of CABs is further strengthened in comparison to planning onshore.

The third cross-sector stakeholders of this category are **the regions**. The regions in Sweden consist of different types in different counties. In 16 of 21 counties there is some regional political representation, either in the form of regional councils or in the form of cooperating local authorities within a regional assembly of local authorities. In three regions (Norrbotten, Västernorrland and Västmanland) there is no political regional representation responsible for such issues. In those regions the CABs are the only regional authority within the sphere of spatial planning. In fact, the regions altogether have a much weaker legal legitimacy in this respect. With some exceptions (notably Stockholm and Gotland island) the regions have no formal legal role in the planning process. However, some of the major regions (notably Skåne and Västra Götaland) have lately become increasingly involved in spatial planning processes in general, due not to a real change in their legal mandate but building on a voluntary "devolution" from local authorities.

In the category of legally legitimate stakeholders there are also a large number of sector agencies. In the figure below we list some of the most commonly mentioned sector (national) agencies with regards to MSP. The table also includes Kontigo's remark regarding whether the individual agencies can be considered to enjoy strong legal legitimacy within the MSP process or not. It is important to note that the question of strong legitimacy refers here only to the powers granted to the stakeholder in the MSP process by its legal status. A stakeholder's total legitimacy will depend also on e.g. its political and economic legitimacy.

*Figure 9 Examples of the legal legitimacy of some stakeholders in the MSP process*

| National Agency | Sector | Legal legitimacy |
|---|---|---|
| Swedish Environmental Protection Agency | Natural resources management | Strong |
| Swedish Transport Agency | Maritime | Strong |
| Swedish Maritime Administration | Maritime | Strong |
| SwAM | Maritime & Fishery | Strong |
| Swedish Armed Forces (Försvarsmakten) | Military | Strong |
| Swedish Energy Agency | Energy | Moderate |
| Swedish Board of Agriculture | Agriculture | Not so strong |
| Swedish Board of Housing, Building and Planning | Planning | Not so strong |

## Economically legitimate stakeholders

Economically legitimate stakeholders are stakeholders who, either themselves or their sector, sphere of interest, etc. are of great economic importance. As mentioned before, the geographic dimension is important in this respect.

It is always challenging to compare and analyse economic importance, especially without going into a detailed sector analysis, which cannot, for resource reasons, be included here.

However, a preliminary analysis will identify **the shipping sector** as perhaps one of the most economically important of those with relevance for MSP. The economic legitimacy of the shipping sector is considerable for at least two reasons, firstly in its own right – it is a sector that generates revenue and jobs throughout Sweden and beyond. Secondly, its economic legitimacy also stems from its system importance, i.e. shipping is a system-vital sector for large parts of the Swedish industry, for natural resources, exports, raw materials and for manufactured goods. A large share of Swedish exports is transported by the shipping sector. This means that both national agencies (Swedish Maritime Administration Agency) and other organisations (shipping associations and ports) may be seen as organisations with strong interests in the process, interests derived from their respective strong economic legitimacy.

Many of the other relevant sectors for the MSP are however of lesser economic significance and hence hold less economic legitimacy. Examples of such sectors are **the fishery sector, tourism and visitors sector, and the agricultural sector**. Here it is of course important to remember that any of these sectors can be of vital local or even regional importance. So, although these sectors are largely dependent on the marine environment they cannot be seen as enjoying strong legitimacy from the perspective of economic importance for the nation.

The **energy sector** is more heterogeneous. On one hand are the nuclear power plants in all coastal locations, with a network of sea-based transportation of fuel and waste. On the other hand is the wind power industry, which is growing fast, but still plays a more limited role both economically and in terms of its share of total electricity generated. So, even if the wind power industry can surely be seen to represent an important interest in the MSP process, we would maintain that its importance is not primarily based on its economic weight. The expansion of wind power is instead an important political interest, as explained below.

**Politically legitimate stakeholders**

This category is vast and heterogeneous. We shall try and only focus on stakeholders with a strong or potentially strong political legitimacy. The discussion will be less explicit than the above discussion and stop at the identification of groups of stakeholders rather than individual stakeholders. In this group we find stakeholders representing either groups of agents well connected to political powers or interests or sectors that may become a strong political focus.

In this category of stakeholders we find almost all the stakeholders discussed under economic legitimacy above. It is important to note that economic and political legitimacy often, but far from always, go hand in hand. A few examples may illustrate this. The wind power sector is perhaps one where the political legitimacy is much stronger than is its economic legitimacy. The exploitation of wind power, as a safe and renewable source of energy, is a high political priority for the Swedish government. Other sectors that perhaps enjoy higher political than economic legitimacy are the fishery and agricultural sectors.

A number of NGOs possibly also fall into this category of stakeholders. Notably, environmental protection organisations may from time to time be put in positions where they enjoy high political legitimacy. The political landscape of NGOs is also rapidly changing due to the speed and impact of web-based social media, where new networks and organisations can rise in virtually no time and almost instantly play vital political roles.

In spatial planning onshore landowners and dwellers are often very important stakeholders and in many instances we find local communities that are very well politically connected. At sea we have by definition no landowners. But many people residing in coastal communities (permanently or part time) and many people accessing coastal waters by small boats are often also well politically connected and able to voice their views. Some, but not all, are organised in various NGOs representing such interests.

**Scientifically legitimate stakeholders**

In this category we find stakeholders that may draw high degrees of legitimacy based on their scientific role and their knowledge basis. We find here many of the government agencies already mentioned above, along with some agencies not previously mentioned. Among those not mentioned may be Statistics Sweden. But we also find some academic institutions and other research organisations involved in fields relating to MSP.

# The marine stakeholders - towards a categorisation

Following on from the above we may then have a number of different stakeholders with highly varying and differently grounded legitimacy, i.e. potential power and influence. Furthermore, our interviews with potential Swedish stakeholders in MSP indicate that all stakeholders also demonstrate a highly varying degree of interest or readiness to actively become a part of such planning processes. Even among those stakeholders who have formal legal obligations the actual interest to be part of a planning process is often moderate to low.

In figure 10 below we have categorised the individual stakeholders in Swedish MSP processes according to their strengths based on their legitimacy of powers. We have also made an attempt to categorise stakeholders in relation to their expressed "interest" in taking part in the MSP process.

This part of the categorisation is based primarily on our interviews with representatives from the different types of stakeholders.

