

COMMUNITY CONSULTATION

Friday 23 October 2003 (8.30 – 12.00 a.m.)

Session Agenda & Introductory Report

SESSION AGENDA

1. Introduction

Mr. Willy BURGUNDER (C2 Committee Chairperson/SWITZERLAND)

2. Introductory Report

Mr. Mark ELFORD (C2 English-speaking Secretary/AUSTRALIA)

3. Workshop for information

Mr. Baudouin SERRUYS (C2 French-speaking Secretary/BELGIUM)

4. Workshop for consultation

Mr. Ganief FISH (C2 member/SOUTH AFRICA)

5. Workshop for participation

Mr. Hubert RESCH (C2 member/AUSTRIA)

6. Analysis of future activity field for C2 Committee

Mr. Willy BURGUNDER (C2 Committee Chairperson/SWITZERLAND)

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EXECUTIVE SUMMARY

Public involvement is increasingly being recognized as a fundamental requirement for Road authorities across the world.

In response to this, PIARC Committee C2 was established at the XXIst World Congress in Kuala Lumpur.

This newly established committee has focussed its efforts on developing a user-friendly model for public involvement. This model can be applied to any project and at any stage of the projects life cycle.

This introductory report outlines the model, discusses the benefits and preconditions for public involvement and briefly looks at the application of the model in the form of communication, consultation and participation at the various stages of a project. The report provides some key insights into public involvement and concludes that further work is required which would include more information on tools and techniques to be applied along with key case studies.

CONTRIBUTORS

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INTRODUCTION

Public involvement is increasingly being recognized as a fundamental requirement for Road authorities across the world.

In response to this, the XXIst World Road Congress in Kuala Lumpur in 1999 established Technical Committee C2. The terms of reference for the committee are:

- improve users and the public's understanding and expectations of the consultation process;
- develop an inventory of successful consultation practices;
- develop new methodologies for public consultation.

It is recognized that substantial work around this topic has been undertaken in the past ten years resulting in three significant PIARC publications. Details of these reports are contained in Appendix 1.

This particular report will build on the existing body of work by providing a 'user friendly' framework which addresses both the breadth and depth of public involvement.

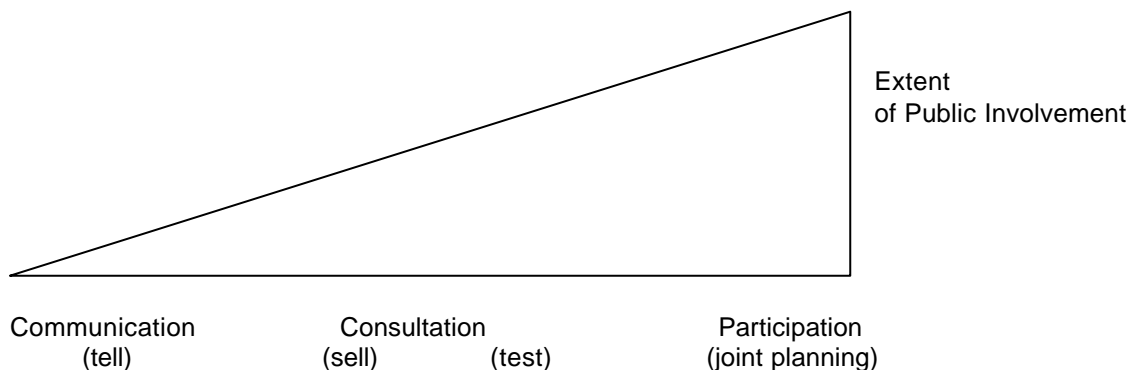
This particular paper is an introductory report. For more detailed information on the topic of public involvement, reference is made to the PIARC Report by Committee C2, prepared during the 2000-2003 period.

