

Participatory Planning for Sustainable Communities

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Participatory Planning for Sustainable Communities: International experience in mediation, negotiation and engagement in making plans.

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Preface

This is a radical report. Some readers may feel uncomfortable with it. It welcomes the changes that are happening in the planning system in England, but argues that they will only work if there are new attitudes about the relationships between those who make plans and the public and other stakeholders

in the system. It argues that England has fallen behind other countries in this respect, and can learn from them.

The report calls for the notion of 'public participation' to be put aside. It is time instead to practice 'participatory planning'. Sometimes that might mean using third party mediation to resolve conflicts and objections to a plan. There is even a call for experiments in using third parties to 'pre-mediate' the preparation of plans through brokering agreements between a range of stakeholders. Engagement and negotiation are at the heart of the participatory planning process, and the research draws on examples from around the world to show innovative ways to do this.

One reason why planning is changing and has to change is because governance and societies have changed. Strategic plans have to be negotiated with a range of public, semi-public and private bodies if they are to be implemented. At a local level, planning can no longer operate on a 'one size fits all' principle. Diversity is at the core of participatory planning, the motor of its creativity. But inclusion does not just happen, it has to be worked at and that means time and money will have to be invested into planning with communities. In particular, skills and training matter, not just for professional mediators or planners, but for councillors and community organisations too.

The findings are based on an extensive review of academic and professional literature, and on a questionnaire survey of participatory planning exercises (most successful, some less so) that stretched from Costa Rica to China and from Finland to Australia. In addition there were five in-depth case studies - one from the Netherlands, two from South Africa and two more from contrasting parts of the USA - that between them ranged from a metropolitan region to inner city neighbourhoods. Last, but not least, there were interviews with trainers and providers of mediation services operating in Canada and the USA.

The result is a series of recommendations tailored to England and addressed to the ODPM; regional planning bodies; unitary, county and district councils; the RTPI and related professional bodies; and 'All Planners'. However, this is an international study, so its findings are of international relevance. In other words, the report addresses a very wide audience interested in why and how planning is changing in so many parts of the globe, and how to do it better.

Executive Summary and Recommendations

- The Green Paper on the reform of the planning system said: 'All parts of the community - individuals, organisations and businesses - must be able to make their voice heard.' (1.1)
- The Regional Spatial Strategies will have to be produced through a consensus-building process that involves negotiation between different agencies and stakeholders. (1.3)
- Preparation of a Local Development Framework will require skills in negotiation with a variety of different stakeholders so as to achieve consistency and integration within the local authority's area, across local authority boundaries and between the LDF and the RSS. (1.5)
- Revamping of attitudes to public involvement, and experiments with the use of mediation to resolve objections during the plan-preparation process, are fundamental parts of the reform of the planning system. (1.6)
- A change in the culture of planning means changing from 'public participation' (led by the planning authority and built around the assumption that their plan already represents a basis for consensus) to 'participatory planning' (in which diverse groups and agencies come together to exchange information, explore common ground and negotiate in an attempt to achieve consensus). (1.7-1.9)

Participatory Planning for Sustainable Communities

- There is a spectrum within participatory planning: engagement, negotiation, pre-mediation (planning authority-led, seeking to resolve potential disputes between other parties and reach agreements that can be built into the plan), and mediation by a neutral third party when the planning authority is a party to the dispute. These do not necessarily occur in sequence, and may happen simultaneously. (2.11-2.12)
- The research involved a literature review, use of a questionnaire survey to explore approaches in a range of countries, five in-depth case studies and a telephone survey of persons in North America experienced in training. (2.13-2.18)
- There appear to be three main reasons why planning practice is changing in many different countries. These are: public distrust of planning based on past practices; governments' desire to improve the co-ordination spatially between different sectors (eg transport, housing, economic development etc), and between different scales of policy and action (eg national - transnational in some cases - regional and local); and a recognition amongst governments and nongovernmental organisations that sustainable development requires consensus-building and engagement with citizens.(4.2)
- Major reasons for the adoption of mediation and participatory approaches in planning were: conflict over a plan/policy or over a specific issue; presence of competing or multiple interests in an issue, place, or resource; complicated or unclear frameworks of authority over planning and/or conflict resolution - when more than one government agency has jurisdiction or when an issue/plan is multi-scalar and crosses administrative boundaries; legal requirement for mediation or new forms of planning; or because it has been seen to be effective in the past or there is a culture of governance that favours active engagement with citizens or corporate interests. (4.21)
- There are differences between mediation of disputes and the early stages of preparing a plan. However, ideas and methods used in mediation are evident in innovative approaches to engagement and negotiation in plan-making. Those ideas and methods are significantly different than the approaches that have defined public participation in much of English practice. If ideas and methods used in mediation were to be widely practised in the preparation of the new RSS and LDF system that would be a significant step to achieving the effective public involvement that the government wishes to see. (5.2, 5.11)
- There are a number of different approaches and models of mediation and negotiation, not one single 'best practice'. (6.2)
- Poverty and ethnicity are major barriers that need to be tackled if real inclusion is to be achieved. (6.17)
- GIS can be used to help people visualise scenarios for regional change (7.8) and to underpin community-based planning (7.9 - 7.10)
- There are many innovative techniques that can be used to reach out to groups who do not normally get involved in planning. (7.14)
- Participatory planning is not a means of making short-term savings - it is about good planning and needs to be adequately resourced. (7.18)
- Good people skills are needed, including: an understanding of large group dynamics (including emotions); the ability to listen, communicate, negotiate, manage conflict, reframe and synthesise; and knowledge of alternative methods and techniques for creatively solving problems in a group. (8.30)
- Certain personal qualities are also required, a combination of grit (determination, focus, goalorientation) and compassion (honesty, openness, reflectiveness, collaboration, flexibility, fairness). (8.31)

Recommendations

1 - To ODPM And To Local Authorities

There should be monitored experiments in the use of mediation to try to resolve or reduce objections before development plans go to inquiry.

2 - To Local Authorities

Neutral parties should be used as mediators in situations where the analysis of stakeholders and interests identifies a risk that the plan-making body itself has vested interests in the outcomes, or where discussion with the stakeholders identifies contentious issues likely to require mediation.

3 - To ODPM

The ODPM should take a positive lead to promote participatory planning and the idea that diversity and engagement are at the heart of the planning process.

4 - To ODPM And To Local Authorities

Mediation should not be seen as something that can be added on to the existing planning system so as to deliver quicker decisions. Rather it should be developed as part of participatory planning, a long-term project aimed at creating and reproducing sustainable communities.

5 - To ODPM, Local Authorities, RTPI And Researchers

ODPM, possibly in partnership with the LGA and the RTPI and an independent research team, should identify a number of authorities who will contract to be leaders and good practice examples in the early implementation of participatory planning and mediation under the new planning system.

6 - To ODPM And Local Authorities

ODPM should encourage experimentation and a diversity of different forms of mediation and participatory planning, and local authorities should be willing to experiment. This would mean using a range of different persons and institutions to manage or take a leading role in mediation and participatory planning, including independent planning consultants, Planning Aid, other civic or not-for-profit bodies, universities, and politicians, as well as professional planning officials. However, an understanding of planning and a knowledge of planning legislation is desirable.

7 - To Local Government Planners

Local government planners should work more closely with related local government colleagues in community work, community education, social services, housing and education to develop, devise and implement programmes which enhance their understanding of diversity and create mechanisms for outreach to groups with whom traditional planning has not engaged effectively.

8 - To ODPM

ODPM should be a champion for outreach and diversity in planning, and ensure that these themes have a much more central place in planning practice than is currently the case. Planning authorities should be given incentives and encouragement to experiment - e.g. additional funds allocated on a competitive basis to facilitate and disseminate innovation and good practice.

9 - To Local Authorities And ODPM

The participatory planning process should be planned, managed and properly resourced. This will mainly be the responsibility of local government but ODPM will need to recognise through the funding settlements to local authorities that 'a planning system that fully engages people in shaping the future of their communities and local economies' is going to cost more than the present planning system. The scale of the value of resources being brought by others to the process (e.g. contribution of time and experience) also should be recognised.

10 - To ODPM And RTPI

There should be liaison between ODPM and RTPI to establish how Planning Aid can be deployed to enhance mediation and outreach in plan-making, and to act as a conduit for resourcing local groups which lack the resources to take a full part in the process.

11 - To ODPM

ODPM should commission the development of a web-based work-book that can be used by the

general public, councillors, teachers, and other professionals to develop their understanding of the planning system and how to be engaged participants within it. The work-book should be developed so that it can be adapted to local situations (e.g. by substituting local issues and allowing users to draw on their own experiences).

12 - To The RTPI And Related Professions

Awareness of outreach and skills of mediation and participatory planning should have a central part in initial professional education and in lifelong learning.

13 - To ODPM And The Regional Planning Bodies

The preparation of a Regional Spatial Strategy should follow the process and principles of mediation as outlined in this report, and should ensure that there is engagement with a wide cross section of the public as well as institutional stakeholders. There needs to be a well defined and agreed programme from the start that is adhered to. Box 12 provides an example of such a programme.

14 - To Unitary, District And County Councils

The preparation of a LDF should be approached as an exercise in participatory planning. This will require education; a clear programme; agreed rules, including consideration of if, where, and how, formal mediation might be used; adequate training; outreach and experiment with new techniques. All of these might usefully be reflected in the Statement of Community Involvement (SCI). Above all though, participatory planning will mean that the LDF is a shared mechanism that helps to deliver sustainable communities, not just the council's plan.

15 - To ODPM And Unitary, District And Country Councils

The SCI should be jointly agreed amongst those involved in plan preparation and implementation. It should include: a reasoned statement of the process and rules agreed to guide the participatory process; attempts to be made to be inclusive and to reach out to marginalised groups; and an audit of the anticipated costs and benefits of the exercise, including a recognition of the potential contribution 'in kind' by volunteers and community bodies. SCIs should be accessible via the Planning Portal so that others can learn from them.

16 - To ODPM And Unitary, District And County Councils And The LGA

Elected members are themselves important stakeholders, and the report shows that in many situations they have played a key role in making planning participatory. The way that councillors are to be involved should be addressed in the SCI, and the training for councillors involved in planning should be reviewed to embrace the concepts of participatory planning.

Glossary

Advocacy planning - A set of ideas and practices developed in the USA in the 1960s that influenced approaches internationally, e.g. the development of planning aid in the UK. In situations of diversity there should be a host of plans, each representing the interests of particular groups, rather than a single plan prepared at the outset by the planning authority who assume that it represents 'the public interest'. Advocate planners would work with groups to help them prepare their plan, present it and negotiate compromises through an active process of seeking consensus.

Charette - A design-based intensive workshop where stakeholders are brought together to suggest solutions for complex planning issues. Such solutions include trying to balance planning, economic and social factors as well as urban design and sustainability considerations. A charette should include representatives from interest groups although it is not limited to these groups. It involves a rapid and dynamic interchange of ideas between planning practitioners, stakeholders and the general community. Concrete results are produced rapidly with meaningful involvement of the community.

Community Strategy (CS) - The Local Government Act 2000 requires local authorities to prepare a CS. The CS sets out the broad vision for the future of the local authority's area and proposals for delivering that vision. The CS may be a material consideration in planning.

Compact Mediation Scheme - A mediation service for the resolution of conflict and disputes relating to the Compact between the Government and the voluntary and community sector in England. The Compact was published in 1998, and is intended to strengthen partnership working. The scope of the Compact includes central Government departments, their executive agencies, Government Offices for the Regions and all voluntary and community sector organisations. The Compact Mediation Scheme is a means to resolve a dispute where one party feels that the Compact has been infringed. This independent mediation scheme is operated by the Centre for Effective Dispute Resolution Solve, who were appointed by the Home Office in 2003. For further details see www.cedr-solve.com/compact/.

Conciliation - A form of mediation in which the independent mediator appointed by the parties to the dispute takes an active role in putting forward terms for a possible settlement.

Diversity - A condition of a society, such as England today, made up of many different social groups with crosscutting bases for identity, e.g. gender, ethnicity, age, sexual orientation, property ownership, class, or lifestyle. Diversity means there are more likely to be conflicts of interest than in a homogenous society, but also there is more likely to be tolerance and a culture of compromise and negotiation.

Engagement - Engagement means entering into a deliberative process of dialogue with others, actively seeking and listening to their views and exchanging ideas, information and opinions, while being inclusive and sensitive to power imbalances. Unlike 'mediation' or 'negotiation' engagement can occur without there being a dispute to resolve. Engagement is a means to identify and clarify disputes by listening to diverse interests; negotiation or mediation may then follow.

Evaluative mediation - One form of mediation in which the independent mediator appointed by the parties to the dispute introduces a third-party view over the merits of the case.

Facilitative mediation - One form of mediation in which the independent mediator appointed by the parties to the dispute assists the parties' own efforts to formulate a settlement.

Geographical information systems (GIS) - Computer-based storage and analysis of spatial data, that allows the data to be analysed at different spatial scales, and to be produced as maps by the computer.

Governance - The process by which government is carried out through the interaction between formal institutions of government (such as councils and administration) with other agencies that operate 'at arm's length' from government, and with the private sector and non-governmental organisations such as those in the voluntary sector.

Integrated Development Plan (IDP) - First introduced in 1996, IDPs are a statutory requirement in South Africa. They are produced by local authorities, and are intended to provide a long-term vision for the development of a locality. The IDP is also a means to co-ordinate various sector plans and to link development to environmental sustainability, as well as providing a basis for annual and medium-term budgeting. An IDP includes a spatial development framework that provides basic guidelines for land use management within the local authority.

Local Development Framework (LDF) - The LDF will be a means of delivering the Regional Spatial Strategy and the Community Strategy for the authority. It will have to be in general conformity with the Regional Spatial Strategy, and should give spatial expression to those aspects of the Community Strategy that relate to the use and development of land. The unitary or district local planning authority will prepare the LDF. It will comprise a core strategy, a proposals section and proposals map, and area action plans for key areas of change or conservation. Parts of the LDF will be subject to statutory requirements for consultation and formal testing, and these elements will have statutory status as accorded by the proposed Planning & Compulsory Purchase Bill - ie it will be a prime consideration in the determination of planning applications. Other parts of the LDF 'folder' will be less formal, non-statutory documents. An LDF must include a Statement of Community Involvement as part of its statement of core policies or accompanying it.

Mediation - Mediation is defined on the Centre for Effective Dispute Resolution website as 'a voluntary, nonbinding, without prejudice, private dispute resolution process in which a neutral person helps parties try to reach a negotiated settlement'. However, in reality it is also a public dispute resolution process.

Negotiation - Negotiation is a process of reaching consensus by exchanging information, bargaining and compromise that goes on between two or more parties with some shared interests and some conflicting interests. Negotiation is likely to be part of the process of mediation, but can also happen outside of any formal mediation and without the assistance of a neutral person.

Participatory planning - Participatory planning is a set of processes through which diverse groups and interests engage together in reaching for a consensus on a plan and its implementation. Participatory planning can be initiated by any of the parties and the forms it will take and the timetables are likely to be negotiated and agreed amongst participants. The process is rooted in the recognition that society is pluralist and there are legitimate conflicts of interest that have to be addressed by the application of consensus-building methods. Participatory planning is culturally aware and sensitive to differences in power, and seeks to ensure that these do not pre-determine outcomes. The different parties need to exchange information to explore areas of common ground and compromise and to find ways of reducing the extent and intensity of disagreements. No party should lose out entirely.

Planning aid - Voluntary provision by planners of free and independent professional advice on planning to individuals or groups unable to afford to pay for the full costs such advice. Planning Aid includes the provision of training so that its clients can be empowered through better understanding of how the planning system works and the development of skills that enable them to present their own case more effectively.

Pre-mediation - A process through which a planning authority acts like a mediator by listening to other stakeholders, helping to identify potential disputes and to resolve disagreements, so that agreements reached can be built into a plan.

Public consultation - A process through which the public is informed about proposals fashioned by a planning authority or developer and invited to submit comments on them. Public consultation is often a significant part of public participation. Public consultation casts the public in a reactive mode and invites them to provide information to an agenda that has been pre-defined.

Public participation - Public participation is a process led by the planning authority. The planners try to anticipate the needs of the public and to synthesise them into a plan that meets the needs of everyone, while also conforming to national policy. Participation fits a timetable that is set, but not necessarily adhered to, by the planning authority. It involves a series of formal stages beginning with exploration of issues and ending with a plan. The flow of information is mainly from the planners to the public, who are given opportunities to comment.

Regional Planning Body (RPB) - The Regional Planning Body will prepare the Regional Spatial Strategy for its region. The RPB will be the Regional Chamber, a non-elected body, provided certain criteria are met. Eventually, if regions decide in a referendum to set up an elected Regional Assembly, that body will become the RPB (see the government's White Paper, *Your Region: Your Choice* for further details).

Regional spatial strategies (RSS) - The RSS provide an integrated and strategic spatial framework for a region for a 15-20 year period, within which Local Development Frameworks (and Local Transport Plans) will be prepared. They will include sub-regional sections that will provide detail (eg on land for housing) as a way of bridging between general regional policies and the Local Development Frameworks. The RSS will be prepared by the Regional Planning Body, through a widespread process of consultation. The RSS will have statutory status for the purposes of Section 54A of the Town and Country Planning Act - ie it will be a prime consideration in the determination of planning applications.

Sectoral co-ordination - The attempt to achieve consistency and complementarity of policies and actions across different sectors such as economic development, transport, housing, environmental protection and enhancement etc. Sectoral co-ordination is often attempted for a spatial unit such as a region or a local authority, since sectoral policies and actions typically focus on outcomes for the sector rather than addressing their territorial impacts.

Statement of Community Involvement (SCI) - Local Development Frameworks must include a SCI, either as a part of the statement of core policies or accompanying it. The SCI must set out the following: arrangements and standards for involving the community in continuing review of the LDF and significant development control decisions; standards of good practice for engaging those with an interest in a proposed development; guidelines that will enable the community to know when and how it will be consulted; and a benchmark for applicants for planning permission about what is expected of them. The SCI will be underpinned by requirements in regulations and the draft SCI will go through independent examination with binding Inspector's recommendations.

Abbreviations

CBGA - Community Block Grant Administration
CDBG - Community Development Block Grant
CPD - Continuing professional development
CS - Community strategy (in England)
CTED - State of Washington's Department of Community, Trade & Economic Development
DETR - Department for Environment, Transport and Regions
DTLR - Department of Transport, Local Government and Regions
EWGMHB - Eastern Washington Growth Management Hearings Board (Washington State, USA)
GIS - Geographical information systems
GMA - Growth Management Act (Washington State, USA)
IDP - Integrated development plan (in South Africa)
LDF - Local development framework (in England)
LGA - Local Government Association
MSDF - Metropolitan Spatial Development Framework (in Cape Town metropolitan region)
NGOs - Non-governmental organisations
NRP - Neighbourhood Revitalisation Programme (in Minneapolis)
NSP - Neighbourhood strategic planning programme (in Milwaukee)
ODPM - Office of the Deputy Prime Minister
POP - the 'Plan for the Environs' of Groningen provincial council
PROFAC - Proyecto de Fortalecimiento de la Autogestión Comuna (in San Jose, Costa Rica)
RPB - Regional planning body
RSS - Regional spatial strategy
RTPI - Royal Town Planning Institute
SCI - Statement of community involvement
UGA - Urban Growth Area

Chapter 1: Changing the culture and learning from others



...we need a planning system that fully engages people in shaping the future of their communities and local economies. DTLR, 2001, p.1.

A New Beginning

1.1 The government has embarked upon an ambitious reform - a 'step change' - so that planning is about 'a positive vision for the future development of our communities' (DTLR 2001, p.1). This can be achieved if - but only if - many different groups have confidence in the planning system, and see it as a fair and accessible means of reaching agreement about what development is needed where. As the Green Paper said 'All parts of the community - individuals, organisations and businesses - must be able to make their voice heard' (DTLR, 2001. p.2). A new culture of British planning needs to celebrate diversity, to include not exclude, to speak the language of rights and responsibilities, and to be an integral part of the wider modernisation of governance. The operation of the planning system has failed to keep pace with the growing diversity of society; ethnic minorities, the young, the disabled, and the elderly are under-represented, and businesses have been frustrated that their needs have not been listened to and understood by planning authorities.

1.2 If planning is to help deliver sustainable communities there needs to be a new relationship between planning authorities, and those persons, organisations, businesses and agencies whose combined actions can sustain or undermine communities. The challenge is how to move forward, not how to graft incremental change onto 'business as usual'. Learning from other countries is part of changing the culture. This report seeks to do that, and to produce a set of practical recommendations about new ways to make plans and to mediate the conflicting interests of diverse stakeholders. Many places are re-defining planning through practical innovations and new attitudes. This is happening in rich countries like the USA, but also in some of the poorest countries. New engagement with the public is going on in inner city neighbourhoods but also in prosperous small towns and across rural and metropolitan regions. The structure of the report is described in paragraphs 1.13 and 1.14. Our findings are that:

- The old way of doing planning - top-down by 'us' (the planning authority) for 'them' (everyone else) - no longer works;
- Planning is a much more dynamic and positive process when it engages with diversity;

- Ideas, attitudes, skills and practices that are being used in other countries need to be put into practice here if the reform of planning is to succeed.

New Plans, New Challenges

1.3 So what is the new planning legislation going to deliver, and why will it require a rethink about who is involved and how in plan-making? There will be new **Regional Spatial Strategies (RSS)** that will have statutory status. These are intended to provide the strategic framework for a 15 to 20 year period to steer development and key infrastructure links. The RSS will shape the strategies of major investors within the region, but will also need to be responsive to such strategies, eg the regional economic strategies of Regional Development Agencies, and those on air quality, energy and climate change, or infrastructure and public service providers, as well as the RSS of adjacent regions. There will need to be mechanisms to deliver co-operation and complementarity at the regional level - we might call this 'horizontal integration' - and also between regional and sub-regional priorities, 'vertical integration'. In summary,

- The RSS will have to be produced through a consensus-building process that involves negotiation between different agencies' development aspirations and intentions.

1.4 The RSS will be prepared by the Regional Planning Body, which will be the (non-elected) Regional Chamber (provided certain criteria are met), or, eventually perhaps, an elected Regional Assembly. County and unitary councils will have an important role to play in developing the information for the sub-regional detail of an RSS and through integration of views from district councils and other stakeholders. Procedures for preparation, consultation and public examination of the RSS will be set out in secondary legislation. So whose RSS will it be?

- The Regional Planning Body will need to facilitate the preparation of a 'jointly-owned' RSS, not impose its own pre-determined strategy on others. Different voices will need to have their say, information will be exchanged, compromises will have to be negotiated, and disputes will need to be resolved.

1.5 The RSS will provide the strategic framework within which the new **Local Development Frameworks (LDF)**, as well as Local Transport Plans, will be prepared. The LDF will have to be 'in general conformity' with the RSS. The unitary or district council will produce the LDF, with scope for collaboration between districts and between district councils and county councils (the counties retain responsibility for minerals and waste planning). The LDF will consist of 'a folder of documents'. These include: the core strategy; a proposals section and proposals map - showing things like conservation areas, sites for specific developments and areas where specified policies apply; and area action plans for areas of change or conservation, elaborated in some detail. The LDF not only links into the RSS, but is also a means of delivering the **Community Strategy (CS)**. The CS is a statutory document (prepared under the Local Government Act 2000) and sets out the broad vision for a local authority's area. It is therefore clear that, like the RSS,

- Preparation of an LDF will require skills in negotiation with a variety of different stakeholders so as to achieve consistency and integration within the local authority's area, across local authority boundaries and between the LDF and the RSS.

1.6 Some, but not all, of the documents in the LDF folder will be subject to statutory requirements for consultation and formal testing through an independent procedure, such as an Inspector or a Panel. However, the government is also seeking more effective ways of conducting this testing process, and, in particular, is interested in the potential for mediation to be used to help reduce objections or to narrow the scope of disputes over the content of an LDF. To ensure that effective public engagement is at the heart of the development planning process, the LDFs will have to include a **Statement of Community Involvement (SCI)** with 'benchmarks for community participation in the preparation of LDF documents and significant planning applications' (ODPM, 2002, p.9). The SCI will be a statement of what the local authority will do to engage the community in planning matters. It will be a statement of the importance attached to public involvement. The SCI will be underpinned by

requirements in regulations and the draft SCI will go through independent examination with binding Inspector's recommendations. In summary:

- Revamping of attitudes to public involvement, and experiments with the use of mediation to resolve objections during the plan-preparation process, are fundamental parts of the reform of the planning system. They imply a need for new skills and a new deployment of resources.

From public participation to participatory planning

1.7 In the UK and elsewhere there is a long tradition of 'public participation' in planning. Indeed planning led the field amongst all the public services when the Skeffington Report appeared in 1969. Skeffington recommended information giving and consultation in the 'formative stages' of plan preparation as a means to reduce the increasing volume of objections to development plans. This early optimism gave way to routine. Participation took time and cost money; it was packaged into a series of set stages often spread over several years at seemingly arbitrary intervals, each led by the council; objections and adversarial public inquiries persisted. Blakney (1997) recognised a similarly ineffective set of experiences in Canada, and caricatured the approach as 'Decide, Announce, Defend'. He identified important features of such 'public participation' - loss of trust, damaged relationships and an inability to resolve disputes when stances are firm. Many in Britain will recognise these conditions. Currently there are requirements to inform and consult when preparing a development plan, and these are concentrated on the issues stage and then on a draft of the plan.

