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The Role of Local Communities in the Process of Siting of the Unwanted Facilities within the Rural Areas in Poland**

Abstract

The subject of this study is the activity of rural communities in the face of plans of locating unwanted projects within their locations of residence, and the influence of the activity on the decision makers and, ultimately, on the final fate of the envisaged projects. The participation of inhabitants and decisions of the authorities, taken in response to these activities, and concerning the respective projects, were analysed on a basis of a questionnaire-based survey which was undertaken in the municipalities, in which conflicts have taken place. In-depth investigations were also carried out in five municipalities. The following activities: preparing a collective petition to decision-maker, organizing local meetings, taking part in meetings organised by the authorities or investor, filing of proposals and remarks to the projects of decisions and documents, entering into cooperation with actors from outside of the municipality were undertaken by groups of residents in more than 65% cases of conflicts. The activity of inhabitants generally exerted an influence on the final outcome from the respective conflicts. In the majority of cases, the unwanted projects, for which the decision making body was the local authority, either were not realised, or were realised with modifications, resulting from the social protests.

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Key words: Poland, local communities, unwanted facilities, NIMBY, participation.

Introduction

The period of systemic transformations, and then of inclusion of Poland into the European Union, was marked by the dynamic development of rural areas in Poland. The engine of this development was constituted, in particular, by the overcoming of the glaring gaps, regarding the technical infrastructure, and the intensive investment making in various sectors of economy. The inflow of the external means, especially of the European ones, both in the pre-accession period and after joining the European Union, accelerated the development. Although this process is in general terms assessed as highly positive, but the concrete locations of the new projects, perceived as onerous, give rise to protests from the side of the rural local communities.

The surfacing of the conflicts around the location of investment projects was also partly due to the fact that Polish society regained in the last decade of the past century the fundamental civil and political rights, and acquired the capacity of expressing their opinions and of participating in public life in accordance with their convictions. An additional component, contributing to the location-related conflicts in Poland, is constituted by the weakness of the spatial planning system. The degree of coverage with spatial plans is low and its increase is slow (Śleszyński et al. 2012).

Siting of projects in Poland occurs through two formal procedures: either on the basis of the local spatial development plan (which is elaborated by the local self-governmental body), or, in case of a lack of such a plan, on the basis of the so-called location decision. Contrary to the intentions of the lawmakers, this procedure became an instrument that is convenient and hence excessively applied by the municipal authorities. This siting procedure does not envisage, contrary to the planning procedure, the participation of the local community. Thus, the inhabitants have the guaranteed right to partake in the project siting process in conditions of lack of the local plan exclusively at the stage of the environmental impact assessment (EIA).

The subject of this study is the activity of rural communities in the face of plans of locating unwanted projects within their locations of residence,

and the consequences of this activity. The purpose of the study is to assess the actions, undertaken by the inhabitants, aimed at preventing the realisation of the controversial projects and to assess the influence of these actions on the decision makers – on the conduct of the local authorities, and, ultimately, on the final fate of the envisaged projects.

Theoretical foundations

The NIMBY syndrome

The notion of NIMBY syndrome refers to a kind of attitude of members of local community with respect to an investment project, situated in the neighbourhood of the community's residence area. This attitude consists in the opposition towards the siting of the project in a concrete place, with simultaneous acceptance for the given kind of projects in general terms. Thus, the essence of the opposition concerns not so much the object to be established, as the concrete location and the threat, associated with it (see Dear 1992). P. Devine-Wright (2009) distinguishes several stages of psychological response over time to place change related to an investment project, including: becoming aware, interpreting change, evaluating change as threat or enhancement, coping responses and behavioural resistance or support. The study presented here focuses only on the behavioural stage, namely forms of place-protective action.

The literature concerning NIMBY is extensive and according to Shively (2007), the bulk of it focuses on perception of locally unwanted investments, the influence of perceptions among participants in siting processes, and proposed methods to address NIMBY concerns.

The opponents of the concrete project locations have been frequently accused only caring about their own interests, and lack of responsibility with respect to the common good of the society (Hermansson 2007). The reasons for the protests were attributed to a lack of knowledge among the inhabitants, regarding the planned facilities and the respective technologies (Owens 2001). The NIMBY syndrome was considered from the perspective of fighting and overcoming it. Within such an approach, nimbyism is an undesired perturbation to a rational, modern, scientifically based, and enjoying support from the specialised institutions, procedure of siting of the facilities. Along with the development of the concept of governance, the

positive aspects of the activity of the local communities, oriented against the unwanted investment projects, started to be perceived (see Mihaylov and Perkins 2015).

McClymont and O'Hare (2010) discuss the negative image of the NIMBY protests, which had been identified, in the modernist vein, more with the 'bad', undesired version of the citizen participation and had been confronted with the 'good', desired kind of participation. The authors referred to analyse the concept of '*sustainable community*', adopted by the UK government, which promotes the attitudes of active participation of the local societies in the shaping of their places of residence and providing them with an increasing scope of competence in this domain. Based on the studies, performed in the concrete NIMBY communities they demonstrate that the attitudes and actions of these local communities display exactly the features similar to those of an ideal *sustainable community*. The same authors show that an unwanted project might mobilise the local societies for a positive activity, oriented at the protection, promotion and shaping of their places of residence, and that the group of protesters is capable of establishing the foundations for the citizen activity for the sake of their environment (McClymont and O'Hare 2010). Similar examples are also quoted by K. Burningham (2000). In the United States, the small local protests turned into an influential social movement of the environmental justice. Likewise, in the United Kingdom, the local protests against the routing of roads gave birth to the development of the broadly known, extensive environmental movement.

In her summary of studies, having been undertaken in various countries, C. Hager (2015) proposes that the local NIMBY protests often trigger off the political, technological, and social innovations. They initiate changes in the structure of decision making. They are, as well, conducive to the democratization of the institutions, formation of the participation networks, broadening of the civic competences, establishment of the new political groups, and implementation of the regulations and technologies that are more environment-friendly.

Social capital

Theories of social capital have received scrutiny from many researchers and the extensive dispute over defining it continues (Teilmann 2012).

There are two general approaches to the concept. For Putnam (1993) or Fukuyama (1995), it is an indivisible public good which the members of a group can enjoy, while for Bourdieu (1986) it is an individual asset that actors embedded in networks of relationships can use to gain access to other resources (Magnani and Struffi 2009).