What we can learn from this analysis is that it is important to analyse individual stakeholders from a multitude of different angles.

A stakeholder who may enjoy a clear legal status may still be found to be legally weak. However, that same stakeholder may instead be found to be politically or economically strong. The stakeholder in question, however, may take on a proactive, a reactive or a dormant approach to taking part in the MSP process.

The SwAM for example, enjoys a strong legitimacy through its legal role in the MSP process. However it is as a new agency, perhaps not to be considered as an agent with a political or economic strength. Through its proposed roles in the MSP process it is almost automatically a highly proactive agent.

Looking instead at the local authorities, they also enjoy legally strong legitimacy in the planning process. As individual local authorities their political legitimacy at the national level is more limited, although the local authorities as a group (e.g. through the Swedish Association of Local Authorities and Regions) may enjoy considerable political influence and strength. The local authorities interviewed in this study take on different approaches to MSP, reflecting what can be thought of as the locally varying importance of the maritime sector. Some of the local authorities adopt what can be termed as a reactive approach, which means that they are carefully monitoring the progress of the MSP process and they stress the importance of being given a chance to make their voice heard. Others are happy to take on a less active role and leave it to the CABs to get involved in the process.

The combination of spheres from which individual stakeholders draw their strongest legitimacy and their attitudes towards involvement in the MSP process may inform the strategies for stakeholder involvement.

*Figure 10 Towards a categorisation of stakeholders*

| Activity/ Legitimacy | Legally strong | Legally weaker | Economically strong | Economically weaker | Politically strong | Scientifically strong |
|---|---|---|---|---|---|---|
| Proactive | SwAm, EPA, Transportation Agency | | Shipping | Fishery, agriculture | Fishery, agriculture, some NGOs | Designated research institutes, some NGOs |
| Reactive | CAB:s, Most sectoral agencies, Local authorities | | Energy (partly) | Energy (partly) | Energy (partly), Swedish Army | Universities, individual researchers, sectoral agencies |
| Dormant | Local authorities | Regions | | | Landowners, recreational organisations | |

# How stakeholders wish to be involved in the MSP process

## The proposed planning process

The Swedish MSP process is to some extent a work in progress. In this section we shall outline some of the main characteristics of the proposed MSP process. In order to discuss how stakeholders may be involved we also need to look briefly at the proposed geography of the MSP process. We shall also address the division of tasks between those organisations with a formal responsibility in the process.

### The planning process – 6 steps and 3 phases

There are different ways to describe the planning process in the Swedish and international literature. In figure 11 below, we have summarised some of the steps that we see as crucial, in particular from a stakeholder perspective. The process is simplified in order to provide for a discussion of stakeholder involvement.[3]

*Figure 11. A simplified representation of the planning process*
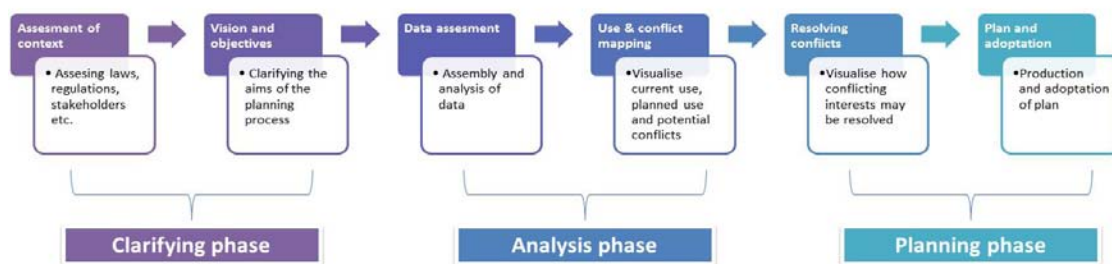


The planning process may, from a stakeholder perspective, be divided into three phases including six individual steps.

In the first phase, the clarifying phase, the emphasis in the process is on setting and agreeing on the stage. This is both about establishing the legal framework and general context of the planning process, as well as about trying to reach a consensus for the objectives of the MSP process itself.

In the second phase, the analysis phase, the task of gathering and analysing necessary data is perhaps the most important task. However, it is important to analyse potential conflicts of interest already at this stage. The aim here is to separate the analysis of potential conflicts from the attempts to resolve them in the planning documents, later on in the process.

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[3] This means that the above representation differs somewhat from that of e.g. the national inquiry report, SOU 2010:91.

The third and final phase, the planning phase, is about resolving potentially conflicting interests stating the preliminary use of sea space in a proposed plan. The final step in this phase is the adoption and implementation of the plan.

# Methodological aspects and general remarks

For this study Kontigo carried out circa 35 individual stakeholder interviews. The absolute majority of the interviews were with representatives of the stakeholder organisations. We have either worked from a list of contacts given by SwAM or by our own contacts. In the latter case we have ourselves attempted to seek the right person within the organisation. In most cases this appears not to have been a problem. In some organisations there was a bit of a struggle to direct us to the right person. Overall, possibly one or two of the interviews may have been conducted with the "wrong" person, with the interviewee not able to point us in the right direction.[4]

It is important to note that the stakeholders analysed in this section do not represent a complete catalogue of stakeholders. The selection is based on a dialogue with SwAM in which it was agreed to focus on stakeholders who were not already included and involved in the process. Hence, many national agencies are not included here, although they are clearly important and legally legitimate stakeholders in the MSP process.

Results from the stakeholder interviews display the heterogeneity regarding where different organisations stand in relation to the MSP process and MSP in general. While there are clearly organisations who are very well informed and also well underway to accomplish their tasks within the MSP process, there is also a relatively large group of organisations who are much less informed on what MSP is. Even among those that may be seen to be well aware of MSP in general there seems to be a little bit of uncertainty concerning the actual process and what it will mean for them.

# Local authorities

Kontigo interviewed planning officials and in some instances other representatives of a total of nine individual local authorities (kommuner) and one informal assembly of local authorities (Tillväxt Bohuslän). The interviewed local authorities are spread along the coastline from the very northern part of the Gulf of Bothnia to the northern parts of Skagerrak on the Swedish west coast. They represent both larger cities and smaller communities – some with port or other maritime interests, some with defence interests, many with recreational and residential interests.

