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“INSPIRE, The Dutch way”

Observations on implementing INSPIRE in the Netherlands

The Dutch response to the Public consultation on the implementation of the Infrastructure for Spatial Information in the European Community - INSPIRE Directive (2007/2/EC)

1 Preamble

The European Commission has announced a public consultation for INSPIRE, the Infrastructure for Spatial Information in Europe directive which has been under implementation since 2007 with a 2021 horizon. The directive foresees a harmonised and accessible spatial information infrastructure across the European Member States, in support of environmental protection policy and other associated policies.

The consultation is aimed at reviewing (progress on) the implementation of the directive. It is centred around concepts such as the implementation’s benefits, challenges to it and possible changes. It comes at a time when the third and final annex of the directive, containing datasets to be harmonised, has reached its first deadline.

The Dutch Steering Committee for INSPIRE used this occasion to bring together the Dutch INSPIRE Community to share thoughts and ideas for the review.

This memo reflects the main high-level thoughts in the Netherlands on the state of play of INSPIRE, from the perspective of implementation in the Netherlands. It uses the input from different trajectories, including the meeting organised specifically for this purpose, and aims at formulating observations and thoughts for the future.

The sections about benefits, challenges and changes correspond to questions 1.84, 1.85 and 1.86 of the online questionnaire. This memo has been created to be able to provide more context, and to invite the Commission to discuss its vision regarding the Dutch experience.

2 INSPIRE in the Netherlands

Significant steps are being taken in the Netherlands to meet the deadlines set in INSPIRE. The implementation has been successful so far, engaging most parties involved in fulfilling the directive’s requirements. A national portal is in place and most datasets are available following the agreed specifications. INSPIRE has fuelled the existing developments regarding the spatial information infrastructure in the Netherlands.

Important implementation decisions in the Netherlands include:

1. The Dutch Parliament's desire for a strict implementation following the European requirements, without adding national additional priorities;
2. Appointing national key registers, anchored in Dutch law, as the INSPIRE datasets;
3. Minimising the impact of implementing INSPIRE for local municipalities where possible, while using its benefits;
4. Appointing a well-established and trusted national coordinating organisation, fulfilling programme management for the implementation.

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An active role has been played in the European community, providing input and offering Dutch best practices in standardisation for the European Community. The Netherlands also co-initiated the 'Powered by INSPIRE' meeting in Brussels on 4 and 5 March 2013.

At the end of 2012 the Netherlands formulated an implementation 'strategy' until 2015. It demarcates the shift from a supply perspective to a use perspective. With the legally binding requirements as the minimum implementation, a national development connection is established (de 'Omgevingswet' - the Environmental Planning Act) to experiment further with the 'use side' of spatial information, aimed at improving the supply side realised under the INSPIRE programme.

The Environmental Planning Act is a bill aiming to renew the regulation of human activities with an effect on the physical environment. It will replace many existing acts of parliament either entirely or partially, and will incorporate the area-based components of eight other acts. One of the principles in drafting the Act was to align it with EU legislation, for instance on noise, catchment area management, flood management, water management in general and nature management.

INSPIRE is embedded well in spatial information developments in the Netherlands, and falls on fertile ground. At the same time the Netherlands is at the point where societal developments, through eGovernment in the broadest definition, are pushing increasingly for well-integrated administrative and spatial information to support policy decisions, both inside and outside the environmental domain.

3 Review observations: Benefits, challenges and changes in the Netherlands

The Netherlands appreciates the energy and direction the INSPIRE directive has imparted to all Member States. National discussions have also been fuelled and brought forward because of INSPIRE. Even though the task is challenging and changes are not made easily, the rewards are beginning to show, and confer confidence for value realisation in the longer run. The current shift of attention to thinking about the use of the spatial data being made accessible in a harmonised way, is essential in this respect.

3.1 Benefits: connecting to other developments

INSPIRE triggered collaboration and harmonisation between different layers of government and competent authorities. This harmonisation has led to more efficient generation of management information and creates benefits for the private sector, saving them the effort of data integration; new (mobile) applications are developed on the basis of the information now available.

In the Netherlands an INSPIRE+ implementation was chosen, linking INSPIRE implementation closely to the Environmental Planning Act. This ensures a User perspective in the development of the infrastructure. Herewith, the connection between the spatial and administrative domain is sought actively. Spatial information then includes, but is not limited to, IN-

SPIRE datasets. The availability of spatial information through a national portal and support structures is starting to yield use. Shifting from an attitude of 'just' supplying data, to supporting benefits realisation from a user perspective, will strengthen INSPIRE further.

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Spin-off effects towards other datasets have been identified. INSPIRE makes data issues with other (non-) INSPIRE datasets transparent and encourages data owners to comply with the INSPIRE definitions and to solve these issues. Examples include the insight that not every municipality has data available concerning livestock farms, that several definitions of municipality borders were in use, and that alignment between data of monumental buildings and the building key register, resulted in a large number of monuments that are now actually available as spatial data.

Regionally and nationally, active use cases - for instance regarding new policy and analysis in border regions, noise pollution along border roads, cross-border use of soil data and risk analyses - help in perfecting national implementations with a 'use(rs) perspective' in mind. At a national level INSPIRE can be positioned as a trigger for broader spatial information harmonisation and use across domains, rooted in a broader vision on the growing importance of spatial information in society.