It is appropriate to apply Putnam's approach in research on civic participation processes. Putnam emphasises the role of norms of cooperation, social networks, capacity for common action and trust in development of regions. These aspects influence society in a positive way. Social capital is productive. It enables reaching goals which could not be reached without social capital. On the basis of northern-Italy case Putnam noticed that grass-roots, informal and spontaneous self-organisation of the members of society is one of the most important basis of economic development. Putnam (2000) refers to L. J. Hanifan who used the term social capital in 1916: 'the individual is helpless socially […]. If he comes into contact with his neighbour and they with other neighbours, there will be an accumulation of social capital, which may immediately satisfy his social needs and which may bear a social potentiality sufficient to the substantial improvement of living condition in the whole community. The community as a whole will benefit by the cooperation of all its parts…' (Putnam, 2000, p. 19).

K. Dekker's (2007) research showed that social capital was related to participation in the studied local communities. There is probably a continuous dynamic interplay between participation and social capital of a local community (Dekker 2007). Some authors have adopted the social capital concept as a theoretical framework used to explain the dynamic of local participation against controversial investments. W. Rohe (2004) described how social capital has developed to fight a highway proposal in a community in USA (North Carolina) and how it has left the community in a stronger position to address other challenges. Van den Horst and Toke (2010) reported on the role of social capital in shaping the outcomes of planning processes: groups privileged in social (and other forms of) capital are better equipped to influence decisions on local space. There was a link between high levels of citizen engagement and higher rejection rates for local wind farm developments (p. 219). H. Poulos (2015) dealt with NIMBY-induced innovation. She concluded that social capital appears to play an important role in generating long-lasting impact of NIMBY conflicts.

Participation and collaborative planning

In spatial politics and planning, increasing attention is paid to the management based on cooperation. The traditional perspective of the top-down steering and control is being replaced by the perspective of supporting the participation in the processes of management of space, environment and landscape (Sevenant and Antrop 2010; Renn 2006; White 2001).

The concept of collaborative planning goes back to the 1960s. The ideas of considering different interests in planning and involving citizens in a planning process emerged in the works of Davidoff (1965) and Gans (1969). According to Goldstein and Butler (2010) American planners began to experiment with a different collaborative approach in response to inability of institutions and legislatures to reach equitable decisions. The concept of collaborative planning was developed also in Europe (see Healey 1997). Social participation is an key element of collaborative planning.

Society is composed of many groups, having diverse value systems and preferences. One can hardly speak of the legitimization of decisions, when they are taken without considering these values and preferences (Renn 2006). Collaborative planning acknowledges that there are competing interests and that these different interests must be engaged in a negotiation process to seek mutually acceptable outcomes (Gunton and Day 2003: 7). Participation is justified by the fact of the irreducible diversity of the viewpoints. S. Arnstein (1969) was among the first theoreticians in the domain of social participation. She emphasised the role of the society in the process of decision making. She developed the *ladder of participation*, which illustrates the different degrees of social inclusion into the decision process: from manipulation, through informing, consulting, up to the taking over of control by the citizens and the decisive role in this process. Only the three highest degrees of the ladder (partnership, delegated power and citizen control) represent a real influence of citizens on decisions. Collaborative planning concept exceeds the simplistic dualistic view (seeing public participation as involving citizens on the one hand and government on the other). Instead of one-way communication from citizens to government or government to citizens, collaborative planning means delegating control of the planning process to network of stakeholders who work together in face-to-face negotiations and devise creative ways to reach a consensus agreement, to achieve mutual gains and obtain broader

support for implementation (Gunton and Day 2003; Goldstein and Butler 2010; Innes and Booher 2004).

In taking of decisions concerning space opinion ought to be accounted for, in particular, of the local community, inhabiting the space in question. Local community should be one of the key stakeholders in the process of making decisions about space. The inhabitants shall be directly affected by the consequences of the decision and are, most often, the best experts in the matters, concerning their place of residence (Patel et al. 2007). Siting of the controversial projects should especially be preceded by an open dialogue among all the sides, having a stake in the envisaged project, and potentially subject to the impact from the project. This conviction, as this is concluded by R. Lidskog (1997), is in principle not questioned in the academic debate. Such a dialogue is an expression of the democracy in action and allows for the acquisition of knowledge, necessary for taking of the decision, originating from various sources and representing different perspectives. Therefore collaborative planning seems to be the most appropriate approach in the process of locating controversial projects. Local community is beyond any doubt among the key stakeholders in the process.

Local community's action usually aims at the preservation of the physiognomy and character of its place of residence, which guarantees a definite quality of life. Its participation in the decision process is aimed at place protection. Although the wide-ranging literature on NIMBY phenomena, relatively little attention is paid to NIMBY-induced social participation: forms of nimbysts' collective action and their role in decision-making process. C. Shively who in 2007 formulated recommendations for future research, stressed, *inter alia*, the need for research on variations in level of participation, and assessment whether siting outcomes vary in the context of different levels of participation and in different types of processes. The need for such research still exists. The study presented here shows Polish context of NIMBY-induced participation in relation to the concept of collaborative planning and social capital.

The methods

In order to identify the scope of activities of inhabitants, oriented against unwanted projects, and decisions of authorities, taken in response to these

activities, and concerning the respective projects, a questionnaire-based survey study was undertaken in the municipalities, in which conflicts have taken place. There is no database which could be used in order to acquire the study sample. For this purpose, a search query was conducted of 48 local and regional press titles covering with their reach the entire Polish rural area. Information was acquired on some 200 rural municipalities (including small towns), in which conflicts related to the siting of the planned investment projects took place in the period 01.2009–03.2014 and in which the decision making body for the controversial projects were local (municipal) authorities[1].

The questionnaires, in an online form, were sent to all of these municipalities. They were completed by the representatives of the municipal authorities – usually by the heads of the department of planning, spatial development and investment project location. The questionnaires were sent back from 116 municipalities. It should be stressed that conducting quantitative studies on siting conflicts is difficult. There are no statistic data on local communities protests or any other reliable or complete sources. The only possibility is conducting a survey among actors engaged in the conflicts. The main parties of the studied conflicts are investor and local community. Municipal authority is an intermediary that may favour one of the parties or its position may change in the course of conflict. Key representatives of municipal departments of planning have sufficient knowledge about protesters' activity and they have the best knowledge about formal procedure of investment siting. Thus, it was decided to send questionnaires to municipal offices. Municipal officials were not asked to assess protesters but to list forms of their action.