Key Concept 1: Public Participation In Planning

Public participation is a process led by the planning authority. The planners try to anticipate the needs of the public and to synthesise them into a plan that meets the needs of everyone, while also conforming to national policy. Participation fits a timetable that is set, but not necessarily adhered to, by the planning authority. It involves a series of formal stages beginning with exploration of issues and ending with a plan. The flow of information is mainly from the planners to the public, who are given opportunities to comment.

1.8 The research team preparing this report believe that 'public participation' is outmoded, and that the very familiarity with the concept has become a barrier to new thinking and practices. For example, while public participation is a process initiated and paced by the planners, 'The best land use planning processes start when the community requests it and the... council wants it, not when a government planner decides or finds it convenient to start' (Aubrey, 1999, p.13). Our research has also revealed that there are many forms of public involvement in the planning process that do not fit easily into the way that 'public participation' is done by British planning authorities. Nor are they all forms of 'mediation' since many seek to build a consensus before disputes have developed, whereas mediation is a means of dispute resolution. For these reasons we propose that a change in the culture of planning means changing from 'public participation' to '**participatory planning**'. We see this term as encompassing not just planning with the public, but also the process of negotiating agreement on plans with a range of business and institutional stakeholders, as will be necessary in the preparation of the RSS and the LDF. Thus participatory planning encompasses a spectrum of practices whose common denominator is the engagement of a diversity of groups and interests in the process of preparing and implementing a plan.

Key Concept 2: Participatory Planning

Participatory planning is a set of processes through which diverse groups and interests engage together in reaching for a consensus on a plan and its implementation. Participatory planning can be initiated by any of the parties and the forms it will take and the timetables are likely to be negotiated and agreed amongst participants. The process is rooted in the recognition that society is pluralist and there are legitimate conflicts of interest that have to be addressed by the application of consensus-building methods. Participatory planning is culturally aware and sensitive to differences in power, and seeks to ensure that these do not pre-determine outcomes. The different parties need to exchange information to explore areas of common ground and compromise and to find ways of reducing the extent and intensity of disagreements. No party should lose out entirely.

1.9 The new mechanisms and instruments in the reformed planning system will require a move from public participation to participatory planning. Planners, councillors, planning inspectors, developers, community organisations, heritage or enterprise agencies - all will need to 'shift the gaze' to grasp and embed through practice new sets of relationships. For too long plans have been produced when resources allow, and with the focus narrowly on 'planning criteria' so that they are not particularly responsive to the investment intentions of others. The main power of the planning authority has been the capacity to refuse planning permission or to impose conditions. The 'planning game' has been played mainly by 'insiders' - official consultees and 'the usual suspects' at public meetings. As the White Paper observed, 'The current system is very "consultative" but despite that, too often fails to engage communities. The result of all this is that the community feels disempowered' (DTLR, 2001, p.4).

- If the new system is to work, existing mind-sets will need to be challenged; new skills of listening, communicating and mediating will need to be developed and shared, through new approaches to plan-making.

1.10 Such a deep change in culture will need a sustained commitment over time, but our research has also found that planning and the relationships within it can be changed, if the political will is there. New structures create new experiences that shape new outlooks. South Africa is perhaps the outstanding example. For so long under apartheid planning had been rigid and exclusionary. The process of fundamental change started in some local authority areas as early as 1996, with the preparation of Integrated Spatial Frameworks during the transitional phase of the reorganisation of local government. The specific purpose of the Integrated Spatial Framework was to involve the local community in extensive consultation exercises to identify needs and priorities in all sectors of the community, so as to unify towns that had been fragmented by racial segregation.

1.11 The starting point for the transformation from public participation to participatory planning is very basic, but very important. We need to begin the plan-making process by putting the issues of diversity, difference, even conflict at the centre of our thinking. We need to move from a planning process structured round a mentality of 'Plan, Consult, Defend' to one that pre-negotiates, mediates unresolved differences and engages a plurality of participants in the implementation process. Box 1 gives a flavour of the kind of approach that we are advocating in the rest of this report. It describes how an integrated plan was prepared for the metropolitan region of 2.4 million people, centred on Denver, Colorado. The process, which ran from 1993 until 1997, was led by the Denver Regional Council of Governments, a voluntary association of 51 cities, towns and counties with responsibilities in land planning, transportation, water quality and services for the elderly. It is a situation not dissimilar to an RSS.

Box 1: The Metro Vision Plan For The Denver Region

Intensive work was carried out by a task force designed to represent the various interests in the region. In order to keep the group to a manageable size, a total of 50 people were on the roster from government (state and local), environmental groups, neighbourhood associations, business groups like chambers of commerce and specialty groups like those concerned with transportation or open space. Attempts were made to involve minority groups, with limited success.

The Metro Vision Plan was a quantum step from past plans for this region. It is continuing to evolve but remains the focus of regional discussion. Even without strong state planning support, local governments are using the plan to deal with their regional issues.

Source: Questionnaire Survey

1.12 The example in Box 1 is not intended to be a blueprint. However, it does show a real attempt being made to create an innovatory plan at a regional scale, through bringing together many different local authorities, large and small, and through engaging with a plethora of other stakeholders in a continuing planning process. In this example, efforts to engage with minorities were not fully successful, but the planners did recognise that this was something that had to be addressed, not ignored.

- Planning, and the involvement of the public in planning, can be done differently - indeed these things *are* being done differently in many places around the world. Planning is changing. Participatory planning is a reality, not just rhetoric.

Structure of the report

1.13 Chapter 2 explains our approach, methods and use of case studies. Chapter 3 provides a summary of each of the five case studies that we did. Doing research at a global scale into local practices is inherently difficult: practices differ within as well as between countries; policy instruments, institutions, and political cultures all influence practices and therefore caution is needed when seeking to transfer findings. We believe that we have maintained a properly objective and critical stance, and have been able to identify some important pointers to how new relationships can be built into, and through, planning practice.

1.14 The second part of the report is organised to address practical questions that connect the research findings from around the world to the new planning system here in England. In Chapter 4 we ask perhaps the most basic question, 'Why is participatory planning needed?' Mediation has already been the subject of other research published by ODPM and its predecessor departments (Welbank et al, 2000, 2002). Our argument is that mediation is one part of the spectrum of participatory planning, and thus Chapter 5 asks 'When does planning become participatory and a form of mediation?' Chapter 6 then looks at participants and roles - who mediates? Chapter 7 is concerned with techniques, followed by Chapter 8 on the skills and attitudes that are required. The final chapter sets out our conclusions and recommendations.

Summary

1.15 The main points made in this Chapter were:

- The Green Paper on the reform of the planning system said: 'All parts of the community - individuals, organisations and businesses - must be able to make their voice heard.'
- Revamping of attitudes to public involvement, and experiments with the use mediation to resolve objections during the plan-preparation process, are fundamental parts of the reform of the planning system. • The Regional Spatial Strategies will have to be produced through a consensus-building process that involves negotiation between different agencies and stakeholders.
- Preparation of a Local Development Framework will require skills in negotiation with a variety of different stakeholders so as to achieve consistency and integration within the local authority's area, across local authority boundaries and between the LDF and the RSS.
- If the new system is to work, existing mind-sets will need to be challenged; new skills will need to be developed and shared, through new ways of doing things.
- A change in the culture of planning means changing from 'public participation' (led by the planning authority and built around the assumption that their plan already represents a basis for consensus) to 'participatory planning' (in which diverse groups and agencies come together to exchange information, explore common ground and negotiate in an attempt to achieve consensus).

Chapter 2: How the research was done

'The team had four months to survey the world'.

The brief

2.1 The invitation to tender set out the aim and focus of the project. We were asked to research mediation, 'both as a process and as a collection of skills'. Mediation was explicitly defined as covering 'both the process and skills required in community consultation and participation and to achieve an agreement between groups or individuals during the production of a strategic plan and its execution. The term mediation incorporates stakeholder dialogue and *does not solely refer to the*

mediation process used to settle disputes' (our emphasis). An overarching aim was defined by the invitation to tender. It was:

- Identify and recommend best practice mediation practices and skills that are used abroad in terms of those which can be implemented in England to engage the community in the preparation and implementation of meaningful and realistic spatial plans, both at the local and regional level.

2.2 Five further objectives were set:

- Identify effective mediation skills used abroad by local governmental administrative bodies in communication with local communities to engage the community in the preparation and implementation of meaningful and realistic spatial plans or within planning frameworks at both the local and regional level.
- Assess whether their mediation processes achieve significant local participation in terms of active participation with a diversity of stakeholders.
- Assess how these local administrative bodies manage an effective mediation process with different types of communities and individuals.
- Identify best practice in these countries on how to manage the mediation process and what skills are needed.
- Recommend which of these mediation skills are transferable for use in the English planning system and to engage the community in the preparation and implementation of meaningful and realistic spatial strategies. This should take account of differences in culture and regulatory approaches between the country(ies) of study and England.

2.3 The timescale was tight. The contract began in January 2003 and had to be completed by May. The team had four months to survey the world.

The team

2.4 To do the research we assembled an experienced international team that included academics and practising planners. We saw it as essential to combine academic skills with practising planners who had direct and up to date experience of doing mediation in planning. We also felt it was essential to have within the team people who were based in North America, because of the extent to which mediation and participatory planning have grown there. Several members of the team were familiar with working professionally in other countries - a Spaniard and an American in the UK, a Scot in the USA, a person from Ireland who had worked for many years in Mozambique and in South Africa, a Greek who had worked in Brussels and now works in the USA.

2.5 The composition of the team gave us contacts and awareness of where to look for relevant examples, but also an appreciation of different cultures and institutions and of the scope or otherwise for international transfer of practices. It also meant that the team was multi-lingual and could communicate and receive information back in Spanish, Portuguese and French, and was able to call in help on German and native languages of South Africa when need arose (as it did). Most of the team had previous experience in doing international comparative planning research. Even so the research could not have been completed in the time without extensive use of modern communications technology - both telecommunications and air transport.

Clarifying concepts

2.6 The brief (see 2.1) specified that 'the term mediation incorporates stakeholder dialogue and does not solely refer to the mediation process used to settle disputes.' However, 'mediation' has a specific meaning that differentiates it from the broader notion of 'stakeholder dialogue', and the settling of disputes is central to that definition. For example, mediation is described as a form of 'Effective Dispute Resolution' - 'a voluntary, non-binding, without prejudice, private dispute resolution process in which a neutral person helps parties try to reach a negotiated settlement' (Centre for Effective

Dispute Resolution website). Thus an important stage of the work involved clarifying concepts. We found that "mediation" and words closely related to it, like "negotiation", are often used interchangeably. In the next few paragraphs we propose definitions for the key concepts that are used in the rest of this report. These definitions have been produced by the team, but on the basis of our research. We believe that they are robust and can help to clarify the various approaches that are possible within our overarching idea - "participatory planning".

2.7 Mediation as a form of dispute resolution is used in industrial, business, neighbour or family disputes, as an alternative to judicial litigation and arbitration. Mediation is a service offered both commercially and by voluntary organisations, often within a specialised field. There are various forms of mediation. These include facilitative mediation, where the mediator assists the parties' own efforts to formulate a settlement; evaluative mediation, where the mediator introduces a third-party view over the merits of the case; and conciliation, in which the mediator takes a more active role in putting forward terms of settlement. However, all have in common certain conditions and the establishment of formal arrangements that enable the mediation to take place. These typically include the following:

- Mediation is voluntary.
- Parties to the dispute agree that the issues are amenable to mediation and agree who will be the mediator.
- The mediator must have no stake in the outcome of the process or any connection with a disputing party.
- Information can be exchanged face to face or via a go-between (shuttle mediation). Mediation can include, for example, an initial exchange of written statements, or an initial meeting of all parties involved, followed by individual meetings between the parties and the mediator, and further plenary meetings when the mediator considers that either an agreement or an impasse is imminent. This can be cyclical until an outcome is reached.
- Possible outcomes are: agreement on a solution or a way forward to reach a solution; a complete impasse; or agreement on some issues.
- All parties must agree with the final outcome, and the parties in dispute remain in control of the terms of settlement.
- All parties involved have a full understanding of the procedures to be followed, and agree to abide by these and by the outcome.

2.8 Mediation therefore only begins once there is a dispute and then it entails a more constrained set of requirements than are realistic for 'stakeholder dialogue' and community consultation and participation in the production and implementation of a strategic plan. It is also significant that the International Association for Public Participation has produced a 'Public Participation Spectrum' that comprises of 'Inform-Consult-Involve-Collaborate-Empower' and gives examples of tools for each, but does not name 'mediation' amongst them (the nearest is 'consensus building') (see www.iap2.org/practitionertools/spectrum.html). This suggests that mediation is seen as something distinct from even those approaches to public participation that go beyond information giving and consultation.

Key Concept 3: Mediation

Mediation is defined on the Centre for Effective Dispute Resolution website as 'a voluntary, nonbinding, without prejudice, private dispute resolution process in which a neutral person helps parties try to reach a negotiated settlement'. However, in practice it is also a public dispute resolution process.

2.9 Mediation is therefore an important approach to securing consensus, but it cannot be the whole basis for dialogue and consultation in the preparation and implementation of plans. The aim of stakeholder dialogue is to achieve the kind of agreements that mean there is no need for mediation of

a dispute. Such dialogue can be seen as **pre-mediation**. Through listening to, and resolving potential disputes, agreements can be reached which are then built into the plan. **Negotiation** is likely to be part of a mediation or pre-mediation process, but there can be negotiation without the use of a neutral mediator. Put the other way round, mediation is negotiation conducted with the help of a neutral third party. Negotiation is likely to be part of a stakeholder dialogue, but surprisingly is not a concept that figures strongly in conventional notions of 'public participation'.

Key Concept 4: Negotiation

Negotiation is a process of reaching consensus by exchanging information, bargaining and compromise that goes on between two or more parties with some shared interests and some conflicting interests. Negotiation is likely to be part of the process of mediation, but can also happen outside of any formal mediation and without the assistance of a neutral person.

2.10 Engagement is another useful concept to fill in the picture of the forms that participatory planning might take. The term is used, for example, by the New South Wales Government, whose Community Engagement Handbook can be downloaded from their website (www.iplan.nsw.gov.au/engagement). They say that 'Community engagement has the potential to go beyond merely making information available or gathering opinions and attitudes. It entails a more active exchange of information and viewpoints between the sponsoring organisation and the public, however the public is defined'. This captures the idea that engagement means more than the conventional public participation process as practised in the UK. Engagement is one aspect of participatory planning, but is a less precise concept than 'mediation'.

Key Concept 5: Engagement

Engagement means entering into a deliberative process of dialogue with others, actively seeking and listening to their views and exchanging ideas, information and opinions, while being inclusive and sensitive to power imbalances. Unlike 'mediation' or 'negotiation' engagement can occur without there being a dispute to resolve. Engagement is a means to identify and clarify disputes by listening to diverse interests; negotiation or mediation may then follow.

2.11 Thus there is a spectrum within participatory planning, as follows:

- **Engagement**, probably but not necessarily initiated by the planning authority, sensitive to diversity and the need for inclusion and aiming to explore differences and where possible 'premediate' agreement.
- **Negotiation**, between interested parties and probably between planners and other interests and agencies (e.g. infrastructure providers as part of a regional strategy).
- **Pre-mediation**, applied to potential disputes. A representative of the planning authority acts like a neutral mediator (probably informally) between two or more other parties.
- **Mediation**, applied to disputes not resolved by other means where the planning authority itself is one of the parties to the dispute (eg with objections to a plan or a planning appeal) and so the mediation is done by a neutral third party.

2.12 These should not be seen as 'stages'. Although they might logically follow in a linear sequence (starting with engagement and ending with mediation of objections), such a sequence is not inevitable - not all those engaged will finish up in mediation. Also mediation can occur where there has not been prior engagement or negotiation. Similarly different actions can be happening at the same time - eg a planning authority may be engaging with some groups, while pre-mediating with others. Nor are the 'edges' between the four categories necessarily firm - negotiations slide into premediation, for example.

Getting an overview

2.13 Academics in the team reviewed the **literature** on mediation and participatory approaches to planning, so as to set a context for our research. This literature review was peer-reviewed independently within the team to ensure its quality. The literature review considered for direct use 67 pieces of literature, 75% of which were journal articles. About a quarter of these articles were published in the *Journal of the American Planning Association*, the main publication in the USA for planning researchers and practitioners. The peer-reviewer concluded that 'the authors have done an exceptional job in covering different published perspectives on mediation in literature that spans the last 15 years.'

2.14 Efficient use of resources and the very limited time in which to complete the project persuaded the team to adopt a selective and informed approach to gathering information, rather than attempting some scientific sampling procedure. We conducted a **questionnaire survey** targeted on contacts in countries around the world and persons known to have direct experience of participatory approaches to planning. The survey asked respondents for qualitative information about the context, why and how mediation was used in the planning, what skills were involved, and to evaluate the experience. While the term 'mediation' was on the front of the questionnaire, there was an explanation that we were interested in a wide range of approaches to engagement and negotiation. Some responses were followed up by telephone to clarify aspects. The purpose of the survey was to get a quick and broad overview of recent practice. Over a period of about four weeks we were able to get 35 questionnaires completed. They came from many different countries - Australia, Austria, Canada, China, Costa Rica, Denmark, Finland, Germany, Netherlands, South Africa, Uganda, USA and Zimbabwe. We became aware of other examples as the report was being written up. Appendix 1 lists the sources reached through questionnaires and informal contacts, and Appendix 2 is a copy of the questionnaire.

Probing in depth

2.15 We undertook case studies of five examples in more depth, in each case interviewing a range of stakeholders involved in the process of plan preparation and implementation. We sought to cover different contexts and planning systems. We also wanted examples from regional to local scale, and to look at different techniques. We wanted to look at American examples, because the literature pointed to the importance of participatory approaches in the USA. We chose the case of Ephrata, in Washington State, as a small town facing urban growth pressures. In Ephrata a planning consultant had prepared a new plan through mediation after there had been litigation from objectors to the council's original proposals. As a contrast, our second US case study was Milwaukee, a much larger city, where the focus of our study was a neighbourhood improvement programme. Here community organisations played the lead role in making the neighbourhood plans, and there was substantial use of geographical information systems in the planning process - an example of "e-community governance". We also chose two South African cases. In Cape Town there had been a long running participatory process at the metropolitan regional scale, using professional facilitators to help develop a spatial development framework, a scale that is often seen as difficult in respect of participation and yet very relevant to the proposed Regional Spatial Strategies in parts of England. The South Africans have fundamentally changed their planning system after the end of apartheid. Integrated Development Plans are a new policy instrument, that seek to be development oriented and inclusive. We felt these were important themes in a very challenging situation, and so we looked at the making of the Integrated Development Plan for eNdongakusuka in Kwa Zulu Natal. Last but not least we had a European example of regional scale spatial planning with innovative approaches to involving the public and a range of stakeholders. This was Groningen Province in the north of the Netherlands.

2.16 For each case study at least one member of the team already had direct experience, through previous practice or research on the case. This ensured that the research was well grounded, and could transcend some of the problems posed by the limited time to complete the work. Team members based in Edinburgh had done research on Groningen in an Interreg project. Christine Platt had been planning consultant in the eNdongakusuka Integrated Development Plan and Paul Jenkins was used as a co-researcher on that case study, so that there was a balance of practical experience and critical academic scrutiny. Paul also was able to revisit Cape Town and to use his prior knowledge and contacts to get a deep understanding of the planning processes there. In the USA Sarah Elwood had

already published academic research on Milwaukee, and this was the platform for her follow-up for this report. William Grimes from Studio Cascade was the consultant planner doing the mediation in Ephrata, where Euan Hague, did interviews and collaborated in the writing up, to ensure an objective assessment.

2.17 Each case study followed a similar approach, using semi-structured interviews with a range of persons involved, such as planners, politicians, other officials and community activists. Summaries of each of the five cases are given in Chapter 3.

2.18 Last, but not least, we did interviews across North America with persons involved in **training and skill development**, so as to better understand the skills required to practice planning this way, and the mechanisms by which skills can be learned. The result of all this is a study that is strongly evidence-based and provides both breadth and depth as a foundation for recommending action within the UK.

Summary

2.19 The main points made in this chapter were:

- The research involved a literature review, a questionnaire survey to explore approaches in a range of countries, five in-depth case studies and a telephone survey of persons in North America experienced in training.
- There is a spectrum within participatory planning: engagement, negotiation, planning authority-led mediation between other parties, and mediation by a neutral third party when the planning authority is a party to the dispute.
- Engagement, negotiation, planning authority-led mediation between other parties, and mediation by a neutral third party do not necessarily happen in that sequence, and may be going on at the same time.

Chapter 3: The case studies

'The traditional culture of planning was seen to be negative and primarily a means to control development'



Agreeing and implementing an integrated regional plan - The 'POP' Plan, Groningen Province, Netherlands.



The prize winners at the children's contest on Groningen 2030 where children were asked to picture life, living and working in Groningen 2030. This was part of the first public campaign in 1998 when the province of Groningen started the "stand-up for the future of Groningen" in the POP process of developing a new plan for the area.

Photo courtesy of Jos Huis in't Veld, Provincie Groningen.

3.1 Provincial councils are a traditional feature of the Dutch system, sitting between the national government and the municipalities. They have responsibility for preparation of the streekplan, which follows the policy set in the National Spatial Planning Report, and sets the framework to which the municipalities' bestemmingplannen must conform. Dutch Provinces also have an important role in horizontal integration of the various sector plans such as those for water, transport, housing etc.

- There are several similarities between this plan and the RSS that will be prepared in England.

3.2 The province of Groningen contains 25 municipalities and is a mainly agricultural area in the North of the Netherlands. The population of the Province is around 500,000. In 1997 the Provincial Council decided to adopt a new approach to its streekplan preparation. The essence of the innovation was to seek to integrate four previously separate strategic plans affecting the environment. These were the streekplan, the Environmental Policy Plan, the Water Management Plan and the Transport Plan. The previous 'round' of these plans had been drawn up concurrently in 1994. The replacement was called the POP Plan, the acronym in Dutch for Provincial Plan for the Environs. Stakeholder engagement and negotiation were central to this process. The professional planners in the Province recognised that traditional approaches to planning too often failed at the implementation stage, when the lack of support for the streekplan amongst other stakeholders made itself manifest. Change was also driven by politicians and by civil servants in a very well-resourced exercise. The aim through the POP Plan was to get stakeholders involved and enthusiastic about the plan, and thus committed to its implementation.

3.3 The Province's politicians also wanted a change of approach to planning. They wanted planning to become more development-oriented, a means to tackle the problems of unemployment in this relatively remote and economically disadvantaged part of the Netherlands. The traditional culture of planning was seen to be negative and primarily a means to control development. A further political consideration was the need to raise the profile of the province. The provincial level of government has been relatively weak and has had a low profile as seen by municipalities, trade and industry, interest groups and citizens. The province has thus been perceived to be distant from the general public and to have no direct line to the citizen. Through the POP process, a predominantly new set of provincial politicians sought to shift from a directing to a more enabling role, providing sound strategic leadership for the region as a whole. The provincial government also sought to use the POP process to have a closer relationship with municipalities.

3.4 In addition, the province had been working with its neighbouring provinces of Drenthe and Friesland, in the north, in setting out a common macro-regional vision called 'Compass for the Future'. Central to this vision was the conviction that the region can only acquire a significant place on the social-economic map of the Netherlands through co-operation. The POP Plan therefore also sought to convert this joint administrative regional vision into directives that could be implemented. Increased co-operation, and the commitment of local and provincial interests to the regional vision, were seen by the partners to be essential.

- The key drivers of the project were the Executive Committee of the Province - the group of key politicians elected from within the council, and the Queen's Representative (a civil servant who co-ordinates provincial and central government policy in the province).

3.5 In 1997 the council drew up a 'note of prospects', that defined its own goals for the POP Plan. This was published as a brochure to engage the stakeholders. In 1998 a 'campaign plan' was produced, which established the need for serious engagement in debates with institutions, citizens, interest groups, and especially youth. Thus engagement and negotiation amongst diverse interests was central to the whole planning process from the outset, alongside the aim of increasing the integration of the physical planning process with other plans affecting the environment. A lot of early work sought to identify potential conflicts before the first approaches were made to the public. Importantly, the processes of engagement and negotiation have been carried through beyond the plan, through

engaging the public and stakeholders in identification and selection of projects that would drive forward the implementation of the agreed broad strategies.

- The aim was to secure consensus and avoid later disputes, rather than mediate after disputes had arisen.

3.6 The politicians often played an important mediation role, particularly when disputes arose in public meetings. The politicians went directly to talk to interest groups or to evening meetings about the latest version of the plan. The Executive defined key points for discussion in such meetings. In turn the politicians were well supported by their professional staff. There was no attempt to involve independent third parties as mediators. Co-operation developed amongst many of the groups involved in the process.

3.7 The main tension to emerge through an extensive process of engagement and negotiation was that between economic development and conservation of the landscape and cultural heritage. People wanted to see unemployment reduced but also had strong feelings about the need to protect the character of this province as a landscape. This was a very important outcome that made the politicians take stock, and the final plan was adjusted accordingly, so that development was more concentrated on the six most urban settlements to protect the character of other parts of the province. However, the consultation also revealed that people living in villages want some development, and discussions are still going on (April 2003) about this. Planners are working with businesses to identify sites in villages where development is feasible. Overall the business sector has been supportive of the plan, though individuals who feel they have been adversely affected have appealed. Planners wrote responses to those and the politicians in the provincial council took decisions and produced the final plan. This reflects the normal statutory process.

