

Sustainability Analysis, Environmental Awareness and Public Participation within CAMP Cyprus

The Public Participation Process in Cyprus

FEBRUARY 2007

1. Introduction

The current activity (Activity 5.1) of *Sustainability Analysis, Environmental Awareness and Public Participation* within the CAMP Cyprus framework, has the following main objectives:

- Review of the existing legal/institutional framework for and practice of public participation in the coastal development process in Cyprus
- Assessment of the level of Public Awareness of the need for sustainable use of coastal resources, and
- Development of sustainability indicators and guidelines for the operation of an effective public participation process within the Cyprus coastal planning and management policy framework.

This report reviews the existing legal/institutional framework for and practice of public participation in the coastal development process in Cyprus. Although the current activity is related to the Cyprus coastal planning and management policy framework, the current report discusses the legal/institutional framework for and practice of public participation in more general terms with respect to planning and environmental decision making.

2. Benefits of Public Participation in Decision Making

The method of Participatory Planning which involves the public and all the stakeholders from the very early stages of the planning process is the method considered currently as best practice for planning world wide and at European level. Public participation in planning and environmental decision-making and in particular, in Environmental Impact Assessments (EIA) and Strategic Environmental Assessments (SEA), is a planning tool necessary to reach development which is both sustainable and accepted by the wider public. It can also contribute to public awareness and increase support for the final decisions taken

As a result of public participation, the process of decision-making, up to and including the final decision, becomes more transparent and legitimate. Public debate on proposed activities among all interested groups at an early stage of decision-making may prevent or mitigate conflicts and adverse environmental and other planning consequences.

3. The Island of Cyprus

Cyprus is the third largest island in the Mediterranean after Sicily and Sardinia, but the largest island state with an area of 3.572 sq. miles (9.251 sq.kms). It is located at the north eastern corner of the Mediterranean and commands a "cross-roads" position, linking the east with the west, Europe with Africa and the Middle East.

Turkey's military invasion in 1974 had devastating effects on the island's physical structure and socio-economic sectors. It disrupted the settlement and communications systems that developed in Cyprus through the centuries and has enforced duplication of major infrastructure such as airports, ports, power plants, roads etc. with adverse effects

on the environment. The dividing line of the island and the occupied part are shown in Figure 1.



Figure 1: Map of Cyprus

On the 1st of May 2004, Cyprus together with another 9 candidate countries joined the European Union. This is expected to have considerable benefits for Cyprus in the social, political and economic areas.

As a current member of the European Union, Cyprus has adopted and enforced all the European directives and regulations (through incorporation and transposition into the national legislation) for environment (i.e. the 'Community acquis').

4. The Legal Framework

In Cyprus, as in many other countries, there is no Coastal Zone Management Policy as a separate and self contained document. Policies for the Coastal zone are included in separate policies which apply to different administration areas. The main policies are:

Land use Policy: Land use and generally spatial planning policy in Cyprus is the responsibility of the Minister of the Interior, the Planning Board and of the Department of Town Planning and Housing. It is controlled by the Town and Country Planning Law, which came into force on the 1st of December 1990. The Town and Country Planning Law provides for the preparation and enforcement of the Development Plans which comprise of a three-tier hierarchy, namely the Island Plan, the Local Plans and the Area Schemes. Due to the forced division of the island after the Turkish invasion of 1974, the Island Plan has been replaced by a rather general document, the Policy Statement for the Countryside which promotes and regulates development in the rural areas. The development in the main urban areas is controlled by the Local Plans and Area Schemes. The land uses and the development zones are defined through the above types of development plans, which should be revised every 5 years. The revision process is usually longer due to the rather ad-hoc and not organised methods of public participation

in the planning process which involve proposals in the plan making and revision stage and objections after the publication of development plans.

Tourism Policy: Tourism policy is formulated, promoted and co-ordinated by the Cyprus Tourism Organisation (CTO), a semi-Government Organisation under the Ministry of Commerce, Industry and Tourism. CTO has no spatial plan preparation and implementation powers but, through its involvement in the meetings of the Planning Board when discussing tourism issues, tourism policies are incorporated in the Local Plans and the Policy for the Countryside under the Town and Country Planning Law. Several policies and measures for the regulation of tourism development and tourism establishments are in force on the basis of the CTO legislation. In 2000 a Strategy for Tourism was prepared by the CTO containing the main strategic goals for Cyprus tourism up to the year 2010.

Environmental Policy: The Environmental Policy is the responsibility of the Ministry of Agriculture, Natural Resources and Environment assisted by an interministerial Environment Committee and a Consultative Environment Council, which includes private sector representatives and NGOs. The Environment Service (ES) of the Ministry co-ordinates programmes for the protection of the environment, advises on environmental policy formulation and its implementation, and is in charge of the environmental impact assessment process. At this moment, environmental policy in Cyprus is focused on the harmonization with the EU Acquis and the incorporation of EU Directives into the legislation of Cyprus. Environmental policy is expressed in separate sectoral policies of various natural resources (water, air, forests etc).

Foreshore and coastal protection policies: The District Administrations are responsible for the enforcement of the 'Foreshore Protection Law' which defines the 'foreshore' as all lands within 100 yards (91,44m) of the high water mark. The foreshore is a public property falling under the jurisdiction of this law. The Coastal Unit of the Ministry of Communication and Works is responsible for coastal erosion.

5. Public Participation in Cyprus

5.1. General Information

Until recently there were no clear procedures for public participation processes in Cyprus. The single exception is the 1972 Town and Country Planning Law which although does not clearly specify procedures for promoting active public participation in the planning process, it does specify how the public may influence the provisions of a Local Plan or Area Scheme. The public participation process with regards to planning is further discussed in section 7 of this report.

Gradually, and particularly since Cyprus has adopted and enforced all the European directives and regulations after joining the European Union in 2004, public participation procedures have become more commonplace.

Cyprus has signed and ratified the Aarhus convention (see section 5.2) which sets out precise provisions on public participation and for access to information on the environment held by public authorities. In relation to the Aarhus convention, Law N.119(I)/2004 concerning the first two pillars of the convention, has been published in order to conform with European Directive 2003/4/EC on public access to environmental information. The public participation process with regards to the environment is further discussed in section 6 of this report.

The objective of Law N.119(I)/2004 (and the European Directive 2003/4/EC) is to:

- a) guarantee the right of access to environmental information held by or for public authorities and to set out the basic terms and conditions of, and practical arrangements for, its exercise; and
- b) ensure that, as a matter of course, environmental information is progressively made available and disseminated to the public in order to achieve the widest possible systematic availability and dissemination to the public of environmental information. To this end the use, in particular, of computer telecommunication and/or electronic technology, where available, shall be promoted.

