Involving the Public and Other Stakeholders

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The purpose of these guidelines is to encourage and enable practitioners to engage more effectively with those who stand to be most directly affected by the work they undertake. Whether in relation to policy, strategy or scheme design, involving the public and other stakeholders can result in many practical benefits, and it is important that practitioners appreciate these benefits rather than consider that ‘consultation’ is simply an ideological and/or a legal burden placed on them from on high.

It is now considered best practice for transport professionals to act as facilitators of engagement – providing technical guidance, knowledge and advice on schemes – and not simply to ‘ask for your view’. While involving the public as little as possible may make professional life easier in the short term, the reason that more proactive participation is considered best practice is because it is likely to deliver better outcomes in the long term.

Tell me something and I’ll forget. Show me something and I’ll remember. Involve me and I’ll understand.

– Ancient Proverb

This first section focuses on reasons for involving the local users. The next section provides details of the legal and statutory duties for public and stakeholder involvement which you are likely to encounter in your job as a transport professional. The third section outlines some different levels of participation. The final section provides guidance on how to develop a particular strategy. This section closes with examples of techniques applicable in a range of scheme design and development scenarios.

Why Involve?

The Democratic Society

Not too long ago transport was viewed as a purely technical subject best left to experts. Perhaps this view fitted with the recognition of an urgent national need to reconstruct our towns and cities after World War 2, which was itself of necessity a period of strong centralised control. However, by the 1960s, this approach was increasingly challenged as part of a wider trend to embrace a more democratic society.

This desire for more involvement and collaboration coincided with a period of growth and affluence and also growing disillusionment with some postwar development, including high-rise housing, the demolition of many listed buildings and the insensitive rebuilding of city centres often to make way for flyovers and new roads. The growing resistance can be epitomised by the successful opposition to the plans to build the Inner London ring road in the 1970s which would have cut through swathes of urban streets and communities.

The London Ringways

The London Ringways (often known as the London Motorway Box) were a series of four ring roads planned in the 1960s to circle London at various distances from the city centre. They were part of a comprehensive scheme developed by the Greater London Council (GLC) to alleviate traffic congestion on the city’s road system by providing high-speed motorway-standard roads within the capital that link a series of radial roads taking traffic into and out of the city. Following the campaign by Homes before Roads, a public enquiry was held to review the plan in a climate of strong and vocal opposition from many of the London Borough councils’ and residents’ associations that would have seen motorways driven through their neighbourhoods. By 1972, in an attempt to avert the Ringways plan’s numerous opponents, the GLC removed some of the planned sections. The project was submitted to the Conservative government for approval, and for a short period, it appeared that the GLC may have made enough concessions for the scheme to proceed. After the Labour Party made large gains in the GLC elections of April 1973 with a policy of fighting the ringways scheme, and given the continuing fierce opposition across London and the likely enormous cost, the cabinet cancelled funding and hence the project, at which point only three sections had been constructed. Many of the movement’s supporters went on to fight motorway proposals elsewhere in the country, and a core of around 150 people provided speakers, expert witnesses and organised media coverage. Interestingly, some of these people are now involved in the other campaigns, such as opposition to the third runway at Heathrow. Certainly the days when transport planners could simply publish plans with minimal public involvement, and the benefits of/web-based technologies and social media have further accelerated the capacity and ability of the public to challenge, comment and sometimes petition for or against how public monies are spent.\footnote{The word ‘stakeholder’ is commonly used to describe an individual or group with a particular interest which can affect or be affected by an organisation’s actions.}
The threat of judicial review is increased when the public have invaluable knowledge and expertise.

Local users are in themselves a source of information which cannot be obtained elsewhere. Only local people hold detailed insights into local patterns of movement and what or might not work in their area. In addition, the outcomes of engaging the public in scheme design development are part of the evidence base. Engaging the public can at best build awareness of matters that are not represented nor created by conventional ‘data gathering exercises’. For example, STATS19 data may show collision clusters, but insights from local users can provide invaluable information on causes, as well as on subjective safety issues, such as perceptions of inappropriate traffic speed.