3.8 Crucially four sub-regions have been established as a basis for implementation through a continued process of engagement and negotiation. For each sub-region a regional manager has been appointed from the staff of the province. For each sub-region, there is a steering committee, chaired by a politician from the province. Representatives of municipalities, water boards and similar corporate agencies sit on these committees. Their task is to work out a regional programme of projects to implement the policies in the POP plan. POP had included an Implementation Report, with an allocation of funding for development of projects.

3.9 The Dutch system gives many corporate bodies a stake in provincial planning. Thus among those significantly involved were the municipal councils, water authorities and similar public sector investors. However, there were also numerous other less official groups, including an organisation representing farmers, various village organisations, and environmental groups, some of which are trusts charged with managing land to protect nature, and which own land (eg Forest Trust, Natural Heritage Trust). Some of these environmental groups are quasi-governmental in nature, and there is a federation linking some groups.

3.10 In contrast the business community, whether as individual firms or through the Chamber of Commerce, was relatively poorly represented through the planning process. Similarly, more socially oriented campaigning groups tended to target other policy-makers, and were little involved in POP (there is a separate strategic plan dealing with social concerns). One notable aspect of POP was the conscious efforts made to reach out to youths, a group rarely represented in traditional approaches to participation in planning. Ethnic minority communities in this part of the Netherlands are small, and no conscious effort was made to reach them.

3.11 In summary, POP has been successful in reconciling a change to a more 'pro-development' planning culture and practice with interests strongly committed to conservation of the landscape. It provides lessons that may be transferred to the preparation of RSS in England.

Key Features Of The Case Study Of The 'Pop' Plan Of Groningen Province.

- Engagement and negotiation with multiple official agencies in an attempt to improve horizontal integration of plans and investments;

- Mechanisms to achieve vertical integration, 'upwards' to the national level and 'downwards' to sub-regions;
- Politicians playing an active role, seeking a more 'business-friendly' planning culture and acting as mediators in public meetings;
- Widespread engagement with community interests and outreach to involve youth;
- The Regional Spatial Strategies in England could and should embody these same features.

A new planning culture and practice - Metropolitan regional planning after apartheid, Cape Town, South Africa

3.12 Until local government restructuring after the historic 1994 change of national government in South Africa, Cape Town was a large city region (c 3.4 million) broken up into some 47 municipalities and other apartheid forms of local government. By the 1996 local government elections it was re-structured in 7 municipalities, one of which was at metropolitan level, with clearly defined separate, but not superior, powers. The main change in the 2000 elections was to create one large metropolitan municipality sometimes called the "Uni-city". This brief background to local government transition is important for this case study, which is focussed on the first attempt at cityregion planning since the apartheid regime. Previous regional planning (the 1988 Guide Plan, based on the 1975 National Physical Development Plan) was used to support policies of separate racial development, whereas the new metropolitan planning has focussed on integration.

- The case study looks at the approaches to wide stakeholder engagement in a large and complex urban region and how this has been incorporated into the spatial planning initiatives since the apartheid period.

3.13 Broadly two main approaches have been used in the Cape Town metropolitan area for planning in this period. The first started in the period of transition and was initially implemented through a broad structured stakeholder forum, where spatial planning was only one component. Subsequently, after the 1996 local government election, the evolving Metropolitan Spatial Development Framework (MSDF) was led by the metropolitan municipality and after 2000 by the planning department in the "Uni-city" municipality. In parallel, from 1997, the broader Integrated Development Planning (IDP) process was implemented - by the metropolitan municipality and then later by the "Uni-city" municipality. The IDP process builds on a key idea from the MSDF - the need for planning and involvement in planning to be much better integrated into the wider processes of governance and development - not a stand-alone, specialist and narrowly technical activity.

- There have been two 'peaks' of broad public engagement in planning: the first starting in the late 1980s but peaking in the 1991-96 period and focussing on spatial planning; the second only starting late in 2002 and focussing on wider development planning.

3.14 The case study, although investigating how the MSDF mediation process has, or has not, influenced the later IDP process of public engagement, focuses primarily on the former process concerning the mediation. The form of mediation developed, particularly in the 1991-96 phase of the MSDF, is of considerable interest to planning elsewhere, such as the community involvement strategies for local development frameworks in England - but also engagement with the public around larger scale regional strategies, given the complexity of the metropolitan area involved here.

3.15 Based on the interviews with key informants who were involved in the MSDF process, one of the main observations is that the mediation process incorporated mediation by three key groups:

- Professional mediators (or 'process organisers')
- Mediating planners
- Other key 'champions' representing stakeholders

3.16 Professional mediators were involved in the process from the 1980s, when they were brought in to resolve potentially conflictive situations between the various late-apartheid government institutions and strong pressure groups in civil society, backed by the opposition parties who had recently been un-banned. Their involvement entailed significant costs which were covered mainly by government and business interests. They played a key role, given the latent conflicts in the emergence from the apartheid period, and their role was in fact largely proactive and not post-conflict. The nature of the situation gave them considerable leeway and the fact that their neutral stance was accepted by all was underpinned by the general context of negotiated settlement in the country at the time. Given the general historic situation in South Africa, and Cape Town specifically, the high level of engagement of broader social and economic actors was dependent on the professional mediator's role in setting principles, arranging agendas and disciplining the process of negotiation. This role continued through to the democratic election of representatives to local government in 1996 - ie through the major public engagement phase of the MSDF preparation process.

3.17 The success of broader stakeholder engagement in the MSDF process also relied on planners acting as mediators. Some planners had become involved in advocacy planning in the late 1980s and had built up links with stakeholder organisations such as the civic movements and organised labour. Other planners were employed by some of the business and government interests who were working for reconciliation. Many of these planners, representing or assisting specific corporate interests, had passed through the same planning school, and this facilitated the initial adoption of a set of planning principles and a specific attitude to social and physical integration in planning. This had advantages in speeding up the process as these planning principles were adopted fairly early on in the spatial planning framework, and the process thus focussed more on how these would be applied. However it also closed the agenda to some extent and other professional positions (in spatial and transport planning as well as infrastructure engineering) were largely set aside at this time, although they resurfaced and were adopted in different degrees, thus 'distorting' the planning principles in the MSDF.

3.18 Thirdly, in parallel with the professional mediation and planners' mediating roles, the process required a series of 'champions' who were seen as representing various corporate interests, and who to a greater or lesser extent were trusted to represent these without complicated and lengthy reporting and mandating with their constituencies. Historically, the nature of the political mobilisation work around social issues as a feature of resistance to apartheid had led to a prior situation where these groups had become quite organised and had produced a level of leadership which had considerable backing and trust. The initial engagement phase (late 1980s- early 1990s) had also reinforced this position, as well as trust between these 'champions' of specific positions/sectors and professional mediators. Some of these champions were also planners, although their political/social movement position was arguably as important to the process as their planning status. It did however strengthen the possibility of the process moving relatively quickly in a general situation of considerable flux and potential conflict - and as such gave the spatial planning process itself possibly a more important role in the general transition than it had previously - or indeed retained later.

3.19 The very recent phase of engagement linked to the Integrated Development Plan follows a period of limited mediation and focus on planning. However it also has planners in key roles engaged in facilitating the new form of wide consultation, with a specific process orientation as opposed to a predominant spatial/land use focus. This evolution of the planner's role supports the contention that planners need to both be trained adequately in mediation skills, but also that they need to see planning as an essential component of governance and not a specialised, more "technical" function.

3.20 The process of creating the MSDF was successful in generating engagement, negotiation and mediation amongst diverse stakeholders.

The Main Lessons From The Cape Town Case Study Are:

- Through the whole 15-year process of planning in metropolitan Cape Town, planners played key roles in various forms of mediation, negotiation and engagement.

- The Cape Town mediation activities - both earlier and later - have been quite well resourced, mainly, but not exclusively from local government. This has been seen as important given the potential conflict. It represents an investment to avoid other forms of costs which may be direct (such as delays in development) or indirect (such as exclusion).
- However, 'throwing money' at a potential problem is not the solution - there needs to be willingness to engage, an all-important resource that takes time to foster and can easily be frustrated.
- These lessons are transferable to England - planners represent an important resource; there needs to be adequate investment in a participatory process and a willingness to engage.

Identifying development needs across a local authority - The Integrated Development Plan for eNdongakusuka, Kwa-Zulu Natal, South Africa.



Christine Platt handing over the final eNdongakusuka plan to the Mayor with community leaders, councillors and the Representative Forum present - over 100 people attended the ceremony.

Photo courtesy of eNdongakusuka Municipality and Christine Platt.

3.21 eNdongakusuka is a new municipality formed after the final local government demarcation process in the post-apartheid South Africa in 2000. It is one of four municipalities in the District Municipality of Ilembe, which itself is one of nine district municipalities which make up the Province of Kwa-Zulu-Natal. The new eNdongakusuka local authority area includes tribal areas within what was under apartheid the Kwa-Zulu Bantustan, and areas designated under apartheid for the other various officially recognised ethnic divisions - White, Indian and Coloured. Many of these ethnic areas had been carefully engineered and planned to include parts of the main urban area of Mandini. This urban area was itself artificially created in the era of 'grand apartheid' when the then government aspired to full racial and ethnic separation and needed to underpin the separate Bantustan 'states' through an economic decentralisation policy. This led to the creation of the Isithebe industrial area near Mandini, a small company town which had grown up round a paper mill built in the 1950s. This

industrial area was heavily subsidised and is the largest of three such industrial 'growth poles' outside of the port towns of Durban and Richards Bay. It formed the basis for a highly segregated new urban settlement. eNdongakusuka municipality has an estimated population of approximately 120,000, with about 75,000 people living in and around Mandini.

3.22 In parallel with the creation of new local authority units, a completely new form of local government has been instituted in South Africa. Whereas previously the local authorities had limited responsibilities mainly related to their local service function, the new system of local government has incorporated a change from limited service provision and regulatory powers to a broad developmental function. A key part of this is the planning of development at local level through Integrated Development Plans (IDPs), which are essentially oriented to identifying local development needs and potential, and to relating these to the management, budgeting and planning functions of the local authority. The preparation of the IDP is not seen as a once - off planning exercise, but rather the start of a new process of strategic local government. Rather like the community strategy in England, the IDP process is obligatory in terms of the Municipal Systems Act, and both district and local authorities have to prepare IDPs in consultation with communities and key stakeholders. An IDP must contain a vision for the development of the municipal area, and development objectives, strategies, projects and programmes.

3.23 Thus the IDP needs to bridge and integrate between equal spheres of government (vertical coordination); between sectors (horizontal co-ordination); between urban and rural, non-tribal and tribal areas; and to overcome historic racial divisions and inequalities. The IDP is about building social inclusion in a diverse cultural context with a developmental objective and balancing basic economic priorities between local need and strategic opportunity.

3.24 The IDP process commenced in eNdongakusuka in December 2001, with a community launch. This was a very short time after the appointment of the new Municipal Manager, which resulted in the IDP having to be prepared in only four months. It was important that the newly and democratically elected representatives were empowered to facilitate community awareness at ward level. In addition, it was considered necessary to ensure non - political engagement, and advertisements were placed in the local press, calling for interested parties to register for representation on the statutory "Representative Forum". A total of 109 organisations, representing social groups, civic associations, and economic interest groups registered. These included organised labour, residents associations, schools, a graduates forum, choirs, dance groups, art and culture groups, drama groups, community upliftment organisations, youth groups, co-operatives, sports groups, including basketball, soccer and netball associations, HIV/AIDS support groups, welfare organisations, community policing forums, sewing clubs, fishing groups, gardening clubs, poultry clubs, block making initiatives, catering groups and other service providers. Finally, the Municipal Manager, together with planners, identified key stakeholders who had not necessarily responded, but who needed to be invited to attend all workshops and meetings.

3.25 The first Representative Forum meeting was held on 2 February 2002, and elicited very positive interest. The programme for the seven 'sector' workshops was announced, and participants were invited to register for as many of the workshops as they wished. These were facilitated by the local authority's planner, together with a professional Zulu speaking facilitator. It was imperative that all participants felt free to use whichever language they felt most comfortable with. Nothing had been written prior to the workshops; the only formal presentations were brief introductory reporting of the status quo within the municipality on the topic to be discussed at that workshop. Specialist professional input was used for this, with the specialists then forming part of the facilitation team during the workshop.

- There were no prior positions for the local authority or the planner to defend.

3.26 Approximately 600 people attended the two Representative Forum meetings and seven workshops, each of which lasted for about four hours, with representation from all sectors of the local community. All participants were encouraged to speak about anything which they felt was related to the topic of the workshop. The limited resources of the local authority were stressed, and this was

reflected in the list of priority issues at the end. It was not a wish list, but a well debated and considered list of real concerns, which had been discussed and debated in workshops, before being agreed to by all community representatives.

3.27 Following the sector workshops, the draft proposals were considered in another workshop with the elected councillors and officials. It was stressed that nothing could be included in this IDP, which lasts for the period of the term of office of the Council, which they were not confident could be achieved within the resources - financial and human - of the local authority. The final draft IDP document was advertised for public comment, before being presented at a final Representative Forum meeting.

3.28 There was facilitation by the consultant planner throughout, to ensure that issues raised were translated into strategies that were achievable, given the limited resources of the eNdondakusuka Municipality. This translation formed part of the debate at the workshops. Any issue raised was tested for its commonality, and where necessary, was recorded as the widespread problem that it is, rather than the specific concern of one or another group. There were also instances where the broad community was happy to accept that there were specific concerns coming from a particular group which had merit, and which needed to be recorded as a specific priority of the community in its broadest sense. Negotiation and mediation of the plan was done at the local authority scale - 'the eNdondakusuka family' - with all participants hearing the points raised by each other. This was critical. Preparation of smaller scale local area plans by, for example, ward level groups, would have made the task of marrying competing demands at a later stage impossible. Furthermore there were real benefits in the community hearing from one another, and the officials learned by hearing how the community as whole responded to one another regarding competing needs.

- The inclusive and 'mutual listening' method of plan making led to understanding of the realities within the broader community, and respondents in the interviews repeatedly stated that they had learnt a lot from, and about, one another in the process: 'protest has been changed into development'.

3.29 The results of the engagement, negotiation, and mediation amongst the various groups were deliberately not prioritised - in order to build a sense of community and joint responsibility for one another's welfare. Everything identified at the workshops was a priority, and accepted by the councillors and officials as achievable over the five-year life of the IDP. This was seen as a problem by some respondents.

3.30 The case of the eNdondakusuka IDP is notable for the success achieved in building consensus amongst diverse groups in a very short space of time and with very limited use of professional staff resources. It is too soon to tell if the consensus can be maintained. While the challenges were daunting the context of the move to democracy meant there were high hopes and a willingness to look for positive solutions in this early visioning phase of the planning process.

Key Aspects Of This Case Study Are:

- Elected representatives were empowered to assist in the engagement of communities in the IDP process, so that they were part of, and not alienated by, this new and challenging requirement, and the process did not undermine their role;
- There was open and transparent identification of all interested parties outside of the political arena;
- All participants were encouraged to speak out, and provision was made to ensure that people could contribute freely in the language of their choice;
- The local authority had no plan or position to defend;
- There were constant reminders of the need to marry the plan to the resources of the municipality, to ensure that the plan was realistic and achievable;

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- The wide nature of inclusion and the building of bridges across previous divides: many of those who became involved had no previous engagement with governance or with one another;
- The shift from a divisive and violent 'protest' stance to a shared, developmental 'can-do' attitude;
- Although there are significant differences in the context, the ethos and approach seen here represents a set of foundation principles on which participatory planning could be built in England.

Mediating small town expansion into the urban/rural fringe - Ephrata, Washington State, USA.



Ephrata is the seat of Grant County, hosting the County's courthouse as well as regional headquarters for federal agencies.



Photos courtesy of Bill Grimes.

3.31 The City of Ephrata, population 6,800, is a local municipality, governed by the laws of Washington State for Code Cities. Founded in the late nineteenth century as a small agricultural services centre, it became the seat of Grant County government. It remains a community with many employed in the government sector and with strong commercial ties to the surrounding agricultural landscape. Both the City of Ephrata and Grant County are required by Washington State to develop twentyyear plans under provisions of the 1990 Growth Management Act (GMA) and its subsequent amendments. Washington State planning law calls for 'early and continuous' public involvement in the planning process. The process to produce a comprehensive plan for Ephrata began in 1994.

3.32 According to the GMA, municipalities are supposed to forecast the amount of land they will need to accommodate forecasted population and job growth, and to provide for the development of that land at urban density levels. The premise of the law is to have new, compact growth attach to existing urban areas. The GMA thus suggests that each City designate an Urban Growth Area (UGA) to direct future urban expansion, indicating the additional land beyond current City boundaries that, within twenty years, will be part of the City's urban area. Typically this land immediately beyond the current City boundaries is rural, but likely to fall within a projected UGA. The City of Ephrata's proposals for an expanded UGA overlapped with Grant County's proposals for rural property development. It was this area of land, adjacent to the current limits of Ephrata, which was at the centre of public engagement and mediation in the planning process.

3.33 Citizen input was sought before the City of Ephrata adopted its comprehensive plan in 1997. The initial public meetings held in 1994-95 were advertised in local newspapers. On average, about 10-15 residents attended these meetings and the City largely continued to develop their comprehensive plan without extensive use of public input.

3.34 The proposed comprehensive plan was ambitious in that its urban growth boundary encompassed an area about 30 percent greater than the existing City limits, projecting that the population would increase from 6,500 to about 10,000. The expanded UGA included about one square mile of lowdensity development (approximately one housing unit per acre) and other vacant land surrounding the City. One particular site, an area south of the City that was already developed as large-lot (up to 5 acres), rural residential neighbourhoods caused some protest from local residents. These people were resident outside the current City boundary, but within the projected UGA. They were not contacted in advance and did not know that the UGA proposals affected them. When they learned about the comprehensive plan, often through hearsay, they began protesting and challenging the proposed comprehensive plan in 1995 and 1996. Despite their protests, in 1997 the City adopted the projected comprehensive plan and its accompanying UGA with that land included.

■ The dispute was between objectors to a plan and the planning authority.

3.35 These and other groups of citizens joined to challenge the City's comprehensive plan, taking it to the Eastern Washington Growth Management Hearings Board (EWGMHB), an appointed 3-member panel to arbitrate disputes. This litigation was an expensive and protracted process, but one that achieved success. The Hearings Board ordered the City of Ephrata to revise its urban growth boundary. The Board also noticed the erosion of trust between these groups and the City and further ordered the City to amend its comprehensive plan and to more actively hear and respond to citizen concerns. In addition to the EWGMHB process, the State of Washington's Department of Community, Trade & Economic Development (CTED) reviews local agency comprehensive plans and provides comments intended to help local agencies comply with GMA requirements. The State office criticized Ephrata's plan, stating that it did not adequately justify the proposed geographic expansion and that it was unresponsive to citizen concerns.

3.36 In response to the court order ruling that the City of Ephrata's comprehensive plan was not compliant with State planning law, City officials were required to provide an entirely new planning process designed to result in an amended comprehensive plan that was more responsive to public involvement and statutory requirements. The revision of the comprehensive plan, to be consistent with

GMA requirements, would require some sacrifice on the part of some stakeholders. Anticipating this, the City chose the mediation approach to more directly involve those stakeholders in the planning process, believing that this offered the best possible way of integrating citizen interests into the planning process. In January 2000, the City of Ephrata contracted with Studio Cascade to perform a mediation process.

- The mediation ran for two years, ending early in 2002, covering the entire length of the planning process, defining issues, developing policy, amending policy and ensuring adoption of appropriate plans and regulatory documents by the City.

3.37 In addition to providing a revised comprehensive plan for the City of Ephrata, public officials hoped that hiring an outside, objective consultant helping to directly and individually interview contesting parties would aid in rebuilding trust in the City's administration. When Studio Cascade became involved, hostilities between stakeholders were entrenched. There was a sense of 'us versus them;' residents versus the City of Ephrata officials. The mediation process concentrated on educating citizen participants in planning, tracing policy revisions back to specific citizen comments, not rushing the process, and considering and adopting creative policy approaches that successfully implemented negotiated compromises. This course was followed slowly and deliberately. Nevertheless, some stakeholders felt that because this third party was hired and paid by the City, Studio Cascade was working at the behest of the City and so would favour City opinions over those of stakeholder citizens.

- Most of the citizens involved felt that the mediation by Studio Cascade brought expertise and a new impetus to the planning process by being unbiased outsiders without the 'baggage' of previous disputes.

3.38 Two groups of litigants were the most involved. The group of residents living in the low-density, rural residential neighbourhoods, effectively negotiated their way out of the urban growth area and sought design-related solutions to ensure that development within the City limits adjacent to their neighbourhoods was compatible with their rural lifestyle. As these provisions were written into the planning commission's recommendation, that group receded and ultimately lent support to the plan. The remaining active group continued to press for increased public investment within the existing City limits, arguing for a more aggressive capital investment strategy and the land use re-designation of an individual property that would be more consistent with their own development interests. The planning commission did not recommend any changes to the capital investment strategy but did recommend some revisions to the land use element of the comprehensive plan and zoning ordinance to facilitate development of the property. Parts of these zoning amendments were co-written by stakeholders.

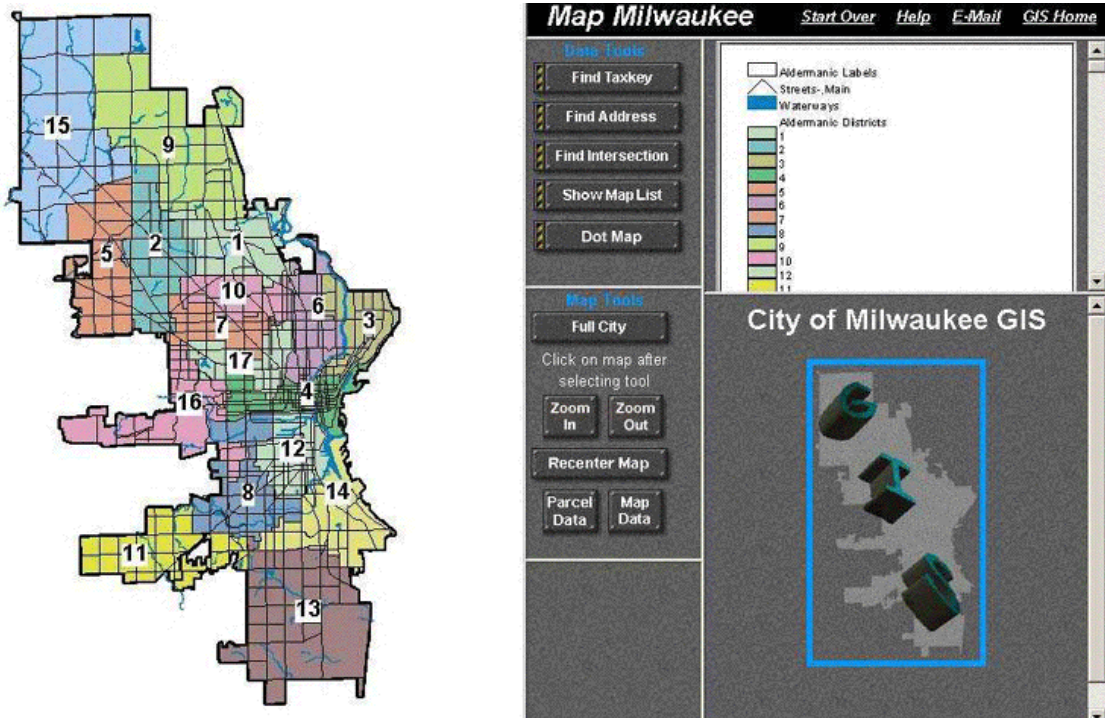
3.39 The majority of participants throughout the public consultation process were self-identified, most commonly because their property was directly impacted upon by the UGA proposals. Other potential participants were reluctant to participate in what was, at times, quite a hostile environment with many people arguing for personal rather than community provisions. In turn, many respondents commented that the amount of time needed to participate in meetings and workshops was prohibitive. About 11-13% of the Ephrata population is Hispanic and there is a small Eastern European population. These minorities tend to rent rather than own property and although affected by the proposals, these ethnic minority groups were not involved in public meetings. City planning officials have subsequently begun to identify potential contact points within these minority communities, primarily through churches, to initiate future engagement. In addition, city centre merchants, park users and residents of manufactured housing communities were not as well represented as they probably should have been.

3.40 Ephrata's experience shows a successful example of the use of a planner as an independent mediator to build a consensus-based plan after a council plan had triggered hostilities and expensive litigation.

Key Points From This Case Study Are:

- This process involved several typical mediation skills, mostly an ability to: listen critically and analytically to former litigants and concerned citizens; question participants to identify particular concerns; categorize those concerns and create solutions that were unique and flexible enough to fairly and appropriately address the concerns.
- There were also skills involved in managing public workshops, in answering concerns raised in public testimony, in writing appropriate policy and in graphically illustrating the consequences of various policy alternatives.
- While traditional mediation may rely on the parties to define solutions, in Ephrata professional planning intervention helped to propose compromises, write spatial planning policies and implement them successfully.
- The case shows that a planning consultant acting as a mediator can achieve substantial agreement on a plan, even when there has been significant conflict. This recognition and the skills that have been highlighted, is transferable to England.

Community organisations using GIS in neighbourhood regeneration - the Neighbourhood Strategic Planning Program, Milwaukee, Wisconsin, USA.