### Only few have already adopted plans including the sea

Only a few of the interviewed local authorities have already adopted Master Plans covering sea areas. Others have been involved in various projects concerning specific areas or specific interests involving their respective coastal areas and sea.

### Many local authorities do not know what is expected of them

There is some variation regarding how well aware the local authorities are of the ongoing MSP work. The majority, however, are aware that the work is under progress, although a number of the

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[4] A complete list of interviews is be found in the annex

interviewed local authorities expressed the opinion that there is still much uncertainty about the details of the planning process and how it will affect them.

For quite a few of the local authorities the standpoint is to await directives from their CABs or from SwAM. Only a few local authorities have started a process to gather data or generate plans including the sea.

## Most local authorities wish to rely on their CABs

The majority of local authorities expressed that their capacity to be proactive is rather limited, both regarding resources and institutional capacity. They will have to rely on their CABs for gathering the data, although they are in general happy to assist in providing data for the CABs wherever necessary and possible. Some of those local authorities explicitly state that they see the CABs as their contact point with SwAM, since the resources for the local authorities to directly interact with SwAM are limited.

However, there are a couple of exceptions where local authorities themselves clearly state that they do wish to have direct contact with SwAM beyond the work and contact carried out by the CAB. It is also known from other planning processes that the relations between individual local authorities and individual CABs may at times be tense. It may also be a matter of principle for some local authorities not to give up planning rights to the CABs. However, the main picture is that local authorities are happy to (and for resource reasons forced to) rely on CABs for most of the MSP process.

Many of the interviewees also expressed that they wanted to see more directives concerning how the MSP process will relate to the local authorities before they provice a more detailed view on how they want to be involved in the process.

## High awareness on potential conflicts of interests

From the interviews we conclude that most of the local authorities, while not having undertaken formal marine planning yet, expressed a relatively well-informed view on what potential conflicts of interest they foresee in a forthcoming planning process.

The majority of local authorities on the coast can be described as coastal communities where residential and recreational interests are important and require a careful management of both protection and investment. The coastal local authorities are also a highly aware of potential conflicts between those values and other important local interests.

## Summary for the local authorities

If we summarise our interviews with representatives of the local authorities, we firstly see that only a minority of the interviewed local authorities have already adopted so-called blue planning, although they may have been involved in individual projects concerning protection or regulation of sea space. The degrees of proactivity vary, but mainly the local authorities are awaiting clearer information about what is expected from them in the MSP process. Most of them see their role as one of interaction primarily with their CABs, although some of them want direct access to SwAM. In general they want and expect to be involved from early stages, from the clarification phase and in particular in the analysis phase.

# The County Administrative Boards and other regional authorities

Kontigo interviewed three CABs and three other regional authorities (regions or regional associations of local authorities) for this study.

### The CABs are well underway but they expect help

The CABs are highly aware of the MSP process and most of the interviewed CABs have already started the task of collecting and analysing data. Some of the CABs expressed that their resources are highly limited, especially some smaller CABs. This means that CABs will be dependent on other agents when it comes to collecting and analysing data. Much of the data for the MSP is already existent and poses no particular problem to the CABs but in some cases new data has to be collected or old data reprocessed. This is where the CABs will need help from SwAM, from sector agencies and from the local authorities. "We expect the local authorities to do their job when it comes to preparing the plans for the sea", as one our interviewees expressed (knowing that this is not really the case yet).

The other regional organisations (mainly the politically led regional authorities) that we interviewed for this study appear to be relatively uninformed about the MSP. This reflects, of course, that the regions' role in spatial planning in general is in most cases non-existent or at least very limited. They all, however, see the potential importance of a well-functioning planning process for the sea. The regions seem to place importance on issues relating to their spheres of responsibility, i.e. economic development and residential interests.

# Economic interest organisations

Kontigo interviewed a number of organisations representing different industrial or economic interests. In total five different organisations of this kind were interviewed. Firstly, it should be noted that there is huge variation between these organisations, where a couple of them can be seen to represented economically powerful interests, such as the organisation Swedish Ports and the Swedish Shipping Association, while other organisations should be considered of more marginal economic interest, e.g. the Association of Swedish Fishermen. Swedish Wind Power and the Association of Swedish Waterworks fall somewhere in between in a categorisation made from economic power or importance. However, as was noted before, some of these organisations may enjoy considerable political influence or legitimacy, perhaps greater than what is reflected in their economic importance.

The interviewed organisations are all typically well informed about the progress within MSP and some of them have already been in closer contact with SwAM.

This group of stakeholders often takes on a practical approach to planning. It would be wrong to say that they are proactive. Rather, we would like to categorise them as reactive, or even more precisely they are ready to act, and when they do so they will be prepared, but they are unlikely to take the first step. Furthermore, these organisations quite openly state that they want to be involved at the stages where they can influence the process and where their voices will be heard. In particular this means providing and commenting on data or being involved in the process in which conflicts of interests are resolved and plans are adopted.

It is in this category of organisations we also find organisations who are sceptical of the planning process. Although they recognise the need for a coordinated approach they also see the risk of an over-bureaucratic process. As one of the interviewees in this category of organisations claimed: "there seems to be too many biologists and too few lawyers in the planning authorities", meaning that the national conservation interests often are given precedence over business or economic interests even where legislation does not support such precedence.

# Research institutes

Kontigo interviewed representatives of three different research institutions, all institutions with specific focus on either marine or environmental issues. When studying the views of academic organisations it is sometimes difficult to separate the views of the individual researchers from the views of the organisations. Bearing this in mind, however, a pretty unanimous picture emerges from these interviews, although the degree of awareness varies somewhat between the interviewees.

The general view is that both the academic perspective and academics have a role to play within the planning process in general and the MSP process in particular. Here is noted that the ecosystem perspective is often more complex and less studied in the marine environment than onshore. This is taken as one reason for actively involving researchers, in particular during the phase of data collection and analysis.

The interviewed researchers also noted that the Swedish authorities at local and regional levels might need to collaborate with researchers in order to manage the international dimension of the MSP process.

# Other NGOs

The other NGOs interviewed in this study typically represent minor sectoral interests, such as Svenska Sportfiskeförbundet (national recreational fishing association) or general nature conservation and ecological organisations such as Svenska Naturskyddsföreningen (Swedish Society for Natural Conservation), Greenpeace, etc.