A MODEL FOR PUBLIC INVOLVEMENT

Committee C2 has developed a model for public involvement that consists of two dimensions:

Breadth of Public Involvement

Public involvement can be viewed as a continuum as described below:



On the far left-hand side the extent of public involvement is minimal. The Road Authority (or decision-maker) is essentially telling or informing the public of a proposed action. For the purposes of this report this is defined as "Communication". As one moves along the continuum the extent of public involvement increases. At the Consultation point the decision-maker is selling or testing its proposal with the community. At this point this is a two-way flow of information and opinions from other parties are elicited. At the right hand end of the continuum the extent of public involvement is maximized. This can involve some degree of 'joint planning' where the views of other parties are clearly considered and indeed may be supported by a legal framework. In this report this is defined as Participation.

It should be noted that terminology around this subject can be confusing and to assist in clarification certain key terms have been defined as above. Refer to Appendix 2 for a more detailed glossary. The term Community Consultation can be used in a generic sense (to describe the full range of public involvement) and also in a more specific manner (as adopted by Committee C2). Consequently this report is entitled Public Involvement as opposed to the title of Committee C2 'Community Consultation'.

In this model no approach is necessarily superior to the other. The choice of the most appropriate point along the continuum is important and is dependent upon a number of factors, such as culture, project complexity, project history, legal requirements, etc. This will be addressed further in the body of the report.

It should be noted that the model can be applied differently to different components of a project. For example the extent of public involvement on the road alignment may be minimal but the details concerning landscaping may involve public participation.

Depth of Public Involvement

The other dimension to public involvement can be viewed as the 'depth' or the life cycle of a project.

This can be expressed as:

- strategic / Master planning,
- project planning,
- project design,
- construction,
- operation.

For each of these stages there are aspects of 'involvement' that may range from public meetings at the project planning stage through to communication as part of 'operation' (e.g. announcements of traffic delays).

It is acknowledged that public involvement is not an end in itself, but part of a broader process of sustainable development. Some of the broader issues are being addressed by the work of other PIARC committees such as:

- C4 Interurban Roads and Integrated Interurban Transport,
- C10 Urban Areas and Integrated Urban Transport,
- C14 Sustainable Development and Road Transport.

In this context C2 is focussing on the tools and techniques of public involvement.

As part of the information gathering phase for this report a questionnaire was distributed to a number of countries which included both developed countries and countries in transition. It was interesting to note that all respondents practiced some sort of public involvement. In some cases public involvement is legally mandated whereas in other areas the benefits and necessity of public involvement are recognized despite no legally binding regime.

This report will examine public involvement from both dimensions, i.e. communication / consultation / participation for the different stages of a project.

BENEFITS OF PUBLIC INVOLVEMENT

The importance of fostering increased Public Involvement in decision making of industry or infrastructure projects has been recognized at the international level in the UN/ECE Convention Access to Information, Public Participation and Access to Justice in Environmental Matters (“the Aarhus Convention”). Involvement of individuals, the public concerned or interest/pressure groups is increasingly being recognized as a fundamental requirement for Road Authorities across the world. The UN Conference regarding sustainable development at Johannesburg in 2002 has again emphasized the importance of such processes.

Although it is acknowledged that public involvement, particularly consultation and participation can be a complex and sometimes a quite lengthy process, it is considered that the benefits far outweigh the disadvantages. These benefits include:

- **Public / Community / Stakeholder Commitment**
Involvement may increase stakeholder commitment to a project, thus reducing the risk of costly conflicts.
- **Improved Targeting**
Involvement can provide superior and more detailed information. In road projects, consultation can provide important information of local conditions which would otherwise not have been considered.
- **More Reliable Data**
As a result of involvement, stakeholders may provide one another and public officials with more valid information, increasing accountability. Improved understanding of local values, priorities and expectations can result in road project designs and delivery mechanisms that are more compatible with socio-cultural conditions.
- **Improved Negotiating Skills**
As the range and weight of public involvement grow, the capacity of the poor, of women, of youths and of other overlooked groups to obtain project benefits increases. Social equity, in turn, increases participant commitment to the proposed road project. Involvement also provides the stakeholders with experience that they can apply to subsequent projects. Particularly where there is limited civic consciousness and a long history of dependence on local political leaders, experience with consultative mechanisms can trigger the long process that leads to participant empowerment in arenas outside the immediate road project.
- **Cost Reduction**
Involvement can generate a greater willingness for stakeholders to invest their time, labour and other resources in a road project they “own”, thereby stretching the value of invested funds. Research has shown that the more people invest in a process, the greater their commitment to its values and purposes.