Milwaukee, Wisconsin City Council wards, created using the City of Milwaukee's publicly-accessible online GIS map server, which enables users to create maps from the City's property database. The City has been innovative in funding GIS services to support planning and visioning activities of citizen organisations.

Image courtesy of City of Milwaukee, Wisconsin

3.41 Milwaukee is the largest city in the state of Wisconsin. It has a population of approximately 500,000, after 40 years of decline from a peak of 750,000 in 1960. This population loss has been caused largely by economic recession, de-industrialisation of the urban and regional economies, and suburban flight from urban neighbourhoods. Some of Milwaukee's poorest neighbourhoods on the north-west side are among the most extreme concentrations of poverty in the U.S. These communities are almost entirely African American and Latino, and the city is among the most racially segregated in

America. The Neighbourhood Strategic Planning program (NSP) began in 1995. It involves residents in creating plans outlining neighbourhood needs and priorities for revitalization, so as to direct government funds to programmes to address these needs. In terms of participatory planning the NSP in Milwaukee is interesting because:

- It is neighbourhood-based and addressing regeneration - concerns that the LDFs will have to tackle in urban England;
- It operates through community-based organisations, with a not-for-profit organisation acting as the 'co-ordinating' agency for each of 17 community areas;
- Local government funds were spent to make digital data and GIS services available to participating citizen organisations to support their planning and visioning activities.

3.42 The NSP is embedded in an extremely complex network of governmental and non-profit agencies. The NSP is intended to guide how a portion of federal funds allocated for urban revitalization is spent by the City of Milwaukee. These funds, called Community Development Block Grant (CDBG) have been provided to U.S. urban governments since the 1970s, with specific mandates for citizen participation in determining how the funds will be allocated. Milwaukee's Community Block Grant Administration (CBGA), oversees the distribution of CDBG funds, but all policies and programmes of the NSP must be approved by Milwaukee's local council (called "Common Council") of elected district representative and by the Mayor. Under the NSP, the Milwaukee NonProfit Center provides technical skills and organisational management training to non-profit organisations. The NonProfit Center's programme called the Data Center provides GIS-based data, maps and consultation to agencies that are members of the NonProfit Center. It was contracted by CBGA to provide GIS-based data and maps to the 17 NSP co-ordination agencies. The City of Milwaukee has been a national leader in development of urban government GIS data systems, and has a long tradition of making these data available to community organizations. The decision to fund the Data Center to provide data and mapping support for NSP is an extension of this tradition.

3.43 Community-level non-profit agencies were given the task of facilitating the process of citizen involvement, gathering needed information, and preparing the plan for each neighbourhood. Thus community organisations steer the planning process through engagement and negotiation at the neighbourhood level, rather than this work being led by the city council. The approach demonstrates use of aspects of mediation - notably the use of a neutral party to resolve differences, awareness of diversity, and an emphasis on exchange of information - but unlike formal mediation it operates before disputes have developed. However, our research found that NSP was still hindered by communities' mistrust of local government. Some residents were hesitant to participate, feeling that the CBGA and Common Council would not implement programs addressing their needs and priorities.

- Good communication and relationship building are essential to the success of participatory planning.

3.44 While most community organisations were grateful for the technical support they received from the Data Center, nearly all felt the support was not sufficient for such a broad planning effort. Less experienced community agencies felt that they did not have sufficient expertise in strategic planning (or in some of the specific areas, such as housing or economic development) to prepare a strong plan themselves. Thus, co-ordinating agencies turned to a variety of other sources for assistance in their plans. Some organizations applied to other funding sources so that they could hire a professional planning consultant to guide the planning process and prepare the final version of the plan. Others turned to students, staff and research institutes at the local university for help. As part of communitybased service learning or independent research projects, university students assisted in surveying, provided GIS analysis, and designed 'indicators' models for monitoring neighbourhood change.

- Participatory planning needs to be able to access technical planning expertise and needs to be resourced accordingly.

- Some support may be available on a voluntary basis, especially if there is a local university with an interest in planning
- Community organisations need information about such potential sources of support, otherwise access is likely to mirror existing patterns of inequalities.

3.45 Many neighbourhood organisations interviewed in our research said that the opportunity to have some involvement in the preparation of a strategic plan has raised their organisation's effectiveness in neighbourhood revitalization. Incorporation of GIS-based data and maps can enrich residents' discussion of community needs, as they critique and add to, maps and data obtained from local government. The co-ordinating agencies have used these plans to inform and direct their own revitalization activities. Furthermore, interviewees cited the inclusion of GISbased data and maps as a crucial element in their efforts to gain local government or grant agency favour by 'looking professional'. Elected officials in Milwaukee confirm that neighbourhood priorities and plans are taken more seriously if they have used GIS. As one council member said of the GIS maps in NSP plans, 'The maps make it easier to buy into what is proposed. Individuals make a lot of cases, but if they support it with data than you have to take it seriously.' Thus:

- Use of GIS data and maps can inform participatory planning and revitalization efforts, and empower neighbourhood organizations to present themselves to funding and government agencies as professional, effective, and expert organizations.

3.46 However, incorporation of GIS into neighbourhood-based participatory planning is a double-edged sword. Using GIS in a community's strategic planning process can raise the level of expertise or education that a resident needs to understand and contribute to the planning process. In communities where a significant number of residents may have limited education, literacy problems, or language difficulties, this change can further marginalise them from participation, especially if community staff members are not actively working to prevent this exclusion. Some co-ordinating agencies were able to create their own in-house GIS and database capabilities, but others simply requested 'the required maps' from the Data Center, and included these in their plans without any further analysis of them. Participatory planning that utilizes GIS carries an additional layer of resource requirements. Most community-based agencies are not able to develop the necessary financial, time, and training resources needed to support GIS use without additional assistance, and this assistance cannot be limited solely to provision of hardware and software. A number of important lessons in supporting community-based GIS use in participatory planning can be taken from this case study:

- A significant commitment to public data sharing is important for mediation in planning, not just when such processes involve the use of GIS.
- While community residents have a rich base of experiential knowledge of neighbourhood needs and conditions, robust strategic plans also require public access to comprehensive and relevant local government data.
- Increased reliance on data and use of GIS risks further marginalising some disadvantaged groups within the planning process.
- Data accessibility and maintenance is critical - not only must participating community groups have access to relevant local government data, they must have time, funding, and expertise needed to update these data regularly.
- Support services are needed to level the playing field between community agencies with differing skills and capacities.
- A GIS used in participatory planning must be sufficiently flexible to include diverse and unexpected forms of community information, such as narratives, citizen reports, digital photographs, and to model scenarios that may diverge from local government priorities in a planning process.

3.47 The Milwaukee case study is complex and reveals many problems of management of a participatory planning process in a situation of institutional fragmentation and reliance on neighbourhood organisations to play the leading role. It also demonstrates the need to have strong links into implementation to retain credibility. However, this summary has concentrated on the use of GIS.

Key Points From The Milwaukee Case Study:

- Ensuring representative participation of residents, and ensuring success of less skilled community-based organisations are major challenges.
- A participatory planning process in which community organisations act as 'pre-mediators' or facilitators needs sufficient financial, staff, and training resources and awareness to ensure that the process does not further advantage powerful organisations and further marginalize less prosperous or experienced groups.
- GIS use in participatory planning can deliver a variety of benefits within and beyond a particular planning exercise.
- GIS use demands a higher level of financial investment and institutional support by agencies in charge of the planning process, as well as an understanding of its potential exclusionary impacts.
- These points should to be built into English approaches to participatory planning.

Summary

3.48 The five case studies contain too many important findings to adequately summarise here. Together with the findings from the literature and the questionnaires they underpin the discussion of practice in the next part of the report. The case studies show a range of situations - from a metropolitan region to neighbourhoods - and wide variations in the scale of resources that could be devoted to the planning process. Every situation was influenced by the legacy of the past. A variety of techniques were used. Perhaps two main points stand out:

- Participatory planning is being put into practice in very different cultures and legislative backgrounds;
- Each case is unique and the design of a participatory planning process has to take account of local histories, institutions and resources.

Chapter 4: Why is participatory planning needed?



"Good - Let's say we agree."

The River Agreement: Lots of actors are brought to work together.

Cartoon by Pierre Kroll, courtesy of 'Planning Explained to Children' Edition Luc Pire, 2001, and Conference permanent du développement territorial pour la region Wallone, March 2003.

The new planning is less codified and technical, more innovative and entrepreneurial. It is more participatory and concerned with projects rather than whole urban systems. Planning expertise is increasingly sought not only by the state, but also by the corporate sector and civil society... What is controversial is not urban planning per se, but its goal: whether it should be directed chiefly at efficiency, reinforcing the current distribution of wealth and power, or whether it should play a distributive role to help create minimum standards of urban liveability. United Nations Centre for Human Settlements, (2001, p.xxxiv)

Participatory planning means more than public participation

4.1 Chapter 1 drew a distinction between 'public participation in planning' (paragraph 1.7) and 'participatory planning' (paragraph 1.8). This difference is fundamental to building a new, more inclusive planning practice. Here in Britain the public are less enthralled by the mechanisms of representative democracy than was the case a generation ago. The low turn-out for local elections is an obvious indicator. Yet there is also recurring concern that places are 'threatened' by development, and there is often a reaction when new proposals are announced. The planning system, notwithstanding public participation exercises, becomes the locus for confrontation between development and preservation. Long delays frustrate those who wish to develop, while those failing to stop development complain that the system is unfairly weighted against them. Mediation of conflicts by independent persons can be a way to narrow or even resolve such disputes. However, formal mediation is not the only possible means to build relationships of trust. Chapter 2 (especially paragraphs 2.8 - 2.11) and the evidence from the case studies in Chapter 3, demonstrate that formal mediation after disputes have arisen is only one approach within participatory planning. The five case studies in Chapter 3 show examples of shifts away from how planning has been done and towards participatory planning. Similar transformations are happening elsewhere. For example, in New South

Wales, Australia many councils have adopted comprehensive community consultation policies that embrace a range of techniques including the establishment of precinct committees, adopted engagement guidelines, and conflict resolution policies (for more details visit www.iplan.nsw.gov.au/engagement).

4.2 What do the case studies, the literature and our questionnaires tell us about why participatory planning is needed? There appear to be three main reasons why planning practice is changing in many different countries. These are:

- Public distrust of planning based on past practices;
- Governments' desire to improve the co-ordination spatially between different sectors (eg transport, housing, economic development etc), and between different scales of policy and action (eg national - trans-national in some cases - regional and local); and
- A recognition amongst governments and non-governmental organisations that sustainable development requires consensus building and engagement with citizens.

4.3 Our research found several examples where failures of traditional planning approaches and public distrust of planning led to innovations and new forms of participatory planning. In South Africa planning had been part of the apartheid system and so the need to reinvent a new form of planning was overwhelming. In the Ephrata case study, a planning consultant was brought in as a mediator after litigants had obtained a court order against the city's plan that had been adopted after a traditional process of 'public participation'. The city of Roseville in California, like Ephrata, faces intense growth pressures. Its population has increased from 40,000 to 90,000 between 1980 and 2003, and the city is now aiming to annex another 3,100 acres for development of over 8,000 residential units. While there have been opportunities for public participation in the past, there is a feeling that more needs to be done because of the scale of this development. Therefore public relations consultants have been hired to 'do public outreach, run community meetings, provide public notices and informational items to get the public involved'. This sounds less ambitious than many examples encountered in our research, but the point remains that there is a perceived need to make a step-change from past practices.

- Participatory planning is needed when there is public distrust of previous planning practice and/or where new development may lead to significant conflicts.

4.4 In Europe there is a new interest in making spatial strategies at sub-national level. Proposals for Regional Spatial Strategies in England are one example. There is never a single statutory administrative body covering the metropolitan area or region, and possessing a full range of executive powers. Strategic planning therefore involves negotiation and co-operation between existing institutions, but also a need to be open and responsive to community inputs. Jouve (2001), for example, provides an account of a collaborative, community-led approach to strategic decision making in the Lyons conurbation, in France. Groningen's 'POP' Plan (3.1-3.11) is one of several examples of why 'joined-up government' requires planning to be done differently. The 'POP' Plan sought to integrate at a regional scale four previously separate plans that dealt with land use, environment, waste management and transport. Similarly, South Africa's Integrated Development Plans seek to co-ordinate various sectorally-based plans that all relate to a local authority's area.

4.5 In the USA also, recognition of the need to integrate across sectors is often associated with the need to engage the public and to use negotiation and mediation. For example the neighbourhood regeneration programmes in Milwaukee (3.41-3.47) and in Minneapolis both sought integration across housing, economic development, crime reduction, environmental improvement etc. through extensive community involvement. Indeed the Neighbourhood Revitalisation Program in Minneapolis was formed in 1990, in response to neighbourhood organizations' protests that neighbourhood development had been neglected during the previous decade of downtown investment through public-private partnerships.

4.6 Skagit County in rural Washington State is very different from the inner neighbourhoods of these big cities. However, a need to forge effective working arrangements in a complex institutional context

and to engage with the community to achieve a shared vision meant that, here too, planning had to be done a different way. The Swinomish Indian Tribe realised that improvement in public service delivery, utility services, jobs and economic growth, and environmental protection within their Reservation would each benefit from better co-ordination with the surrounding region. So the tribe sought to bridge relations with surrounding communities by using a third party facilitator, the Northwest Renewable Resources Center (Land Tenure Project) to broker co-operative agreements. The result was to advance tribal interests and help to achieve Washington State's growth management goal for consistency in regional planning.

- Planning needs to change from a narrow, self-enclosed system of land use regulation to become a means of delivering development that achieves broader objectives, such as economic competitiveness, social justice and sustainable development.

4.7 Planning needs to be about integration not about separation - integration between public and private investment in an area, between different scales of government and between different agencies. Thus there is a need to rethink the traditional approach to consultation with stakeholders and other public agencies. It means moving from 'We have a plan; what do you think about it?' to active integration of the aspirations and intentions of other players into the preparation of the plan and its structures for implementation. This will require engagement and negotiation to anticipate and reconcile differences, but it offers the prospect of eventual shared commitment to the plan and to its implementation. Where conflicting aspirations between planning and other institutions and agencies with sectoral responsibilities threaten to block agreement, independent persons such as academics can play a valuable role as 'informal' mediators in efforts to find consensus. This happened in the preparation of the National Spatial Strategy for Ireland, for example (Walsh, 2003).

4.8 There is also evidence that understanding of sustainable development has changed thinking. Local Agenda 21 has created a new style of practice - one that crosses traditional bureaucratic and departmental divides but also engages citizens in a very participatory process. This seems to be particularly evident in Germany. For example, their 'socially integrative cities programme' (sozialestadt) has put a high priority on participatory approaches to achieve effective regeneration. The completed questionnaire observed that 'successful regeneration is not possible without seeing the local people as co-producer of this public task.' More specifically there is the example of the Black Forest town of Freiburg, where a 42-hectare new residential area for 5,000 people is being developed on the site of a former military camp. While the city council is responsible for the planning and development of the site, the project has been led by a non-governmental organisation, Forum Vauban. Together with city authorities and other partners, Forum Vauban developed the Sustainable Model District Vauban project, to produce a master plan and to implement it, in a cooperative and participatory way, meeting ecological, social, economical and cultural requirements and so building a sustainable community. Box 2 summarises another German example, from the city of Ingolstadt. Again this shows Local Agenda 21 being grafted into mainstream planning practice and making it more participatory.

Box 2: Local Agenda 21 Linked To Development Planning: Ingolstadt, Germany.

Ingolstadt, with 118,000 residents, is the sixth largest city in Bavaria. Under the programme *Visions for Ingolstadt*, the City is seeking to raise the level and quality of citizens' participation in planning. Traditionally, involvement of citizens was limited to comments in response to fully developed plans proposed by the administration. The new approach involves citizens at an early stage of goal definition and priority setting for local development. The intention is to create a permanent dialogue between city administration and citizens.

Visions for Ingolstadt brings together traditional development planning and agenda 21 processes. Traditional city development planning has taken part mostly within the city administration, as an expert process. Citizens are informed about the results of such planning, but have little opportunity to add their own ideas. Local Agenda 21, on the other hand, aims for sustainable development from an ecological, economic and social perspective, and so involves citizens in a more fundamental way. The innovative quality of the Ingolstadt model, which has been tried for two years now, is the combination

of both processes - solid expert planning and citizen participation from the earliest planning stages and onwards.

Source: Completed questionnaire

Key Lesson For Those Practising In The New Planning System In England

The RSS and the LDF are intended to be ways to deliver 'joined-up government', co-ordinating planning with programmes such as regeneration, environmental work, transport or social inclusion and reconciling policy conflicts between national, regional, sub-regional and local levels. Overseas experience suggests that this will require a new emphasis on negotiation and informal mediation amongst key institutions and agencies, but also new participatory approaches to engage with communities.

Planning in situations of diversity and difference

4.9 The traditional approach to participation, as characterised in the Ingolstadt example in Box 2, has tended to assume that the planners, as experts, can identify a common public interest and express it in the plan, which is then endorsed by elected representatives. These assumptions have been challenged as societies have become increasingly diversified by ethnicity, lifestyle, age and gender.

- The literature carries a strong message that plan-making and public consultation that 'treat everybody the same', far from being neutral are likely to reproduce and strengthen patterns of inequality.

4.10 Baum (1998) argued that planners promote participation but then only involve people similar to themselves. Baum also noted how in South East Baltimore, activists speaking for 'the community' did not include the growing number of low-income non-whites in their area in that definition. In contrast, Knight and Caldwell (1998) describe how innovative use of a 'community action kit' in the Huron County Plan, Ontario, was a conscious attempt to include all sections of the community, by recognising age differences, gender, literacy differences, etc. and minimising barriers to involvement (eg child care needs). Some particularly interesting work has been done with native/aboriginal groups, where tensions are likely between scientific/quantitative data as a basis for reaching decisions and community tradition and local knowledge (eg Aubrey, 1999; Brown, 1999). In short, if they are planning for sustainable communities, planners need to be culturally aware (Murchie, 1999).

Key Lesson For All Planners

Planning practice needs to engage with the reality of diversity in today's society. This means being aware of different cultures and ensuring that issues of diversity are addressed throughout the planning process. Traditional public participation has often failed to do this. Participatory planning is built around diversity, conflicting interests and the need to listen to the voices of marginalised groups.

Governance and planning cultures

4.11 The research looked at a range of planning systems and forms of governance. For example we had one questionnaire completed for Bengbu in China, a country where there is a strong and paternal mode of governance, with planners in government agencies exercising considerable power. At the other end of the spectrum was a response from Uganda. There the tradition is to call a public meeting when an issue arises, with elected local representatives usually acting as mediators, an approach that harks back to tribal meetings presided over by clan leaders as a way of settling disputes. We found countries where practices of mediation and engagement were not evident in planning systems, eg Mozambique. However, there is evidence of increasing scope for, and interest in, what we term 'participatory planning' in many very different situations.

4.12 The common denominator is the changing role of government in urban development processes due to political and fiscal changes. The Chinese respondent, for example, noted that participatory processes are developing in China due to the transition to a market economy, where private property and private groups become stakeholders with clear interests that now need to be taken into

consideration. In Costa Rica, decentralisation, the erosion of the welfare state, and the increasing openness of government towards community involvement were cited as reasons why the newly strengthened local authorities are beginning to engage with stakeholders in order to prepare plans. Multilateral development agencies press internationally for decentralisation and the active involvement of citizens and non-governmental organisations in governance, including planning. For example, the United Nations Centre for Human Settlements, (2001) sees a need to change perceptions and presumptions of planning practice, as the quotation at the head of this chapter shows.

4.13 In the USA multiple tiers of government affect almost any planning question. The array of interested parties could include governmental agencies from federal, state, county, and municipal bodies, and tribal authorities in areas of native peoples. Sometimes metropolitan level governance is present and has an interest, but rarely do they have enough formal authority to mandate anything. Additionally, in many parts of the country authority over land management, land use, and urban management and service delivery has been parcelled out into 'issue specific' governmental agencies, many of which are not exactly analogous to the 'tiers of government' listed above. Thus the need for negotiation between a plethora of agencies is imprinted into planning practices.

4.14 Grassroots involvement and local participatory democracy are much more a part of American political culture than they are in the UK. This means that while Americans are generally opposed to hierarchical structures of power and to 'big government', participatory forms of planning are likely to be accepted. Thus, even in a place such as Colorado where planning is generally opposed, participatory planning is practised by virtue of its emphasis on citizen involvement.

4.15 Finally, there is a good deal of regional variability in attitudes toward planning, government, and local activism. In the west coast states (California, Oregon, Washington), planning is accepted widely and there is an emphasis on grassroots participation and populism. This is why we see some of the more robust mediation/participatory planning processes here; the case study of Ephrata is but one example. The Rocky Mountain states of the west have an anti-planning history and culture and display general opposition to government involvement of many kinds. This limits planning, but certainly raises the popularity of strategies aiming for engagement and negotiation. For instance, the Denver response to our survey (see Box 1 in Chapter 1) indicated that there is little state-level support for planning, and this is why they sought widespread stakeholder involvement in the metro region plan. The Upper Midwest (Minnesota and Wisconsin) tend to accept both planning and a fairly active role for government - thus, the large and long standing neighbourhood-led regeneration projects that we researched in Minneapolis and Milwaukee.

4.16 Within Europe there are countries where the planning system is part of a political culture that is built upon extensive consultation, negotiation and consensus. The Netherlands is the classic example. Similarly, as one respondent observed, 'In Germany the fostering of a co-operative and citizen orientated administration is the goal of governments on the federal and the Länder level, and on the local level as well.' In Scandinavia there are strong traditions of welfare states and corporatism, 48 Participatory Planning for Sustainable Communities where bargaining processes between well established local associations and local government create consensus and concerted public-private action. In these countries local politicians often play a key role in the negotiation of outcomes, and are likely to be prominent in moves to create and to undertake new forms of mediation and participatory planning. Box 3 illustrates this in respect of Finland, showing the strong provision for action through voluntary associations, but also the heavy reliance on local politicians to lead and negotiate.

Box 3: Political Culture And Governance In Finland

Finland, like the other Nordic countries, is a very organised country. It's said that there is one organisation for every social, political, economic and cultural issue in Finland. There are over 100,000 associations in Finland, one association for 50 Finns on average. About one third of Finns belong to an association. Local political groups are quite common and important in Finnish local politics, though their significance can vary according to the size of the municipality; they are much more important in small municipalities than in large ones. An example would be the Young Finns Group. Different kinds of partnership programmes have developed, in which local politicians, municipality

officials, members of various associations and the Church, and ordinary citizens try to solve local problems and develop their localities. This is in line with Finnish social history, in which co-operative movements played a significant role in building-up the Finnish nation in the twentieth century. The importance of associations and organisations means that both national and local governance in Finland reflects corporatist practices. Social inclusion through organisations is the political key term. In principle, the Finnish laws give citizens a wide range of possibilities to participate in local government. Under-utilisation of formal mechanisms of participation is a result of citizens adopting a political and administrative culture according to which the representatives elected do, and should, take care of the residents' needs.

Source: Questionnaire response

4.17 Local traditions and political cultures, and not just national ones, can also be important. Vienna in Austria is perhaps the best example of a city with a long tradition of co-operative planning procedures and participatory processes. The development from this into forms of mediation to resolve conflicts has come to be known as the 'Viennese Model'. The use of techniques to resolve conflicts began in city regeneration projects and is increasingly being put into practice in large-scale city development and transport plans. Examples include Opportunities for the Danube Area, Traffic Concepts Vienna and Framework Planning for Yppenplatz (a densely built quarter of a 16th century district). Vienna was also the setting for the SYLVIE Project, a co-operative noise abatement process based on the principles of Local Agenda 21. The object was to reduce noise-related problems in selected areas and to raise awareness among the different stakeholders in order to provide a basis for agreement on improvements.

- History, governance and politics are very important in shaping attitudes towards styles of planning and the engagement of the public in the planning process.

4.18 The system of governance in England, and with it the planning system, has been highly centralised compared to many of the countries which we have studied. For example, in Finland each local authority decides independently on its income tax rate; no upper limit is set by central government. Public attitudes towards government and confidence in politicians in Britain are closer to those in the USA than to Scandinavia. Participatory forms of planning are unlikely to blossom without a wider commitment to new and more decentralised approaches to governance. Planning should not be seen in isolation from other local government services, and there has to be scope for local actions to really influence outcomes. Aspects of the existing planning system have constrained the value of local engagement. One example would be national planning guidance, which effectively limits the scope for local choice. To move towards a really participatory system - to change the culture of planning - we also need to change other practices, both inside planning and through the wider modernisation of local government. The research shows that there is no standard model of participatory planning that should be adopted; local circumstances do matter. However, there is plenty of evidence that as governments move from having 'power over' to having 'power to', they need to engage in new ways with other stakeholders and with civil society. England's new planning system can become a catalyst for innovation and experiment in the governance of planning.

Key Lesson For The Reform Of Planning In England

The planning system reflects national traditions of governance. In the UK these have been centralised and less open to the public than in some other countries such as the USA or Scandinavia. Moves towards participatory planning have to be part of a wider modernisation of local government and of the planning system. However, the most successful models of participatory planning have a local origin and have been initiated because people wanted them, rather than being imposed from above.