Civic Decision Making

Any transport scheme will have some benefits and some costs. Often the benefits are for the wider society rather than those directly affected, but even within a locality, there will be winners and losers. This raises the question of who should decide, and although ultimately elected councillors and Members of Parliament are the formal decision makers, few would advocate this as the sole method. For everyone’s sake, there is also a need to gain acceptance if not approval for the final decision, and feeling that all views have been heard and fairly considered even if not acted upon is an important aspect of reaching civic agreement.

‘There was a fair discussion at which my views were represented and although I still don’t agree with the final choice I understand the reasons for what was decided’.

—Resident of Crick, Northamptonshire, commenting on decision to build a local distributor road

Furthermore, if people are involved, they are more likely to feel an affinity with the scheme and use it with a sense of ownership and care when the scheme is implemented. There are many examples of contentious schemes which have been eventually accepted via good public involvement processes. This is particularly relevant for many of the Neighbourhood Development Plans that are becoming part and parcel of the planning system. Interestingly, local people do not make a distinction between land-use planning and transport planning departments. It is place quality and functionality that matters.

‘I may not know much about art; but I know what I like!’

Statutory Requirements

Another reason for public involvement is the development of legislation which allocates statutory duties to government, local authorities and developers to consult. There are plenty of examples where failure to fulfil these duties to a satisfactory standard has been accepted as grounds for judicial review and resulted in either delay or cancellation of projects. Further details of statutory requirements are provided in the Legal and Statutory Duties section.

If consultation is felt to be lacking in quality or quantity, there may be grounds for judicial review. For example, in 2006 the Offords Action Group argued that they were not consulted about an amended route for the A14 Ellington–Fen Ditton road scheme which brought the road 1 km closer to the village. The result was delay and additional costs when the Highways Agency had to carry out a new round of consultations resulting in additional costs and the process taking longer.

Conclusion

Despite these reasons for public involvement, some transport professionals emphasise the ‘scientific’ nature of the discipline, arguing that decisions should be based on ‘neutral’ processes, such as modelling and benefit-cost ratios. The overarching view in these guidelines is that the skills of transport professionals are essential, but transport schemes are also social and political decisions as much as technical, and participation is about understanding such issues to develop a better scheme.

Moreover, public realm and transport projects benefit significantly from engaging with the statutory stakeholders, operators, landowners, tenants and crucially day-to-day users of the street, as both a place and a link.

Provided this process is transparent, this is actually a sign of a healthy democracy. In the complex world we live in, no one is able to make the ‘best’ decisions on their own.

Legal and Statutory Duties

A wide range of different policies in relation to public and stakeholder engagement exist, but not all of them are legally binding. For example, many local authorities publish their own consultation strategy customised to their local council structure. However, they all contain some common approaches and in any case have to acknowledge overarching advice from the central government.

The advice from the central government is ‘owned’ by the Cabinet Office and to some extent the Department for Communities and Local Government (DCLG). Some key requirements are presented in terms of duties, which are summarised with hyperlinks below.

The Duty to Promote Equality

Equality Impact Assessments (EqIA)(http://www.communities.gov.uk/publications/communities/promotedemocracyeqiala) identify the effects of a policy proposal on the various diversity groups which are known as ‘the protected groups’. There are nine of these groups – namely, age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation (http://www.equalityhumanrights.com/advice-and-guidance/new-equality-act-guidance/protected-characteristics-definitions/). Each government department is also required to publish a single equality scheme (SES) that brings together research and plans to reduce inequality in the future. This is the link to the DfT’s SES: http://www.dft.gov.uk/publications/single-equality-scheme/, and an Easyread version is also available.

Market Harborough was one of six towns selected for the Department for Transport (DfT)-funded Bypass Demonstration Project. The vision was to fully redesign the town centre public realm following removal of traffic via an anti-distributor road. Extensive consultations and workshops with local businesses, organisations and residents showed that routes between different types of shopping experiences were perceived to be disjointed. This was incorporated into the scheme design, as were views about where the gateway to the town centre should be placed as well as many detailed design aspirations.