PRECONDITIONS FOR SUCCESSFUL PUBLIC INVOLVEMENT

The first precondition for successful public involvement is a favourable policy environment.

A second precondition is accepting that public involvement is an iterative process, not only for the affected communities but also for others such as Roads Agency staff.

A third precondition is clarity about the roles each party will play in the process. This is important because the process can result in some groups having unreal expectation on the extent of their decision-making abilities.

A fourth precondition is information sharing and involvement with the larger sphere of stakeholders.

Another precondition is a systematic understanding of the community or the publics in the region affected by the proposal. Also important is the design of an appropriate public involvement program as well as a set of appropriate techniques.

Finally, the efficient management of the Road Agency of other proponent/s of the road projects is paramount to the success of any involvement process.

PUBLIC INVOLVEMENT IN THE FORM OF COMMUNICATION

As stated previously, communication in this context is essentially a one way flow of information. In regard to the 'depth' of public involvement, i.e. the stages in the life cycle of a project, the following points are made.

At the planning and design stages (including master planning, project planning and design)

- Communication can be the groundwork to facilitate consultation or participation. If the process includes citizen participation, citizens should be informed about how to participate and about their rights.
- It may be necessary to heighten public awareness about the need for carrying out roadworks.
- The public may be notified about short and medium term scheduled road-building programmes.

Construction

- Before beginning roadwork, it is important to inform road users about the starting date and duration of the work, and about any other inconvenience related to the roadworks site (temporary traffic restrictions, detours, etc).
- It may be necessary to remind people about the reasons for the roadwork, the cost, etc.
- Information on roadwork progress (what has been completed, and what still needs to be done) can be provided.
- The advantages of the new stretch of road can be set out once the work is done, in particular during the open day and opening ceremony.

Operation

- Information on the condition and availability of the road network needs to be provided on a timely basis. This could include potential delays, detours, incidents, weather conditions, programmed maintenance, etc.

The means through which information is transmitted is varied and is dependent upon a number of factors including available technology and cost considerations. Examples include:

- Leaflets to be distributed to road users, circulars (for major projects, well-designed brochures, rather than just a poster should be distributed in key locations, including rest areas on motorways, toll gates, and public places, such as post offices)
- Poster advertising in local public buildings
- Bulletin boards
- Billboards along the routes

- Information for the media
 - Radio (local, national)
 - Television (local, national), video clips, films
 - Press (daily, weekly, foreign, etc)
- Information transmitted via the media
- Informative films
- Forums, lectures, debates
- Communications centres
- Free telephone calls (toll-free number)
- Internet
- Travelling exhibitions
- Subject maps (indicating the technical status of the network, and volume of traffic)
- Teletext
- Electronic message boards.

This is not an exhaustive list and there may well be other techniques appropriate for local conditions.

PUBLIC INVOLVEMENT IN THE FORM OF CONSULTATION

Consultation has a greater degree of public involvement than communication. In this form of involvement opinions are elicited and the communities ability to influence the project is increased.

In terms of the project stages, this type of public involvement is particularly beneficial at the project planning and design stage. At this time the public can be consulted on their knowledge of the local environment, weather patterns, natural water courses, local custom, land usage and other matters which could have a major impact on the project. It is also an opportunity to consult with the public regarding their future involvement in the project as services or material suppliers.