Mediation and delays

4.19 Mediation has been used in many fields quite outside planning to resolve disputes. Indeed Dack (2001, p.12) noted that 'Although mediation is now being used for conflict resolution in almost all areas of society, its emergence in land use planning is very recent'. Mediation is a way of resolving problems and getting agreement. It offers the prospect of replacing the adversarial nature of many

planning disputes with negotiated consensus, saving time and resources in the process. The delays in decision making associated with planning in Britain have been one reason for increased interest in the use of mediation. The international evidence shows that mediation can be used to tackle disputes in planning and to build consensus around plans. The Ephrata case study is a good example. However mediation amongst groups contesting a plan is a more complex and time-consuming process than mediation of private disputes where there may be only two parties involved. The process in Ephrata took two years.

4.20 If the participatory strategies invoked are engagement and negotiation, in the hope of reaching agreement before disputes arise that require mediation, then there is a lot of evidence that this is unlikely to be the 'cheap and quick' option. Indeed some respondents to the questionnaire survey argued that 'on time/on budget' indicators hindered rather than enhanced the process of consensus building. The most effective examples of participatory planning adopted a phased programme of activities lasting a number of years that carried through into implementation of the plan, as was the case in Groningen Province, for example.

Key Lesson For ODPM And Planning Authorities

Moves towards mediation to resolve objections to development plans may reduce delays but require adequate resourcing (including time). Engagement and negotiation strategies seeking to avoid objections should be seen as long term strategies for building trust and changing the culture and practice of planning, not a low-cost, short-term mechanism for speeding up the system.

Summary: Reasons for adopting mediation and participatory approaches

4.21 Major reasons for the adoption of mediation and participatory approaches in planning were:

- Conflict over a plan/policy or over a specific issue;
- Presence of competing or multiple interests in an issue, place, or resource;
- Complicated or unclear frameworks of authority over planning and/or conflict resolution - when more than one government agency has jurisdiction or when an issue/plan is multi-scalar and crosses administrative boundaries;
- Legal requirement for mediation or new forms of planning;
- Because it has been seen to be effective in the past or there is a culture of governance that favours active engagement with citizens or corporate interests.

Chapter 5: When does planning become participatory and a form of mediation?

There is some difference of opinion over what type of planning cases might be most suitable for mediation. Welbank et.al.(2000, p.18).

Mediation compared to public participation

5.1 Interest in the use of mediation in planning has focused mainly on the development control stage, mainly with regard to planning appeals (Welbank et.al.2000, 2002). There are differing views about which types of planning applications might benefit most from use of mediation. For example, in New South Wales, Australia, a place with a global reputation for use of mediation in planning, mediation is used mainly for neighbour disputes on minor 'householder' applications (Stubbs, 1997). Welbank et.al. (2000, p.18) note that others have seen mediation as being most appropriate for use in disputes on major applications, or for planning obligations, for example.

5.2 Development control is the part of the planning system that best fits the assumptions and conditions that underpin the practice of mediation. For example, the Compact mediation scheme for the government and the voluntary and community sector in this country describes mediation as a way

'to resolve a dispute' in which 'the parties themselves, with the help of a neutral mediator, work out a mutually acceptable solution. Mediation is voluntary, affordable and cost-effective, private and confidential and conducted by a fully trained mediator'. Table 1 compares these defining features with the situations that characterise planning appeals and the making of a strategic plan.

Table 1: Mediation, appeals and plan-making		
Mediation	Planning appeal	Making a strategic plan
There is a dispute to be resolved.	There is a dispute to be resolved - e.g. planning permission has been refused.	There is no dispute at the outset, though disputes and objections may develop as the plan is produced.
The parties themselves work out the solution.	It is clear who the parties are - e.g. appellant and planning authority.	The parties disputing the plan may not be known at the start of the process. The plan is likely to affect a wide array of interested parties.
There is a trained neutral mediator.	There is scope to use a neutral mediator, who is likely to need some understanding of planning.	The planning authority itself is likely to be seeking to resolve conflicts through the process of making the plan. Planners are likely to find themselves mediating disputes that develop between other parties.
The process is private and confidential.	There needs to be some transparency.	Private and confidential agreements between the planning authority and some powerful players may be thought to be unfair and lacking accountability.

- There are some significant differences between the normal requirements for mediation of private disputes and the process of preparing a comprehensive plan. A plan is not made because there is a dispute that has to be resolved; a plan will affect many interests and disputing parties will not identify themselves before plan-preparation begins. While mediation is private and confidential, there should be transparency and accountability in plan-making.

Use of mediators to prepare plans

5.3 Our survey and case studies looked at plan-making not development control. Not surprisingly, we found that it was rare for planning practice to begin with the idea that an external mediator should be hired to steer the whole plan preparation and implementation process. The case of the Metropolitan Spatial Development Framework for Cape Town's city-region (3.12-3.20) is perhaps the exception that proves the rule. In the special circumstances of the transition from apartheid, professional mediators (or 'process organisers') were used. Even here they were not the only mediators and the whole process was more complex than might be the case in conventional mediation between two private parties, and it involved multiple negotiations.

5.4 More commonly mediation has been adopted as a means to prepare a plan after the failure of more conventional approaches. In several North American examples conflict developed during plan preparation and so there was resort to some form of mediation. The Ephrata case study (3.31-3.40) is

an example. After successful litigation against a plan an independent consultant was brought in to mediate agreement on a new plan.

5.5 Another example of mediation being used after a plan had been rejected is in Sacramento, California. There was a riparian dispute between environmentalists and the water purveyors over the siting of water treatment facilities on the American River, which is a state Wild and Scenic River and an extremely popular recreational attraction. The Sacramento City/County Office of Metropolitan Water Planning instigated the turn to mediation after it completed a 30-year water plan, which all other purveyors in the region rejected. As the respondent to our survey wryly observed, 'Stakeholders in this case were not hard to identify because they had been in gridlock with each other for years'.

5.6 The Center for Collaborative Policy was brought in as lead mediator. The process of negotiation was conducted through the Water Forum, which brought together a diverse group of business and agricultural leaders, citizens' groups, environmentalists, water managers, and local governments. All told, the group consisted of 45 representatives of these interests. The twin aims of the exercise were to provide a reliable and safe water supply needed to sustain the region's economic health and planned development to the year 2030, and to preserve the fishery, wildlife, recreational, and aesthetic values of the Lower American River. The process ran from 1993 to 2000 to negotiate a very comprehensive and complex agreement. 'Some of the strategies used to provide an incentive for continued involvement included interim victories, entertaining meetings, very efficient use of stakeholder time (which meant that staff were highly prepared for meetings), editorials in the local newspapers, elected officials' visible and vocal support, and a sense of momentum throughout the process.'

- Where there has been a dispute over a strategic plan, mediation can be a successful means of negotiating agreement amongst a multiplicity of stakeholders on a new comprehensive plan. However, the process can take years.

5.7 Public participation can itself lead to reactions and recognition by the planning authority of the need to do things in a different way. Escazú, a town of 52,000 in Costa Rica is an example. The local authority began preparation of the Development Plan in 1996. It had technical support from the National University who organised a series of events to publicise the plan and to allow the input of specific stakeholder groups through workshops. However, there was a lack of political commitment to the participatory process at the local authority. They viewed plan preparation as a technical process. There were very low levels of turnout at the workshops, and when the plan emerged it was a highly technocratic document which was difficult to understand. The 'Movement For the Reform of the Escazú Development Plan' was formed in 2000, by low and middle-income residents. This lobby group criticised the top-down nature of the plan, its technical complexity, and the policies within it, which favoured the high-income sector, but ignored the needs of the low-income community. This community mobilisation halted the planning process, and forced the local authority to consider meaningful involvement of a wider range of stakeholders.

Using ideas and approaches from mediation without formally mediating

5.8 Participatory planning uses approaches that are closely aligned to some of the practice of mediation, but often it does not fully match all the conditions that define mediation, as set out in Table 1 for example. The Verband Region Stuttgart in completing the survey questionnaire commented that in German 'mediation' is 'Diskursive Verfahren', but other terms define various sorts of participatory practices, such as 'Planungszelle (planning cell), Anwaltsplanung (advocacy planning), Bürgergutachten (citizen's expertise)'.

5.9 An example from Bartlett, a suburb in Cook County, Illinois, outside Chicago gives a fairly typical flavour of how innovations in the plan-making process can have elements of mediation in them, but cannot really be described as 'mediation'. The local administration in Bartlett had been redeveloping the central business district in fits and starts for many years. In 2001, with time running out on the use of special funds for the centre, they asked a planning consultant to conduct a planning process for the business district that would involve the community in the plan. The Planning Consultant ran an event-based planning process. Around 130 residents, business owners, elected and

appointed officials participated in an interactive design exercise based on redevelopment of one of the downtown sites. The event had been advertised to the public and on the website, and individual stakeholders and groups had been sent invitations. Results were posted on the website and follow-up comments were received. The exercise was a success because it overcame significant resistance to public investment in private redevelopment; significant resistance on the part of elected officials to support housing within the central business district; and, significant bickering from different 'sides' of the issue of downtown redevelopment. The response to the survey added a comment that the use of such approaches is becoming very popular as a device to build public involvement into larger planning projects.

5.10 How does the Bartlett example compare with mediation as defined in Table 1? There was not so much a 'dispute' as a long running series of disagreements amongst key stakeholders as how to proceed with the redevelopment. However, as in mediation, the approach adopted was to get the parties themselves to work out a solution, though to do this they were aided by a planning consultant not a trained, professional mediator. Also the process was public - with results posted on the web for comment - not private and confidential.

5.11 This is not surprising in view of the differences between mediation of disputes and the early stages of preparing a plan. Plan-making is part of urban governance, where relationships are far more complex than is the case for 'householder' applications, for example. However, three points stand out:

- Ideas and methods used in mediation are evident in innovative approaches to engagement and negotiation in plan-making.
- Those ideas and methods are significantly different than the approaches that have defined public participation in much of English practice.
- If ideas and methods used in mediation were to be widely practised in the preparation of the new RSS and LDF system that would be a significant step to achieving the effective public involvement that the government wishes to see.

5.12 The New South Wales Government argues that 'effective community engagement is built on trust, goodwill and respect' and that it should be driven by the principles set out in Box 4.

Box 4: Leading Practice Principales For Community Engagement

1. Clarity of purpose.
2. Commitment.
3. Communication.
4. Evidence.
5. Flexibility and responsiveness.
6. Timeliness.
7. Inclusiveness.
8. Collaboration.
9. Continuous learning.

Source: www.iplan.nsw.gov.au/engagement/principles/index.php

These principles very closely reflect the underpinning ethos of mediation. However the same page of the website stresses that the community is not the decision-maker and that there will be limits on what they can and cannot influence. Furthermore, understanding of these limits is vital to maintain trust and goodwill.

From public participation to participatory planning

5.13 This chapter has shown that while mediation in its 'pure' form is not common in plan-making, there is a developing use of mediation to resolve problems once plans have been rejected. More importantly, many aspects of mediation underpin new approaches to building consensus into plans and to overcoming traditional divides between and amongst planning authorities and a range of other stakeholders in the development process. This is something that public participation as typically practised in the UK has not been able to do. We call these new approaches 'participatory planning' so as to distinguish them from 'public participation'. We have constructed Table 2 to compare and clarify the main assumptions and approaches of 'public participation in plan-making' and those of a 'participatory approach to plan-making' inspired by principles from mediation.

Table 2: Public participation and participatory planning compared		
	Public participation	Participatory planning
Relation between the council and the public	The council embodies the interests of the community as a whole, and expresses these in its plan. The public should be informed about the plan and be given a chance to express views.	A council has to serve many different communities. There will be contentious issues that will need to be negotiated or even mediated amongst the interested parties during the process of developing a plan.
The plans	Plans and documents are drafted by the council in line with national guidance, so that already they have substantially resolved most conflicts. They are likely to require marginal adjustments not a fundamental effort to reconcile differences.	Stakeholders know their own needs and priorities. Planners need to listen to them, not assume that being planners means they already know the needs of others.
Skills	Skills are in making plans and policies that provide a local interpretation of national policy guidance, and then adjusting these in the light of information gained through the process of consultation.	Skills are in reaching out to diverse groups; listening to their own perception of needs/priorities; clearly and systematically establishing and comparing the needs/priorities with the range of groups involved; identifying and negotiating adjustments, and maintaining the confidence of the different parties.
Who leads?	The professional planners lead the consultation and the collection, processing and reaction to views.	Independent mediators or planners, but many parties will be involved, including planners employed by the council.
Who participates?	Everyone has the same opportunity to participate. However, participants are usually an informed group though they may not be widely representative.	A determined attempt should be made to include groups traditionally marginalized from planning processes.

Summary

5.14 Mediation is well-established in many other fields but has only recently been addressed by planners, and then largely in respect of development control and appeals. There are some, but not many, international examples of mediation being explicitly designed into the plan-making process from the outset. However, there are plenty of cases where a mediation process has been retro-fitted into planning once conflicts or other problems have arisen, though many of these do not follow the 'narrow' interpretation of mediation.

- Underlying ideas from mediation can be, and are being, grafted on to established planning processes.
- These principles can be a foundation for a participatory form of planning for sustainable communities.

Key Lesson For Local Planning Authorities

There is a need to move from public participation in planning, led by the council and mainly driven by information giving about the council's plans, to participatory planning that is based around key principles from mediation.

Chapter 6: What models are there for mediation and negotiation and who are the participants?

A formal mediation approach such as the interest-based Harvard mediation model cannot be applied in a rigid way to planning disputes. Dack, (2001, p.11)

Types of mediation and negotiation

6.1 Chapter 5 reviewed mediation as a voluntary process with the explicit consent of all of the participants, and their common acceptance of an independent mediator who has no stake in the outcome of the process, nor any connection with a disputing party. It noted that these 'ideal' conditions were not always achieved, but that the ethos of mediation underpins much innovative practice. This Chapter clarifies some of the forms that mediation and negotiation can take. In particular it looks at the roles planners play. Finally it asks who participates and whether mediation and negotiation is inclusive or exclusive.

6.2 The following are models of the ways in which disputes or potential disputes in plan-making and implementation can be tackled. Practical examples and issues are then discussed.

1. Mediation of a conflict between a planning authority and others is undertaken by a neutral professional mediator who is not a planner, or by an independent planner, eg a planning consultant.
2. Officials, politicians or planners employed directly by a planning authority (or as consultants to that authority) pre-mediate and negotiate with other stakeholders to identify potential disputes, resolve disagreements and build into the plan agreements that have been reached in this way.
3. A community organisation pre-mediate and negotiates with stakeholders to identify potential disputes, resolve disagreements, mediate if necessary and build into the plan agreements that have been reached in this way.
4. Planners or developers negotiate with other stakeholders to secure their agreement to projects, plans or developments.
5. Planners' work is evaluated by other planners and amendments are negotiated.

The planning authority is a party to the dispute: mediation by non-planners or by planning consultants.

6.3 Woodley (2000) has observed that developers increasingly contract the services of professionals to mediate relations with residents and local authorities. However where planners are party to a dispute the initiator of the mediation process is usually the plan-making agency itself. As shown in Chapter 5, there are examples of an independent mediator brokering consensus on plans. The Center for Collaborative Policy, a co-development of local universities (primarily California State University, Sacramento), was the mediator in the example of the Sacramento Water Forum (see 5.5-5.6), and has done other mediations. It also offers training, workshops and consultation in public participation processes and planning.

- Mediation by a neutral party implies a significant mind-shift for the planning authority. It becomes a negotiator rather than the exclusive owner of the plan. This would seem to be consistent with basic principles in Human Rights legislation, and so needs to be carefully considered.

6.4 In the case study of Ephrata (3.31-3.40) most stakeholders felt that the use of Studio Cascade to mediate the preparation of a revised plan did improve the process. Studio Cascade was seen as bringing independent expertise without being tainted by the disputes that had dogged the previous plan. However, there were still some objectors who were unhappy. While impressed with the professionalism of Studio Cascade, they felt that because this mediator was hired and paid by the City, the mediator was working at the behest of the City and so was always going to favour City opinions over those of stakeholder citizens.

- Mediation by a neutral party is undertaken to ensure good faith and impartiality. However, not all parties may accept this if the mediator is paid for by a major party to the dispute.

6.5 Does the neutral mediator need to have professional planning skills? Such skills help in assessing and interpreting information presented by contending parties. The alternative view is that mediation skills matter most, not knowledge of planning. In the case study of Ephrata (3.31-3.40) quite technical issues were central to the dispute. Did the forecast population justify such an expansion of the urbanized area? Should the City concentrate on serving land already within City boundaries before planning to annex more? Was the City able to provide adequate services and pay its fair share to build and maintain streets and install utilities? Some objectors felt that the City's planners had closed their minds on these matters. A mediator able to bring expertise to such questions was therefore appreciated.

- In planning systems where mediation is becoming established some planning consultants now promote their services as independent mediators. Ontario is an example. This is a positive development.

6.6 Mediation processes can be compromised by weakness in the representation of major participants. For example, lack of decision-making authority on the part of planners taking part in mediation processes (as representatives of the planning authority, not as mediators) can make the process ineffective through lack of meaningful negotiation, or if the planning committee rejects the outcome. In the case of Atlanta's Vision 2020, planning expertise was downplayed, but as a result the public felt there was a lack of accuracy and credibility (Helling, 1998). Representatives from decision-making agencies participating in mediation processes must therefore have some degree of delegated powers (Welbank et al, 2000; Smith & Valverde, 2001).

Pre-mediation by the planning authority to make a plan

6.7 This approach is quite widely used. In Groningen (3.1-3.11), for example, the provincial council planners undertook a process of outreach and consensus building as the core of the creation of the 'POP' plan. Politicians also played an important role. A professional facilitator was used in the preparation of the Cape Town Metropolitan Spatial Development Framework (3.12-3.20). In eNdongakusuka (3.21-3.30) a planning consultant was hired by the local authority to conduct a form of pre-mediation and develop an Integrated Development Plan (IDP) from it. South Africa's IDP programme is a particularly interesting attempt to build a new form of participatory planning, and is summarised in Box 5.

Box 5: South Africa's IDPS

Integrated Development Planning was introduced as a key tool for management and progress towards sustainable development. The preparation of the IDP is seen as an opportunity for community building through the provision of forums where discussions can be held, and where common ground can be reached regarding development priorities in the area. Community engagement is therefore central to the successful completion of the IDP. Thus, the IDP process, with the involvement and support of the local citizens, will hopefully obviate the need for mediation of disputes later on.

Central government is the instigator of the IDP process through its redefinition of the role of local government, and of strategic planning as a statutory requirement of the IDP process. The agenda for each municipality's exercise was generally set by the Municipal Manager. The premediation, negotiation and engagement was done by different players in most instances, with officials, politicians, professional planners - whether municipal official or consultant - as well as professional facilitators, being mentioned in different projects.

Source: Survey questionnaires

6.8 It is possible for proactive promotion of participatory planning and pre-mediation to be led by planners giving their services voluntarily. For example, a Voluntary Service Overseas planner, was assigned to Iganga Town Council in Uganda. She was faced with the challenge of undertaking a review of the structure plan (which is similar to a UK local plan) in a council that had never had a planner before, and where there was little awareness about planning. She set about this task in an inclusive and innovative way, using methods such as workshops with leaders from the 20 village councils, and with representatives from youth, the business community, women and the disabled.

A community organisation leads the process

6.9 The example of Milwaukee's Neighbourhood Strategic Planning programme discussed in (3.41-3.48) shows that the process can be led by community-based organisations outside the local authority. The aim of the programme is to involve citizens in identifying the needs of their neighbourhoods and on this basis plans are prepared that will steer funds to address needs. There was a somewhat similar situation in Minneapolis' Neighbourhood Revitalisation Program (NRP). Under the NRP a neighbourhood organisation had to go out and do a comprehensive and intensive community survey of residents' needs/priorities. They also had to hold focus group meetings, do door knocking, phone calling, mail surveying, and so on. After their surveying process was approved by NRP, they had to write a plan - also using community involvement and citizen committees to write the various chapters of the plan. Then, the plan needed approval by the NRP Board, then finally they got the money to implement the plan.

6.10 The Minneapolis experience highlights some of the problems that a community organisation can face in undertaking such a process. The neighbourhood organisations steering the planning process were responsible for resolving conflicts that arose. Success in such dispute resolution varied by neighbourhood. Neighbourhoods that had long-standing organisations and an existing set of agreed-upon practices for creating consensus (or determining when to simply move on if consensus could not be reached) tended to be more successful at resolving these conflicts and producing a plan. Organisations that had long-standing divisions around lines of race, class, ethnicity, or other axes of difference sometimes had difficulty. In the most extreme case, one neighbourhood submitted two plans - the main plan and a plan created by their Native American constituency (Minneapolis has one of the largest urban Native American populations in the lower 48 states, and this particular neighbourhood has the highest numbers in the city). Neighbourhoods that did not have a preexisting organisation, or where the organisation was tenuous or had a history of non-inclusion, also tended to have difficulties resolving conflicts, or even completing the surveying process that had to precede plan preparation.

- Well-established community organisations can undertake a participatory planning process involving engagement, negotiation and pre-mediation to prepare a plan. They have strengths from being close to their communities. However, organisations with long-standing divisions or a history of non-inclusion are ill-suited to the task.

6.11 In Rincón Grande de Pavas in San Jose, Costa Rica, a fast growing low-income neighbourhood of around 70,000 people, the process of mediating the preparation of a local development plan was led by a joint UN Habitat/Costa Rican government project known as PROFAC, which ran from 1995-1998. The acronym translates into Community Self-Management Strengthening Project (Proyecto de Fortalecimiento de la Autogestión Comuna), which was part of an international action-research programme to promote participatory management of human settlements. PROFAC listed its achievements in Rincón Grande de Pavas as: the communities started to perceive institutions as allies rather than enemies; the municipality incorporated community organisation needs into a land use plan for the first time; conflict was replaced by negotiation; and communities accepted institutions' technical criteria and legal mandate. This project reflects the emphasis given by international development agencies on decentralisation and community empowerment.

Planners or developers negotiating agreement to plans, policies and projects

6.12 The need for negotiation can arise in an ad hoc manner, and the response is likely to be reactive. If agreement can be reached there is no need to go to mediation. The questionnaire survey revealed an example from Copenhagen. An old soya bean factory closed leaving a very polluted area in the central parts of the Copenhagen Harbour. The owner of the site, DS Industries, wanted to sell the land, but there were no buyers. One of the company's harbour engineers was given responsibility to develop and sell the land, a task for which he had no prior experience! Maybe because of his lack of experience the engineer was very open about DS Industries' interests and entered into open discussions with the City of Copenhagen, possible investors and representatives from the surrounding residents. He was successful in brokering agreements and getting redevelopment started.

6.13 If planners are responsive and prepared to negotiate when problems arise, plans and policies can be adjusted to take account of community needs. The questionnaire survey elicited a good example of this from Zimbabwe. As in many poor countries, planning policy was opposed to buildings constructed by the informal sector. Harare City Council sought to demolish 'tuckshops' - one-room, informal-sector structures, that appear in open spaces or against the wall of a house, and which sell a limited stock of food and drinks. These illegal constructions are disorderly and unhealthy but provide a livelihood to owners and are a convenience to local residents. In 2001 the City of Harare's Town Planning (Development Control) section began demolishing all tuckshops on open spaces. There was a public outcry from the tuckshop owners, politicians and non-governmental organisations against the demolitions. The Commission running the City of Harare instructed the planners to negotiate with the various stakeholders to come up with a policy and procedure for the approval and operation of tuckshops. The planners held consultations with other Council departments such as Housing and Community Services, Health Services and the Town Clerk's department. Their views were incorporated into a draft policy document. The tuckshop owners formed their association. The planners also consulted them and listened to what they expected the Council to do for them and what contributions they were willing to make in order to make tuckshops viable in a healthy environment with water and sanitation facilities. The process was very effective, and a new tuckshop policy is now operating.

- Negotiation is an important means to adjust and implement policy and plans. A negotiated outcome is likely to be more successful than an imposed solution.

Planners evaluated by and negotiating with other planners

6.14 Another approach is to use planners from other cities to evaluate and negotiate change in the plan. We found that this approach is used in China. The municipal council involved in the plan making process issues the invitations and selects the external experts who then provide commentary and assessment of the proposals.

Key Lesson For Government And Planning Authorities

There is no single 'right way' to do participatory planning. While mediation as narrowly defined requires the use of a neutral person or agency whose appointment is supported by the parties to the dispute, in practice this has not been the only way to reach agreement on plans, policies and projects.

Who participates?

6.15 Susskind and Ozawa (1983) note that in private disputes the affected parties identify themselves, whereas, in public issues, the definition of who are the legitimate stakeholders can itself lead to conflict. Unless awareness of the risks of exclusion is built into the heart of the process, participation in planning is likely to favour interests with the time and skills to get involved and to articulate ideas in the language of the professionals. Hutchison (1999) argued that too often participation reflects middle class viewpoints rather than the ethnic and class diversity of a community. Beatley, Brower and Lucy (1994) found that in Austin, Texas, affluent, well-educated middle aged and elderly whites were strongly over-represented in the participation on the strategic plan.

6.16 The questionnaire survey and case studies therefore probed who was involved and whether there were barriers that prevented other groups from having their voice heard. It was no surprise to find that divisions based on poverty and ethnicity were not easy to overcome. In isolation participatory planning cannot be expected to remove barriers to inclusion that are deep-rooted. The problems of the NRP in Minneapolis (see 6.10) show the difficulties. Similarly the Milwaukee case study (3.41- 3.47) showed that some groups were not reached by the Neighbourhood Strategic Planning programme. There was a suggestion that this may have been due to organisational failings because neighbourhood organisations were the key drivers of the participatory process. However, exercises carried out through municipal authority planning departments also can fail to reach key groups. For example, a post-participation evaluation cited in the survey response from the city of Stirling, Perth, Western Australia, found that residents renting properties had not got involved, and that in most areas, the most vocal groups were owner occupiers primarily concerned about property values.