The Law further states that public authorities are required, to make available environmental information held by or for them, to any applicant at his request and without his having to state an interest.

Current environmental legislation in Cyprus, such as the law on Environmental Impact Assessments and Strategic Environmental Assessments now ensures the participation of the public and non-governmental organisations. In addition, amending laws have been prepared for a number of environmental laws in order to include the provisions set out in the Aarhus Convention. These Amending Laws are discussed in section 6.3 below.

The legislation for public hearings has also changed since the ratification of the Aarhus convention. The only public hearing procedure that existed prior to the ratification was the procedure when applying for Planning Permission through Departure. The procedure allows for public hearings for cases of proposed large scale developments as outlined in Annex 3 of the Regulations. This process is described in section 7.3.

Public hearings procedures are now in place for a number of environmental procedures (including Environmental Impact Assessments, Strategic Environmental Assessments and are encompassed in other environmental laws stated in section 5.2) whereby, a public hearing could take place for important plans and/or programmes. This is decided by the Council of Ministers after a recommendation by the Environment Service, after consultation with the Environmental Board.

Public Hearings are now compulsory for plans or programmes related to the Law on Integrated Pollution Prevention and Control (IPCC). Public Hearings for plans or programmes associated with other Environmental Laws are **not** compulsory. The

Environmental Service, however, recommends that public hearings for such plans or programmes, still take place.

5.2. The Aarhus Convention

The Aarhus Convention is an environmental agreement, adopted on 25th June 1998 in the Danish city of Aarhus at the Fourth Ministerial Conference in the “Environment for Europe” process that stresses the need for citizen's participation in environmental issues and for access to information on the environment held by public authorities. By virtue of the Aarhus Convention, private individuals are now also involved in the process of preparing, monitoring and penalising infringements of environmental rules. Citizens have a right to information, a right to participate in the preparation of certain acts, and a right of access to justice in environmental matters.

The Convention entered into force on 30 October 2001 and after a first and second meeting of the Parties, in 2003 and 2005 respectively, an amendment to the Convention was adopted setting out more precise provisions on public participation in decision-making on some issues.

The Aarhus Convention establishes a number of rights (three pillars) of the public (individuals and their associations) with regard to the environment. The Convention provides for:

- the right of everyone to receive environmental information that is held by public authorities ("**access to environmental information**"). This can include information on the state of the environment, but also on policies or measures taken, or on the state of human health and safety where this can be affected by the state of the environment. Applicants are entitled to obtain this information within one month of the request and without having to say why they require it. In addition, public authorities are obliged, under the Convention, to actively disseminate environmental information in their possession;
- the right to participate in environmental decision-making. Arrangements are to be made by public authorities to enable the public affected and environmental non-governmental organisations to comment on, for example, proposals for projects affecting the environment, or plans and programmes relating to the environment, these comments to be taken into due account in decision-making, and information to be provided on the final decisions and the reasons for it ("**public participation in environmental decision-making**");
- the right to review procedures to challenge public decisions that have been made without respecting the two aforementioned rights or environmental law in general ("**access to justice**").

In 2003 two Directives concerning the first and second "pillars" of the Aarhus Convention were adopted; they were to be implemented in the national law of the EU Member States by 14 February and 25 June 2005 respectively:

- Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information, and
- Directive 2003/35/EC of the European Parliament and of the Council of 26 May 2003 providing for public participation in respect of the drawing up of certain plans and programmes relating to the environment and amending with regard to public participation and access to justice Council Directives 85/337/EEC and 96/61/EC

Both Directives 2003/4/EC and 2003/35/EC contain provisions on access to justice.

Furthermore, on 24 October 2003 the Commission presented a Proposal for a Directive of the European Parliament and of the Council in order to transpose the third pillar on **access to justice in environmental matters**. This was adopted on 6th September 2006: Regulation (EC) N° 1367/2006 of the European Parliament and of the Council on the application of the provisions of the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters to Community institutions and bodies entered into force on 28 September 2006. The Cyprus Government will have until 28 June 2007 to adapt its internal procedures and practice to the provisions of the "Aarhus" Regulation.

Cyprus ratified the Aarhus Convention on access to environmental information, public participation in decision-making and access to justice for environmental matters on 19th September 2003.

The agreement states that authorities must make "appropriate provisions" for public participation in the preparation of plans and programmes "related to the environment". This phrase covers plans or programmes prepared by ministries (for example, of transport, energy or tourism) when they have significant environmental implications. The Convention does not specify exactly what provisions for public participation are necessary in this case, but several rules still apply: authorities must provide reasonable time frames for participation and opportunities for early participation, and they must take "due account" of the outcomes of participation in their decision.

6. Public Participation in Environmental Decision Making

6.1. Public Participation in Environmental Impact Assessments

Procedures have been in place in Cyprus for the approval of development projects since 2001 when Law 57(I)/2001 on the Assessment of the Impacts on the Environment from Certain Projects came into force. This has been replaced by Law 140(I)/2005 which fully

satisfies the public participation requirements. The Law states that every person or public authority submitting an EIA has to issue a public notice providing information on:

- the nature of the proposed project, and
- the detailed arrangements for public participation.

Any person may submit comments or opinions within 30 days from the date of the notification. When the decision is taken by the competent authority the environmental authority notifies the public and informs them that information is available on the content of the decision, the evaluation process and the way the opinions expressed were taken into account in the decision-making process. The Law also provides for access to justice against a decision.

6.2. Public Participation in Strategic Environmental Assessments

The European Commission formally adopted the SEA Directive 2001/42/EC on 5th June 2001. The purpose of the SEA-Directive is to ensure that environmental consequences of certain plans and programmes are identified and assessed during their preparation and before their adoption. The public and environmental authorities can give their opinion and all results are integrated and taken into account in the course of the planning procedure. After the adoption of the plan or programme the public is informed about the decision and the way in which it was made. In the case of likely transboundary significant effects the affected Member State and its public are informed and have the possibility to make comments which are also integrated into the national decision making process

Law 102(I)/2005 has been ratified according to the European SEA Directive (2001/42/EC) and fully satisfies the public participation requirements during Strategic Environmental Assessments thus providing for public participation in decisions over plans and programmes.

The objective of the Law is to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development, by ensuring that, an environmental assessment is carried out for certain plans and programmes which are likely to have significant effects on the environment.

When a competent authority submits a preliminary plan or programme, it has to notify the public by publishing in the Cyprus Government Gazette, two National newspapers and the internet, the following details:

- The date of submission of the plan or programme, and the name of the submitting authority
- The nature of the proposed plan or programme
- That the plan or programme can be inspected during working hours, at the offices of the Environment Service and other relevant responsible authorities.