In-depth investigations were also undertaken in five municipalities[2]. Thereby, qualitative data were acquired, which served for a deeper recognition of the problem. In these five municipalities interviews were carried out with one or two leaders of the protesters, and with the representatives

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[1] Conflicts, concerning projects of supra-local character, like, e.g., the routing of the national roads, were not accounted for, since the processes of their siting are subject to different kind of principles than the local ones.

[2] Case studies acronyms: Z. (Mazowieckie province) – conflict concerning livestock farms; K. (Podlaskie) – biogas facility; W. (Świętokrzyskie) – wind farm; B. (Western Pomerania) – wind farm; R (warmińsko-Mazurskie) – gravel pit and gravel processing plant.

of the municipal authorities. The official documents and the materials published by the protesters were also analysed.

Social activity oriented against the unwanted investment projects

The attitude of opposition with respect to the controversial projects is associated with the activation of citizens: they undertake steps, aiming at preventing the disadvantageous changes in their place of residence. In all five cases of conflict that were studied in deeper detail, a structure took shape, which can be referred to as a 'protest self-government', namely – a team of persons, who would undertake, in their own name and in the name of other opponents of the project, the freewill, social, and conducted according to an own plan, activities, aiming at blocking of realisation of the controversial facility. The leader of the protesters was a person, having a high personal feeling of threat from the planned project (e.g. one of the persons living the closest to the location in question), or a village marshal, or yet another person active in local matters.

The forms of functioning of these protest self-governments were different in the cases studied in detail. Hence, in particular, concerning level of social participation, the case of the peripheral municipality Z. represented a weak model, in which an association was formed, with just five members, and most of the activities were initiated and conducted by the leader:

> *We would walk around* [with his wife, ed.] *and collect the signatures. We convened a meeting. Many people came to this meeting, but only three said something. Formally this is so that everybody supports you, they come to the meetings, but they are not so much willing to say anything. There must be one, two or three bolder ones, and they have to pull this thing.* […] *I have to be the person, who inspires.* [The neighbours say, ed.:] *You are going to do this better, you know better how to do this* […] *The common actions were not initiated. It is, namely, better not to talk too much about what I am doing. If not, the opponents learn what we are about to do* (leader of the protests against the livestock husbandry farms, Z.).

We deal here, therefore, with a model of alone leader, in which the involvement of the other members of the community was quite limited. Quite a contrasting case was represented by the conflict around the siting of gravel pit and gravel processing plant in a municipality, situated in the suburban zone of a provincial capital. Local activists, with the village marshal at the head, formed an association, which had some 40 members.

> *We would gather in groups and plan our actions. Some 15 persons were most engaged, they would bring in something, offered concrete help. We enjoyed enormous support from the rest of the inhabitants. The inhabitants dispose of different knowledge, different contacts. We decided on the actions, the issues that the particular groups of persons should address. Each group had a definite scope of action. Several persons were involved in the happenings, other ones dealt with consultations with the lawyers. There were persons, who collected signatures, talked to the media.* […] *There are here* [in the village, ed.] *ladies, who do not work outside their homes, they often take walks during daytime. We have an agreement with them. If anything suspicious takes place (e.g. an unknown car arrives, there is some movement) they call us at once, and we raise alarm. Hence, we have our 'spies'* (leader of the protests against the gravel undertaking, R.).

In this case, then, we can speak of a participative model, in which involvement concerns a bigger number of persons. A group took shape, functioning in an organised manner, subdivided into the task-oriented parts. This is, indeed, a model case of the grass-roots self-organisation of the inhabitants.

Emerging of such two models (weak and participative) can be explained by the concept of social capital. These two cases represent different socio-cultural regions of Poland which differ in terms of social capital. The territories of Poland that once were part of the Russian Empire, where case Z. was situated, are assumed to have a lower level of social capital (networks of associations and generalised trust). The former Prussian territory, where case R. was situated, is an example of areas with dense networks of cooperation (Zarycki 2008; Działek 2009). Besides, higher level of social capital occur in suburban areas (the case of R.) with younger and better educated population than in peripheral rural areas (Kinowska 2005; Czapiński 2006), represented by the case Z.

The most frequent method of exerting pressure on the local authorities by the leaders of protests was collecting signatures among inhabitants, opposing the project (87% of cases of conflicts, Fig. 1). Gathering signatures among neighbours constitutes the most characteristic form of expressing protest on rural areas in Poland. In each of the cases studied, the leaders of protests tried to reach the possibly biggest group of inhabitants of the locality, potentially affected by the project, and to secure their support. When trying to gain the possibly broad support, the protesters refer to the principles of democracy and count on the positive consideration of the will of local majority from the side of the decision makers. Expressing their views the protests' leaders usually used substantive and rational arguments.

In some cases, the spatial reach of the action of collecting the signatures among the inhabitants was very wide indeed. Thus, in the case of K., this reach encompassed more than a dozen of the neighbouring localities, distanced even by five kilometres from the planned, controversial project. Here, the inter-village solidarity functioned – even the inhabitants of the villages, which would not be affected by the potential planned facility, joined the protest. Despite the lack of immediate interest they supported the protesters in a gesture of neighbourly service.

> *3–4 persons from K. visited every village marshal in the municipality.* […] *Today you help us, tomorrow we shall be helping you. The marshals would walk across their villages and collect signatures* [against the project in K., ed.]. *The marshal tried to visit the entire village and to explain the matter to the inhabitants* (leader of the protest against the biogas facility, K.).

The example illustrates existence of norms of reciprocity in the local society, which Putnam suggests are key elements of social capital. The local leader's statement also reveals the existence of social networks in local community.

> *Local community initiatives took place before the conflict. Inhabitants used to meet. The village has always been mobilized. Already in the post-war years. A lot of things always happened here* (the leader, K.).