Among the organisations under this heading there is great variance, both in terms of actual institutional capacity and in terms of strategy. Many of the organisations here are small and represent minor sectoral interests. Many of them have very limited financial and institutional resources. However, there are exceptions when even small and narrow interests can mobilise relatively strong organisations. For example, Svenska Sportfiskeförbundet, which may be considered a small NGO by some standards, does have a significant number of staff members and considerable knowledge and capacity to work with MSP-related issues.

Strategically there are also differences betweeen the organisations. Looking for example at the two environmental conservation organisations SSNC and Greenpeace, they adopt two different strategies. While the SSNC to quite a large extent is and wants to be proactively involved in processes like the MSP, Greenpeace is not as interested. Greenpeace, according to our interviewee, feels that the NGOs should not play an active part in the planning processes. Instead what is lacking today, according to Greenpeace, is a strong national government agency ready to protect the nature and ecosystems even when mightier economic interests are at stake.

# Conclusion: A Strategy for Stakeholder Involvement

In this final chapter we will attempt to summarise the findings thus far by outlining, very preliminary, a strategy for stakeholder involvement. We have divided the strategy for stakeholder involvement into the three main phases of the MSP process identified above: the clarification phase, the analysis phase and the planning phase.

## Stakeholder involvement in the clarification phase

The first phase involves setting and agreeing on the context, including identifying and mapping the stakeholders, as well as setting and agreeing on the schedule for drafting and adopting the plan.

This is an important phase for stakeholders. What is currently expressed by many of the interviewees as an uncertainty over the actual MSP process, what is expected of the individual authorities and how other stakeholders may influence the planning process signals that much work remains to be done here. It is also often the experience from similar processes that the time span and information intensity during this phase is often underestimated by those responsible for the process. One important reason is the tendency by those most deeply involved in the process to forget about their head start as compared to other stakeholders.

At the same time there are stakeholders who relatively clearly express that they primarily want to be involved at those stages when data is gathered and when the actual plans are drafted.

Kontigo therefore proposes a strategy for involvement including the following strategic procedures during this phase:

1. Allow for both national and regional processes
2. Invite stakeholders for dialogue at national and regional meetings when a proposal for process is ready – be prepared to adjust the process
3. Identify and organise national bilateral meetings with potentially strong and dormant stakeholders
4. Organise international panels at the level of plans – allow for virtual meetings

### National and regional processes

Firstly, it is important to be clear about the importance of geography. Although the proposal is for an integrated and nationally coordinated MSP process, it is important to take into account the fact that the involvement of stakeholders is a national and regional issue, leaving the international dimension aside for the moment.

The interviews demonstrate that the capabilities for taking part in a planning process vary between organisations. For some organisations taking part in nationally organised planning processes – or at the level of plans – represents a real resource challenge. For others the opposite

is true, while the organisations have resources to take part in a nationally organised process, they have no resources to be involved in a series of locally organised processes.

Hence, it is important that the options for influencing the MSP process are not exclusionary in this respect. In this phase the main point is to bring in as many stakeholders as possible, to provide information on the MSP process and to describe how the process is structured and thereby indicate the various possibilities for different stakeholders to actually influence these processes.

## Invite stakeholders to discuss the proposed planning process

We have learned from the interviews that there is a feeling that SwAM and the CABs have both been somewhat vague in their accounts of how the planning process is supposed to be structured and what is expected from each agent and stakeholder at the different stages in the process. This demonstrates the risk of being (too) early when informing about the process. This involves a triple risk of not having all the information, having to change your message later on or appearing as a weak agent.

Kontigo suggests that there needs to be a clear and distinct marking of the starting point for the MSP process at a time when the legislative framework and other necessary decisions are in place. Since pre-planning information and dialogue have been frequent it will be of importance to clearly mark that the work has now officially started. However, there must be room for at least minor changes to the procedures of the MSP process after this starting point in order to make the clarification phase and the influence on it by stakeholders meaningful. Hence, the start should be marked by stating: "Here are the final guidelines from the government and here is the proposal for how the MSP process may be organised."

## Bilateral meetings with identified and dormant stakeholder

Kontigo states that spending time and resources on reactive, dormant and reluctant stakeholders may in the end prove to be well spent. It is very important that stakeholders who are politically or economically strong but may neither have the resources nor the desire to take part be *given the opportunity* to take part in the process from the start.

Knowing that some stakeholders are reluctant the best way to include them is to map stakeholders that have not been present at the general meetings and analyse them according to the categorisations of stakeholders made above. It is Kontigo's conclusion that the best way to bring these stakeholders into the process is by organising bilateral meetings with them. The types of stakeholders important to include are, e.g. stakeholders who do not attend open invitation meetings and who rarely respond to communications from SwAMs or CABs.

Furthermore, among those identified focus must be on those who are likely to oppose plans or come back to omissions in the planning process at a later stage. It is of course not possible to foresee exactly who these stakeholders will be, but we think that they may be identified by looking for organisations with no formal role in the planning process, who enjoy low levels of legal legitimacy, who may enjoy strong economic legitimacy or strong political legitimacy. Among them we shall look for those who are dormant or who actively express a reactive approach to the MSP.

When this starting point occurs Kontigo suggests that all stakeholders be invited both by SwAM and by their regional CAB to such stakeholder meetings.

**Identify and invite international stakeholders**

Finally, international stakeholders have to be included in the planning process. As is described above, this process is partly integrated and partly separated from the national process. In the phase of clarification two things are important: firstly to identify all (or as many as possible) international stakeholders and secondly to identify those who should or want to be included in the next phase. Typically the latter of these groups are the stakeholders having access to vital data for the Swedish MSP process and those who themselves want to be involved.

# Stakeholder involvement in the analysis phase

The second phase of work is considered important by many stakeholders. Many of the stakeholders wish to contribute to the production and analysis of relevant data. Through contribution comes influence. By providing data the chances that your perspective may be included in the plan increases.

Most stakeholders also want to comment on other stakeholders' methods or techniques used to produce data. This reflects awareness among stakeholders that both the selection and actual collection of data is not an independent "value-free" task.

The parallel process at regional and national levels becomes perhaps even more crucial at this stage. The main objective at this point is to make as many of the identified stakeholders as possible actually participate in the process of adding new data or commenting on proposed data uses. Sets of technical meetings may occur both regionally and nationally.