- That any person may submit comments or opinions within 35 days from the date of the notification

During the evaluation of the study the environmental authority carries out consultations with the public. The comments or opinions expressed must be taken into account by the Evaluation Committee when evaluating the study and the competent authority when making a decision over the plan or programme.

After a justified recommendation from the Environment Service, which is submitted after consultation with the relevant responsible authority and the Evaluation Committee, the Council of Ministers may decide to hold a public hearing, prior to the evaluation of the Strategic Environmental Assessment for the plan or programme. The public hearing procedure takes place taking account of the regulations which are published by the Council of Ministers according to Annex 26 of the Law.

The environmental authority after assessing the plan or programme prepares its decision and informs the public and the other relevant stakeholders by a public notice informing the public of the decision and specifying the time and place where information can be obtained in the plan or programme and the evaluation process.

6.3. The Amending Laws

In view of Aarhus agreement, a number of Environmental Laws have been amended to make appropriate provisions for public participation. The following laws have been amended:

LEGISLATION	AMENDING LAW	ORIGINAL LAW
The Law on Environmental Impact Assessments	N.140(I)/2005	N.57(I)/2001
The Law on Packaging and Packaging Waste	N.159(I)/2005	N.32(I)/2002
The Law on the Control of Water and Soil Pollution	N.160(I)/2005	N.13(I) 2004
The Law on Solids and Hazardous Wastes	N.162(I)/2005	N.215(I)/2002
The Law on the Quality of the Atmospheric Air	N.161(I)/2005	N.188(I)/2002
The Law on Integrated Pollution Prevention and Control (IPCC)	N.15(I)/2006	N.56(I)/2003

Table 1: The Amending Laws

The Amending Laws incorporate the following basic provisions for public participation:

1. The competent authority must issue a public notice informing the public
 - for every proposal for a new plan/programme or the modification or review of an existing one,
 - of the nature of the possible decisions which may be taken,

- that information relevant to the proposal is available to the public during working days and hours at the offices of the competent authorities.
- that any person may submit comments or opinions within 35 days from the date of the notification.

Public Notices must be placed in the, official Cyprus Government Gazette, two daily newspapers, and the internet

2. During the evaluation of the plan/programme the competent authority may carry out consultations with the interested public. The opinions expressed by the public must be taken into account in the decision-making.
3. Once the decision is taken, the competent authority must issue a public notice informing the public of the decision and that information is available on the nature of the plan/programme as this was approved and the evaluation process, including the way in which the opinions expressed were taken into account in the final decisions.

These provisions will apply for the drawing up of those plans/programmes that are required under each of the 4 laws and specifically:

- **Law on the Control of Water and Soil pollution:** programmes for the protection of water sources from nitrification.
- **Law on Solid and Hazardous Wastes:** the Waste Management Strategy and programmes for the management of batteries and accumulators.
- **Law on Packaging and Packaging Waste:** packaging management programmes and systems for the return, collection and recycling of packaging waste.
- **Law on the Quality of the Atmospheric Air:** plans/programmes for the zones and settlements where the levels of one or more atmospheric pollutants are above the set limit values.

It is important to note that all new Cypriot legislation procedures regarding the environment will, from now on incorporate the basic provision for public participation as outlined in the Aarhus Convention.

7. Public Participation during the Planning Process

7.1. Public Participation during the Preparation of Local Plans and Area Schemes

The 1972 Town and Country Planning Law (N.90/72) does not clearly specify procedures for promoting active public participation in the planning process. However, it specifies how the public may influence the provisions of a Local Plan or Area Scheme at two stages. In the first instance, the public is theoretically involved at the plan-making stage. Stakeholders include representatives of the Local Authorities involved, government agencies and public bodies whose policies are affected by the plans under consideration, organised citizens' groups and NGO's with an interest in the area under study, as well as persons of special knowledge or expertise in relation to the study area. These

Stakeholders form the Joint Board which advises the Planning Board and the Minister of the Interior during the plan making process. This process is essentially consultative and its main objective is to inform the Interior Minister on opinions and suggestions in relation to a Development Plan's current or proposed policies. Public participation during the plan making/revising stage is thus very weak, because the organisation of public meetings where the proposed new plan policies can be discussed with the wider public is not a statutory obligation.

After its approval by the Planning Board and the Council of Ministers, a Development Plan is published and put on deposit for the public's inspection. Local Authorities, NGOs, or any interested body or individual may thereafter submit objections against any of the plan's provisions within a period of 8 months after its publication. The published Development Plan is in force during the objections period. This is something that does not happen in the UK where the Development Plan is not in force until all the objections have been examined. The Minister of the Interior examines any objections, submits his suggestions and remarks to the Council of Ministers for considerations and decisions, and eventually publishes the Approved Development Plan, which remains in force until its following amendment. Local ad hoc pressure groups and NGOs have raised issues and questions, which directly relate to spatial planning policy though the above participatory processes but in many cases pressures and opinions have reached decision makers through other ad-hoc and unorganised procedures. In many cases political pressure from various interested groups (developers etc) has had considerable effects on the implementation of several provisions of published Development Plans through various ad-hoc and informal communication channels. The Government of Cyprus has now formed a special Committee with the aim of amending and updating the Town and Country Planning Law. It is recommended that the results of this activity of the CAMP project are given for consideration to this Committee.

7.2. Public Participation during Planning Applications

In certain cases prescribed by the Planning Law, the Planning Authority is obliged to ensure that the submission of an application for planning permission has been adequately publicised. The relevant procedure intends to inform the public and in particular those citizens who may be affected by any proposed development in a timely and reliable manner so that any views and representations may be submitted to the Planning Authority before decision-making.

The Planning Authority keeps an updated Register of Applications and planning decisions which may be inspected by any interested person. The public is invited to submit in writing any views, representations or objections with respect to the application under consideration within the period specified in the relevant notification.

7.3. Public Participation during Planning Applications for Planning Permission through Planning Deviations

When a planning application deviates from the provisions of development plans, then it is examined by both the Planning Authority and by a body which advises the Minister of Interior. This body is called the *Board for Consideration of Planning Deviations*.

When applications for a planning permission through deviations from the provisions of the Development Plan are under consideration, the Planning Authority ensures that a notification is published in the Local Press and posted in the offices of the Planning and of the Local Authority for inspection. In some larger applications which are defined in the relevant Regulations, the Planning Authority ensures that the application is additionally posted on the site of the proposed development and shall often dispatch letters addressed to the owners of neighbouring property inviting them to submit their views.

In cases of applications for planning permission through deviations, the public and organised groups may submit their views to the Planning Authority within the specified period and the Planning Authority should include such views in the report that has to be prepared and submitted to the *Board for Consideration of Planning Deviations*.