It was also quite frequent (83% of cases of conflicts) that the leaders of protests organised meetings in order to inform the inhabitants of the

Figure 1. Activities undertaken by groups of protesters against unwanted facilities siting (N=116)
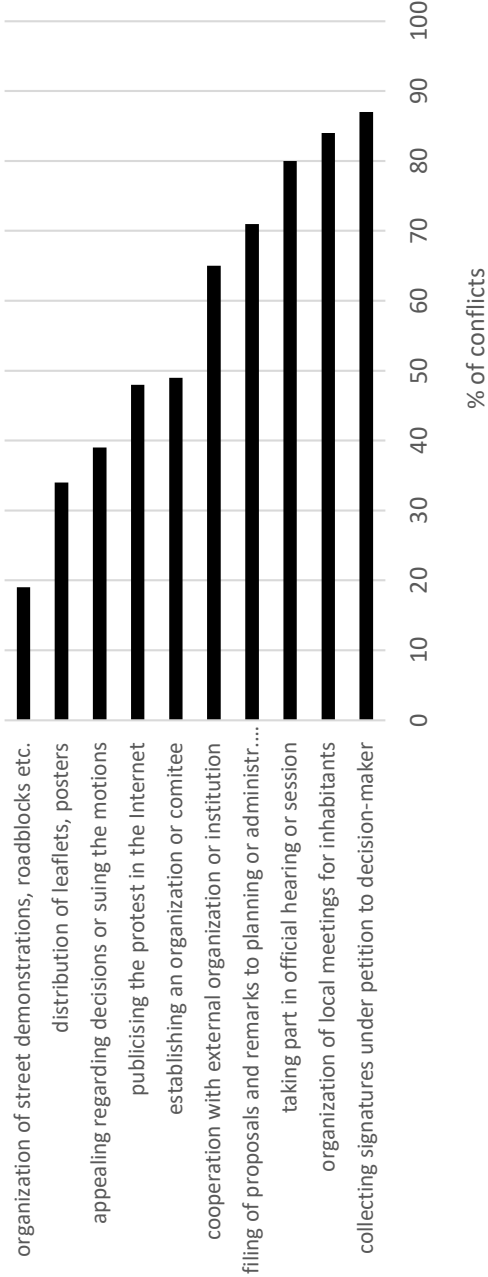
Source: own calculations.

threats, associated with the intended project, to plan the actions or to make a decision as a village. These meetings usually gathered a significant number of inhabitants. The group of leaders exerted an influence on the local society, motivating the inhabitants to get interested in things related to the space around them.

> *We organised three meetings with the participation of the inhabitants, two of them with the presence of the investor. Some 50 persons took part in the first meeting, while in the second and third meeting – around 100 persons* (leader of the protest against the gravel pit, R.).

> *It started, when they erected the tower for measuring the wind.* [Inhabitants of the village, ed.] *organised a meeting, around 140 persons came and they voted that there should be no windmills* (marshal of the village, W.).

The protest self-governments were not always some formalised structures. In 42% of conflicts, protesters would not establish associations or committees. This happened, on the other hand, in those situations, when it was the sole way to become a party in a respective procedure, e.g. in the siting procedure, making it possible to file an appeal or a complaint. Appealing regarding a decision or suing the motions and decisions constituted another form of activity, undertaken by the protesters in order to prevent the realisation of the unwanted project. Formal appeals and complaints occurred in 39% of the cases analysed. Even though this is less than half, the share must be considered as significant. Filing of the formal appeals and complaints indicates that all the other possibilities of reaching some sort of agreement between local community and investor had not brought the solution to the problem; they demonstrate high degree of determination from the side of the protesters. Thus, filing of appeals and complaints ought to constitute exceptional situations, while it transpires that this occurs frequently.

Polish law guarantees the participation of citizens in the process of environmental impact assessment for the particular projects and in the process of planning documents development, through filing of proposals and remarks. In a clear majority of cases (71%[3]), the inhabitants

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[3] 71% of conflicts, in which there existed at all the possibility of filing proposals or

utilised this possibility of formal participation in the decision making process.

A significant sphere of activity of the protesters self-governments was gaining of allies: entering into cooperation with the organisations and institutions from outside of the municipality, for purposes of securing their support. This kind of activity, according to the results of the questionnaire-based study, existed in 65% of conflicts. The network of entities, which were addressed by the protesters, had differentiated characteristics – for example, in K. it was based on regional level institutions, in Z. – MPs. In the cases of two suburban municipalities, B. and R. the search for the external allies was most extensive. The protesters intervened in institutions of the regional level (like, e.g., the speakers of the provincial diets), of the national level (e.g. the Chief Geologist of the country – the case of R.), and even addressed the European institutions (e.g. the European Commission); they would enter in contact with the NGOs and communities of protesters from various parts of Poland, asked for the specialised expert opinions from the university professors. The activities of the organisation from B. had an important influence on the development of the anti-wind-farm movement on the scale of Poland, that is – on the shaping of the national network of cooperation of the inhabitants, discontent with the location of power generation facilities too close to the residential structures. The association from R. contributed to the appearance of the regional network of ecological organisations opposing the degradation of the landscape of Masuria through mining activities.

These examples illustrate building of bridging dimension of social capital. Rohe (2004) showed how in an American case of siting protest the residents were able to develop bridging social capital by reaching out to external actors. He stresses that the bridging social capital was non-existent before. Rather, the community successfully developed this linkages as a response to its struggle (Rohe 2004: 163). According to Putnam, the ability of citizens from different backgrounds to build links and cooperate for achieving a goal is one of the key asset of society. Building of weak links between protesters and different external actors was a characteristic feature

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remarks (the environmental impact assessment was carried out or the local physical plan, or the respective study, was performed or changes were being introduced into it).

of the Polish protests. In the suburban cases, the networks of external entities were more extensive and their spatial reach was wider than in the peripheral cases. It shows the difference between suburban and peripheral areas in terms of bridging social capital.

From among the forms of activity, predefined in the questionnaire, which were undertaken by the protesters, the rarest were the organisation of the manifestations, street protests, road blockades, etc. (19%). Collective actions of the protesters in public space are, therefore, not a typical feature of the Polish conflicts around the local investment projects in rural areas. It turned out, then, that the protesters usually attached higher importance to the activities, which would serve the purpose of influencing the concrete decisions, than to the manifestation of their discontent. It reflects well on rural inhabitants' civic competences to participate in public life. Their actions are focused on building a dialogue (with decision-makers, other inhabitants, external actors) based on democracy rules and substantive arguments. Actions which could hinder functioning of local society (eg. roadblocks) were not common.

In general terms, the scope of activities, undertaken by the protesters in the defence of their place of residence, was quite wide (Fig. 2). In close to 60% of cases there were at least five different forms of activity. The range of actions, undertaken by the protesters, was not differentiated with respect to the nature of the project, constituting the object of conflict. The inhabitants of rural areas, experiencing a feeling of threat regarding their place of residence, would, therefore, take advantage of their civic competences, transgressed the boundaries of their local, known environment, and made use of the possibilities of developing a network of contacts, in order to influence the course of the procedure concerning the matters of the controversial investment project.