Although some organisations may opt out of this work, it is important that they are at least provided the opportunity to discuss the data they provide. Again, Kontigo claims that it is time well spent to engage in bilateral meetings with organisations who have not voluntarily decided to join the process at this stage. And again it is the dormant or reactive stakeholders who have considerable political or economic legitimacy who should be the focus for such meetings.
In this phase academic organisations may be explicitly invited to take an active part in the process. For example, it may raise the status of the plan if it is known that data for generating it was produced by academic agents. Such a process often requires long starting times and needs therefore to be started well in advance.

Even international stakeholders need to be addressed in this phase. International stakeholders may contribute to the analysis in many different ways. Firstly, they may be in the position of having other relevant data. Secondly, they have different methods or other suggestions that may influence the process of stakeholder dialogue. Thirdly, there must be room for changing the plans if the critique is strong.

This work needs to take place at the level of plans. It is important that the work be coordinated and accessible also for organisations with limited resources, allowing them to take part in three parallel planning proposals.

# The planning phase

The final phase involves the actual drafting, finalising and adoption of plans. Here the role of stakeholders may vary from participating to being consulted about the final proposals. At this

stage it is necessary to separate the actual production of plans from the adoption of plans. This means that participating is only possible in the steps involving finalising the plans, while by necessity there consultation takes the form of involvement in the adoption step. The details regarding what is meant with both these levels of involvement still need to be decided.

## Participation in finalising the plans

Although details still need to be worked out, it is clear that the process in this phase will have to be divided into several geographic levels. Participation in finalising the plans will need to take place at the level of each plan. The drawback is that the stakeholder organisations need to triple their efforts spent. It is important that the structuring of participation be designed to allow for individual organisations to actually take part in the three parallel processes. That will probably involve a close dialogue between SwAM and the organisations.

From our interviews we may identify some categories and types of stakeholders for whom it is particularly important to offer forms of active participation in the finalising of the plans:

- All national and local authorities who have roles in and should be consulted in the MSP process
- Stakeholders with economic or political legitimacy in the process
- Stakeholders with strong academic legitimacy

Of course any identified stakeholder should be given the opportunity to actively participate in this step. However, the above groups are those that Kontigo sees as *particularly important* to involve in participatory forms.

It is at this stage too early for the stakeholders to explicitly say *how* they would like to see such participation organised. What has been the main result from the interviews is that some of the stakeholders are pragmatic and want to take part only when issues concerning their own interests are up for discussion and others do not want to participate at all but instead to *react* on proposals.

Without having enough information to go into the details of how the actual drafting of plans will proceed, we would recommend that the "open sessions" focus on conflict resolution and allow for negotiations between real options, clearly providing the participating stakeholders an opportunity to actually see and experience the complex web of different and sometimes conflicting interests. Such events will need careful preparations by SwAM.

## Consultation on planning proposals

When proposals for plans are ready there is a need for open consultations. Here the geography of the process needs to change. Consultations need to take place at international, national, regional (and local) levels.

Modern forms of consultations should be attempted at all these levels, and there are many examples from local plans throughout Sweden over the last couple of years.

# The stakeholder strategy in summary

The figure below summarises the main elements of the stakeholder strategy throughout the three phases of the MSP planning process.

*Figure 12. Summary of the stakeholder involvement strategy*

**Clarification**

- Process at national, regional (and local) levels
- Open invitation to discuss process
- Offer bilateral meetings with strong but dormant partners
- Identify and inform international stakeholders

**Analysis**

- Process at national and plan levels
- The provision and analysis of data are important for many stakeholders
- Impportant to assure academic and international participation

**Planning**

- Process at all levels
- Divided into the step of finalising plans and adaptations of plans
- Participation is possible and crucial in finalising plans
- Specific efforts should be directed to involve those with formal roles, those with strong political, economic or academic legitimacy
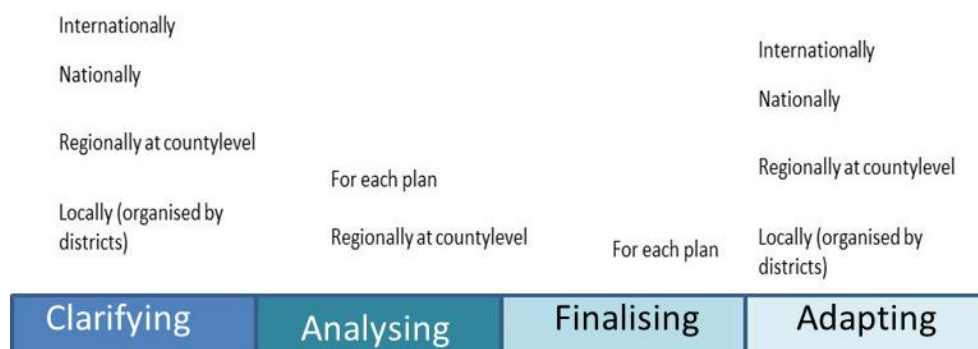- Organised to allow for small stakeholders
- Prepared to allow for open ended discussions

In the final graph we summarise the geography of stakeholder involvement. It is an attempt to illustrate the shifting geographic focus of stakeholder involvement, illustrating the fact that regional and local stakeholder involvement are likely to be more intense during the clarification phase and the adoption step of the planning phase, while the analysis phase and finalising of plans for practical reasons must be coordinated primarily at the level of plans, perhaps with the exception of providing data, which could at least partially be coordinated at the regional level.

*Figure 13. Schematic view of the geography of stakeholder involvement at various phases of the planning process.*

Internationally

Nationally

Regionally at countylevel

Locally (organised by districts)

For each plan

Regionally at countylevel

For each plan

Internationally

Nationally

Regionally at countylevel

Locally (organised by districts)

| Clarifying | Analysing | Finalising | Adapting |

# Svensk sammanfattning

Det övergripande syftet med denna rapport har varit att analysera intressenterna i en framtida havsplaneringsprocess för Sverige. I uppdraget ingår en analys av vad som kännetecknar olika intressenter samt att kategorisera de viktigaste av intressenterna och föreslå hur processen på bästa sätt kan säkerställa intressenternas deltagande och engagemang. I uppgiften ingår också att diskutera hur den internationella dimensionen kan integreras i den svenska planeringsprocessen.