The assessment of applications through deviation is an exceptional process of dealing with planning proposals and therefore, the procedure being followed is quite transparent and ensures that all those, who may be directly or indirectly affected by the granting of such permission, are fully and timely informed. The procedure encourages the submission of representations by persons, bodies or organised groups, at various stages.

In addition, the procedure allows for public hearings to provide an opportunity for a public dialogue with regard to any development of great significance or public interest. In the event of a public hearing for the consideration of such applications, persons or organised groups may attend or ask the Board in advance to allow their participation in the hearing. Public hearings aims to provide the Board with as much information as possible with regards the development and are necessary for cases of proposed large scale developments as outlined in Annex 3 of the Regulations. These developments include big scale waste treatment plants, regional abattoirs and incinerators, theme parks, power stations, large commercial and recreational developments, universities and hospitals which are located in areas not foreseen in development plans. The Board for Consideration of Planning Deviations can also decide based on determined criteria whether public hearings can take place under special circumstances for other developments not stated in Annex 3 of the Regulations. The public hearing procedure is carried out with base procedural rules that are determined by the Minister and it cannot last longer than 30 days. The participants in such a public hearing are the following:

- Government or other public services, relevant to the matter under examination.
- The applicant and his consultants.
- The Planning and Local Authority
- The president or a representative the Planning Board.

- The president or a representative of the Technical and Scientific Chamber of Cyprus
- The director or a representative of the Department of Town Planning and Housing.

The procedure followed for the above-mentioned public hearings is the following:

1. The Board invites all interested parties to the public hearing with a written invitation
2. All interested parties can submit their written views if they wish, 10 days before the hearing.
3. The hearing is open to the public.
4. The Board usually visits the development site on the day of the hearing (before the actual meeting starts)
5. During the hearing, the applicant and all the interested parties that have been invited express their views. The general public may also attend and express their views provided they seek and are granted permission by the president of the Board
6. Discussion between the interested parties during the hearing, is controlled and regulated by the president of the Board.
7. The decision of the Board is not announced during the hearing.

The Board for consideration of Planning Deviation shall support its suggestions submitted to the Council of Ministers (including the decisions taken without the procedure of a public hearing), with adequate reasoning, publish all relevant decisions within a period of 15 days and keep a Register of applications and decisions, so that any interested party will have the possibility to inspect the Register.

Public hearings are also enforced for certain developments such as the development of Golf courses in Cyprus.

8. Conclusions

Until recently there were no clear procedures for public participation processes in Cyprus. Gradually, and particularly since Cyprus has adopted and enforced all the European directives and regulations after joining the European Union in 2004, through incorporation and transposition into the national legislation, public participation procedures have become more commonplace mainly in the decision making of the environmental planning process. This statement does not really apply to the main planning process which promotes and regulates development in Cyprus. Public participation procedures in the town and country planning process are still weak, ad-hoc and inadequate. Participation in the planning process is done only through some consultation and not through inclusion. An exception is the procedure for considering applications for planning deviations, but even this procedure has its weaknesses. This is a major disadvantage for affecting the desired integrated planning process. The fact that the Town and Country Planning Law is now being revised provides the opportunity for

improvements in the current planning public participation procedures and for coordination with the public participation procedures for the environment which have been adopted or which are in the process of being adopted. These public participation procedures concerning the Environment are summarised in the next paragraphs.

Cyprus has signed and ratified the Aarhus convention which sets out precise provisions on public participation and for access to information on the environment held by public authorities. The legislation for public hearings has also changed since the ratification of the Aarhus convention. The only public hearing procedure that existed prior to the ratification was the procedure when applying for Planning Permission through Departure. Public hearing measures have now been incorporated and will apply for the drawing up of those plans/programmes that are required under each of the following 4 laws:

- Law on the Control of Water and Soil pollution
- Law on Solid and Hazardous Wastes
- Law on Packaging and Packaging Waste
- Law on the Quality of the Atmospheric Air

Public hearing procedures are compulsory for plans/programmes that are required under the Law on Integrated Pollution Prevention and Control (IPCC).

The procedures for public hearings for Environmental plans and programmes are currently being finalized by the Environment Service and will be published early in 2007.

The legal/institutional framework for public participation is now in place to assist in environmental decision making in the coastal development process in Cyprus, something that was not openly available prior to the Aarhus Convention. The signing and ratification of the Aarhus Convention has meant that environmental legislation has been amended to include the provisions set out in the agreement and to ensure the participation of the public and non-governmental organisations in making environmental decisions.

February 2007.



Sustainability Analysis, Environmental Awareness and Public Participation within CAMP Cyprus

A Proposal for the extended use of *Imagine* within Cyprus

Final Report

Draft version



Government of Cyprus

Plan Bleu
Regional Activity Centre



Environment Service of the
Ministry of Agriculture,
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and Environment

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The activity described in this document is undertaken in cooperation between the Environment Service of the Ministry of Agriculture, Natural Resources and Environment of Cyprus and the Mediterranean Action Plan / Blue Plan Regional Activity Centre.

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TABLE OF CONTENTS

1. Executive Summary	2
1.1. Overview of the use of <i>Imagine</i> in Cyprus.....	2
1.2. Main Outcome arising from the use of <i>Imagine</i>	2
1.3. Main recommendations.....	2
1.4. Introduction to the Proposal	3
2. Proposal for <i>Imagine</i> to be included as a means to enhance public participation in Sustainable Development issues in Cyprus	4
2.1. Introduction to the Proposal	4
2.2. Background: Problems with Public Participation.....	5
2.3. The need for guided and focused local public participation in order to achieve sustainable development	6
2.4. The benefits of public inclusion	8
2.5. The value of <i>Imagine</i> as a means to achieve public participation.....	8
2.6. Outline Proposal: How <i>Imagine</i> could be used in Cyprus to achieve local participation.....	10
2.7. Conclusion.....	14
References.....	15
Appendices	16
Appendix 1 Report from the First <i>Imagine</i> Workshop	
Appendix 2 Report from the Second <i>Imagine</i> Workshop	
Appendix 3 Report from the Third <i>Imagine</i> Workshop	
Appendix 4 Public Participation in Cyprus	

1. Executive Summary

1.1. Overview of the use of *Imagine* in Cyprus

Over 2006/ 2007 the *Imagine* methodology was applied in Cyprus as part of the CAMP Cyprus project.

The *Imagine* process is intended to allow local people to assess and present their own perception of sustainability issues. By a gradual process of participatory and inclusive decision making local stakeholders:

- Gain a shared perception of the major issues which confront them,
- Agree on how these issues can be measured,
- Develop an understanding of the trends concerning these issues,
- Future scape how these issues may be developing into the future,
- Prioritize an action plan to deal with these issues,
- Consider how they can influence and develop policy for a more sustainable future.