Similar phenomenon is described by McClymont and O'Hare (2010) on the basis of two cases of communities in the UK which opposed developments in their local area. When faced with an unwanted and unpopular development proposal, individuals can form a sizable alliance, pooling resources and generating support from the wider community to fight for their collective voice to be heard, acknowledged and responded to' (p. 329). Although McClymont and O'Hare did not use the term 'protest self-government' but they also identified groups of protest leaders in the studied cases, who informed the public of events relating to the proposal,

represented the predominant public view, galvanised support from divergent people, worked to include other members of community in protests, contacted local authorities, politicians and so on.

The presented Polish picture of NIMBY-participation confirms conclusions formulated by C. Hager (2015) on the basis of studies in several countries: NIMBY protest can open new channels for citizens political access; it connects and engages those who haven't been active in public sphere in the past; NIMBY-action consist in building networks of support among diverse actors including experts and officials (p. 9).

Figure 2. Number of types of activities undertaken by groups of protesters against unwanted facilities siting (N=116)
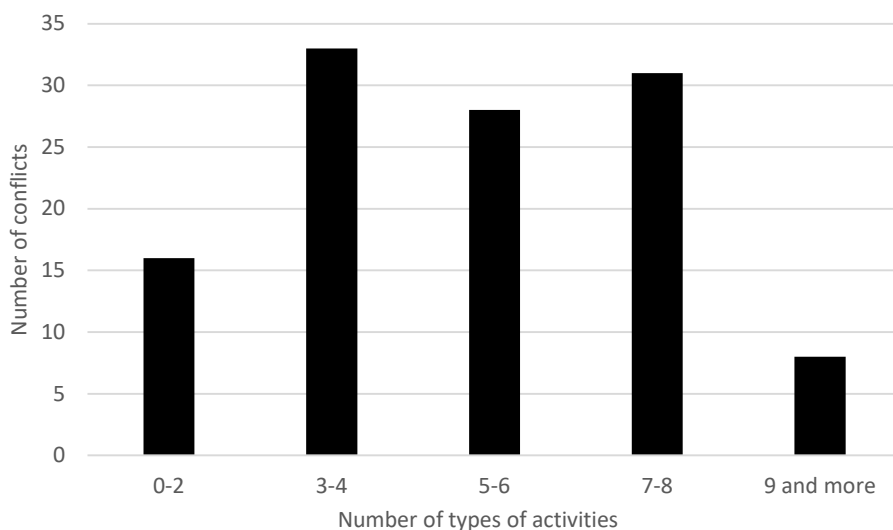
Source: own calculations.

The investigations, related to the case studies, have also shown that the activity of the protest self-governments exceeded the frames of the primary goal of the given protest. In the municipality of K., the association, which was established in order to block the construction of the biogas facility, got involved also in the issue of location of the wind farms. It initiated a discussion concerning future directions of local development. In B., the association, protesting against the wind farms, broadened its field of activity

over to other spheres of the local public life: education, development of infrastructure etc. It also promoted information on the possibilities of formal participation of the inhabitants in the decision processes. The leaders of protests in Z., R. and B., basing on their engagement in the respective protests, accumulated a political capital and took part in the local elections, and most often got elected. According to C. Hager (2009), NIMBY is not always only oppositional. It has important proactive components and significantly wider societal impact.

The influence of the activity of inhabitants on the decision process concerning controversial project

A very important question, having a significant influence on the potential effects of the social participation, is the stage of the respective procedure, leading to the siting of the project, at which the local community gets to know of the intended undertaking. The first, initial, stage, is the one, when the investor appears, presents his/her intentions, but no administrative steps are yet taken. The subsequent, middle stage, includes the development of the planning documents, or, when the project is being realised without the local physical plan – the environmental impact assessment (EIA). It is assumed that the final stage is the one after the environmental decision would have been acquired. At this stage the local community has a limited possibility of forcing the stopping of the project or of modifying the planned undertaking.[4]

The study performed indicates that only in 13% of cases considered the inhabitants would start the action, oriented against the location of the project already at the first stage. It is rare, therefore, that the inhabitants are included in the process of designing the change in the place of their residence before the design itself has been made ready. It is most frequent (63%) that the inhabitants are included in the process at the stage of changes in the planning documents or during the EIA procedure. This is the stage, when the location and design of the investment has already been defined,

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[4] The environmental decision is binding for the decision on the conditions of land use / construction, and the latter, in turn, is decisive for the construction authorisation; when the local physical plan exists, the construction authorisation must be conform with it.

but the inhabitants can file their remarks. The possibility of filing remarks and proposals is guaranteed, but the respective decision makers (e.g. the local authorities) are not obliged to take them into consideration. This kind of legal model, where the role of the local community is reduced to the non-obliging opinion formulation, is definitely far from the concept of participation in the meaning of S. Arnstein.

In 24% of cases, the local community started to protest against the planned project only when the investor had already obtained the environmental decision, that is – when, according to law, there is no more place for the civic participation. Of these – half of protests would start already after the authorisation for construction would have been issued. Thus, in a quarter of the analysed cases of conflicts the inhabitants learned very late of the investment plans.

The above results show that a chance to locate controversial projects in a collaborative way seems to be lost already at the beginning of the process. Local community was in most cases disregarded as potential stakeholder in the process. Based on the example of wind-power, Wolsink conclude that planning systems in most countries do not encourage collaborative process and local community involvement in planning and location. Decision-making does not usually include the most controversial discussion point, namely choice of the location. 'Consultation after a plan has been announced is more of a trigger for opposition than an incentive for the proper design of acceptable projects' (Wolsink 2007: 2702). According to Upreti (2004: 792), in the UK the traditional consultation approach is dominant in the planning process of renewable energy projects, which maintains consultation only at the minimum required level of participation defined by the regulations. Developers decide location without discussing it with local community.

It was frequent for the location-related conflicts that the inhabitants declared their surprise and the feeling of not being adequately informed of the investment plans. So the leader of protest in the village of W. on the plans of construction of the wind farm:

The matter was discussed by the company only with the municipal counsels, the marshal and the village council. This all was being done so simply, in closed quarters. Meaning – they just met and nobody else knew about it. [The activities started, ed.] *at the moment an article appeared in this here journal that this*

is going to be constructed here [the wind farm, ed.] *and then we convened a meeting. Nobody believed that something like that would emerge here. And the main cause of the protest was that they erected this tower for measuring the wind, which stands here in the field. It was only then that people started to see with their eyes, see that something is going to happen here really* (protest leader at W.).