Traffic calming and placemaking in line with public perceptions.
The Duty to Consult

In England, public consultations should conform to the 2008 Code of Practice (www.bis.gov.uk/files/file47158.pdf), which requires that public bodies, when consulting, must include a practical length of time for consultation (12 weeks is suggested). There is also guidance on the process, including clarity of purpose, inclusion, presentation and feedback.

Promoting democracy is a statutory duty of local authorities. They should foster an understanding of local governance systems and opportunities for members of the public to be involved. The process includes the duty to produce an Equally Impact Assessment (EqIA) for all policy proposals, although sometimes a less lengthy EqIA screening is undertaken, which may indicate that a full EqIA is not required.

Duty to Consult the Local Community

The Local Planning Act 2008 Section 47 (http://www.communities.gov.uk/documents/planningandbuilding/pdf/1521327.pdf) states that:

- the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities.
- Local planning authorities should create a shared vision with communities of the residential environment and facilities they wish to see.
- to support this, local planning authorities should aim to involve all sections of the community in the development of Local Plans and in planning decisions, and should facilitate neighbourhood planning.

The Localism Bill (http://services.parliament.uk/bills/2010–11/localism.html) was given Royal Assent on 15 November 2011, becoming an act. In very general terms, the Localism Bill aims to move communities from resistance to collaboration. This cultural shift is challenging and will be easier in some places than in others. The introduction of Neighbourhood Development Plans as a new policy tool is of interest here and provides a community-led ‘whole place’ approach. A Neighbourhood Development Plan brings development and transport design/planning as well as more programme-based softer interventions together. The Neighbourhood Development Plan would be more community-led and ‘whole place’ approach. A Neighbourhood Development Plan brings development and transport design/planning as well as more programme-based softer interventions together. The Neighbourhood Plan would be more community-led and ‘whole place’ approach. A Neighbourhood Development Plan brings development and transport design/planning as well as more programme-based softer interventions together.

Localism Act 2011 and Neighbourhood Planning (bill is enacted and regulations are in force since 1 April 2012).

Conclusion

Participation is an important means for local authorities to fulfil a number of other statutory duties, many of which are not directly transport related. Successful legal challenges to transport schemes can result not from a failure to meet a statutory duty to consult, but from a failure to meet another statutory duty because of the poor quality of the participation exercise. Thus, part of the value of doing more than the statutory minimum, in terms of participation, is that it reduces the chance of challenge on the failure to meet other duties.

However, case law for public participation exercises does not specify that particular methods or analysis techniques are required but states that the participation process must be fair and have the appearance and operation of fairness. Any participation process that fails this test can be subject to challenge, and indeed judicial review is becoming increasingly popular as a mechanism used by groups that oppose transport plans.

The result of the legal requirements outlined in this section may appear daunting to those planning consultation for transport projects, and certainly these duties are important to observe. However, they are not ‘written in stone’. Concern about meeting the duties has often resulted in very detailed documentation, which somehow misses the point of the exercise. The bottom line is that there is a need to be inclusive and fit for purpose, which includes using consultation and engagement strategically to obtain insight which can only be accessed from stakeholders and community sources.

Principal Levels of Public Involvement

One of the classic models of participation is known as Arnsen’s ladder of participation. This model describes different levels of participation, as shown below.

<table>
<thead>
<tr>
<th>Level of Participation</th>
<th>Description</th>
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<tbody>
<tr>
<td>Citizen Control</td>
<td>The highest level of participation, where citizens have direct control over decision-making.</td>
</tr>
<tr>
<td>Delegated Power</td>
<td>Power delegated to elected representatives, who act on behalf of the citizens.</td>
</tr>
<tr>
<td>Partnership</td>
<td>Participation in decision-making through a collaborative approach.</td>
</tr>
<tr>
<td>Placketion</td>
<td>Participation through a structured process with limited input from citizens.</td>
</tr>
<tr>
<td>Consultation</td>
<td>Participation through a process that includes citizen input but is not necessarily interactive.</td>
</tr>
<tr>
<td>Tokenism</td>
<td>Participation through symbolic gestures without real input from citizens.</td>
</tr>
<tr>
<td>Informing</td>
<td>Participation through information dissemination, with no active citizen input.</td>
</tr>
<tr>
<td>Therapy</td>
<td>Participation through education and training, without active citizen involvement.</td>
</tr>
<tr>
<td>Manipulation</td>
<td>Participation through control mechanisms, where citizens are manipulated into accepting decisions.</td>
</tr>
<tr>
<td>Nonparticipation</td>
<td>No participation at all.</td>
</tr>
</tbody>
</table>