1.2. Main Outcome arising from the use of *Imagine*

Imagine was applied in Cyprus over three workshops. The workshops were intended to be demonstrative of the overall *Imagine* process and a means to ascertain the value of the approach.

For the purposes of the Cyprus context groups of stakeholders were invited to explore the use of the methodology, applying simulation and guesstimate data but nevertheless considering issues of real concern to the contemporary context.

Following each workshop the outcomes were reported and are set out here in Appendices 1, 2 and 3.

Each workshop produced interesting and valuable material and insights and all three were considered to be useful by those attending.

The main outcome of the application was enthusiasm to see the methodology applied in participatory sustainability analysis but in a more organised and rigorous manner, as an element of civic practice.

To meet this ambition the proposal contained in section 2 of this report was developed.

1.3. Main recommendations

Our proposal for Cyprus is:

1. To establish *Imagine* as a de facto means to improve local participation in sustainability issues;

2. This would require the development of a national centre for promulgation and training,
3. And the development of a Cyprus generic version of *Imagine*;
4. Allowing a cohort of *Imagine* practitioners to service the delivery of *Imagine* facilities,
5. And the effective linkage to other users of *Imagine* across Europe (for example in Slovenia and the UK) in order to share best practice;
6. Such a centre would need to have its remit supported in planning law.

1.4. Introduction to the Proposal

The justification for the recommendation set out above are contained in the following section of this report.

The justification is developed from:

- The experience of the *Imagine* process to-date and as set out in Appendices 1, 2 and 3;
- The knowledge of Cypriot experts concerning the value of public participation in Cyprus (see Section 2.2 and Appendix 4);
- The known and tested value of *Imagine* as a coherent means to engage the public in a considered view of sustainability.

2. Proposal for *Imagine* to be included as a means to enhance public participation in Sustainable Development issues in Cyprus

2.1. Introduction to the Proposal

There follows a proposal for the use of the *Imagine* approach in Cyprus as a means to develop and enhance local participation in sustainable development contexts.

The *Imagine* approach was applied during three workshops included in the Cyprus Coastal Area Management Programme (CAMP). The objectives of the three workshops were as follows:

“WS 1. Introduce and explore sustainability in the past, the present and in the future by the means of indicators, band of equilibrium and scenarios.

WS 2. Taking into account the existing expertise in Cyprus as represented by the contributions of the National Specialist, the second workshop would endeavour to brainstorm how CAMP Cyprus can involve wider stakeholders in reflecting on sustainability. This would involve the brief presentation and examination of experiences drawn from previous CAMPs Algeria and Slovenia; discussion about the tools used and the outcomes reached in each and a subsequent examination of best practice allowing Cypriot stakeholders to consider if it is valuable to apply some of them in Cyprus.

WS 3. Accordingly to the previous steps, investigate and propose how to introduce implementation of public participation based on some of *Imagine's* elements in the Cyprus government context”¹.

The proposal follows from a review held by the Blue Plan and Cyprus teams at the end of the third workshop held in Larnaca on the 3rd and 4th April 2007.

The main details of the application of *Imagine* is to be found in the three workshop reports in Appendices 1, 2 and 3.

This document comes in five sections:

- Background: Problems with public participation;
- The need for guided and focused local public participation in order to achieve sustainable development;
- The benefits of public inclusion;
- The value of *Imagine* as a means to achieve public participation;
- Outline Proposal: How *Imagine* could be used in Cyprus to achieve local participation.

¹ Plan Bleu 2006.

2.2. Background: Problems with Public Participation

Contrary to the assumptions of many people, public participation is not easily achievable. Robert Chambers, in his seminal work: ‘Whose Reality Counts’ (Chambers 1997) presented a vast range of problems for development including:

- accelerating rates of change,
- the notion of a global ‘overclass’,
- blinkered professionalism (the professional prison) and
- self-deception among urban, industrial elites.

More pointedly, over the past seven years, across a range of projects in both the UK and the Mediterranean, a number of problems with public participation, which resonate with Chambers categories, have been observed including:

- Expert-driven change agendas,
- Exclusion of minority ‘voices’,
- Technical jargon excluding the population majority,
- Cynicism concerning the weight of importance politicians accept from public participation processes,
- Cynicism concerning the ability and willingness of the political class to ‘listen’,
- Disempowerment of the mass.

It should be noted that these weaknesses have been observed to exist within many public participation programmes.

As an attempt to move the agenda forward and to improve public participation processes Chambers went on to develop Participatory Rural Appraisal or PRA. The ethos of PRA can be said to arise from the following observation:

“As professionals have become more aware of errors and myths, and of the misfit between the reality they construct and the reality others experience, some have sought and developed new approaches and methods in their work. Insights and development in action-reflection research, agro-ecosystem analysis, applied social anthropology, farming systems research, and rapid rural appraisal (RRA) have contributed to the evolution of participatory approaches to learning and action... PRA is a growing family of approaches and methods to enable local people to share, enhance and analyse their knowledge of life and conditions, and to plan, act, monitor and evaluate”².

Many have built off the foundation established by Chambers³ and the *Imagine* approach arises from this need to include local people in decisions concerning their coastline and their lives. Primarily it was used in CAMP Cyprus as a means to develop public participation.

² Chambers, p. 102.

³ As a non-representative sample of these: Slocum and Thomas-Slayter 1995; Acton, Savage et al. 2000; Goodwin 2000; Taket and White 2000; Kumar and Corbridge 2002; Puri and Sahay 2003.

2.3. The need for guided and focused local public participation in order to achieve sustainable development

The case for local participation in sustainable development is now well established. Agenda 21 as revealed in 1992 at the United Nations Conference on Environment and Development, set out a blueprint of action to be taken at the global, national and local levels. The Aarhus Convention enshrined the central importance of public participation:

“the Convention requires Parties to guarantee the rights of access to information, public participation in decision making and access to justice in environmental matters in order to contribute to the protection of the right of every person of ‘present and future generations’ to live in an environment adequate to his or her health and well being”⁴.

Aarhus to some extent built on the earlier work of the International Institute for Sustainable Development (IISD) set out in the Bellagio principles where broad participation is seen as central:

“Assessment of progress towards sustainable development should:

Obtain broad representation of key grass-roots, professional, technical and social groups including youth, women and indigenous people – to ensure recognition of diverse and changing values”⁵.

Hardi and Zdan believed that such representation would ensure the participation of decision-makers to secure a firm link to adopted policies and resulting action.

