Public Participation in Decision-Making

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Identification and notification of the public concerned
- Swedish national rules and practises
The Environmental Code

Chapter 6 – Environmental Impact Assessments and other information on which to base decisions

4 § – the consultation process

• the responsibility for the consultation process
• the different stages of the consultation process
  (when, how and with whom)
Activities which may have a significant effect on the environment and requires a permit

E.g. the building of wind turbines

The responsibility of the developer;
- notifying authorities and individuals
- carrying out public consultations
- the content of the Environmental Impact Assessment (EIA)
- applying for permits

The responsibility of the permitting authority;
- carrying out public consultations
Notification before public consultation and EIA

Information about of the location, extent, design and expected environmental impact of the proposed activity shall be given to

- the county administrative board
- the supervisory authority
- individuals who are likely to be particularly affected by the activity (according to relevant preparatory works e.g. individuals, legal persons or organizations living or owning land or having other rights/specific interests in the geographical area close to the intended location of the proposed activity)
Consultation Process

• With whom
  - the county administrative board
  - the supervisory authority
  - individuals likely to be particularly affected by the activity
  - authorities, municipalities, organizations and members of the public likely to be affected by the activity

According to relevant preparatory works “organizations and members of the public likely to be affected by the activity” should be understood in a broad sense and include people living in the geographical area which may be affected by the proposed activity and environmental organizations
Consultation Process

• When
  - Well in advance before applying for a permit and before completing the EIA

According to guidelines by the Swedish Environmental Protection Agency the time for submitting comments should be at least 3 weeks
Consultation Process

• How

- Depends on the activity, no specific provisions

According to relevant preparatory work the developer should preferably contact “those who may have an interest in the matter” individually. If the members of the public likely to be affected by the activity are many and/or unknown, contact can be established via a public notice in the (local) newspapers combined with public information sessions where participants will have an opportunity to provide both oral and written comments.
Identification of the Public Concerned

To identify the public concerned, developers normally;

• consult relevant authorities, e.g. the Swedish Land Registry (Sweden's official database which contains geographical information about the land in Sweden, land owners and owners of rights related to the land

• publish information about proposed activities in e.g. newspapers or on the Internet
The Responsibility of the Permit Authority

According to the Environmental Code (chapter 19, § 4) the permit authority, e.g. the county administrative board must;

- make information about the permit application and the EIA public by a public notice in the local newspaper, or by other suitable means, and give anyone who may be affected by the activity the opportunity to submit comments

- consult relevant government and municipal authorities

- arrange a public hearing (if necessary)
Content of the Public Notice

According to the Environmental Code (chapter 22, § 3) the public notice must e.g. include;

- a brief presentation of the application
- the deadline for submitting comments
- information about where the file (all relevant documents) is kept and can be made available

Anybody is entitled to examine the documents according to the principle of public access to official documents. There is no charge for this.