The key point being made is that what often passes for consultation is very top down and does not really engage with people, or it sets the agenda before options are discussed (i.e., it focuses on the bottom of the ladder). This can result in people interpreting such consultation as a normative system with ‘citizen control’ as the key level to aim for and advocating that the bottom four levels should be ruled out discredited. Others have suggested that sometimes minimal consultation is actually more appropriate, as shown by the examples below. After all, it is equally ‘dishonest’ to give people the impression that their views will determine outcomes if in effect a decision has already been made or is likely to be made by elected politicians.

Conclusion

Clearly, there is no one perfect approach to involving the place users. There will always be time and budgetary constraints, and the scope for involvement...
Developing an Engagement Strategy and Choosing the Right Techniques

It is always useful to spend time up front developing a strategy. An engagement strategy outlines in brief the reasons, scope, objectives, standards, methods, timetable, and policy considerations and gaps in technical data. There are many engagement methods and techniques that aim to engage local users and other stakeholders in the design process. There is an array of quantitative and qualitative techniques to choose from. Public realm and transport schemes are often complex and require not only the synthesis of conflicting technical information and policy guidance, but also weighing up perceived place-user viewpoints and less tangible design quality considerations and gaps in technical data.

Example of consultation with full decision making (level 8 on Arnstein’s ladder):

As a result of the development of a large freight interchange development (DRIFT) at Junction 18 on the M1 in Northamptonshire, nearby villages were eligible for mitigation funding. Preliminary discussions identified two options – traffic calming in the village centre or the construction of a distributor road round the village. Following exhibitions, meetings and discussions, a referendum in which the majority of residents and businesses participated was held in each village with the outcome determining what was implemented. In the event, one village (Crick) voted for a distributor road, and the other (West Haddon) opted for traffic calming, and these choices were implemented.

Example of a consultation with limited decision making (level 3 on Arnstein’s ladder):

The Considerate Constructors Scheme (www.ccscheme.org.uk) is used by many large companies to liaise with the people affected by utilities and building work. The work programme is usually developed in advance by professionals, but information is provided about effects, such as disruption and noise, and in this context people are invited to contact the company with problems for which in turn solutions are sought. In such a case, it would be inappropriate to give the impression that the project could be cancelled or changed in a fundamental way.

c. The engagement objectives
- What is needed by when with which groups of people in order to gain the information or gather responses from those groups?
- What are the top-level questions based on the business and policy risk?
- What is outside the scope of this consultation?

d. Who needs to be consulted and how?
- What are the logistics of the consultation methods (advertising, publicity, sampling, sequencing, social media activity and how responses will be recorded and fed back)?
- Which stakeholder group will respond well to what technique, and how will you publicise the responses?

e. Quality standards and controlling costs
- What are the aims and actions to encourage valid responses and maximise appropriate participation in the consultation process?
- Which information needs to be included in consultation communications media?
- How will the plan be monitored and performance managed, including costs controlled?

f. Using and recording the results
- How will the exercise be recorded and archived?
- How will the data be analysed and managed, including checking that these data meet the requirements of the Data Protection Act and other relevant legislation?
- How will the decisions and results of the consultation be reported back to stakeholders?

Process
Another consideration when designing an engagement strategy is managing the process and the need to be clear about who will be responsible for delivering different aspects of the engagement strategy, particularly where multiple agencies are collaborating to deliver a scheme. A good engagement strategy will also be routinely reviewed and adapted. It is as much about reflection on what has worked or hasn’t worked for whom as it is about planning the next engagement activity.