6.17 Nevertheless there is evidence that participatory planning has been able to reach out and to include groups who had never previously had a say in the preparation of plans for their area. Not surprisingly this was particularly true of South Africa where the degree of exclusion under apartheid had been so total. However, this was not the only example. In a number of cases there has been success in bringing youth into the planning process. In Clackamas County, Oregon, for example, a teen advisory committee has been appointed by the County Board and is working successfully to represent teens' concerns and priorities to county officials. There were also successes in involving youth in Groningen's 'POP' plan, for example.

Key Lessons For All Planners

From the very start participatory planning must build in awareness of the diversity of groups and interests with a stake in the area and the issues. Planners and mediators need to be culturally aware. Outreach programmes have to be designed into the process. This will require resources though not all the work needs to be done by the planning authority - voluntary organisations like Planning Aid and civic or neighbourhood organisations can play an important role. Involvement and outputs need to be monitored throughout the planning process to ensure that the voices of marginalized groups are being heard. Planning by itself cannot overturn deep-rooted inequalities that set barriers to involvement - this is a challenge to the governance process as a whole. However planners have an ethical responsibility to engage with the challenges posed by diversity - otherwise participation is likely to reinforce the power of white, middle class property owners at the expense of other groups.

Summary

6.18 This chapter has shown that

- There are a number of different approaches and models of mediation and negotiation, not one single 'best practice'.

- Planners often play a vital role and their technical knowledge can help in identifying solutions.
- Others also can lead mediation or negotiation, notably professional mediators, community organisations or politicians.
- Poverty and ethnicity are major barriers that need to be tackled if real inclusion is to be achieved.

Chapter 7: How do you do participatory planning?

Expect conflict, communicate and be inclusive

7.1 Awareness of pluralism, difference and conflict is the core of a participatory approach to planning. Most planners are all too familiar with conflicts. They know that plans can be controversial, that developers can get frustrated and objectors get angry. However, conflict is rarely the central theme of the planning process. In contrast, mediation openly acknowledges that there are deep differences of opinion and conflicting needs, and that a careful process of clear and balanced communication and evaluation is the way to reconcile disputes. Mediation searches for compromises, but councillors and planners working within the planning system in local government, especially when it gets adversarial, are prone to see modifications to the plan as a flaw not a way forward. Mediation and negotiation with stakeholders challenge planners' rationalism and faith in their own expertise.

7.2 All parties to a participatory process need to be aware of how their actions look to others. An inclusive approach that respects the rights of others is actually in everyone's own best interest. There are often different 'involvement tracks', because parties have varying access to different levels of negotiation and decision-making. For example, Hanna (2000) described how the Fraser River Estuary Management Program had a hierarchical structure of politicians, planners, scientists and civil servants down to NGOs and interest groups. This pattern also represented the flow of information during collaboration. Hanna's interviews revealed that NGO participants felt their views had not been taken seriously. Similarly Hoyle (2000) interviewed 28 community representatives from four large Canadian cities and found that they felt planners didn't value their opinions or suggestions, and were doing public consultation because the law required it, and not because they wanted to. However, there is also evidence that where a neighbourhood organisation has established a record of willingness to compromise (rather than knee-jerk opposition to any development), objections that they do make to development are likely to be effective (Malejczyk, 2001).

7.3 Key aspects of mediation are setting an agenda and ground rules and sticking to them. Sharing of information is important. This can be aided by good practice procedures regarding information collection and exchange as well as using methods that elicit the best available information through, for example, joint fact-finding (Forester, 1999). Susskind and Ozawa (1984, p. 14) note that 'The extent to which information is actually shared may depend on the ability of the mediator'. Thus information is likely to be central to successful participatory planning, a factor that again emphasises the overlap between planning expertise and the role of a mediator. However, there is the concurrent risk that the technical expertise of the planner and the legalistic framework of 'material considerations' within which she/he works creates blinkers and becomes a force for exclusion rather than inclusion. Tauxe (1995) in work on North Dakota, showed that there was systematic exclusion of claims to knowledge/authority that are not couched in the same ways of constructing arguments and using data that dominate professional planning practice. These findings link with the evidence referred to in the previous chapter of involvement methods 'failing to reach' ethnic minority and low-income groups.

- Communication between all stakeholders is imperative to the success of mediation in planning. When there are multiple government institutions or tiers of government involved in the process, they must communicate clearly with one another and with participating community agencies.

A planned programme - including the implementation phase

7.4 The most successful and long-standing projects involve a series of phases from the start of the plan through to implementation, rather than a single period of mediation that only began once there

had been a breakdown in the planning process. In Clackamas County, Oregon, the participatory planning process is currently in its fifth Phase, having begun Phase 1 in 2000. Phase 1 saw a 60-member steering committee established. In Phase 2 there were outreach strategies; Phase 3 involved community congresses and fact finding. Phase 4 was plan development, and Phase 5 is implementation and outreach to other communities. In Minneapolis the Neighbourhood Revitalisation Program was planned in two ten-year phases. The 'POP' plan in Groningen (3.1-3.11) is another good example. The importance of providing feedback to participants and demonstrating how their input 'made a difference' was critical in maintaining credibility and public trust in the planning process.

Key Lesson For Those About To Begin Participatory Planning

There needs to be a planned programme with clear objectives and realistic phases that is sensitive to local circumstances and extends from the beginning of the planning process through to and including implementation.

7.5 The 'Vienna Method' (see Box 6 below) provides a good example of how mediation can work as a procedure. The SYLVIE project is the acronym for what translates into 'Systematic noise reduction in inner-city residential areas'. It mediated between noise 'offenders' and 'victims' in an attempt to create consensus with benefits for all parties involved. The intention was that consensus should be established during the process by the parties themselves, in the belief that recognition of the position and interests of an opposing party creates new scope for action. SYLVIE adopted a phased approach involving a range of techniques. Key phases were:

- Analysis of the nature of the conflict;
- Conflict categorisation;
- Cooperative process;
- Initiation and monitoring of implementation.

7.6 Conflicts were presented for resolution and the solutions were worked out by the parties involved. Those who have used the 'Vienna model' argue that cooperative procedures achieve sustainable results if the players involved not only talk to each other but are able to reach joint decisions. Authenticity, empathy and a non-partisan approach on the part of the conflict mediators are highly important factors in successful conflict negotiation. In addition, the framework conditions need to be clearly defined for all participants: goals must be jointly formulated; roles and rules must be fixed at the outset. Box 6 provides more details about the SYLVIE project. 65 How do you do participatory planning?

Box 6: Innovative Techniques In Noise Mediation In Vienna, Austria

Siebenbrunnenplatz is a public square that has attracted a range of activities since it was redesigned in 1999. During the summer, the square became used by children and young people for playing, cycling and skateboarding and these were regarded as a nuisance by some residents.

Local residents, pub owners, representatives of the district council, the police and the Municipal Department MA21 as well as employees of the Park Supervision Service and the Vienna Integration Fund (a forum that brings together migrants and 'old residents' on a regular basis) joined in talks. In six meetings, moderated by members of the SYLVIE team, the participants agreed on a set of measures to de-escalate the noise problem and other conflicts through improved communication between all the local stakeholders.

Children and young people were included in the problem-solving process. Pupils from the nearby school were invited to participate in an art project called 'Noise and Silence', which gave them an opportunity to express in pictures their perspective on noise. The project not only sensitised children to the issue, it also made clear that adults' complaints were only one side of the coin - children also felt exposed to noise created by grown-ups. The drawings and collages were displayed around the square in the summer. This was one way of drawing attention to the conflict and promoting mutual understanding between adult residents and children.

In addition, two Forum Theatre performances were specially developed and staged at the square. Forum Theatre is an interactive, spontaneous mode of performance in public spaces. Professional actors enacted a typical conflict scene that had been observed in the square. The conflict was shown to end badly. In a repetition of the scene, the performance facilitator challenged the audience to take an active part in the scene. This approach provided the opportunity for the involved parties to develop new solutions and try them out immediately on the spot. It also allowed the project to reach children and adults that had not taken part in the mediation process.

These measures improved communication, which in turn helped to diffuse noise conflicts. Forum Theatre provided a vehicle for working on the conflict in situ and in a playful atmosphere that appealed to everyone and was particularly suitable for children. It created a common experience as a link between participants. It also helped to reach out to those parties whom it is difficult to motivate to talk to each other or to sit down at a 'round table'. Potential actions can be tested right away and theatre performances provide opportunities for exaggeration and hyperbole, which in turn raise awareness. This approach encourages participants to try out alternative approaches in real life.

Source: Questionnaire survey

Key Lesson For Designing A Participatory Approach To Planning

Participatory planning needs to build around the staged method of mediation. The steps in the process should be:

- Analyse the nature of the potential or actual conflicts that the plan will seek to resolve, distinguishing contentious issues likely to require intensive negotiation or mediation from noncontroversial matters, and pay particular regard to the importance of diversity of needs and interests amongst different groups with a stake in the plan;
- Set the ground rules, agree them with all parties and stakeholders, and then stick to them;
- Exchange information amongst all the parties and stakeholders, using mechanisms that are inclusive and that respect and value non-traditional forms of information;
- Identify and reconcile differences through active dialogue amongst the various stakeholders;
- Reach agreement through negotiation and compromise and clearly record the agreement and what each partner has committed to doing;
- Build continuing co-operation and inclusion into the process of implementation (e.g. through use of incentives to assist in implementation), and ensure that there is monitoring that commitments are being delivered.

Information and GIS

7.7 Mediation invests a lot of confidence in the belief that exchange and examination of information can produce agreement not discord. Therefore geographical information systems (GIS) would seem to offer real potential for resolving conflicts in planning. While GIS may appear to epitomise the technocratic face of planning, this need not necessarily be the case in practice. There have been initiatives where communities have been able to use 'expert techniques' like GIS in a bottom-up way that allows residents to characterize their local environments - using it to acquire and communicate residents' perceptions, rather than only 'objective facts' (Talen, 2000). Our research looked at examples of GIS being used in participatory projects in neighbourhoods in the USA.

7.8 In the Envision Utah regional plan, GIS was one of a number of methods used to build consensus after initial efforts at planning had met resistance from residents and officials. Computer databases and GIS were used to run different scenarios to show people what would happen if current trends continued and certain restrictions were implemented or not. The techniques helped participants to visualise issues and generated discussion. The four scenarios were widely distributed and 20,000 questionnaires based on them were returned. They were also discussed at 50 public workshops,

leading to the acceptance of the regional plan. For more details see www.envisionutah.org and Osbourne (2001).

7.9 The Neighbourhood Strategic Planning program (NSP) of Milwaukee, Wisconsin, has been discussed in Chapter 3 (3.41-3.47). It incorporated GIS-based data and maps into the neighbourhoods' planning processes and the resulting strategic plans. Milwaukee NonProfit Center, an institution that provides technical skills and organizational management training to non-profit organizations, and the NonProfit Center's program called the Data Center underpin this initiative. The Data Center provides GIS-based data, maps and consultation to agencies that are members of the NonProfit Center, and was contracted to provide GIS-based data and maps to the 17 NSP coordination agencies.

7.10 In Minneapolis GIS software was used by neighbourhood organisations to maintain databases of property conditions and proposals. This enabled the local community to collect data and present their opinions to planners and other officials in a professional and comprehensive manner. In these and other cases, the provision of common data sets to all stakeholders from the outset, or the collection and sharing of data amongst stakeholders generated trust and a 'level playing field'. However it is essential that each stakeholder has equal access to case information throughout the process. This is not only scientific and technical data (often agreed by participants to be generated by external, third party scientists/researchers) but also local historical information that community groups, for example, may feel is very important.

7.11 The presence of a GIS provision and support institution is critical to the successful implementation and sustainability of GIS analysis by small community-based agencies. It is difficult for these organizations to acquire and maintain GIS hardware, software, and data independently, given their limited staff, funds and GIS expertise. Relying on local government offices to provide digital data or GIS analysis services is also problematic to community-based organization, because these data and analyses are usually tailored toward local government's needs and priorities.

Key Lesson For Developing GIS As A Tool In Participatory Planning

GIS has potential as a tool in participatory planning and there is a body of experience in its use in the USA. A GIS used in participatory planning must be sufficiently flexible to include diverse and unexpected forms of community information, such as narratives, citizen reports, digital photographs, and to model scenarios that may diverge from local government priorities in a planning process. There could be an experiment with the use of GIS in this way in the UK as part of the push towards e-government.

Techniques for inclusion rather than exclusion

7.12 Too often orthodox public participation has failed to reach and involve its audience. Participatory planning needs to use and to dare to experiment with methods that put inclusion to the fore. The theatre group in the SYLVIE project (see Box 6) is one example of a non-technical medium bringing together people in a way that allows them to find solutions to differences. It worked in Vienna, so why not try it in an English city?

7.13 In order to redress imbalances in representation in conventional participation exercises, authors have suggested:

- changes in the type of meetings that take place (see Lowndes et al, 2001a, 2001b; Jenkins et al, 2002);
- professional support for weaker parties, e.g. through Planning Aid (Welbank et al, 2000); and
- community capacity building (Taylor, 2000; Jenkins et al, 2002).

Clear use of simple, non-technical language is likely to reduce the barriers for engagement with the public. Some authors point out that, despite the limitations encountered by disadvantaged groups, mediation processes can provide opportunities for community actors to contest and renegotiate their

level of involvement (North, 2001), or to gain increased access to information (Susskind and Ozawa, 1984).

7.14 Our research found some examples of innovative techniques, alongside more traditional methods used in public participation. While the most common approach still seems to be government planners (and/or the private consultants they hired) holding public meetings and conducting mass surveys, in some cases this was reversed, with the stakeholder groups presenting their interests to each other and public officials (eg in the Sacramento Water forum - see 5.5-5.6) or devising their own neighbourhood development strategies within city-mandated structures (eg Milwaukee 3.41- 3.47). Other common methods were to ensure the local media - television, newspapers and radio - regularly carried stories about the planning process and explanations of how to get involved. Educational workshops, charrettes, public notices, telephone surveys, focus groups, presentations to community groups, door-to-door discussions, distribution of informational videos (through libraries, churches, community groups, etc.) were also common. Many questionnaire respondents also mentioned using the Internet and web-sites to distribute information and receive feedback on proposals and plans. In short, there are numerous innovative ways of constructing channels for dialogue and negotiation. Table 3 (next page) gives a sample of some of them. The International Association for Public Participation has a 'Tool Book' of techniques on its website (www.iap2.org/practitionertools/).

Table 3: Some innovative techniques	
Place	Technique
Ingolstadt, Bavaria	'Day of Visions' in local theatre - music, workshops, special guests (e.g. Franz Beckenbauer). 5000 attended and 900 feedback cards were submitted by citizens with over 1500 ideas for urban development. Then six citizens' conferences, facilitated by expert mediators, had up to 25 participants and included 2-4 city council members, 3-6 administration and external experts and 15 citizens selected because they contributed to the specific topic of the conference. These were followed by 41 Round Tables (Autumn 2001), where citizens, councillors, experts from the administration and representatives of LA21 discussed a range of issues leading to consensus regarding the new Master Plan and the Local Agenda 21 Action Programme.
Groningen Province, Netherlands	The POP plan used many different techniques. One particularly interesting one was the outreach to young people through 'Groningen 2030', a story-line project (supported by the NoordXXI Interreg project) aimed at secondary school pupils, who were encouraged to develop their own plans. Pupils and teachers received information packs and staff received training in skills required in story-line techniques. The project culminated in a presentation by the pupils in the provincial government.

Participatory Planning for Sustainable Communities

Verwall, Vorarlberg, Austria	This exercise seeking agreements amongst contending interests in a Natura 2000 area went through several planned stages. One of them involved the setting up of study groups (November 2001 to April 2002) focused on four main topics: agriculture, forestry, hunting, and tourism. There were then excursions and local inspections in the Natura 2000 area. This resulted in rough drafts of agreement being prepared (by members of the mediation team) covering the topic areas. These draft agreements were discussed in June-September 2002, which included a plenary meeting of the negotiation team, providing feedback to the original groups involved resulting in gradual revision and specification. These then formed separate chapters in the final draft version of the Agreement.
Village of Bartlett, Illinois	After initial presentations by the Village Planning Consultant and a market analyst, the 130 participants were divided into groups of 10 and competed to develop the best plan. These plans were then photographed using a digital camera. The ten plans were put on the internet and displayed at meetings. People voted for their favourites and then the three top choices were professionally revised by the Consultant and presented to the city council for the final decision. Plan-It Toys™ were used at meetings by participants to express their design ideas through these models of buildings and land uses.
Minneapolis	One strategy in Minneapolis to elicit views of female residents was to bring toys to a local park and while children were playing with them, talk with their mothers.
Minneapolis	The University of St. Thomas established a training programme for NGO management and received more applications than space available. In turn, at the request of City authorities, the University of Minnesota established a Neighbourhood Planning for Community Revitalization office that provides expert training and assistance to neighbourhood groups, typically by funding undergraduates, post-graduates or faculty to engage in research projects with neighbourhood groups (eg conducting surveys, building databases, etc).
Clackamas County, Oregon	Consultants Cogan Owens Cogan trained citizen volunteers in mediation practices and provided each with a kit which could be used to stimulate discussion and advance stakeholder participation. These facilitators then hosted workshops in their local communities.

<p>Several</p>	<p>Charettes are widely used in the North American cases we have looked at. The following explanation comes from the 'Community Engagement in New South Wales' web site (www.iplan.nsw.gov.au/engagement) - a useful source on techniques. 'A charette or "inquiry by design" workshop is an intensive workshop where stakeholders are brought together to suggest solutions for complex planning issues. Such solutions include trying to balance planning, economic and social factors as well as urban design and sustainability considerations. A charette should include representatives from interest groups although it is not limited to these groups. It involves a rapid and dynamic interchange of ideas between planning practitioners, stakeholders and the general community. Concrete results are produced rapidly with meaningful and well placed involvement of the community. It is a cost effective means of envisioning the outcomes at an early stage and assessing the planning proposals at the final stage. It is important that both the consent authority and the participants in the charette understand its role in decision-making.'</p>
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Source: Questionnaire survey

7.15 Planners could learn from the way that marketing goes about creation of a brand, since an understanding of the user-group is the starting point. It involves a step-by-step process of interaction between the designer and the user-group. It begins with research on secondary sources about the target group, to learn as much as possible about their culture, the nature of the market and the possibilities offered by technology. Typically the result is redefinition of the problem and of the underlying goals of the client. Step two involves interviews with the users, to ascertain their concerns and their interpretation of quality of life - what gives meaning to their life? Many problems arise from exclusion, alienation, not understanding technologies, not being able to choose. So far nothing has been designed. The generation of design ideas begins in the third step, and is usually done visually. The central task is to show how to improve an existing situation and create new benefits. Again it is dialogue with the end users over these ideas that informs the design. Box 7 shows how a marketing company worked with local residents to 're-brand' a poor neighbourhood in Utrecht.

- In contrast with marketing, the planning system has invested scant resources into understanding its customers and their needs.

Box 7: Outreaching And Negotiation Through Neighbourhood Branding And The Skills Of Marketing, Utrecht, Netherlands.

Ondiep is a blue-collar mainly residential district in Utrecht. Its 4000 houses are home to 9,300 people, many of whom are long-term residents. Unemployment is high, housing quality is poor. How can the neighbourhood be improved with, and for, its residents? Real Time Branding is working at it. The way they have gone about the job is as follows.

- A cross section of people from the area and outsiders, including professionals but also tradespeople, together with relevant experts were brought together for a long weekend. They were mixed up to create 8 teams and each team was assigned a 'Creative Coach' whose job was to stop the talkers and to push people into drawing visual images. The image drawers were coaxed to explain why they had drawn this particular image. There was a back up team of 5 visualisers able to work up any image on demand in two-dimensions or three-dimensions.
- The process of producing posters began with very open questions, then moved on to be more specific about the neighbourhood. 'What is your favourite place? What is important to you in life? What sort of people do you feel confident with?'

- Having built confidence and familiarity, the third round looked at what had never been said about the neighbourhood but needed to be said. Nothing was taken for granted. People were asked why these things are important to them.

Each group made a poster and a 10-minute presentation on the new Ondiep. Then the council's planners and other officials were brought in, and asked whether what they are doing matched what the residents wanted. A dialogue developed in which the external professionals and the residents were able to build mutual respect and understanding. Building a brand for the neighbourhood was the way of linking the understanding of the residents and the professionals who manage and serve the area. Having a brand also makes it easier for Ondiep to communicate with others outside their own neighbourhood. The brand was a visual symbol defining the neighbourhood, its self-image and style, its life style(s) and preferences. The task of the managers - the professionals from the council or other agencies is then to manage in a way that sustains the brand.

Source: Konigs (2001)

7.16 Knight and Caldwell (1998) describe how innovative use of a 'community action kit' in the Huron County Plan, Ontario, was a conscious attempt to include all sections of the community, including age differences, gender, literacy differences, etc, by utilising a variety of consultation techniques and minimising barriers to involvement (eg based on race, class, gender, time, child care needs, transportation, etc.). Similarly, there has been a recent recognition that planners engaged in mediation and conflict resolution need to facilitate story telling and the hearing of stories (Sandercock, 2003). For example in Washington State, USA, in a land dispute between Native Americans and non-Native officials, the mediator made a circle in which everyone could say what the place meant to them - tell their story - without having to argue 'my needs versus your needs' (Forester, 2000).

Resources

7.17 A message that recurs over and over again is that participatory approaches to planning need proper resourcing. They may save money and time but those benefits come in the long term not the short term. Planning is a difficult process and negotiating agreements takes time and human resources. Sometimes, where the project is for a relatively small town it is enough for one planner to go and meet stakeholders and act as a 'go-between' learning and sharing information before offering a set of proposals to residents and local government. For example in Brandon in Canada (a town of 40,000) one planner mediated between developers, neighbourhood representatives and local government officials - those directly involved in the issue - and the process took 6 months. In the larger more strategic cases, with wider public involvement, such as the Water Forum plan for Sacramento or the 20 year MetroVision plan in Denver, greater resources were necessary and the process was protracted.

7.18 Where participatory planning does demonstrate effectiveness is in the mobilisation of other resources from outside the formal planning system. It is a way of tapping into wider expertise and understanding, not least that of groups who have usually been disconnected from mainstream planning. In strategic spatial planning securing support from key stakeholders holds out the possibility of resourcing the implementation of the plan. Nevertheless adequate public investment is needed for successful community-based planning processes. As noted in 7.11, community use of GIS to exchange and analyse information requires support services. Community-based planning organisations are likely to need assistance in understanding and interpreting spatial data and maps, in order to be able to utilise these resources in a meaningful way in a community plan (Barndt 1998 and 2002; Barndt and Craig 1994). In summary, a more participatory approach is likely to require more resources for the early stages of planning, but it offers the prospect of sounder and stronger plans, which will attract less challenge through the appeal system, and thereby save resources later in the planning process.

Key Lesson For Politicians

Mediation and participatory planning is not a means of saving on local authority budgets, rather it is a way of delivering better quality in the planning service and achieving more effective long term use of resources.

Summary

7.19 This chapter has shown that:

- Good communication is essential to success of all planning but is especially central to participatory planning;
- A phased programme for engagement, negotiation and mediation should be planned;
- GIS can be used to help people visualise regional scale change or to underpin neighbourhood planning by community organisations; its uses in these ways should be explored in England;
- There are many innovative techniques that can be used to reach those excluded by traditional public participation;
- Participatory planning is about good planning and long-term benefits, not a way to make shortterm financial savings. It needs adequate resources.

Chapter 8: What skills and attitudes are needed?

The aims of the class are to teach students how to be effective facilitators by employing a number of creative tools and techniques, to educate stakeholders, raise community awareness, mediate issues and build consensus. Post-graduate elective class offered at the University of Toronto's Faculty of Architecture, Landscape and Design.

The basis of our findings

8.1 This chapter looks at the skills required to be a successful facilitator/mediator in a planning context, as well as how they may be best developed. It is clear from our questionnaires and case studies that skills and attitudes are vital to the success of mediation, and that while engaging in participatory planning is itself a way of acquiring relevant skills, relatively few participants had received formal training. The situation described in Box 8, while distinctive to Groningen in terms of the investments made in the use of consultants, is indicative of the skills involved in participatory planning and how they are often acquired on the job.

Box 8: Skills Needed And Learned Though A Participatory Form Of Planning: Groningen Province, The Netherlands.

Planners in the Provincial Council felt they had developed new skills of communication and negotiation through the process of doing the POP plan. Considerable use of specialist consultants was made and the province also increased the number of experts with communication skills on its own staff. Consultants, for example, made videos to use at meetings. Consultants also provided support in managing meetings - eg ensuring that through music and videos (and cartoons in the case of the involvement of youth) the meetings were attractive events. While no formal training was provided to the Province's planners, seeing such approaches and techniques had a training impact on the planners who were involved. They learned how to listen and to understand the stakeholders' agendas. They recognised that this form of planning requires good organisational skills. Similarly networking skills became very important, e.g. building and servicing a network of key players (including politicians and stakeholders). Learning how to work positively with politicians was another skill they picked up.

A related skill is how to manage conflict. The first launch of events in 1998 was just before the elections so the politicians agreed that they would only listen and not make party-political interventions. So agreed rules can contain conflict. However, not surprisingly, there were times in meetings when politicians began to stray from the self-denying ordinance, at which points, the

planners pointed this out but in a way that made it like a joke that everyone could share. So use of humour is another skill.