These principles have found strong support in numerous initiatives in diverse organisations including the Fundacion Ambiente y Recursos Naturales (FARN) in Argentina⁶, the OECD⁷ and the European Union⁸. Guy and Kibert (1998), referring to the Florida Local Assessment Guide (FLAG) in the US, suggest that such community participation can help in SD programmes because:

1. “it can help ensure that local government focuses on areas of concern where money will be wisely spent;
2. it can result in a reduced risk of public opposition when hard choices are made based on limited resources;
3. it is cheaper than employing professionals;
4. citizens feel a sense of worth and make them more willing to make contributions;
5. it personalizes the process, resulting in greater feelings of public ownership and “*greater degrees of care than more objective outside ‘experts’*”;
6. it builds community empowerment and self-accountability, especially relevant at a time of “*downsizing government*”.

As part of FLAG citizens were asked to help identify a future ‘vision’ as to how their ‘system’ should appear at a future date combined with measurable goals to be achieved in fixed time frames.

More recently, the focus on participation has in some countries been prioritised to the point where it has found itself enshrined in civil law (e.g. The Sustainable Development Act of Manitoba), which states:

⁴ Stec, Casey-Lefkowitz et al. 2000.

⁵ Hardi and Zdan 1997.

⁶ See, for the on-line Module on Public Participation and Sustainable Development at <http://www.farn.org.ar/participacion/>.

⁷ OECD 2004.

⁸ Taylor ND.

“Manitobans should acknowledge responsibility for sustaining the economy, the environment, human health and social well-being, with each being accountable for decisions and actions in a spirit of partnership and open cooperation”⁹.

However, in the Cyprus context a range of issues need to be considered. The Team leader of the Coastal Area Management Programme has commented:

“Until recently there were no clear procedures for public participation processes in Cyprus. The single exception is the 1972 Town and Country Planning Law which although does not clearly specify procedures for promoting active public participation in the planning process, it does specify how the public may influence the provisions of a Local Plan or Area Scheme.

Gradually, and particularly since Cyprus has adopted and enforced all the European directives and regulations after joining the European Union in 2004, public participation procedures have become more commonplace.

Cyprus has signed and ratified the Aarhus convention (see section 3), which sets out precise provisions on public participation and for access to information on the environment held by public authorities. In relation to the Aarhus convention, Law N.119(I)/2004 has been published in order to conform with European Directive 2003/4/EC on public access to environmental information.

The 1972 Town and Country Planning Law (N.90/72) does not clearly specify procedures for promoting active public participation in the planning process. However, it specifies how the public may influence the provisions of a Local Plan or Area Scheme at two stages. In the first instance, the public is theoretically involved at the plan-making stage. Stakeholders include representatives of the Local Authorities involved, government agencies and public bodies whose policies are affected by the plans under consideration, organised citizens’ groups and NGO’s with an interest in the area under study, as well as persons of special knowledge or expertise in relation to the study area. These Stakeholders form the Joint Board which advises the Planning Board and the Minister of the Interior during the plan making process. This process is essentially consultative and its main objective is to inform the Interior Minister on opinions and suggestions in relation to a Development Plan’s current or proposed policies. Public participation during the plan making/revising stage is thus very weak, because the organisation of public meetings where the proposed new plan policies can be discussed with the wider is not a statutory obligation.

Public participation procedures in the town and country planning process are still weak, ad-hoc and inadequate. This is a major weakness for affecting the desired integrated planning process.”

The desirability of including the public in any setting of a SD agenda, including its meaning, has been broadly accepted. There may be debates over the degree of ‘top down’ and ‘bottom up’ involvement, and clearly there are issues of power at play in all of this. The issue is perhaps no longer about the desirability of such public involvement, but its practicality. How can the public be best involved?

⁹ <http://www.gov.mb.ca/chc/statpub/index.html>.

2.4. The benefits of public inclusion

Working from the references already cited and the experience of the authors in projects in many parts of the world, the benefits of public inclusion in issues which impact directly on the sustainability of livelihoods are often systemic and conform to a reinforcing cycle as shown in Figure 1 below:

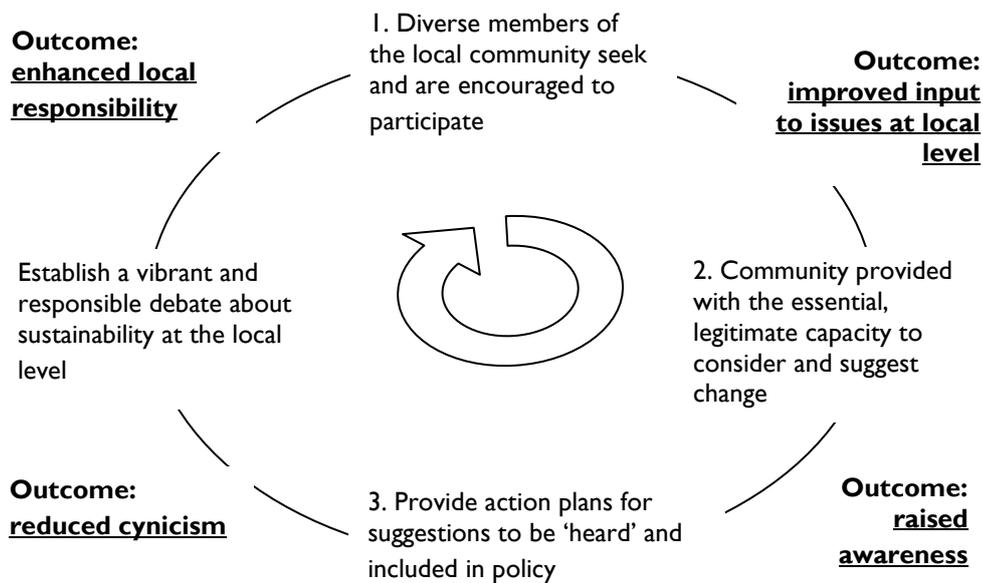


Figure 1. The values benefits of public inclusion

These benefits are referred to in later sections of this proposal.

2.5. The value of *Imagine* as a means to achieve public participation

The four outputs noted in figure 1 above: improved input, raised awareness, reduced cynicism and enhanced local responsibility are all key to the *Imagine* methodology.

The *Imagine* approach has been applied in a variety of contexts across the Mediterranean¹⁰. It has also been applied in the UK and is at present being developed as a Continuous Professional Development generic course for use across the UK by the Academy for Sustainable Communities¹¹.

In terms of the Cyprus experience of *Imagine*, the Team Leader for the Coastal Area Management Programme comments:

“Imagine provides much needed insights into the problems and gaps of the Public Participation process in Cyprus and identified methods for building up an awareness strengthening approach particularly relevant to local coastal (and other) communities. The most salient strength of *Imagine* lies in the interactive process and its success in engaging the ‘imagination’ and activating the perception of participants around current and prospective environmental

¹⁰ See project reports from Malta, Algeria, Lebanon and Slovenia at: <http://www.planbleu.org/publications/littoralUk.html>.