Surprise was also noted by the leader of protesters at R.:

An announcement appeared in the village that the EIA report is put out for the gravel processing plant. Everybody got stupefied. We sent the news to the inhabitants through the grapevine (protest leader at R.).

It transpires on the basis of the 116 conflicts study that in cases of conflicts, in which the unwanted project was to be located on the basis of the local spatial plan, developed exactly in connection with the controversial project, there were twice as many cases of not voting such a plan than of accepting it. Most often, the reason for not voting for the plan was the abandonment of the project by the municipal authorities in the face of the social protest. It would be better to discuss with local community and investor the location of controversial project before the commencement of work on the spatial plan than resign from it at the advanced stage of planning procedure. Collaborative way of planning from the beginning could prevent protests.

An interesting case of the influence, exerted by the local community on the process of enacting the changes in the planning documents for purposes of realisation of the wind farms occurred in the municipality B. In this particular case, the opinions of the inhabitants were divided – side by side with the opponents, there were also supporters of the project. The conflict, which emerged in this connection, made it clear to the community and to the local authorities that they have to work out own mechanisms of participation and of accounting for various interests, that the valid legal regulations do not sufficiently warrant the effective participation of the inhabitants in the decision processes, concerning their place of residence.

Hence, the Municipal Council, based on the voice of wind farms opponents, passed the motion, determining the minimum distance between the turbine towers and the residential structures (2 000 m). Yet in the very

same year this motion was abolished – establishment of the 'stiff' criterion of distance proved to be an improper solution. A new motion was passed, which obliged the local authorities to observe definite principles of conduct of social consultations in the planning procedures, concerning wind farms. Thus, in the framework of consultations, the investors are obliged to present, during the village meeting and on the municipal website, the detailed plans of location of turbines. The distance between the turbines and the structures cannot be smaller than 1 000 m, if no other decision has been taken during the consultations. Besides, conform to this new motion, the planning procedures have to account for the positive opinion on the plan of spatial distribution of the turbines, formulated in the framework of a motion, passed by the village meeting in the respective villages.

The adopted principles of the social participation in the siting of wind farms are certainly not perfect – the local community does still not play the role of the change inducing subject, but of the opinion-issuing partner. Still, the motion passed provides the opinion with a bigger significance in the decision process. It constitutes, therefore, a subsequent step towards the increase of the strength of influence, exerted by the inhabitants on the decisions concerning their space. This motion institutionalises the civic values, which are important for the inhabitants, and which have been uncovered by the debate over the location of the wind farms, and, in particular – the grass roots activity – the engagement of the opponents of the project. Besides, on the area of the greatest controversies around the establishment of the wind farms, the dialogue between the inhabitants and the investor, as well as the local authority, brought ultimately giving up of some of the turbines or their shift in space – and, finally, the number of the turbines was decreased by half in relation to the original plans.

This example illustrates the ways in which a conflict, triggered off by the so-called NIMBYists, becomes an experience in citizenship, the initiation of the process of 'climbing up' the ladder of participation of S. Arnstein. Local authorities discovered is the importance of the dialogue between stakeholders in planning process. There are examples from other countries (Germany, USA) showing how a NIMBY protest related to wind farm location widened into a productive discussion about democratic participation in energy decisions (Hager 2015).

Around half of the studied 116 projects, which brought protests of the local communities, were supposed to be realised on the basis of the so-called

location decisions for which it was required to carry out the environmental impact assessment (EIA). In as many as 85% of cases, Regional Boards of Environmental Protection and the County Sanitary Inspections issued positive opinions on the project location. This means that the controversial projects, which give rise to so many apprehensions among the inhabitants, in a vast majority of cases do not encounter essential reservations from the side of these superior organs.

From among all of the analysed EIA procedures, in the course of which the binding opinions of regional boards were positive, only close to half ended with the positive decisions from the municipal authorities. Issuing of the negative environmental decision, despite the existence of the positive opinions which are binding, is not, therefore, an exceptional situation – in fact, this occurs quite frequently. Concurrently, in the case of all these conflicts, where the environmental decision was negative, half of these decisions had been also preceded by the positive opinions of regional boards. In accordance with the law in force, the local authorities, issuing the decision, cannot shape its content in an arbitrary manner, since it must result exactly from the opinions provided. Moreover, it is not legitimate to justify the negative decision with the disapproval for the project from the inhabitants. There is no room for dialogue. This means that the respective municipal authorities acted in contravention to the valid principle of the obliging dependence of the final decision upon the binding opinions, while being guided by the voice of the community and having in mind the possible sequence of appeals and complaints, initiated by the investor, and the annulment of the decision. In this manner, the local authorities would put themselves on the side of the inhabitants, opposing the project.

A good example is provided in this context by the municipality Z., struggling with the intensifying livestock farming. The inhabitants protested against the siting of the consecutive farms in view of the odour nuisance and the health hazards. Generation of the heavy odours by the large-scale livestock farms constitutes a fact that can hardly be questioned, and which is experienced every day by the inhabitants of the municipality. However, in view of the lack of definition of odour nuisance norms in Polish legal system, it happens in practice so that smells are not at all subject to analysis in the procedure of EIA. The positive outcome from the coordination and opinion issuing process with respect to these controversial projects is

therefore incomprehensible for both the inhabitants of the villages, who
are convinced of the potential threats and for the local authorities. Let us
illustrate this issue with the statement from the representative of the local
authority in the municipality of Z.:

> *We even wanted at some time to invite to the meeting of the* [Municipal] *Council
> somebody from the Regional Board* [of Environmental Protection, ed.]*, in order
> for them to tell us, how is this being done, why the designs for such farms are
> always positively assessed, and so on, why is this so, perhaps this would at least
> somehow explain to the counsels how these things work. But they responded
> that such travelling is not their duty. They have their regulations, which they
> try to keep to, and if someone has something against, let him or her point out
> where, in what aspect, they violate the law, but they are not obliged to travel to
> the municipalities* (representative of the municipal authorities in Z.).