Planning in this way needs means of communication that are more effective than words or maps. Examples are pictures, drawings, sketch plans. Groningen Province used professional graphic artists to illustrate reports, for example, that in turn had been written for and with stakeholders.

Source: Case study

8.2 In the questionnaires and case studies we asked questions about skills. These findings were then extended and deepened through ten structured interviews with experienced facilitators in Canada and the United States, some of whom are also actively engaged in training and education. Participants in these interviews were sent questions in advance, which were followed up by a telephone interview. All were people working in consultancies who are employed by both the public and private sectors, normally as neutral parties, to facilitate discussions between diverse interest groups as part of the planning process. Interviewees were from Ontario and the West Coast of the United States, all places with a well-developed system of planning and public involvement.

8.3 Having completed the interviews, the North American experience seems to be directly transferable to the UK. They have a system of land-use plans against which proposals are judged. Public involvement and diverse stakeholders, including politicians, help shape these plans and like the UK, people hold strong views about what they like and don't like in their neighbourhoods; feelings can run very high. There is nothing inherent in the context that would suggest that a different set of skills and training requirements would be required. Where mediation has become more common in the planning process, this spawns a growth of specialists in the field, as well as a range of training courses and Continuing Professional Development (CPD) events. A sub-specialism of consultants who garner public support for particular development proposals has also grown.

- The skills and training requirements identified through the survey of North American facilitators would be relevant for England should similar facilitation/mediation processes be adopted.

Skills and knowledge required

8.4 The research found that human resources are very important. Requirements of the mediator's job when diverse interests are brought together to debate planning issues are extensive. Synthesising our findings we suggest that the required skills can be grouped into three categories - organisational, analytical and cognitive, and last but not least, inter-personal. These are explained in the following list.

Organisational Skills - Ability to:

- Plan, organize, and prepare well;
- Manage resources (financial, human and time);
- Remain focused on objectives and deliver on them within time constraints;
- Keep the process moving; not getting side-tracked;
- Make sure people are comfortable; deal with logistical issues to create the right environment;
- Use effectively various group methods/techniques as appropriate;
- Convert agreements into implementation on the ground.

Analytical and Cognitive Skills- Ability to:

- Synthesise complex technical information so that it is easily understandable;
- Understand a complex process involving diverse interests;

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- Detect what people are really meaning, get to the heart of issues and unearth hidden agendas; understand where people are coming from; reframe statements and situations in order to identify underlying values and goals;
- Understand the role of individuals and the group and the relationship between the two;
- Learn from experience (sometimes bitter);
- Work with ambiguity and uncertainty and share, and encourage this quality in others;
- Document and record accurately;
- Constantly evaluate, reflect and synthesise.

Inter-personal Skills - Ability to:

- Zoom in on people's state of mind and emotions; understand the principles of emotional intelligence;
- Understand group dynamics and elicit creative responses in individuals; ensure that everyone is heard and has equal access to the process;
- Deal with difficult situations and people; manage conflict and confrontation; rein in overdominant people;
- Think quickly on your feet in front of large groups; deal with the unexpected; be flexible;
- Actively listen;
- Get stakeholders to explain and evaluate their positions, not just assert demands or jump to conclusions;
- Negotiate, strive for win-win situations;
- Communicate well, verbally and non-verbally; be self-aware (eye contact, facial expression, body language, tone of voice, choice of words, clarity); promote communication amongst all members; ability to communicate in the first language of the participants is very helpful;
- Remain neutral and unbiased;
- Ensure the group takes responsibility;
- Inspire confidence in the mediation process.

Key Lesson For Employers, Trainers And Education Providers

These skills listed above are extremely important if planning is to be an effective process. They should be central to the initial education and lifelong learning of planners.

8.5 Many of the North American examples we studied through questionnaires and through our literature review stressed the importance of having Spanish language interpreters and publishing web-site documents in Spanish and English. Having materials available in all relevant languages, and structuring discussion and negotiation so that people can work in languages that they feel comfortable with, is critical to successful inclusion.

8.6 Mediation and participatory planning is very much a process. It is about doing things, and so the practical skills listed above are very important. In contrast, we found much less emphasis was given to knowledge, and hence our summary list on that is much shorter.

Knowledge

- Understanding of the importance of process in achieving objectives;

- Appropriate level of technical planning knowledge, including legislation;
- Awareness of relevant techniques and methods;
- Knowledge about the area, its history, planning conflicts and stakeholder interests.

Box 9: Skills Needed By A Planner Doing Mediation - William Grimes On His Experience In Ephrata, USA

This process involved several typical mediation skills, mostly an ability to critically listen to former litigants and concerned citizens, an ability to question participants to more specifically identify particular concerns, an ability to categorise those concerns and an ability to create solutions that were unique and flexible enough to fairly and appropriately address the categorised concerns. There were also skills involved in managing public workshops, in answering concerns raised in public testimony, in writing appropriate policy and in graphic illustration proposals.

Source: Case study

8.7 There was general agreement among the interviewees that one didn't need to be a professional planner to be a good facilitator/mediator, but it was important to have a good working knowledge of technical planning issues. There were good examples of mediators who were landscape architects, architects, urban designers, psychologists, lawyers and politicians. From the questionnaires we found that there were indeed examples of facilitators being used, but that generally planners had been in prominent roles, especially in the examples of Integrated Development Plans in South Africa.

8.8 It is important that the processes are carried through to implementation - to reach agreements then find that nothing happens is demoralising. This suggests that even if the mediator is not a planner there have to be ways of continuing the mediation-style planning through the implementation process. Implementation as well as plan making needs to be a partnership.

8.9 Overall we conclude that the mediator does not have to be a planner but that understanding of planning is likely to be a distinct advantage, especially as agreements need to be converted into implementation. Participatory planning does not end with the plan. There is clear evidence that planners can become effective mediators. Furthermore, the emphasis in our report is on the need for planning to make a culture shift towards what we have called participatory planning, where the concepts and skills of mediation are embedded throughout the system, rather than making plans, publicising them, finding conflict then bringing in mediators.

Key Lesson For All Planners

The skills and knowledge of mediation should infuse the whole planning process, including the implementation stage, rather than being seen as an adjunct to it.

Personal qualities and attitudes

8.10 Because inter-personal skills are so important it follows that personal qualities and attitudes also matter. The experienced mediators and trainers whom we interviewed identified a list of such qualities.

- Patient, even under pressure; calm;
- Results-oriented, persistent in achieving objectives;
- Honest, authentic, personal integrity, trustworthy;
- Open, warm, empathic, out-going, caring, thoughtful;
- Confident, including dealing with rejection, hostility, suspicion;
- Not afraid to take risks;
- Collaborative; not over-dominant;

- Responsible;
- Flexible, responsive;
- Able to establish rapport with different people within a group, including large groups;
- Energetic, unflagging;
- Genuine belief in the role of public involvement and diverse interests.

8.11 A pre-requisite is that an individual is committed to the process and must have the appropriate attitude and motivation. Individuals with some personalities might be better pre-disposed to being an effective facilitator than others. However, the important skills can be learned, so this is not a limiting factor, provided that the right attitude is there, a commitment to 'putting the "public" back into "public involvement" '. Self-awareness can help people to identify what they might need to improve. 'The ability to empathise, to think quickly, to listen well and to articulate the interests expressed by others are important. Some people find these skills easier to acquire than others; some people aren't interested in developing them,' as one respondent commented. In cases where large amounts of money might be at stake, age and experience may make the exercise less intimidating. If the mind-set of mediation develops within planning there should be opportunities to gain experience in less 'high-risk' encounters.

8.12 There was also general agreement that teams of facilitators are best. Doing this work by oneself can be very lonely and it is usually more effective to have at least two people, so that they can help each other reflect from two perspectives and play to their strengths. One respondent had used a model successfully with her partner where they took turns being the 'content' and the 'process' person.

Key Lesson For Those Doing Mediation

Teams are desirable - especially for larger and more complex mediations.

8.13 The essence of mediation is interaction between the parties so that they reach an agreement together. In all of this the mediator (or mediation team) is also a role model and a trainer, whether consciously or not. The situation was well summarised in our questionnaire from Susan Sherry from the Centre for Collaborative Policy, discussing the Centre's work with the Sacramento Valley Water Forum - see Box 10.

Box 10: Mediators As Role Models And Trainers

Throughout the collaboration, we took special care to place the responsibility of the agreement onto the stakeholders rather than staff. We also did considerable role modelling for them in successful process techniques. It is fair to say that everyone who participated in the collaboration gained enormous process skills and those who came into the process with a higher level of sophistication now regularly mediate disagreements among themselves. Throughout the collaboration, we made our process interventions transparent (in other words, we informed the group of what we were doing and why) without burdening the stakeholders with an overemphasis on the process. We provided efficient process tips when it was directly related to the task at hand. For example, when we began the negotiation phase, stakeholders needed a negotiation roadmap. To meet this need, we gave them our process design for the negotiation phase.

Source: Questionnaire survey

Learning strategies

8.14 Interviewees generally agreed that an unskilled or poor mediator could make a fraught situation worse, where 'people only end up yelling at each other, achieving nothing.' The training and development aspect is therefore very important and needs to be considered for all parties, not just for the actual mediator. A number of interviewees indicated that training and development were becoming more available and sophisticated. One respondent in Ontario said that in her experience, planners tend to be good at these skills and qualities already. People were interviewed to gain

admission to her planning course and it seemed like the admissions officers were looking for these qualities at entry. Similarly it is clear that in South Africa planners have taken very easily to roles as facilitators, mediators and negotiators. A UK-trained Voluntary Service Overseas planner was able to undertake an imaginative form of participatory planning in a situation where people had little experience of planning, in Iganga, Uganda.

8.15 Some firms that specialise in mediation have the relevant skills in mind when recruiting staff and undertake staff development to grow in-house expertise. However, our research found that most people had learned on the job, which can be a powerful (but sometimes painful) way of learning. One respondent spoke of 'learning in the trenches'. Another said that her career had been altered when a woman spat on her at a public meeting and she vowed to take steps to make sure that would never happen again. Some learned by watching experienced mediators conduct sessions as they were brought up through the ranks. One interviewee commented, 'Learning on the job means that you can experiment with what is right for you, what you're comfortable with; your technique evolves.' A technique that works for one person might not be as successful when applied by someone else. Someone mentioned that there can be particular problems when people work in isolated environments.

8.16 Various external Continuing Professional Development opportunities exist to help planning professionals. There are books and journal articles that are available for practitioners to read on the subject, including from the Congress of New Urbanism. Professional conferences in areas where mediation is prevalent have sessions where experience is shared. We also commend the website from New South Wales that we referred to earlier - www.iplan.nsw.gov.au/engagement. Volunteering to take on work for Planning Aid is another way of learning by doing.

- Many planners involved in mediation have learned on the job.

8.17 There are some courses that are geared to providing specialist training to people in practice. Some are offered through professional institutions, others by firms or individuals. In Ontario, where facilitation as an activity has increased greatly over the last ten years or so, there are a growing number of courses and participants. There has been an increasing realisation that these skills were not part of most people's education and that there is a need to develop them through lifelong learning.

8.18 Some of the courses are general ones that individuals can sign up, while others can be tailored for a specific organisation. The Ontario Professional Planners Institute, for example, runs programmes in facilitation and alternative dispute resolution. The latter takes place over four and a half days but shorter components are also available. Some courses on specific aspects might only last a half-day or one day. The courses cater to individuals or organisations. The length and cost of courses, including overnight costs, can be a barrier to people taking them. ECO Resource Group in Seattle also provides training as well as mediation services directly.

- There are specialist courses and training organisations.

8.19 Trainees might be planners or other professionals or community volunteers that will be involved in facilitation processes in the future. A new initiative in Ontario trains people to train others. This is a common approach in development work in poorer countries and one that we commend. It is consistent with the idea that going through mediation is a learning process in itself, as well as a means to an end of getting agreement.

Key Lesson For Those Practising Participatory Planning

Learning is at the heart of participatory planning. All parties to the process can learn through their experiences. Thus those who have participated once become a resource who can provide training to others. When the learning process is consciously structured and reinforced this process of 'training the trainers' can be a very effective and efficient means to disseminate new skills and a new culture.

8.20 There is general agreement that it is most effective to integrate practical exercises as part of active learning techniques, including role plays, case studies and situation assessments. There is no

substitute for practice. Activities get people in touch with their weaknesses and natural inclinations so they know what they have to work on. There is a big difference in this field between doing and understanding. Participants are encouraged to practice right away so the skills do not get rusty. 'You need to keep using these skills or you can forget them; refresher courses are important for people that haven't used them for awhile.' One respondent made the point that once these skills are learned, they can be put into practice in a planner's everyday job.

8.21 Some CPD courses use workbooks that participants engage with; this promotes learning away from the classroom and provides participants with a reference manual. Typical topics covered in a manual or CPD course are: meaning of facilitation; benefits of facilitation; how to manage a meeting; group dynamics; methods and techniques; planning and preparation; meeting rules; dealing with problems and conflict; sensitivity to culture and diversity.

8.22 IAP2, the International Association for Public Participation (www.iap2.org/) was founded in 1990 'to promote and improve the practice of public participation.' In 2000 it had over 1,000 members in 22 countries. In conjunction with its annual conference (so far held in North America), the Association has been offering training for over a decade. It launched the Certificate Training Course in Public Participation in 1999. This consists of various introductory and advanced modules about topics such as foundations of public participation, planning effective participation, tools and techniques and effective communication.

- It is important that people who have been trained get the support of their senior managers and, if appropriate, politicians. If support is not evident throughout the organisation, the training can be a waste and frustration results.
- When considering training initiatives, it is important to be absolutely clear about what is wanted, and to discuss explicitly the objectives of the training with the providers.

Learning and teaching about mediation in planning education

8.23 Most planning courses do not teach these skills specifically. None of the interviewees had learned about how to mediate while in higher education, but many thought it would be a good idea. 'Whether or not you become a mediator, these skills help you become a better planner anyway because planning usually deals with conflicting interests.' 'Most planners become involved in negotiations, and the skills they learn and improve in negotiation can be helpful when they act as mediators.'

8.24 One of the interviewees, Erika Engel, runs a specialist postgraduate elective 'Public Participation' class for planners, urban designers and landscape architects at the University of Toronto's Faculty of Architecture, Landscape and Design. Erika is a planner and runs her own firm specialising in facilitation/mediation in a planning context but also undertakes planning projects. The aims of the class are to teach students 'how to be effective facilitators by employing a number of creative tools and techniques, to educate stakeholders, raise community awareness, mediate issues and build consensus'. The multi-disciplinary nature of the class is used to show how facilitation techniques can be used in different contexts by professionals from various disciplines, including design subjects. Erika thinks that richness derives from the mix of disciplines, each bringing a diverse range of skills to the problem. Use is made of new technology and case studies. Course objectives are to:

- introduce students to the history and theory of public participation;
- provide an opportunity for students to develop a public participation strategy using different tools and forums and to apply it to a real live case study;
- learn how to identify stakeholders and encourage their participation in the design and planning process;
- introduce techniques for visioning, facilitating, mediation and consensus building;

- develop a range of communication strategies and material (graphic, written and oral) needed to educate, disseminate information and obtain input from the public;
- investigate the use of the Internet as a consultation tool and forum.

8.25 A reading list provides numerous references about the history and theory of participation, techniques and case studies. Students are also required to attend public meetings to see facilitation techniques first-hand themselves and reflect on what went well and not so well. There are three very practical and participative assessments, corresponding to stages in the facilitation process:

- **Information Dissemination: Engaging the Stakeholders**, requires students to prepare an invitation to stakeholders to the first meeting of a facilitation exercise. They must include a couple of pages of information introducing the purpose, history and current site conditions, key issues, location map and images of the site. Clarity, conciseness, attractiveness and interest are judged.
- **Design and Implement a Public Consultation Forum** requires students in small groups to take one of the case studies from the first assignment. Part A requires students to: prepare an 81 What skills and attitudes are needed? implementation plan for a public consultation forum. Part B requires students to implement their chosen consultation forum using the class as stakeholders, providing background information and an opportunity for input and dialogue.
- **Ongoing Communication and Feedback** requires students to prepare feedback to forum participants: a summary of the consultation; information about future fora, information about the project's progress, issues, key players; information of the next steps towards implementation in newsletter or website form.

Key Lesson For Planning Schools, The RTPI And Related Professional Bodies

- There is a need to build understanding of, and skill development in, participatory planning as a central aspect of the initial professional education of professional planners and related professionals.

Training Others

8.26 'People don't accept top-down any more. On the surface it looks like people are less interested in politics than they used to be, but they are very keen to have a say in local area projects. The key issue to resolve is how to involve politicians in the ideas of the public!' This quote came from a Dutch planner that we interviewed. It emphasises the extent to which this new form of planning is not a one-way process, and that training is not something to be directed only at mediators. Planning based on mediation means that the local planning authority does not have exclusive ownership of the plan, nor a monopoly on expertise in plan preparation. It changes relationships between officials, politicians, the public and other stakeholders. The shift to mediation and engagement in planning itself needs to be mediated!

8.27 As we have noted a typical mediation begins with conflict between stakeholders who are mutually suspicious of each other's motives. Thus many who returned our questionnaires stressed the need for an educational phase to teach planners, stakeholders and residents about each other, the issues and the local context. In Ephrata, independent planning consultants helped disaffected citizens to better understand what planning was about, while stakeholders unhappy with previous planning efforts were interviewed so that their opinions could be better understood. All the evidence available to us - and there is a lot of it - shows that mediation depends on educating all parties and on building relationships, through seeing planning as an on-going, collaborative process of building the kind of consensus that will sustain communities.

8.28 In changing the culture of planning, it will be important to stress the human dimension of the task. Skills requirements should be explicitly recognised and set out. While the North American political culture and its federal system are different from the current situation in England, North American experience in respect of skills and training is transferable to the English context. Discussions should take place about alternative methods of training and development; this is

important both for individuals and organisations. The Royal Town Planning Institute and the Local Government Association should be involved in discussions; this has implications for initial professional education and staff development and continuing professional development. Other training providers should also be involved, including universities and Planning Aid. Participatory planning is consistent with 82 Participatory Planning for Sustainable Communities the Royal Town Planning Institute's 'New Vision' and the government's commitment to lifelong learning. Links could be made with other bodies, including international ones such as the Commonwealth Association of Planners and the European Council of Town Planners, to promote the benefits of mediation and train mediators.

Key Message To ODPM, Training Providers, Planning Aid, The Town & Country Planning Association, Local Government Association And Room At RTPI

Any plan to move towards mediation in planning must in turn have a plan for explaining the ideas and training councillors, other key stakeholders and community organisations.

Summary

8.29 Involving diverse stakeholders effectively, and grappling with the conflicts that often arise between various interest groups, can be very stressful, and often lonely. The rigorous demands of the job require a high level of skills and knowledge to achieve a resolution and positive way forward. A range of process skills is demanded but the mediator should also be well acquainted with appropriate technical planning knowledge, although he or she does not necessarily need to be a planner.

8.30 These skills can be positively identified and actively learned. At their heart are people skills, including:

- an understanding of large group dynamics (including emotions);
- the ability to listen, communicate, negotiate, manage conflict, reframe and synthesise;
- knowledge of alternative methods and techniques for creatively solving problems in a group is also important.

8.31 Certain personal qualities are also required, a combination of:

- grit (determination, focus, goal-orientation) and
- compassion (honesty, openness, reflectiveness, collaboration, flexibility, fairness).

8.32 Underpinning all this should be a deep belief in the benefits of mediation. Experience helps and there is evidence that in parts of the USA, Canada, South Africa and Australia where mediation has become an integral part of the planning process, a body of experienced people has been built up possessing the above knowledge, skills, qualities and attitudes.

8.33 Most of the people interviewed learned these skills on the job (including watching others), a powerful way of learning. There is strong evidence that being part of a team is the most effective way of promoting these skills. These skills are not usually explicitly taught on planning courses but there are some moves to introduce them. Where mediation has become more common, training courses have burgeoned, run by professional associations, private consultants or public agencies. A common theme is active learning, where people learn by doing and actively participating.

Chapter 9: Conclusions and Recommendations

The relevance of planning as a discipline will continue to be defined by its ability to reflect the needs of the people on the ground. South Africa's Minister responsible for Integrated Development Planning, Minister Mufumadi, addressing the Planning Africa Conference in 2002.

A fundamental change in planning and the culture of planning

9.1 Chapter 1 explained the government's intention to reform the planning system so that it 'fully engages people in shaping the future of their communities and local economies' (DTLR, 2002, p.1). The sentiments of South Africa's Minister Mufumadi at the top of this chapter express the same challenge to planning. The task is to build public confidence in planning through demonstrating practical benefits. Planning still operates at times on the premise 'We have a plan to tell you about and we hope that you like it'. Participatory planning can be the basis for a reinvigorated planning system that will engage the public, and by embracing diversity inspire a new creativity. This outlook would raise the profile of planning within the modernised governance of local authorities. As chapter 8 showed, attitudes matter, and experience and training can change attitudes.

9.2 These statements derive from evidence not just aspiration. Our research shows that there is a new dynamism in planning in many parts of the world. Globally, British land use planning has been trading on its reputation, while being overtaken by others. However, change is now occurring, and a shift to participatory planning provides an engine that can drive that change. Through participatory planning local communities and other stakeholders can see planning in a fresh light, as a way of solving challenging problems and reconciling differences. This final chapter addresses the objectives set for the research, which were listed in 2.2, and makes recommendations.

Mediation skills used to engage communities in the preparation and implementation of plans.

9.3 One of the objectives of the study was to:

- Identify effective mediation skills used abroad by local governmental administrative bodies in communication with local communities to engage the community in the preparation and implementation of meaningful and realistic spatial plans or within planning frameworks at both the local and regional level.

9.4 In 2.7 we explained that mediation is a way of resolving disputes once they have occurred, through the involvement of neutral third parties who can act as a bridge between groups that are often by then hostile and mutually suspicious. As narrowly defined, it implies quite a restrictive set of conditions, a point re-emphasised in 5.2. We have given examples of mediation operating in a variety of planning contexts, often after a long and acrimonious dispute. There was the Sacramento Water Forum at the regional scale that was mediated by the Center for Collaborative Policy (5.5 - 5.6), and Skagit County in rural Washington State where the Northwest Renewable Resources Center mediated and helped the Swinomish Indian Tribe to become positively engaged in the planning process (4.6). Strategic issues of urban expansion figure in a number of examples but most notably in the Ephrata case study (3.31-3.40) where Studio Cascade mediated agreements after there had been litigation (see also 6.4-6.5).

9.5 In Europe we saw the influence of local agenda 21 and of local traditions of participatory governance, as in the applications of the 'Vienna model' to development issues within the city (4.17), or the German examples (discussed in 4.8). The New South Wales government has conflict resolution guidelines (4.1), while the success of PROFAC, in Rincón Grande de Pavas, Costa Rica (6.11) shows what is happening in many poorer countries where NGOs are playing an important role in making governance more participatory.

- There are many examples of mediation skills being used to engage communities in planning at local and regional scales. There is every reason to believe that the use of mediation for objections to development plans could succeed in England also.

Recommendation 1 - To ODPM And To Local Authorities

There should be monitored experiments in the use of mediation to try to resolve or reduce objections before development plans go to inquiry.

9.6 Mediation implies the use of neutral third parties. The research found a variety of persons and organisations undertaking mediation. Where mediation becomes an established element in practice (as in Ontario or the Pacific coast of the USA, for example) the market responds to the opportunities this

creates and we have seen the mutation of planning consultants or mediation professionals into mediators specialising in planning and environmental cases as well as provision of training courses (8.3). We concluded that a mediator does not have to be a professional planner, but that understanding of planning is desirable (8.7, 8.9). There would be scope for agencies such as Planning Aid or universities, or civic organisations such as the Civic Trust or others whose bona fides and expertise were respected. However, it is important to recognise that skills are required to be a good mediator, that a bad mediator can make things worse (8.14). It is also important that if a planning authority is party to a dispute being mediated by a third party, then their representatives must have authority to take decisions and some delegated powers within the negotiations (6.6).

Recommendation 2 - To Local Authorities

Neutral parties should be used as mediators in situations where the analysis of stakeholders and interests identifies a risk that the plan-making body itself has vested interests in the outcomes, or where discussion with the stakeholders identifies contentious issues likely to require mediation.

9.7 Mediation is not always formal (4.7, 5.5, 5.6), and the 'pure' model of mediation is at odds with some aspects of plan-making in the public sphere (5.2, 5.8). It is helpful to think of mediation as part of a spectrum along with negotiation and engagement and pre-mediation (2.8-2.12, and 6.2). Together these approaches constitute the basis for a new, more pro-active, inclusive and integrated form of planning that we call 'participatory planning' (1.8). This contrasts with 'public participation' (1.7) in several important respects (5.13). The skills, ethos and process of mediation can be impressed throughout the planning process, rather than used as a 'last resort' (short of inquiry or litigation) once disputes have arisen. This is what we mean by participatory planning, a way of planning in which there is active and on-going engagement with other stakeholders and with the public.

Recommendation 3 - To ODPM

The ODPM should take a positive lead to promote participatory planning and the idea that diversity and engagement are at the heart of the planning process.