¹¹ For details of this organisation and its activities see <http://www.ascskills.org.uk/pages/home>.

issues (threats, use conflicts and possible opportunities). For CAMP Cyprus, this approach has shown how environmental awareness can be enhanced and a convergence of sectional views for the future can be gradually developed through participatory workshops, both being prerequisites for the development of effective public participation at the local community level as a tool for communicating options and planning objectives.”

The *Imagine* approach proposes a set of tools and methods to describe, assess and examine the level of sustainability of an eco-socio-system in the past, present and future by means of indicators and a participatory process that considers local actors to be experts at their level¹².

Imagine is conceived as comprising of five critical outcomes (these can relate to five, three or one workshop(s) depending on the version of *Imagine* being adopted). The five outcomes are set out in Table 1 below.

Table 1. The Main features of *Imagine*

	Workshop or learning event and main content detail.	Correlation to benefits of public participation
1	Understanding the context – gaining insights into locally defined concerns	Improved input to issues at a local level
2	Agreeing Sustainability Indicators to assess their meaning, and agreeing with stakeholders on what is the acceptable, sustainable value	Raised awareness Action plans
3	Developing the graphic Radar/AMOEBAs diagram for representing the Sustainability Indicators (SIs). Scenario Making for reflecting on the SIs future evolution	Responsible debate about sustainability at the local level
4	Review of Scenario Making, sharing this with major stakeholders Developing a meta-scenario	Enhanced local responsibility Reduced cynicism
5	Developing action plan(s), publicity, publicising and Marketing the message	Improved input to issues at local level.

The *Imagine* approach has a proven value in delivering insights into sustainable development at a local level. As one of the stakeholders involved in the Malta CAMP project commented:

“This (the use of the methodology) was one of the interesting aspects of the Malta Project, particularly when stakeholders would discuss their understanding of the concept of Sustainable Development, even though this understanding varied between stakeholders”¹³.

And another stakeholder added:

“The workshop sessions and the direct hands on experience in understanding the various stages of the process has been the success of this project, particularly since groups would

¹² Bell and Coudert 2005, page 6.

¹³ Bell and Morse 2003 page 112.

involve themselves in systemic discussions analysing the issues from different perspectives to come up with a collectively acceptable approach. All teams were unanimous on this”¹⁴.

In the final report on CAMP Malta it was noted that one of the workshops:

“provided an insight into the scope of Sustainability Indicators and ... that SIs are a means to an end and their value is in providing a basis to encourage change and take action where necessary to steer a specific system towards sustainable development”¹⁵.

With its proven track record both in the Mediterranean and its wider use now in the UK, *Imagine* has shown itself to be an approach which can work at a number of levels:

- As the full version of *Imagine*. This is the five workshop version usually recommended as the means to develop a sustainable local view of sustainable development. This version is well documented in both academic publication and practitioner guide¹⁶.
- As *Imagine Display*. This is a shortened version, developed and applied in Cyprus in 2007 as a means to introduce stakeholders to the *Imagine* approach and to develop provocative sustainability simulations.
- As *Imagine Organisation*. This method has been applied in France and the UK as a two day workshop for organisations seeking to better understand their own sustainability¹⁷.

Imagine Display was developed in Cyprus as a means to introduce the method in this specific Coastal Area Management Programme (CAMP) country context. Effectively this version of *Imagine* involves a group of stakeholders in assessing local sustainability issues in three workshops.

However, as noted in section 3 above, participation is not a problem free or easy goal. In fact, the achievement of participation is often a goal sought after but rarely achieved.

The *Imagine* approach itself is not a guarantee of participation. *Imagine* is designed to deal with conflict and provocative argument. However, other issues of a more structural kind can be the cause of problems. For example, with CAMP Cyprus the approach suffered at times from:

- A lack of participation for some workshops,
- Irregular attendance of some stakeholders over the workshop sequence.

These two issues will need to be addressed if the proposed extension of the use of *Imagine* in Cyprus is to be successful.

2.6. Outline Proposal: How *Imagine* could be used in Cyprus to achieve local participation

Public participation in any area of civil life is problematic. To achieve consistent and judicious participation on a nation-wide basis requires clear definition of terms and an agreed format for inclusion in national affairs. An excellent example of the rigours of this – in terms of inclusivity and legal completeness are shown in The Sustainable Development Act of Manitoba. This act clearly defines the terms of sustainability, sets out a framework for

¹⁴ Bell and Morse 2003 page 118.

¹⁵ Ellul 2002, page 17.

¹⁶ Bell and Morse 2004; Bell and Coudert 2005; Bell and Morse 2005; Bell and Morse 2006; Bell and Morse 2007.

¹⁷ Coudert 2006.

implementing sustainable development and indicates the status and responsibilities of public bodies in delivering the sustainability agenda.

In France the ‘Barnier’ Law, originally presented in 1995 and updated in 2002 – Law no. 2002-276, imposed the need for public participation in the process of planning or infrastructure projects.

Similar Laws exist in other European countries including the UK and Denmark.

In elaboration of this, in the UK, as an initial means to improve public participation in sustainable community development issues including planning and construction projects, it has been proposed that the *Imagine* approach be adopted as the primary means. The Academy for Sustainable Communities (ASC) was set up in April 2005 by the Department for Communities and Local Government and is a key part of the Governments drive to create local communities fit for the 21st century. The mandate for the ASC is to:

- Create, lead and drive a consensus on the definition on what makes sustainable communities and why they are needed;
- Make a leading contribution to the sustainable communities policy agenda and raise awareness of its importance;
- Drive sustainable communities skills and knowledge policy at national and international level;
- Build capacity and capability in the sustainable communities sector;
- Commission new materials directly; and
- Influence the education and training programmes of others and to improve skills and knowledge on sustainable communities.

The ASC is leading in a process which intends to drive the public participation in sustainability agenda. The key means to operationalise this agenda is to provide *Imagine* as a facilitating device for communities both as an academic form of analysis and as a local means to achieve grass-roots input to issues pertaining to planning and development. The ASC process established in the UK might be a model for the Cyprus context.

As has already been noted, and as re-enforced by Cypriot experts, public participation is very complex and demanding activity. Its effectiveness presupposes three major ‘resources’:

- Broad awareness of the state of the environment and the consequences of degradation through excess or wrong development;
- Specific awareness of present conditions and possible future trends; and,
- Exposure to the perspective, views and objectives held by other involved social, economic and policy-making stakeholders.