The construction stage is essentially a period of monitoring compliance of the public's genuine concerns. The operations stage affords the public opportunities to evaluate whether their concerns have been addressed and then communicated back to the roads agency.

Methods for Consultation

A range of methods / techniques are available for consultation including:

- Public hearings
- Citizen advisory committees
- Public deliberation forums
- Mediation
- General public consultation
- Open houses (drop and shop)
- Charrettes
- Visioning
- Brainstorming
- Focus groups
- Facilitation
- Public surveys
- Hotlines.

PUBLIC INVOLVEMENT IN THE FORM OF PARTICIPATION

Participation is seen as active public involvement in and some form of control of all phases of a project that affects the public.

The importance of fostering increased public participation in decision making on infrastructure projects has, as previously mentioned, been recognized by the UN/ECE Convention (the Aarhus Convention). A key aspect of participation is the presence of legal procedures (“access to justice”) which enable an individual or the public in general to challenge the legality of projects which are subject to public participation. Participation also requires a forum of enforcement which makes binding convictions as a result of the participation process.

In the various project stages the breadth of participation increases as the detail of the project is more established. At the master planning stage the extent of public participation is expected to be minimal and the degree of ‘access to justice’ limited. However, at the project planning / project design stage, a far wider circle of involvement would occur with far more extensive provision for access to justice.

At the Construction stage the level of public participation diminishes. It should be noted, however, that there may be significant economic / social development reasons for involving local communities in the construction phase (opportunities for training, business development).

At the Operations phase there is an interesting (and growing) development in some countries of public participation in the form of ‘adopt a highway’. In these cases a community may work with the local roads agency in maintaining / monitoring a section of road. In the road safety arena there is also a growth in community road safety groups.

The methods for public participation are often prescribed in law and include techniques listed previously for communication and consultation.

The detailed arrangements for such information and consultation shall be determined, which may in particular, depending on the particular characteristics of the projects or sites concerned:

- determine the public concerned;
- specify the places where the information can be consulted;
- specify the way in which the public may be informed, for example by bill-posting within a certain radius, publication in local newspapers, organization of exhibitions with plans, drawings, tables, graphs, models;
- determine the manner in which the public is to be consulted, for example, by written submissions, by public enquiry;
- fix appropriate time limits for the various stages of the procedure in order to ensure that a decision is taken within a reasonable period.

KEY INSIGHTS INTO PUBLIC INVOLVEMENT

Public involvement has been practiced in many forms over many years. The following key insights are the result of analyzing several case studies on the subject:

1. Understanding your public or community is the essential foundation for an effective public involvement process.
2. The level and quality of consultation by the public will be no better than that of the staff in the Road Agency's (proponent) organization.
3. Spend no more than 20% of your resources trying to directly change the minds of the committed opponents of a valid proposal. Instead, direct your efforts to interest, inform and involve the usually silent majority and encourage them to deal with those who oppose the proposal.
4. The media is a dubious ally – if you want something said well, say it yourself. The media have their own agenda and will usually use yours to achieve theirs. The traditional and vital role of the media in the life of the public is recognized, especially its endeavours to present a proponent's proposal through it by means of news releases, holding news conferences, etc. However, it is preferable to prepare a display newspaper advertisement in a question and answer format with a reply coupon and publish it without notifying reporters beforehand – advertising departments usually go along with this technique since it is an income generator. Later, reporters may be provided with additional background information and graphics in response to their interest. In this way, the proponent has managed a positive presentation instead of the typical negative presentation by a reporter.
5. Consensus is a noble ideal, but be prepared to settle for informed, visible, majority public support as a more realistic and achievable goal.
6. "Public" is a plural noun – beware of any statement which uses it in the singular. It is critical to identify the various publics for a proposal; the organizations which claim to represent them; the leaders who seem to speak for them; the media which reach them; the values, attitudes and beliefs which motivate them; their knowledge of and attitudes to the proponent and the proposal and under what conditions they might accept or support the proposal. Preparing this social profile assembles this and other vital information to provide the social database essential for planning and managing the public involvement program.