Techniques
There are many engagement methods and techniques that aim to engage local users and other stakeholders in the design process. There is an array of quantitative and qualitative techniques to choose from. Public realm and transport schemes are often complex and require not only the synthesis of conflicting technical information and policy guidance, but also weighing up perceived place-user viewpoints and less tangible design quality considerations and gaps in technical data.

The complexity of this challenge is often best met by using qualitative methods that are aimed at gathering ideas and insights and importantly building capacity in the participating users and other stakeholders to collaborate and learn about the other parties’ point of view. A comprehensive overview of qualitative and quantitative methods can be found here: http://www.communityplanning.net/methods/-/methods.a_z.php

In addition, many local authorities have developed their own tool kits, and the Highways Agency also has an aide kit for public involvement aimed at project sponsors.
A few examples are shown below. These examples are themed around the degree of intensity of engagement, as discussed in section 7.3, and also subdivided between face-to-face involvement and the growing potential of web-based technologies and social media.

Higher level intensity of engagement: Site visits, excursions and walkabouts

Site visits, excursions and walkabouts bring people together in situ and to places that might inspire design solutions in light of known problems and priorities, locally and relevant to the scheme. Encourage peer-to-peer conversations and hear the success stories and lessons from the people who made the scheme happen and pass these stories and lessons on to others in similar situations.

Metaplanning facilitation

Metaplanning facilitation workshops have been around since the 1970s. They work well for diverse groups because they make use of a range of learning types: large boards, large sticky cards, plans, thick pens and other facilitation materials are used to enable open dialogue, encourage people to draw ideas and options and foster balanced debate and effective group work. The records of every part of the process are recorded on the boards, walls and tables. The minutes of a metaplanning workshop are simply the photos of the large boards and walls populated and validated by participants throughout the session. Metaplanning workshop sessions provide a big canvas for an open and interactive project development phase. If followed through properly, they pave the way for well-documented, consensual decisions owned by many and generated by a diverse group of stakeholders. Trained facilitators are at hand to steer the group or groups through the agreed process. One key aspect of metaplanning is the use of large sticky cards by all participants. Every idea and thought has the same ‘weight’, no matter who wrote or drew it. This is critical in groups with different kinds of knowledge and social standing to facilitate a balanced and often surprising new depth of dialogue. Through the course of a session (one hour to a series of days), all is happening in one room; a landscape of ideas, issues, opportunities, options, actions and decisions evolves and is visible to all.

Workshop Formats for Visioning, Project Scoping and Development, Design Work

Fishbowl sessions are a dynamic alternative for a panel discussion for audiences large and small. A circle of for instance five to eight chairs are placed in the centre of the room facing each other (this would be the fishbowl), and two to eight (depending on the size of your audience) rows of chairs are set up to radiate out of the fishbowl.

People who volunteer or are selected to sit in the fishbowl have a dialogue or provide points of view on a selected topic. One of the fishbowl chairs is always left empty - this way, if anyone from the audience wants to join the discussion, they seat themselves at the empty chair and someone else gets up to free up a chair. The idea is that the constantly changing fishbowl participants drive the dialogue. One of the people in the fishbowl session is a facilitator.

3-D design workshops

represent a whole set of techniques that tap into the stimulating and inspiring power of playing and making. Imagine hundreds of people literally building models of a new or improved street, neighbourhood or city using Lego-type tools linked to a simple spreadsheet showing number of homes, shops, schools, etc. Every game has rules. The facilitator explains the rules and provides every team with an aerial map, design principles and ‘building material’, and off they go. At the end of the design session, a marketplace for all models is put together, explained by design teams, critiqued and (possibly) voted on. This interactive process can/should be supported by professionals who freely offer their advice to all teams in case tricky questions come up.

It is important to prepare and equip an event properly with 3-D props, ideally working to scale. However, never underestimate the ability of people to imagine a place in the future even if the vision is expressed by a model built with day-to-day items.
**Participatory Budgeting**

Participatory budgeting (PB) directly involves local people in making decisions on the spending and priorities for a defined public budget. PB processes can be defined by geographical area (whether a neighbourhood or larger area) or by theme.