Arbetet vilar på fem olika steg: för det första en preliminär lista över möjliga intressenter; för det andra ett urval av intressenter för intervjuer; för det tredje genomförandet av cirka 35 intervjuer, för det fjärde genom dessa intervjuer söka identifiera ytterligare intressenter samt, för det femte, analysera intressenternas utgångspunkter och möjliga inkludering i planeringsprocessen med utgångspunkt i den s.k. stakeholderteorin och i teorier om hur olika intressenter bygger upp sin faktiska styrke- eller legitimitetsbas.

## Svensk havsplanering

Att skapa ett system för en integrerad havsplanering som täcker både territorialvatten och den ekonomiska zonen är en uppgift som fortfarande pågår. Det första steget på vägen mot en integrerad havsplanering togs tidigt på 2000-talet genom utredningen - The Sea – time for a new strategy (SOU 2003:72. Men det viktigaste steget skedde först genom utredningen som ledde fram till förslaget om att bilda en svensk myndighet för marina frågor (SOU 2010:8) och utredningen Planering på djupet (SOU 2010:91). Som en följd av dessa utredningar bildades Havs och Vattenmyndigheten 2011, bl.a. med uppgift att förbereda för en svensk integrerad havsplanering.

Ännu är dock inget formellt beslut fattat om rollfördelningen i en svensk planering, men förslaget från utredningen innebär att Havs och Vattenmyndigheten skall ansvara för att utveckla planförslag för tre planeringsområden som täcker hela den svenska kuststräckan. De fjorton länsstyrelser med kustområden skall stödja Havs- och vattenmyndigheten i detta arbete, samt koordinera arbetet med de totalt 80 svenska kommuner med kust. Tre av de fjorton länsstyrelserna (en för varje område) ges en samordnande roll mellan övriga länsstyrelser. Kommunerna och en rad statliga myndigheter förväntas bistå i arbetet genom att delta i processen och bistå med data. Naturvårdsverket skall ansvara för det internationella samrådet kring miljöaspekter enligt Espoo-konventionen. Slutligen är det regeringen som skall godkänna och anta planerna.

För att fullt ut förstå förslaget till en integrerad havsplanering kan det vara nödvändigt att kort betrakta den svenska planeringsprocessen generellt. Det finns, för det första, ingen nationell rumslig planering i Sverige. Man brukar tala om ett kommunalt planmonopol i Sverige. De 290 kommunerna ansvarar både för översiktsplaneringen och för detaljplanerna. Länsstyrelserna har möjlighet att överklaga detaljplanerna för att tillvarata riksintressen av olika slag eller för att lösa mellankommunala tvister. Översiktsplaner kan inte överklagas då de inte har någon juridiskt bindande status. Konsultation och ett brett deltagande både i översiktsplaneprocessen och när det gäller detaljplanerna är vanligt, med syfte att få tillstånd smidiga planprocesser.

Det återstår ännu några utmaningar innan en svensk integrerad havsplaneprocess är på plats. Viktigast är att skapa en process som kan hantera samspelet mellan den nationella och den lokala

nivån, en process som kan integrera sektorsintressen på alla geografiska nivåer samt att bygga in en internationell dimension i planeringsprocessen.

## Att involvera intressenterna

Den här studien bygger på en kombination av den s.k. stakeholder teorin och en teori om hur olika samhällsaktörer får sin legitimitet, dvs. sin samhälleliga styrkeposition. Det huvudsakliga bidraget från stakeholderteorin är att erkänna att det inte bara är formell makt som avgör enskilda aktörers vikt även i demokratiska och byråkratiska processer. Genom att bygga vidare på den svenske statsvetaren Bo Rothsteins arbeten kan vi kategorisera aktörerna i den svenska havsplaneringen enligt nedanstående.

- Intressenter som får sin legitimitet (samhälleliga styrkebas) på formell eller lagstiftningsmässiga grunder
- Intressenter som får sin legitimitet på ekonomisk grund
- Intressenter som får sin legitimitet på politisk grund
- Intressenter som får sin legitimitet på vetenskapliga grunder.

Genom att bygga vidare på intervjuerna kan vi skapa en kategorisering av intressenter baserade på varifrån de får sina styrkebaser respektive vilken attityd de uppger sig ha till en framtida havsplaneringsprocess. I figuren nedan indikerar vi hur detta skulle kunna se ut för havsplaneintressenterna.

| Aktivitet/legiti mitet | Stark legal grund | Svagare legal grund | Stark ekonomisk grund | Svag ekonomisk grund | Stark politisk grund | Stark vetenskaplig grund |
|---|---|---|---|---|---|---|
| Proaktiv | HaV, Naturvårds-verket, Trafikverket | | Sjöfarts-näringens aktörer | Fiskets och jordbrukets aktörer | Fiskets och jordbrukets aktörer, vissa organisationer | Viktiga forsknings-institut, vissa organisationer |
| Reaktiv | Länsstyrelserna, statliga sektors-myndigheter, kommunerna | | Energisektorn | | Energisektorn | Universitet, individuella forskare, sektors-myndigheter |
| Slumrande | | Regionerna | | | Markägare, vissa frilufts-organisationer. | |

Hur man kan engagera intressenterna varierar. Fyra olika nivåer av engagemang kan identifieras:

- Informera
- Konsultera
- Involvera
- Deltaganade

Kommunernas grad av proaktivitet varierar, men i huvudsak förefaller de avvaktande, i väntan på mer information om vilka förväntningarna på kommunernas deltagande är. De flesta ser sin roll

som samverkande primärt med länsstyrelserna men några kommuner är mer proaktiva och önskar en direkt relation till HaV. Generellt vill och förväntar sig kommunerna att bli involverade tidigt i processen, redan i den första klargörande fasen men kanske framför allt i analysfasen.

Länsstyrelserna är generellt medvetna om utvecklingen av havsplaneprocessen. Flera av dem uttrycker bekymmer när det gäller deras roll för att insamla kompletterande data, hänvisande till begränsade resurser. Här kommer länsstyrelserna vara mycket beroende av såväl kommunerna som olika nationella myndigheter.

De ekonomiska intresseorganisationerna (t.ex. branschorganisationer) har oftast en mycket pragmatisk inställning till planering i allmänhet och havsplaneringen i synnerhet. De här organisationerna är därför vanligen reaktiva, eller t.o.m. de är redo att agera när så krävs men de kommer inte själva att ta några initiativ. Samtidigt säger de sig vara intresserade av att vara med på ett tidigt stadium, för att kunna påverka processen och göra sin röst hörd. De vill kunna bidra med egna data och kommentera andras data och de önskar vara med i de skeden motstående intressen skall vägas mot varandra och planer antas. De ger dock ofta uttryck för en skepsis inför planeringsprocessens potential att hantera dessa frågor.