The authorities of the municipality Z., under the pressure of the
inhabitants, would undertake various steps in order to resolve the problem:
they undertook a change in spatial policy – introduction into the so-
called "study of directions and conditions for the spatial development" of
principles of siting of the intensive livestock farms, with inclusion of all
the stakeholders into the process. The self-government started a dialogue
with various institutions, submitted for discussion on the supra-local
forum the pathologies of functioning of the regulations, decisive for the
siting of such farms, accounting also for the issue of preparation of the EIA
reports upon the commission from the investor, the foundations and the
principles of elaboration of formal opinions relative to the environmental
decision, as well as the degree of complication of the procedures, which
are incomprehensible for the counsels, and other aspects. Local authorities
entered also into cooperation with the authorities of the neighbouring
municipalities. Despite the positive opinions of the superior organs, the
local authorities issued negative environmental decision concerning the
livestock farms.

The procedure of EIA, according to Polish law, is not a medium for
debate or a forum for public conversation. The example shows how local
authorities have to find solutions outside the legal rules of EIA procedure.
The inhabitants' opposition to intensifying large-scale livestock farming
mobilised local authorities to make the farms planning process more

collaborative. According to Sager (2001) it is expected that EIA will enhance collaborative planning, will be a framework for encouraging dialogue between stakeholders and public, and will lead to a better understanding of environmental impacts. Some examples from Nordic countries show that EIA may meet the expectations.

The case of Z. showed that the legal and administrative order, which is in principle based on rationality and professional competence, and which defines the process of project location, is illegible for the local communities, and has no common points with their understanding of the value of space and quality of life. Even if the preservation of the qualities of the place of residence is a common good, shared by the local community, there is no room for it in the procedure.

It is not only in the case of the Polish example, but, more generally, in planning practice, local values and opinions are usually underestimated and neglected, since the dominating tradition favours the apparently impartial professional and precise knowledge. Local experience of a community can, namely, hardly be transformed into precise information (Faehnlea et al. 2014).

Yet another controversial practice was identified on the example of Z. Namely, for the areas, for which there had been no spatial development plan elaborated, and with respect to which an investor filed an application for the environmental decision, the local authorities would immediately start the work on the respective plan, so as to be able to pass the motion, regarding this plan before the ultimate date of issuing of the environmental decision. Such a plan would, as well, be meant to limit the possibility of appearance of large-scale projects. In this manner, on the areas not endowed previously with a plan, the self-government of a municipality tried to "save" their inhabitants from the unacceptable dimensions of the projects, this being, therefore, a strategy of the ad hoc defence with a fragmentary plan in the situation of an "assault" from the side of investors.

The outcomes from the conflicts around the siting of the controversial projects

What are the final outcomes of the conflicts, concerning the locations of the controversial projects on rural areas? For 1/3 of all the analysed conflicts, in

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the middle of 2015 (when the study was conducted), it was not yet decided whether the project was in fact realised, would be realised, or not (Fig. 3). These unresolved conflicts were analysed for the date of their initiation, with the expectation that these were the ones that started at the latest. Yet, it turned out that from among the 41 conflicts, whose final outcome was still unknown in the middle of 2015, only 6 started in 2014 or in 2015. This is an evidence for the heavily prolonged character of the procedures, leading to the siting of projects, in which the local community takes part. The cases, whose outcomes were yet not known, included even such ones that started as far back as in 2009. Active involvement of a local community, even if not resulting in the blocking of the realisation of the project, most often delays its realisation, which is, definitely, disadvantageous for the investor.

**Figure 3.** The final result of the conflict concerning investment siting (N=116)
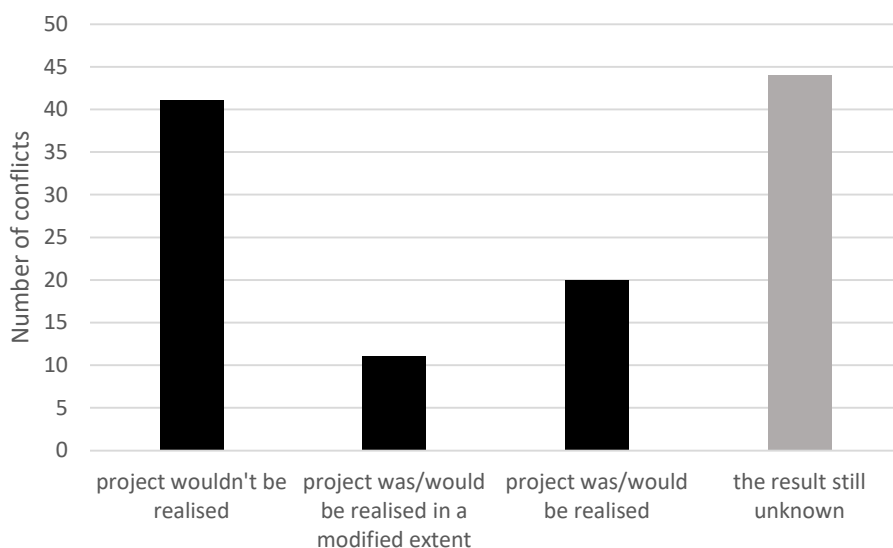
Source: own calculations.

Out of the conflicts resolved until the middle of 2015, the 'winning' side was a bit more frequently the local community than the investor. Thus, in 35% of cases, the controversial project was not realised and would not

be realised, while in 27% of cases it was either realised, or was heading towards realisation, or the investor obtained all the requisite decisions. In purely theoretical terms, the fact that the controversial project has not been realised, does not have to be a direct or indirect effect of the social protests. It may be the consequence, say, of not obtaining the positive opinions or of the reasons associated with the investor. Yet, in the opinion of the officers, responsible for spatial planning, in the vast majority of cases it was the protest of the inhabitants, their intervention and participation that had the decisive or at least significant influence on the ultimate fate of the controversial investment project (Fig. 4). In other words, if the inhabitants did not undertake the protest action, the outcome from the disputed matter would be different.