7. A proponent of a proposal often has more potential support than the media coverage suggests.
8. In designing a public involvement program, one secret of success is to try to ensure that every public wins something – even if it is only recognition.
9. Start early in the project life cycle with the process, be cost-effective in the use of the public's time and respect periods which are important to the public, e.g. seasonal work, festivals, available time for women to participate, etc.
10. Evaluation is the best way to learn from both your successes and failures. Two types of evaluations should be carried out on public involvement processes – one internally by those directly responsible for the process and another externally by experienced, independent people not responsible for the process. The internal evaluation will contribute to an improvement in the existing involvement process. The external, independent evaluation, taken together with the internal evaluation will contribute to an understanding of whether the involvement process should be continued as a whole.

CONCLUSIONS

1. The involvement of the public is increasingly recognised as an essential requirement. In most democracies, public authorities are not allowed to build major infrastructure projects without the acceptance of the citizens concerned. This principle should guide all stakeholders faced with that issue, whether political or road authorities throughout the world.
2. In that field, the principles are applied very imprecisely. This very often leads to misunderstandings. It is therefore advisable to broadly define the principles used as this allows to classify with more precision the measures and instruments that will be applied afterwards. In that regard, the right way forward is to proceed to a sharing between the “one-way information flows” (information), the “two-way information flows” without the parties having formal (consultation) and two-way information flows with the parties involved having rights and formal recourse.
3. In addition to the essential theoretical elements, each category is composed of a series of measures and instruments. In that regard it is advisable generally speaking to proceed to an evaluation before making a decision on the measures and instruments, or even on a general prescription to be applied for individual cases. Once virtually all measures are applicable in various forms to be adjusted to the situation of a specific country, the resulting range of possibilities is therefore very wide. For that reason, it is important to consider carefully the whole range of possibilities.
4. In this context it is very important to review the experiences in other countries. However, in this area it is hardly possible to simply copy the system used in a specific country. Rather, tools that are likely to meet users needs should be developed and applied based on the experiences carried out and by taking into account the local circumstances. Therefore, when it comes to involving the public, the exchange of experiences is a prerequisite.
5. Based on the basic outline of measures and instruments thus developed, C2 believes that its main task consists in providing information and advice on the instruments and tools needed. In the medium term, such work should lead to the creation of a website which would provide useful services to all those involved in the field of road construction. In addition to other future activities, one of the goals would be to make the best of the knowledge acquired with a view to preparing relevant seminars for countries in transition.
6. The Committee C2 session to the Durban Congress scheduled on 24 October 2003 will give the opportunity to discuss various experiences tried out in a number of countries, as well as the adaptation of tools to reflect the inherent opportunities and risks when they are used.

APPENDIX 1 - PREVIOUS PIARC PUBLICATIONS

- [1] Methods to Obtain Public Participation in Road Project Development, reference 04.05.B, PIARC, 2000
- [2] Introductory Report of the Kuala Lumpur Cross Session on “Decision-making Process for Sustainable Transportation” to the XXIst World Road Congress, reference 21.33.B, PIARC, 1999
- [3] Technical report of PIARC Technical Committee on Urban Areas and Integrated Urban Transport “Environment and Consultation with the Public” published in Routes/Roads, PIARC Magazine, n°304 IV - 1999, reference 10.13.B, PIARC

APPENDIX 2 - GLOSSARY

For the purpose of this report the following definitions are used.

COMMUNICATION: essentially a one way flow of information (i.e. tell).

CONSULTATION: involves dialogue (i.e. two-way flow of information); however, the views of the other party are not necessarily embraced (i.e. sell or test).

PARTICIPATION: other parties views are considered and indeed may be supported by a legislative framework (i.e. joint planning).