Forskningsinstitutionerna – eller de vetenskapliga institutionerna – vill spela en aktiv roll och är genuint intresserade av att bidra t.ex. i datainsamling och information.

Det finns också en bred och tämligen brokig skara frivilligorganisationer som söker sin roll i en havsplaneringsprocess. Dessa varierar stort både i fråga om vilka resurser de har tillgängliga och i relation till huruvida de är beredda att delta mer aktivt i planprocessen eller inte.

# På väg mot en strategi för att involvera intressenter

Figuren nedan summerar de viktigaste byggstenarna i en strategi för att involvera intressenterna i en framtida havsplaneringsprocess.
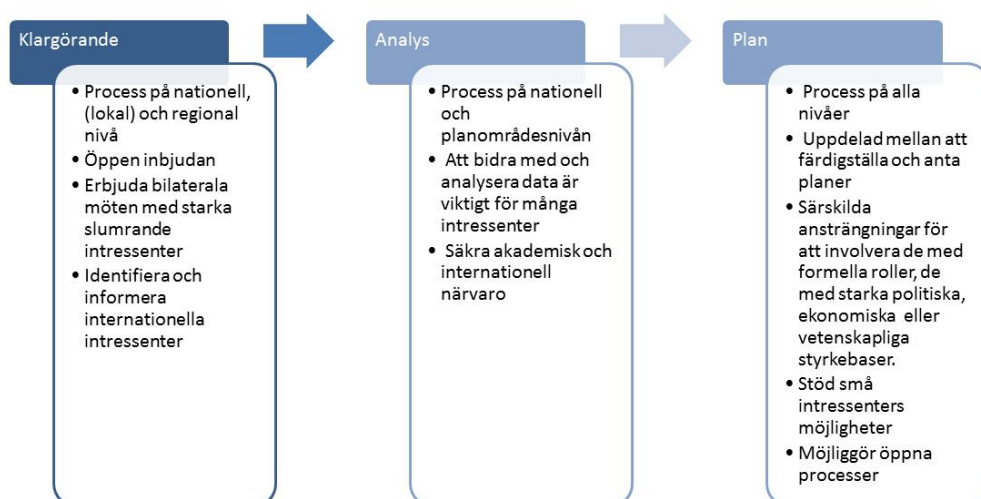


Avslutningsvis sammanfattar vi den geografiska dimensionen av hur intressenterna bör involveras:

- I den första klargörande fasen – sker internationell, nationell, län samt den lokala nivån.

- I analysfasen sker involveringen främst på plan- och länsnivån

- I fasen som handlar om att färdigställa planerna sker involveringen främst på plannivån

- I den sista antagandefasen vidgas involveringen till alla nivåer, lokalt, regionalt, nationellt och internationellt.Annex

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- Tillväxtanalys 2013, Kommunal översiktsplanering och regionala utvecklingsprogram - hinder och utvecklingsmöjligheter, Rapport 2013:01

- Umeå stad 2010., Översiktsplan fördjupning för de centrala delarna

# Interviewees

## Local and regional authorities

- Camilla Andersson, Environmental director (miljöstrateg) Östhammar kommun

- Kristina Bell, Planning officer (översiktsplanerare) Båstads kommun

- Cecilia Bergström, Planning officer (planchef) Halmstad kommun

- Anders Bylund, Planning strategist (samhällsbyggnadsstrateg) Luleå kommun

- Elsie Hellström, Tillväxt Bohuslän

- Ulrika Marklund, Environment and planning administration (miljö- och byggnadsförvaltningen), Orust kommun

- Torbjörn Nilsson, Planning office ecologist (kommunekolog samhällsbyggnadskontoret) Kungälv kommun

- Magnus Sjeldrup, Environmental director (miljöstrateg) Båstads kommun

- Patrik Stenberg, Planning officer (översiktplanerare) Värmdö kommun

- Björn Strimfors, Planning officer (planeringschef) Kalmar kommun

- Magdalena Berglin, Development strategist for infrastructure (utvecklingsstrateg för infrstruktur), Region Gävleborg
- Andy Metcalfe, EU program coordinator, Regionförbundet Uppsala
- Linus Karlsson, Project leader for Baltic Maritime Science Park, Region Blekinge
- Stefan Persson, Head of Business development (näringslivschef) Region Gotland
- Jan von Wachenfeldt, Planning officer (planeringsstrateg) Region Gotland

**National agencies (CAB, government agencies, etc.)**

- Tomas Brolin, Transrport department, Ministry of Enterprise (Transportenheten Näringsdepartementet)
- Anna Hedman, Länsstyrelsen i Gävleborgs län
- Carmita Lundin, Strategic planner, Swedish Association of Local Authorities and Regions (Sveriges kommuner och landsting)
- Anna Nilsson, Länsstyrelsen Hallands län
- Kristina Stark, Länsstyrelsen I Blekinge län
- Inger Strömdahl, Director of environmental policy, The Confederation of Swedish Enterprise (Svenskt Näringsliv, ansvarig för miljöpolicy)

## NGO's

- Bengt Almkvist, National association for the Swedish archipelago (Skärgårdarnas riksförbund)
- Per Berkhuisen, Swedish Cruising Association (Svenska Kryssarklubben)
- Ellen Bruno, Swedish Society for Nature Conservation
- Tomas Hallberg, Swedish Wind Energy
- Tore Hansson, Swedish Yachting Association (Svenska båtunionen)
- Jan Isaksson, Greenpeace
- Anders Klingström, Association ports of Sweden (Sveriges hamnar)
- Per Sjöberg, Swedish Shipping Association (Sveriges redareförening)
- Henrik Svenberg, Swedish Fishermen Association (Sveriges fiskares riksförbund)
- Peter Sörngård, Swedish Water (Svenskt vatten)
- Anders Wirdheim, Swedish Ornithological Association (Sveriges ornitologiska förening)

## Research

- Gonçalo Carneiro, World Maritime University, Malmö
- Bo Gustafsson, Baltic Sea ecosystem management, Stockholm Resilience Centre
- Andrea Morf, School of Global Studies and Swedish Institute for the Marine Environment, Gothenburg
- Maria Osbeck, Stockholm Environment Institute

# Interview Guide – County Administrative Boards

## Description of the organisation

- Describe your organisation and how you work with issues related to the sea.