Figure 4. Protesters influence on the ultimate fate of controversial investment (in the opinion of officers responsible for spatial planning, N=116)
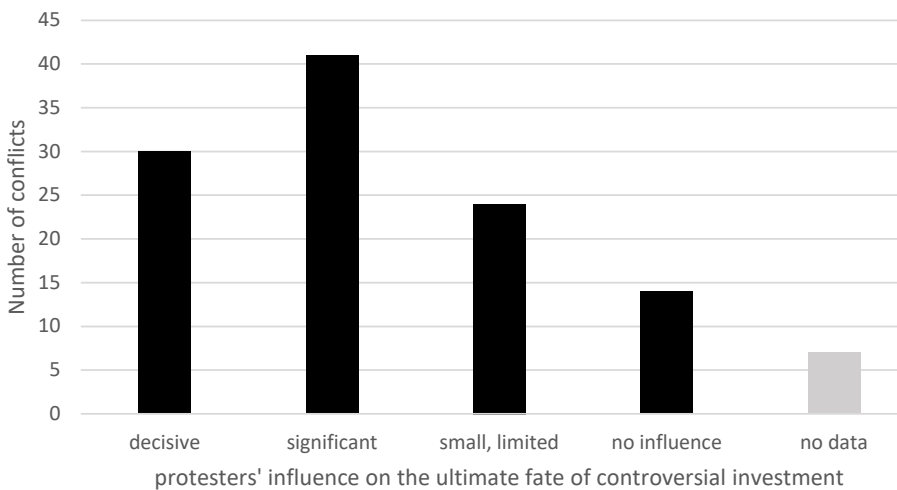
Source: own calculations.

From among these projects that the protesters were not able to altogether block, roughly 1/3 were realised in a modified extent in comparison with the initial plans of the investor. The changes introduced were advantageous for the local community and consisted mainly in the downscaling of the

project or in the introduction of additional elements, limiting the onerous character of the project for the environment.

In the group of conflicts, in which the local NIMBYist community 'won', the average number of the opponents of the project was higher than in the group of conflicts, which ended with a disadvantageous outcome for the opponents (the project was realised). Likewise, the range of actions, undertaken for purposes of blocking the project by the protesters in the conflicts, in which they 'won', was somewhat bigger, and these actions were initiated at an earlier stage of the procedure, leading to the siting of the project than in the 'lost' cases (Table 1). Additionally, among the conflicts, in which the influence of the opponents of the project on the ultimate fate

Table 1. Selected characteristics of social participation in the groups of conflicts 'lost' and 'won' by the local community

Termination of the conflict	Average number of opponents of the project from the area of the municipality	Average level of activity of the protesters	Average stage at which the protesters started their activity
The project was realised or will be realised	108	4.2	5.4
The project was not realised / will not be realised	289	5.0	4.2

* Average number of the kinds of actions, undertaken by the local community, aimed at opposing the project realisation.

** The consecutive stages were assigned the following numbers: 1 – as soon as the investor appeared, before any administrative steps, related to the project, had been made by the municipal authorities; 2 – the stage of changes in the 'study of conditions and directions in spatial development'; 3 – the stage of changes in the 'local spatial plan'; 4 – before filing of the application for the environmental decision; 5 – before issuing the environmental decision; 6 – after the environmental decision has been issued, but before the construction authorisation was granted; 7 – after the construction authorisation had been granted.

Source: own calculations.

of the project was decisive or significant[5], the average number of protesters was higher and they were more active than in the cases of conflicts, in which the influence of the NIMBYists on the final decisions, concerning the project, was small.

Conclusions

Polish society, and especially the rural one, scores poorly in the evaluations of the civic activity, based on the universal yardsticks, such as the development of the NGO sector or volunteering. Most opinions regarding civil society in Poland, and activeness of its citizens, tend therefore to be negative when set against Western Europe (Dmochowska-Dudek and Bednarek-Szczepańska 2018). However, the inhabitants of the rural areas display the capacity of a spontaneous, grass-roots organisation and of undertaking an effort in a concrete matter, like that of defending their place of residence against the disadvantageous changes in it. This is an example of the so-called 'actionism', distinguished by A. Gąsior-Niemiec (2010) as one of three basic modes of self-organisation of the society, this mode being exactly characteristic for the rural communities. In the face of a threat from an unwanted investment project, a leading group takes shape, the protest self-government, this group is taking advantage of the available legal and administrative means and of the informal ways of participating in the decision process. It is a useful, but, concurrently, the difficult lesson of social participation in the situation of high complexity of regulations in the domain of spatial development.

Following 50 years of communism, the 1990s saw Poles at last granted fundamental civil rights and freedoms (Dmochowska-Dudek and Bednarek-Szczepańska 2018). They gained the chance to participate actively in public life and to express officially their opinions in freedom from persecution by the authorities.

What the presented results say about the state of Polish democracy? Despite the short period of freedom and – concurrently – the short period for learning democracy and participation, Polish local communities have learned how to organise themselves, make use of possibilities offered by democratic state and how to be an important player in decision-making

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[5] Specification of the strength of influence (decisive, significant, etc.) was an aspect of the opinion of the person, filling out the questionnaire.

process in local space issues. Increase of citizens' consciousness, increase of participation in public life and – generally speaking – the role of siting conflicts in building democratic society was highlighted also by other authors (Michałowska 2008; Panicz 2014). Polish local actions against unwanted facilities have many features in common with actions undertaken by communities in Western European countries, for example in the UK (described by McClymont and O'Hare 2008).

Polish examples of actions "in defence of local space" demonstrate K. Dekker's (2007) assumption concerning continuous dynamic interplay between participation and social capital of a local community. On the one hand, social capital was conducive to broad and well-organised involvement of residents in the actions (case R.). On the other hand, searching for new contacts, establishing cooperation with external actors was conducive to enhancing the local social capital. On the basis of conflicts' outcomes it can be stated that social capital of the local communities was productive. Despite the relatively low formal position of citizens in procedures of deciding about local space, common actions based on social assets were, at least partially, successful.

Polish legal systems do not favour collaborative planning and real involvement of citizens in decision making process. In such a situation of foremost importance is the readiness and will of the local authorities to exceed the legal minimum of principles of participation. The study shows that local authorities usually do not attach sufficient attention to informing the possibly broad group of inhabitants of the plans, regarding investment projects. Only when conflicts become apparent it is a common practice that local authorities, despite the limitations set by the law, try to increase the significance of the opinions from the inhabitants in the process of project siting. The efforts, oriented at the increase of the role of the local community in the decision process, concerning the place of residence of the community, are certainly justified, if they do not consist in the ceding to the pressure from a narrow interest group. The "appropriation" of the social participation by the narrow, non-representative groups constitute one of the main reasons for criticism, addressed at this idea (Rydin and Pennington 2000; Innes and Boher 2004).

Despite the disadvantageous conditions (excessive use of the location decisions, degree of complexity of the legal regulations, superficial character of the participation as guaranteed by law), the activity of the inhabitants

exerted an influence on the final outcome from the respective conflicts. In the majority of cases, the unwanted projects, for which the decision making body was the local authority, either were not realised, or were realised with modifications, resulting from the social protests.

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