The Dutch approach was to make only those data sets available that were the most suitable as INSPIRE data, instead of pointing out every available data set. The result is that we have worked together on a limited number of well-chosen data sets. The advantage of this is that the quality of these data sets is high, while implementation costs were relatively low.

3.2 Challenge: Ensuring the value proposition – smart harmonisation

From the Dutch perspective three major challenges arise:

1. Harmonisation – across directives, across regions and the depth of the harmonised data.

INSPIRE is not executed in isolation. Many of the organisations affected by INSPIRE are also affected by other directives. Harmonisation, or re-use, of standards and terminology across directives, is still challenging. On the one hand it requires even more alignment and collaboration, while on the other it reduces implementation efforts and optimises use. Examples are the general use of INSPIRE data as a source for reporting and accountability, and the existing differences between national statistical units.

Harmonisation across INSPIRE will benefit from a common framework. Different themes currently use a different approach and reach corresponding results. Some themes will also benefit from an approach bringing together key experts instead of Member States delegates in the process of harmonisation, ensuring a common understanding amongst domain experts.

2. Value – the depth at which harmonisation takes place has a direct effect on the value/usefulness of the harmonised dataset. At the same time vested interests make harmonisation a slow and complex process where compromise is a necessity for moving forward. Working from a 'supply perspective' entails the risk that actual use is limited in the shorter term.

Another value aspect arising in the Dutch implementation is the tension between

data providers and information users, in terms of cost and benefit; the data providers appear to bear the costs and the users reap the benefits. Data providers might feel little incentive to strive beyond the minimum legal requirements.

A dilemma is also whether to keep the datasets 'as is' within the infrastructure, as soon as the data is harmonised to the 'new' INSPIRE data sets, following agreed models. The data models (new sets) are fit for complying to the INSPIRE European agreements; for national or local use, the datasets 'as is' bear more value. We are experimenting with these dilemmas and trigger strategic discussion in the INSPIRE+ implementation, relating INSPIRE to the Environmental Planning Act.

3. The standardisation and harmonisation prescribed and initiated by the INSPIRE directive requires adaptation and continuity for the years to come. No standard is static; maintenance of these standards and the effects on harmonisation and exchange thus need to be managed.

The Netherlands lacks clear and unambiguous direction as to how the long term maintenance of INSPIRE-initiated standardisation and harmonisation is governed at the European level in future. An important step forward is the MIG and the role played by the INSPIRE committee, however structural embedding and financing remain issues to be solved. The MIG would be strengthened in its effectiveness if it was less reliant on voluntary contributions and expertise.

3.3 Change: Better implementation – facilitating use!

Citizens, businesses and government alike all rely on transparent, accessible, actual and up-to-date information; many of their queries have strong spatial elements. Social media and popular apps ('May this app use your location?') create high expectations among citizens. Economic resilience and growth depend on speed of service delivery and stable, reliable information, including regarding location. Spatial information is rapidly becoming increasingly crucial for decision-making processes.

Use of the spatial information infrastructure will stimulate further development in the years ahead. This will bring about changes in the way we implement INSPIRE, and will lead to additional requirements beyond INSPIRE's scope. The connection with the administrative domain and sectors outside the environment sphere can be expected. In essence INSPIRE delivers 'capabilities' in terms of the Managing Successful Programmes (MSP) approach, that need to be adopted by 'business'. Developing capabilities requires constant and intense validations with the intended users to increase the chances of successful benefits realisation.

The Netherlands wishes to be pro-active in this respect without widening the scope of INSPIRE or taking over responsibilities from the primary process owners. The national implementation has therefore connected to the national dossier called the 'Omgevingswet' (Environmental Planning Act). Discussions have also started at a decentralised level to consider how the infrastructure can benefit more primary processes.

4 Conclusion and invitation to the Commission

Experience in the Netherlands has shown that increased use in related initiatives will enhance INSPIRE's power. Benefits will only be realised when the infrastructure is used, and will trigger the emergence of a permanent infrastructure. But this is not easy. One of the

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reasons for a successful implementation of INSPIRE in the Netherlands is its embedding in legislation as an obligation. But the use of INSPIRE data is not compulsory.

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A number of European thematic directives underlie the INSPIRE data specifications. Coupling between these directives and INSPIRE creates synergy. The Netherlands is currently participating actively in the pilot project where the Dutch reporting to Europe under the Air Quality Directive and INSPIRE are interconnected. The same data made available for INSPIRE is also used for reporting on Air Quality. Such a synergy between the water directive and INSPIRE is also examined.

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Use, for example by the coupling mentioned above, can be regarded as a ‘test’ of the data specifications. It may show that there are deficiencies or additional wishes from a use perspective – definitions which do not match, missing data etc. In practice this creates dilemmas, for example because the benefits from the use of INSPIRE do not usually reside with the providers of the data. Who will pay for that additional information to be made available is one of the discussion points to be resolved.

Because of changes to be expected as a result, among other additional requirements from a usage perspective, it is important that the INSPIRE framework is managed sustainably even after the INSPIRE deadlines have passed. The MIG has currently been set up. But it is staffed by voluntary individual experts from Member States, which makes it fragile.

We would like to ask the Commission to enter into dialogue with us and to comment on the relevance of the experiences above. What is the Commission’s vision for encouraging the use of INSPIRE? And what can the Commission do in this respect? Is it possible to further solidify, for instance in law, the relation between thematic directives to use INSPIRE structure and infrastructure in the reports, as is the case for the Air Quality directive? And how will the Commission anticipate new user requirements?