- Do you believe that your county is different from other counties in terms of focus areas in maritime spatial planning?
- Is there any actor you would like to interact more with?

**Your role in maritime spatial planning**

- Discuss the maritime spatial planning process based on the six steps (see SOU "Planning in depth" page 23-26). On this basis, discuss whether the interviewees' role could contribute and how.
- How is cooperation between the various county administrative boards on issues related to maritime spatial planning?
- Based on your work, which conflicting interests can you identify in terms of maritime spatial planning?
- How do you see the new maritime spatial planning process, what challenges do you think will be better dealt through this?
- Which actors do you think have the most power/influence related to planning of the sea?

**Development/future**

- Based on your organisation's perspective, what are the important areas to develop in the planning process and why?

# Interview Guide – Regions

- Briefly describe how you work with issues related to the sea.
- Do you believe that your region is different from others in terms of how you work with issues related to the sea?
- What does the regional cooperation (within and between regions) look like on issues relating the sea?
- How do you believe maritime issues are linked to the region's focus on:
  - Enterprise?
  - Regional development/growth?
  - Tourism?
- How are your working areas related to spatial planning today?

*In the process of developing a maritime plan – maritime spatial planning - many different interests have to come together.*

- How do you think the issues related to business, regional development and tourism are best served in maritime spatial planning?
- Which actors do you think need to be involved to make sure these interests are met?
- What do you think your own/the region's role should be in maritime spatial planning?

(In case *the interviewee thinks they should have a prominent role - go through the various stages of the maritime spatial planning process to specify how and in what parts they want to be involved*)

- Which actors do you cooperate with on issues relating to the sea?

- Which actors do you think are the most important in these areas?
- Based on your understanding, which conflicting interests can you identify related to the sea?
- From your perspective, what challenges do you think will be dealt with better by a maritime spatial plan?

# Interview Guide – Local authorities

## Description of organisation

- Briefly describe your municipality's work related to maritime and coastal issues.
- Have you begun working with maritime spatial planning and if so, in what ways?
- Do you think your municipality is different from other municipalities in how you work with planning issues relating to the sea?
- Do you collaborate with other municipalities regarding maritime spatial planning issues, or do you plan to initiate such cooperation?

## Your role in maritime planning

*A number of actors will, in different ways, join the maritime spatial planning process in its various stages. We are interested in knowing in which part of the process you wish to be involved and in what ways.*

- How do you wish to provide data and documentation to SwAM in the maritime spatial planning process ?
- In what way do you think you as a municipality can contribute to the work of SwAM?
- In what way do you as a municipality wish to be part of the ongoing consultation/dialogue? What other players should be central at this stage?
- How do you see the review stage of the maritime spatial planning proposal? What should be the role of the municipality at this stage?
- How do you see the municipality's role and responsibility to synchronize plans with other marine spatial planning? What are the biggest challenges with this?
- What do you think should be the municipality's role and responsibility for monitoring the maritime spatial plan?
- Can you identify any of these steps in the maritime spatial planning process (provide data/ documentation, consultation, review, implementation, follow-up), which is especially important for you as a municipality?
- How do you see the connection between maritime spatial planning and other municipal strategies/ issues such as tourism, environment, energy, industry, etc.?

## Cooperation

- What actors do you cooperate with/are important to you in matters relating to maritime issues?
- Is there any actor you would like to cooperate with more?
- Based on your organisation, what conflicting interests can you identify in terms of maritime spatial planning?

- Based on your operations - which actors do you think have the most power/influence related to planning of the sea?

### Development/future

- What challenges do you think will be dealt with by the new maritime planning process?

- What does, according to you, the optimal maritime planning process look like and what is required to reach this optimum?

- Do you wish to add anything concerning the future of maritime planning and your role as a municipality in this process?

# Interview Guide - Research

### Role and tasks

- Briefly describe how your research relates to issues on maritime spatial planning.

- What do you see as the role/responsibility of the research community at large in the maritime spatial planning process?

- Based on your role as a researcher, which players do you get in contact with related to maritime spatial planning?

- Is there any actor you would like to work more with/have more contact with related to these issues?

### The process

- Going through the six steps of the maritime spatial planning process (the program stage, the planning stage, review stage, decision stage, implementation and evaluation), in which stages are you/your research involved in the maritime spatial planning process? What is your view of the research community at large, at what stage is it involved?

- Have you observed other players' participation in the marine planning process? How do you understand the interaction between these actors?

- Based on your role, which players have the most power/biggest impact on planning of the sea?

- Where do you see the researcher's role in maritime spatial planning in the future? How would your/the research community's role optimally look?

- What are the biggest challenges to reach this optimal picture?

- From your perspective, what are the important areas to develop in the new maritime spatial planning process and why?

- Do you have suggestions for further interviewees?

# Interview Guide - Trade associations/NGOs

### Description of the organisation's activities linked to the sea and maritime issues

- Describe your organisation and how you work with issues related to the sea (where relevant).

- Based on your operations, which actors do you interact with/are important to you relating to maritime issues?

- Is there any actor you would like to interact more with?

## The forthcoming Maritime spatial planning

- How do you see the new maritime spatial planning process, what challenges do you think will be better dealt with?
- Which conflicting interests can you identify in terms of maritime spatial planning?
- Discuss the maritime spatial planning process based on the six steps (see SOU "Planning in depth" page 23-26). Based on this, discuss the role of the interviewee and where he/she could contribute and in what way.
- Which do you think are the biggest challenges that the new maritime spatial planning must deal with?
- Which actors do you think have the most power/influence related to planning of the sea?

## Development/future

- Based on your organisation's perspective, what are the important areas to develop in the new planning process for the sea and why (points are examples to get interviewee started):
  - Collaboration methods
  - Information
  - Prioritization of issues
  - The planning process, etc.
- Is your organization interested in participating in the maritime spatial planning process to a greater extent? In what areas, and what do you think is needed to get to that point?

## Suggestions of other stakeholders

- What organisations do you think we need to interview to get as broad picture of the maritime spatial planning process as possible?