Only when these three resources are in place can public participations be effective and produce lasting results. In Cyprus the Public Participation process is superficial and problematic; it becomes a vehicle for the solidification of diverse but non-communicative opinions insisted upon to maximize preconceived claims, thus deepening rather than resolving conflicts and reaching shared solutions. As examples can be cited the long controversy over the Akamas Management Plan and the implementation of the Paralimni Local Plan.

As in the UK with the ASC, the *Imagine* methodology can be usefully applied in Cyprus and most usefully within the framework of the Town and Country Planning Law. Even though that Law provides for and requires a Public Participation process, the basic prerequisites

(awareness, other people's perspectives and interests, and, a common language) are missing. It is proposed that the *Imagine* methodology be introduced into the planning practice in conjunction with the preparation of Development Plans.

Specifically, it is proposed that before the preparation of a Local Plan or a regional type plan (for example coastal community zoning schemes under the Countryside Policy Statement) *Imagine* Workshop should be initiated (preferably limited to three Workshops) to develop through interaction the 'rich picture', the qualitative indicators of sustainability and the main issues-and-why list. Building up this communication and interchanges will allow the development of a common 'planning language' to be used for the formulation of planning goals and objectives to guide the Plans themselves. Otherwise Local Development Plans will continue to be symbols of opinion conflicts and causing delays and possible inaction.

It is further proposed that the *Imagine* methodology should be adopted for all the coastal communities preferably, for practical reasons, groups of adjacent communities, like the Akamas communities, the Peyia, Kissonerga, Khlorka communities, the Pervolia, Kiti, Meneou communities, etc., as well as for the coastal towns.

The application of the *Imagine* methodology should not be confined to Development Plans under the Town and Country Planning Law but used to create common or converging views on major projects such as marinas, golf courses, controversial road schemes, sewerage treatment plants, solid waste landfill sites, etc.

The composition of the *Imagine* awareness group should include a wide spectrum of stakeholders, such as representatives of farmers, property owners and developers, businessmen, environmental NGOs, planners, architects, etc.

Proposal specifics

Our proposal for Cyprus is:

- 1) To establish by Law *Imagine and related tools and methods* as a de facto means to improve local participation in sustainability issues;

The intention of such a legal requirement would be to place the emphasis necessary on public bodies to include participation in sustainable development at the requisite level of priority across national life in Cyprus. Such a legal requirement would both embody participation as a sine qua non for planning and related processes and encourage the adoption of these and related methods in a variety of civic processes.

- 2) This would require the development of a national centre for promulgation and training;

The National Centre would embody the participation ideal and act as a focal point for both Cypriot and wider Mediterranean and EU projects in sustainable development. Such a centre could set Cyprus as a leading innovator in the promulgation of sustainable livelihoods and encourage investment from a variety of international agencies.

- 3) And the development of a Cyprus generic version of *Imagine*;

The versions of *Imagine* described in this document and discussed over the three workshops with Cypriot colleagues have all been innovated in the light of local contingencies. The version of *Imagine* now being developed and rolled out in the UK via the Academy for Sustainable Communities in turn reflects the stringencies of UK planning and built environment concerns. It is envisaged that *Imagine* would evolve and adapt with the innovations which would emerge from the National Centre.

- 4) Allowing a cohort of *Imagine* practitioners to service the delivery of *Imagine* facilities;

Following on from the establishment of the requisite energy to innovate the participatory approach to sustainable development embodied in Law and supported by the National Centre, it is expected that Cypriot professionals would provide a long-term and sustainable cohort of practitioners to provide domestic and international facilitation in the use of the *Imagine* and related approaches.

- 5) And the effective linkage to other users of *Imagine* across Europe (for example in Slovenia and the UK) in order to share best practice;

The National Centre would provide an ideal focus point for the establishment of international links in the wider sustainable development debate. Such a Centre could link domestic and international practice, act as an advocate and champion for best practice, provide leadership in bringing together diverse and well-intended initiatives in a co-learning experience and give guidance in setting standards across Europe.

- 6) Such a centre would need to have its remit supported in planning law.

All the above depends on and to some extent provides additional need for planning laws which establish participatory methods as the basis for civil change. The National Centre would be an element and guardian for such laws.

At a more micro-level, our proposal is for *Imagine Cyprus* to include further strengthening of the pre-project and post-project *Imagine* phases.

In outline we are proposing a three fold development of the methodology. We set this out in brief in Table 2 below.

Table 2. Suggested use of *Imagine Cyprus*

Phase	Content	Outcome
Pre <i>Imagine</i> project	<ul style="list-style-type: none"> • Identification of the theme for the application of <i>Imagine</i> • Selection of stakeholders. This should be based on gaining a diverse group which represents the range of views on the given subject for the application of <i>Imagine</i> • Stakeholder briefing on the project .. including agreement on a timetable for the five workshop events. 	<ul style="list-style-type: none"> • Clear theme articulated • A committed stakeholder group willing to input time to the process • Agreed calendar of <i>Imagine</i> workshops • Agreement on the mandate of the <i>Imagine</i> workshops • Agreement on what will constitute quorum of the workshops
Project Phase	<ul style="list-style-type: none"> • Three <i>Imagine</i> Workshops 	<ul style="list-style-type: none"> • Outline of issues • Indicators to measure issues • AMOEBA diagrams of issues • Scenario plans • Publicity and marketing materials
Post project phase	<ul style="list-style-type: none"> • Agreement on public briefing • Training in the use of <i>Imagine</i> 	<ul style="list-style-type: none"> • Public briefing • Training of Cypriots in the use of <i>Imagine</i> at future events.

An outcome of the *Imagine* approach would not just relate to the empowerment of local people however – important as that is. It could also provide suggestions on policy in planning and sustainable development issues. This could provide gains in many spheres including the:

- Reduction of ignorance in local decision making,
- Cooperative engagement of ‘expert’ and community views,
- Development of a non-cynical attitude to planning and change,
- Democratisation of the planning process.

2.7. Conclusion

Public participation in issues of sustainable development is a key issue. The *Imagine* approach as tested in Cyprus offers one means to enhance and develop such participation. The use of *Imagine* in other areas most significantly of late in Slovenia (Mezek 2007) and the UK (e.g. with the Academy for Sustainable Communities) reinforces its track record and provides evidence of its capacity to help local people engage with their own sustainability.

This report contains a proposal for the wider use of *Imagine* within the Cyprus context. It suggests an ASC-style agency for the deployment of the method and its establishment as a legal requirement in contexts of sustainable development and impact on local community.

By this means it is suggested, greater inclusion can be established and a more sustainable future for the people of Cyprus achieved.

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Appendices

Appendix 1 Report from the First *Imagine* Workshop

Appendix 2 Report from the Second *Imagine* Workshop

Appendix 3 Report from the Third *Imagine* Workshop

Appendix 4 Public Participation in Cyprus