This means engaging residents and community groups representative of all parts of the community to discuss and vote on spending priorities, make spending proposals and vote on them. This also means giving local people a role in the scrutiny and monitoring of the process and results to inform subsequent PB decisions. The Participatory Budget Unit is a project of the charity Church Action on Poverty, based in Manchester and is part-funded by the DCLG to support the rolling out of PB in England. Detailed information can be found at www.participatorybudgeting.org.uk.

The government is supporting this sea change in how stakeholders can get involved in shaping budget strategies and decisions. It launched the Community Budgets programme in 2010 which encourages councils, boroughs or neighbourhoods to team up with all public services in their area. The aim is to combine resources into a single locally coordinated ‘pool and save’ pot while handover of decision-making power vary greatly nationally and globally. On one end of the scale, you might simply distribute ‘project bespoke £ notes’ at a workshop or citizens’ panel asking participants to prioritise a list of developed public realm projects by national priorities for a defined public budget. PB processes are being used – it is a fast-moving frontier.

Engagement methods and the extent of such a handover of decision-making power vary greatly nationally and globally. On one end of the scale, you might simply distribute ‘project bespoke £ notes’ at a workshop or citizens’ panel asking participants to prioritise a list of developed public realm projects by pooling their individual budgets. The purpose of such a method is to gauge the nature of a collectively created list of priority projects.

**Social Media**

Web-based technology and social media provide excellent tools for raising awareness within the locality and reaching out beyond the usual office hours. It is also important to consider that different social media channels are used differently by their users, and as such, the approach to using them in participation exercises will also need to be different and relevant to the target audience. Without any doubt, any good engagement strategy should include a section on social media and how the various channels might be utilised to inform, simulate conversations and feedback on design work.

Social media offers platforms for dissemination and sharing of ideas, documents, photos, thoughts, stories or videos within seconds. This can ignite conversations and debate, generate fresh ideas and encourage people to meet face-to-face locally. Social media can also serve to engage and liaise with other communities that face similar challenges and opportunities. Social media platforms are easy to set up and free of charge. Once purposes and responsibilities have been established, they are light on maintenance.

Many social media tools are available, with Facebook and Twitter being perhaps the best known examples. However, social media can be far more: other tools, such as online community newspapers, Flickr, Twitter, Facebook, blogs, or bespoke Google Maps or Storify, might be equally useful for online discussions and contributions to scheme development in a rural or urban environment. In some cases, it might be considered appropriate to use specifically developed map-based applications that are tailored to a particular project. It is also important to understand what new apps and platforms are being used – it is a fast-moving frontier.

Social media platforms and technology have many advantages. However, the incredible pace and easy-to-access nature of social media tools for many—not all—need to be considered when managing social media activities. Importantly, the same principles on fairness, honesty and capturing all sides of the argument are as relevant— albeit more challenging to centrally ‘control’—as in the real world.

A good and up-to-date website, whether stand-alone or as part of another website, is increasingly an essential feature for any scheme. A website provides a single public platform that offers information on the scheme, events and ways of connecting and contributing via e-mail, social media, surveys and/or map-based online exercises, among others. A good online presence is often essential to initiate and maintain face-to-face conversations. Generally good relationships with a broad cross of the local community and other stakeholders are also important.

**Example of Linking Face-to-Face**

**Conversation with Social Media**

The Central Ealing Neighbourhood Forum engagement project used online representation of key engagement activities. The results of this project served as amplifiers and engaged user groups that otherwise would rarely get involved in discussions around improvements of places. Blackboard-aided conversations with small businesses, younger people or passers-by worked well as a means to capture ideas, wishes and needs. Adding photographic documentations onto an online platform allowed further sharing across digital media and encouraged discussions and voting. As a result, many people beyond the usual stakeholders were engaged in the project.

**Conclusion**

The overall conclusion of these guidelines is that strategically planned engagement with place users and other stakeholders is essential in achieving and maintaining well-designed streets and squares in neighbourhoods, towns and cities.