

Name of Exercise: Construction of the Pomeranian Wholesale Agri-Foodstuff Centre in Gdańsk
Barniewice

Location: The City Of Gdansk, Poland

**Participation Exercise
under which Article?** *Article 6*

Purpose of Participation Exercise:

To seek the public's comment and reaction regarding proposals to build a wholesale agri-foodstuff centre.

Background:

A proposal for the siting of an agri-foodstuff exchange within the neighbourhood of Osowa, Gdańsk was submitted by an investor to the City of Gdańsk. Under Polish law, the investor receives a "decision regarding the conditions for construction". This is not a construction permit but a document defining what can be built on the piece of land and on what conditions. Under the law, the municipality must also send copies of the decision to all the neighbours (i.e. owners of neighbouring lands). Besides circulating the decision, information about the planned investment was also publicised independently by the media.

A number of residents (who were not located immediately adjacent to the land under question and who formally – from the legal point of view – could not participate in the debate) learnt about the planned investment and decided to submit a protest. The city, however, being pragmatic, accepted them as a party even though they were not required to do so by law. The city initiated a discussion and public consultation process with them. All activities hosted and undertaken by the City of Gdańsk were beyond the requirements of the law. This case study describes in more detail what happened.

The local community of the Osowa housing estate (13,000 residents) protested about the siting of the agri-foodstuff exchange in their neighbourhood. The inhabitants were afraid that its operation would bring the following problems:

- related to transport – they believed that the exchange would be accessed via their district, the traffic causing extra noise and vibrations (the district has narrow streets).
- pollution of surface waters and a threat to the protected area around the drinking water intake of the city of Gdańsk – they were afraid that the city would not be able to handle the rain water from the exchange site because that would require modernisation and extension of the local drainage system and the construction of a water retention-and-treatment storage.
- decline of the sanitary condition of the district – through overflowing the existing sanitary sewer taking the wastewater from the district, as the agri-foodstuff exchange was supposed to be connected to that sewer.
- waste management problems.
- social problems – increase in crime and prostitution rates which often accompany large projects.

Participation Techniques Used:

In order to allow the Osowa residents to participate in the decision, the following techniques were used:

- a consultation point was set up where employees of the municipality (the competent body to issue administrative decisions) provided the residents with information on the project and the environmental measures to be taken – the residents had an access to the local land use plans, documents describing the way the exchange site would be used and to the EIA of the project;
- within a two week period, there were two meetings organised for the interested residents with the municipality officials, including the President, and with the investor. The meetings were held in the building of a local primary school. During one of them a film was presented showing how a sister exchange located in Poznan works. A public debate was held. The meetings was very heated (angry);

- for interested residents. a bus excursion to Poznan was organised so that they could visit the sister exchange there, which was also sited close to a big housing estate. The idea was to give the residents an opportunity to see what such a facility looks like and how it is operated.
- the siting issue was presented in the local press and television many times.

Who participated?

The participants of the consultation were the Osowa district residents and representatives of Gdansk merchants, municipal officials and the investor. Four meetings were held together with the President of Gdansk. This attracted some 200 to 300 people. Minutes were taken for the meeting and the discussions tape-recorded. In addition, a consultation point was open one day every week or every two weeks.

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

The public participated in the investment process from the beginning of the project, i.e. since the land use plan had been changed, through the siting of the project, until the construction permit was given. The process took place from 1996 until the end of 1998.

What information was made available?

All the information was made available and the Osowa residents had full access to the documents received by the municipality. No data was secret and the information was provided free of charge.

What was the outcome of the public participation exercise?

Pressure and determination from the Osowa district residents secured measures minimising the negative impacts of the exchange: a road junction was built in Owczarnia, connecting the exchange to the Ring Road. Thanks to this, all the traffic to the exchange comes directly from the Ring Road going around Osowa. This was one of the conditions suggested by the Osowa community.

Another measure incorporated in the project by pressure from the residents was the construction of an earth embankment together with a greenery strip separating the exchange from the Osowa district. This was to minimise noise, vibrations, odours and air pollution.

Comments of participants in the process:

Comment from a municipal official:

The consultation was successful. It led to the completion of the first phase of the project with the simultaneous implementation of measures protecting the Osowa district from the exchange impacts – satisfying the residents. The time consuming consultation and expensive infrastructure measures affected the investor's budget. In spite of the problems, the opening the first part of the Centre took place in summer 1999. Now the centre has the market and competition to cope with.

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REC view on participation exercise:

The authority in this case appears to have made great efforts to do more than the minimum required by law. It sought flexible solutions with an aim towards effective participation, including organising a visit to a sister plant. One important aspect of this case is the use of a consultation point. Such a tool is envisioned under the Convention and aids in achieving the aims of Article 6.5 in particular (pre-consultation). The success of the exercise is indicated primarily by the measures that were taken to address public concerns – in particular the green strip and the access road. Such changes to proposed activities not only improve the project, but create an atmosphere of public support.

Significant omissions from requirements of Article 6:

The case study appears to have generally met the requirements of Article 6, although detailed information about the contents of the notification and the contents of the documentation made available to the public are lacking. Therefore, it is difficult to determine whether 6.2 and 6.6 were complied with.