9.8 Mediation is not primarily a means of 'speeding up the planning system', however desirable that aim might be. While mediation may be a more expeditious process than objection and inquiry, there are examples of mediation of complex strategic plans taking several years. Put the other way, engagement does not end when a plan is agreed. There is implementation and on-going change will trigger a new planning phase. Thus the Cape Town case study (3.12-3.20) had two 'peaks' of activity over a period spanning a decade. The Groningen case study (3.1-3.11) shows an on-going process extending into implementation. Clackamas County (7.4) has gone through a series of phases over a period of years.

9.9 Participatory planning is a pre-emptive means to create long term improvements in planning for sustainable communities. It is about altering the relations of governance. It will not always provide a less costly solution, or necessarily in all cases avoid conflict, but in general participatory planning will begin to move the system towards this. Trust cannot be developed instantly in situations where it is absent, and any trust created is likely to be fragile at first. Participatory planning is about creating the pre-conditions for trust and consensus over the long term.

Recommendation 4 - To ODPM And To Local Authorities

Mediation should not be seen as something that can be added on to the existing planning system so as to deliver quicker decisions. Rather it should be developed as part of participatory planning, a long-term project aimed at creating and reproducing sustainable communities.

Recommendation 5 - To ODPM, Local Authorities, RTPI And Researchers

ODPM, possibly in partnership with the LGA and the RTPI and an independent research team, should identify a number of authorities who will contract to be leaders and good practice examples in the early implementation of participatory planning and mediation under the new planning system.

9.10 It is perhaps not surprising that an international study has found that there are many different ways of involving stakeholders in planning in a manner that builds consensus. National traditions, regional attitudes and local circumstances shape institutions, resources and expectations, as paragraphs 4.11-4.18 show. For this reason there is no single 'best practice' model that should be cloned. Rather what emerges is the creativity of diversity, as people have used imagination to rise to the challenge of their own situation. This adds enormous value - one reason why so much public participation in the UK looks 'tired' is that it has become a routine. Changing the brand to 'participatory planning' is a way to put innovation where there was repetition, and to replace predictability by experiment.

Recommendation 6 - To ODPM And Local Authorities

ODPM should encourage experimentation and a diversity of different forms of mediation and participatory planning, and local authorities should be willing to experiment. This would mean using a range of different persons and institutions to manage or take a leading role in mediation and participatory planning, including independent planning consultants, Planning Aid, other civic or not-for-profit bodies, universities, and politicians, as well as professional planning officials. However, an understanding of planning and a knowledge of planning legislation is desirable.

Active participation with a diversity of stakeholders?

9.11 The second objective for the study was:

- Assess whether their mediation processes achieve significant local participation in terms of active participation with a diversity of stakeholders.

9.12 There has to be (and can be) outreach, otherwise the process of inviting participation is likely to privilege those with the time and resources and skills to perform well in discussion groups, public meetings, charettes etc. A more open system that is not structured around outreach and inclusion will be more vulnerable to lobbies, especially strong private sector interests, and could actually increase exclusion (6.15-6.17) and the Milwaukee case study (3.41-3.47).

9.13 Tackling exclusion is not an easy task, and may end in failure as happened in Minneapolis (6.10) or less dramatically in Denver (1.11). This makes professional ethics particularly important. Planners, and all other participants, need to be culturally aware (4.9-4.10), committed to inclusion and skilled at listening to and integrating different voices. Youth, old people, ethnic minorities, the poor and non-property owners seem to be the main groups currently overlooked in many planning systems, while gender also remains significant and there is still substantial under-representation of women amongst the planning profession in many countries, including the UK.

9.14 'Unconventional' approaches can be built into outreach programmes and be successful at reaching diverse groups, like the theatre group in Vienna (7.6), Plan-It Toys™ in Bartlett, Illinois, or toys in the local park to reach out to women with young children in Minneapolis (7.14) or the 'community action kit' aiming to include all sections of the community in the Huron County Plan, Ontario (7.16). The 'branding' exercise in Utrecht was yet another successful example of creative thinking and new ways of relating to residents (7.15). Language - both non-technical and the language of minority groups - is important (7.13 and 8.5). Non-verbal communication may be more helpful than written text; examples are pictures, drawings, sketch plans - Groningen Province used professional graphic artists to illustrate reports, for example, that in turn had been written for and with stakeholders.

9.15 One important approach that we looked at was the use of community-based GIS. It was used to help people get a better understanding of regional growth scenarios but also at a neighbourhood level in Milwaukee in particular (3.41-3.47). There is clearly potential in this technique, though the Milwaukee experience also emphasises the need for proper resources and to ensure that the technical sophistication that it offers does not exclude less-technically minded people or close ears to arguments presented in more traditional ways.

9.16 There is a literature and a lot of experience on techniques of how to engage. We have pointed to the websites of the International Association for Public Participation, and the New South Wales Engagement handbook. However many who are involved in planning in the UK - councillors, planners, other relevant staff from local authorities or governmental agencies, have limited experience of this. Conversely there are others in local government who are well versed in these approaches (notably those in community education and community work) or who have deep experience of working closely with marginalised groups (eg officers involved in special needs housing, or social services, or teachers). If planning is to become participatory then information is required, connections need to be made and training packages have to be developed and delivered.

Recommendation 7 - To Local Government Planners

Local government planners should work more closely with related local government colleagues in community work, community education, social services, housing and education to develop, devise and implement programmes which enhance their understanding of diversity and create mechanisms for outreach to groups with whom traditional planning has not engaged effectively.

Recommendation 8 - To ODPM

ODPM should be a champion for outreach and diversity in planning, and ensure that these themes have a much more central place in planning practice than is currently the case. Planning authorities should be given incentives and encouragement to experiment - eg additional funds allocated on a competitive basis to facilitate and disseminate innovation and good practice.

How to manage the process?

9.17 The third objective of the study was to:

- Assess how these local administrative bodies manage an effective mediation process with different types of communities and individuals.

9.18 As section 7.4-7.6 showed, there needs to be a phased and planned process. William Grimes, the planning consultant at Ephrata, advice is in Box 11.

Box 11: How To Manage The Process - Experience From Ephrata

1. **Start the mediation process early.** Contact those who may be affected by planning decisions before those decisions have been made public. This generates trust, reduces the potential for animosity and shows public officials are thinking about residents and soliciting their concerns. In addition, contact people who may not be within City boundaries but who could be affected by the proposed changes.
2. **Have an initial education phase,** again in advance of the formal mediation process and gathering of different degrees of public opinion. In Ephrata many problems were caused by people responding to rumour or not being aware of the Growth Management Act and its requirements. This education phase applies to all parties - public officials, planners, politicians and local residents. Planners need to be fully aware of the legislation and its practical impacts on people's everyday lives, not just the abstract aspects of the proposals.
3. **Ensure that public hearings are conducted in a professional manner.** All stakeholders should be advised to enter discussions in an unbiased manner and with open minds. The lead mediator must listen to participants and respond to their concerns clearly and articulately, staying calm and defusing tensions where necessary.

4. **Governmental interests and biases can distort the mediation process.** The legislative context can inaccurately determine the field of play, causing some misdirection and pursuit of red herrings. City officials and staff, therefore, must be aware of the law and the practical possibilities of planning within their community and able to recognise and disregard distractions and misinterpretations of statutes. In turn, the bureaucracy's handling of the negotiations can influence policy by setting meeting content and by determining the rate at which progress is made.
5. **Parties to the mediation process must clearly understand the issues and sincerely represent their grievances or positions.** In Ephrata, there were situations where both local citizens and City officials were seen by others to change their proposals to the detriment of the process as a whole. As a result, at times the mediation exercise deteriorated into a battle for advantage, not solution. A successful mediation process achieves goal agreement and assigns accountability to participating parties. Mediation results must be clearly documented to guide and support later policy decisions unambiguously.
6. **All participants must prepare for the duration and cost of the mediation process.** It takes a long time! Public input is accrued slowly and, importantly, the mediation process must be seen to have done everything possible to take resident opinions into account. It is important to show stakeholders how their opinions and participation in the planning process have actually changed the plans. Awareness of how long the public participation process takes scares off many potential participants who are unable to commit the amount of time and resources required. Financial assistance to stakeholders to pay for administrative or staffing assistance would have helped generate greater and wider involvement.
7. **Active efforts must be made to involve underrepresented citizens and stakeholders and make involvement convenient.** In Ephrata, stakeholders were self-identified and often acted on personal goals and interests. As a result, others were reluctant to participate or chose to avoid the process as individual issues were being debated rather than a more general area plan. In turn, more efforts could have been made by City officials to make contact with and engage under-represented groups - although this is now being done.

Source: Case study

9.19 Grimes makes the point that involvement takes time and resources and that a long process will deter some participants. On the other hand, as noted in 9.8, complex cases can run for years and there should also be links through to implementation. The solution to this conundrum is to plan the process, have a timetable, and try to narrow the issues (as mediation does) so that effort of participants is well directed. Provided everyone is kept well informed, participatory planning can be an 'easy-in/easy-out' process. We recommend a staged programme as in Box 12. This is the kind of approach that could be the basis for the Statement of Community Involvement.

Box 12: A Model For Managing A Participatory Planning Process

Stage 1 - Plan the programme of involvement so that it runs through to include implementation. Design outreach into the programme.

Stage 2 - Identify stakeholders and interests in relation to the focus of the exercise (eg preparation of the Local Development Framework). This can be done by inviting stakeholders to identify themselves, but there also needs to be awareness of voices who do not have a tradition of active engagement in planning, eg young people. Be inclusive. Identify likely conflicts. Facilitate training and contact with Planning Aid or similar support for marginalised groups.

Stage 3 - Decide with the stakeholders and other interests the rules and timetable and the roles of the different parties. Are the contentious issues likely to need mediation? Is there a need for a neutral third party to mediate or will the task be led by the planning authority (and if so on what terms?) or other party?

Stage 4 - Exchange of information between all parties - not just information from the planning authority to others. Respect non-traditional forms of information from groups who are not usually reached by public participation.

Stage 5 - Active dialogue between the range of players to reconcile differences within the agreed rules and timetable. Negotiation and compromise.

Stage 6 - Record the outcomes, agreements and commitments and ensure these are communicated to all who need to know about them.

Stage 7 - Carry the networking and engagement through to implementation and monitoring.

Source: Synthesis of research findings

9.20 Resources are an issue. In that respect the new money provided by the government to support the land use planning system in general and Planning Aid in particular already anticipates an important need and creates an opportunity to do things differently. Nevertheless, there are salutary lessons from the examples from Minneapolis in particular, where community organisations in very poor neighbourhoods faced an almost impossible task of producing a revitalization plan (6.10). While 'throwing money at the problem' is no guarantee of success, inadequate direction of human resources to areas of need will guarantee failure of the inclusive intent of participatory planning.

9.21 Changing the culture means changing the mindset that planning is a cheap, routine administrative process. Moving to participatory planning is about spending time with stakeholders not about ticking boxes. Good management is needed - and has to be paid for. One reason for the success of the 'POP' planning process in Groningen is that investment in it by the Province was significantly better than is the norm in UK public participation. However, participatory planning also draws in resources of other stakeholders, for example Planning Aid, where professional planners give their services free of charge so as to benefit groups who otherwise could not hire planning advice. Research in Scandinavia (Hague and Jenkins, eds. 2004, forthcoming) has made us very aware of the valuable contribution to the design and implementation of local projects made voluntarily by 'souls on fire' - local activists with a passionate commitment to their place.

Recommendation 9 - To Local Authorities And ODPM

The participatory planning process should be planned, managed and properly resourced. This will mainly be the responsibility of local government but ODPM will need to recognise through the funding settlements to local authorities that 'a planning system that fully engages people in shaping the future of their communities and local economies' is going to cost more than the present planning system. The scale of the value of resources being brought by others to the process (eg contribution of time and experience) also should be recognised.

Recommendation 10 - To ODPM And RTPI

There should be liaison between ODPM and RTPI to establish how Planning Aid can be deployed to enhance mediation and outreach in plan-making, and to act as a conduit for resourcing local groups which lack the resources to take a full part in the process.

What skills are needed?

9.22 The fourth objective was to:

- Identify best practice in these countries on how to manage the mediation process and what skills are needed.

9.23 Chapter 8 showed that skills and training are vitally important. Participatory planning is a learning process for everyone engaged in it, while mediators need some specific skills to act effectively. These include an ability to listen analytically and critically to diverse and conflicting voices, an ability to question participants so as to identify particular concerns, an ability to categorize those concerns and an ability to create solutions that were unique and flexible enough to fairly and

appropriately address the concerns. There are a range of related communication skills, for example in managing public workshops, in answering concerns raised in public testimony, in writing appropriate policy and in graphically illustrating the consequences of various policy alternatives. While traditional mediation may rely on the parties to define solutions, there is evidence that where the mediator has professional planning skills these are valuable in designing compromises, writing spatial planning policies and implementing them successfully.

9.24 If there is a change in the way planning is done, providers of training will emerge who will offer relevant packages for continuing professional development; indeed some do this already. However, it is necessary to generate momentum to overcome the inertia of continuity with the past. To that end we propose some specific initiatives, consistent with the need for education of all participants and the development of specialist skills in mediation in planning.

Recommendation 11 - To ODPM

ODPM should commission the development of a web-based work-book that can be used by the general public, councillors, teachers, and other professionals to develop their understanding of the planning system and how to be engaged participants within it. The work-book should be developed so that it can be adapted to local situations (eg by substituting local issues and allowing users to draw on their own experiences).

Recommendation 12 - To The RTPI And Related Professions

Awareness of outreach and skills of mediation and participatory planning should have a central part in initial professional education and in lifelong learning.

The new planning system in England

9.25 The final objective was to:

- Recommend which of these mediation skills are transferable for use in the English land use planning system and to engage the community in the preparation and implementation of meaningful and realistic spatial strategies. This should take account of differences in culture and regulatory approaches between the country(ies) of study and England.

9.26 Section 4.11-4.18 demonstrated the importance of national, regional and local traditions of governance, and so, implicitly, some of the barriers to transfer of practices to England. However, the planning system in England is changing. It will become more strategic but also more democratic. Change has happened elsewhere, things have been done differently than they were before, as our South African examples show. There does seem to be an international dynamic towards making planning a more open and better-integrated process. While institutions may be country-specific, the skills of participatory planning are transferable, as was argued throughout Chapter 8. Furthermore planning in England benefits from enduring institutional strengths in comparison to planning in southern Europe or in poor countries or the mountain states of the American West.

9.27 So how might preparation of Regional Spatial Strategies and of Local Development Frameworks become a participatory planning process, and what is to be the relation of that process to the Statement of Community Involvement? Our research has confirmed our impression that it is easy to see the benefits of strategic regional partnerships but to realise them in practice requires a lot of negotiation. If the RSS system is to work there will need to be very active negotiation and maybe even mediation between the policies and priorities of many stakeholders. We are aware that in some regions there is unease about the creation of Regional Assemblies in terms of their accountability and relation to local government, and especially to the County Councils in respect of planning functions. Similarly there has been suspicion at times about the role and powers of Regional Development Agencies, eg amongst environmentalists fearful that ecology will lose out to economic development.

9.28 Such situations of mistrust, even hostility, are the very reason for the use of mediation. We therefore recommend that formal mediation guides the process of RSS preparation. Voices from the public need to be included. Preparation of the RSS should not be entirely an inter-corporate exercise

that is impenetrable until the plan appears (and the uproar of public protest begins). The sense of acceptance - even ownership - of the RSS is integral to the success of the Local Development Framework. In situations of two-tier planning public confidence in the local planning process can be undermined when decisions have been pre-determined by a structure plan which many were unaware existed. This trap needs to be avoided.

Recommendation 13 - To ODPM And The Regional Planning Bodies

The preparation of a Regional Spatial Strategy should follow the process and principles of mediation as outlined in this report, and should ensure that there is engagement with a wide cross section of the public as well as institutional stakeholders. There needs to be a well defined and agreed programme from the start that is adhered to. Box 12 provides an example of such a programme.

9.29 The LDF is perhaps a more obvious vehicle for participatory planning, since the issues are those of everyday community life. We would like to see experiments here with new ways of doing planning, including the use of independent third parties to steer the process. We also feel that elected representatives, with some training, could play an active part in informal mediations between local groups or at public meetings, and contribute to greater visibility and understanding by the public of the governance process, as seems to happen in Scandinavia. In any mediation there are also 'minimediators' who have learned how it is done and conduct their own mediations - eg within organisations that they represent. There is a need to invest in training and proactive skill development for community organisations, councillors and planners. This is an essential part of the creation of a new culture of planning through the practice of preparing LDFs.

9.30 Our research demonstrates the need for inclusive stakeholder engagement in negotiation over the LDF. This will require clear objectives, acceptable 'playing fields' with agreed 'rules'. If we imagine for a moment that the LDF is a form of game, it is one in which players include big clubs (eg private sector), lower league teams (organised interested parties), and local amateur sides (eg Community Councils). In this game the referees (the planners) can also play, along with the linesmen (other government as well as arms-length agency officials), and the federation officials (central government), not to mention the team coaches (eg politicians). Even the reporters in the media and the spectators can join in when they feel like it! Some general prior agreement is needed so that what could become a 'free-for-all' is conducted in a fair and focused manner to get a result.

Recommendation 14 - To Unitary, District And County Councils

The preparation of a LDF should be approached as an exercise in participatory planning. This will require education; a clear programme; agreed rules, including consideration of if, where and how formal mediation might be used; adequate training; outreach and experiment with new techniques. All of these might usefully be reflected in the Statement of Community Involvement. Above all though, participatory planning will mean that the LDF is a shared mechanism that helps to deliver sustainable communities, not just the council's plan.

9.31 The Statement of Community Involvement will be an important means of planning, agreeing and sharing information with stakeholders about how participatory planning is to be delivered. Consistent with Recommendation 14 it should be seen as a statement coming from the various stakeholders whose joint efforts will be invested in the plan preparation and implementation process.

Recommendation 15 - To ODPM And Unitary, District And County Councils

The SCI should be jointly agreed amongst those involved in plan preparation and implementation. It should include: a reasoned statement of the process and rules agreed to guide the participatory process; attempts to be made to be inclusive and to reach out to marginalised groups; and an audit of the anticipated costs and benefits of the exercise, including a recognition of the potential contribution 'in kind' by volunteers and community bodies. SCIs should be accessible via the Planning Portal so that others can learn from them.

Recommendation 16 - To ODPM And Unitary, District And County Councils And The LGA

Elected members are themselves important stakeholders, and the report shows that in many situations they have played a key role in making planning participatory. The way that councillors are to be involved should be addressed in the SCI, and the training for councillors involved in planning should be reviewed to embrace the concepts of participatory planning.

9.32 Last but not least, there is a vital message running throughout this report, and set out in paragraph 4.18. It is that **the most successful models of participatory planning have a local origin and have been initiated because people wanted them, rather than being imposed from above.**

Final thoughts

9.33 The transition from the old planning system to the new one will itself be an exercise in mediation. It will be necessary to anticipate conflicts and controversies, listen to and understand the various competing interests, have an education phase, negotiate and imagine new solutions, document clearly what is agreed to happen and carry the whole process through to implementation.

- It will not be cheap in the short-term but holds out the potential for very profound long-term benefits - to development, to planning and to governance.
- It will not happen quickly unless there is real investment and support for the process and there are structures and incentives that inform about, encourage and celebrate new practices.
- It needs political commitment and champions.
- Participatory planning is most likely to blossom in situations where there is a culture that prizes interdependence and local engagement.

9.34 In the end, there can only be sustainable communities if members of those communities have fair, agreed and inclusive means of talking together about matters that affect them all, agreeing to solutions to problems, and acting on those solutions. Once that is what planning means the culture of planning will have been changed in a decisive and irreversible manner.

"...I think and feel that what comes out of these workshops if nothing else was that they are bringing people together as we come from different communities who have been divided, yet we could come together for common issues that affect us as people..."

A woman participant from a rural community, speaking of her experience of participatory planning in eNdongakusuka, South Africa.

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Appendix 1: Locations of Questionnaire Responses

Europe

City of Vienna, Austria (3 cases)

Albertslund, Denmark

Copenhagen, Denmark

Helsinki, Finland

Freiburg, Germany

Ingolstadt, Germany

Stuttgart, Germany

Groningen Province, Netherlands

North America

Brandon, Canada

CALFED Bay-Delta Program, California

California Department of Water Resources, California

California Department of Parks and Recreation, California

City of Roseville, California

City of Ephrata, Washington State

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Clackamas County, Oregon
Denver Regional Council of Governments, Denver, Colorado
Los Angeles, California
Minneapolis, Minnesota
Phillips Neighbourhood, Minneapolis, Minnesota
Sacramento Valley Water Forum, California
Skagit County, Washington State
Village of Bartlett, Cook County, Illinois

South Africa

Bophirima District Municipality in the North - West Province
Cacadu District Municipality, Eastern Cape
eNdongakusuka Local Municipality, Kwa-Zulu - Natal
Ezingoleni Local Municipality within the Ugu District Municipal area, KwaZulu - Natal
Nama Khoi Local Municipality in the Karoo
Mangaung Local Municipality, Free State
Ugu District Municipality, KwaZulu - Natal

Rest of the World

City of Boroondara, Melbourne, Australia
City of Stirling, Perth, Western Australia
Bengbu City, Anhui Province, People's Republic of China
Área metropolitana de Cartago. Provincia de Cartago, Costa Rica
Cantón de Escazú, Costa Rica
Rincón Grande de Pavas, San José, Costa Rica
Iganga Town Council, Uganda
City of Harare, Zimbabwe

In addition several contacts sent reports, comments or referred us to websites.

Appendix 2: The Questionnaire (English Version)

International research on case studies of Mediation within the Spatial Planning Process Questionnaire

What is the nature of the research?

The School of the Built Environment at Heriot-Watt University in Edinburgh has been contracted by the UK Government to explore the role of mediation within the spatial plan preparation process, at all scales from the regional to the neighbourhood. By mediation we mean the processes and skills required in community consultation and participation to achieve agreement between diverse groups or individuals during the production of a plan and its implementation. The term therefore incorporates stakeholder dialogue and does not solely refer to processes used to settle disputes. It covers what is sometimes called collaborative [or 'participatory'] planning, and we also wish to include situations where plans emerged through a conscious process of negotiation amongst stakeholders. The project aims to identify and recommend best practice and skills required in mediation and will be used to foster innovative approaches to engaging citizens in the preparation and implementation of spatial plans at the local and regional level in England. More information can be found at the conclusion of this questionnaire.

What is the purpose of this questionnaire?

Our intention is to bring together a variety of short case studies of mediation in planning from a wide range of countries. These case studies are to serve as inspiration or a "discussion point" around which the project team can consider the essence of successful approaches to reaching agreement on plans, and identify skills and practices that might be transferable to the UK. To this end, we intend to

prepare a user-friendly 'source book' on innovative approaches to participation in planning in cities and municipalities across twenty-five countries, including the EU15, other European countries and a smaller number of countries as far afield as Canada and the Philippines. This questionnaire is being co-ordinated by Professor Cliff Hague of Edinburgh's Heriot-Watt University.

What is required from you?

We ask you, as a leading individual or organisation knowledgeable of democratic involvement in planning in your region, to tell us about cases of mediation in planning. We are not asking you to pass judgement on the effectiveness of the process, unless research has already been undertaken that reports on this, nor are we asking for any ranking. You may know of a number of such cases or just one. If you have too many to manage, please give us basic contact details of other persons who might be able to tell us their story for you. We aim to explore what is possible in terms of relationships between citizens and local government in planning with examples from around the world, which we will organise in a user-friendly format.

We ask you to reply directly on this form and e-mail it back to us, or print it, write on it and post/fax it back if you prefer. Please feel free to reply in English, French, German, Spanish or Portuguese and to add additional pages or send additional material. In return, we will be most pleased to add your details to our list for project dissemination. If we have questions about your submission we may subsequently telephone you for a discussion.

Types of mediation/negotiation/collaborative planning

There are many forms mediation in planning might take. We do not want to pre-empt your views by limiting the range, however, below is a preliminary list of types of mediation, and this will be informed and revised in light of your feedback:

Mediation/negotiation/collaboration through:

1. Linkage of citizens and their local elected representatives.
2. Partnership structures linking local government, business and the community and voluntary sector.
3. Role of independent agencies providing technical support/advice/mediation services.
4. Support for neighbourhood and/or community-based organisations to play a role in plan preparation.
5. Use of information technology/GIS systems to bridge between different groups.
6. Involvement of citizens through "planning workshops" where everyone works together to agree on what needs to be done.
7. Involvement of citizens through semi-formal or formal negotiations over disputed issues.
8. Involvement of children and teenagers, elderly or vulnerable citizens, or minority or other 'hard to reach' groups.
9. Use of techniques such as "citizens' juries", focus groups etc.
10. Use of legislative process.
11. Application of pricing methods or forms of compensation to negotiate agreement.
12. Use of plebiscites or referenda.

Please feel free to add your own suggestions to this list and send them to us!

If returning by e-mail, please send to C.B.Hague@sbe.hw.ac.uk with copy to k.kirk@sbe.hw.ac.uk

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Please Return The Completed Forms By **18 February 2003**.

Thank you for your kind assistance.

Proforma Questionnaire - Mediation/Collaboration/ Negotiation Case Study

(Please use a separate copy for each case study).

Where? Town/City/County/Municipality/Country (Full Name)
Brief description of city/town/municipality including population, economic base, place in the administrative hierarchy (e.g. municipal council that must comply with provincial council on strategic planning issues) and administrative organisation (eg strong mayor/weak council).
When did the mediation take place? What dates, but also at what stage of the planning process?
Why was a mediation-style approach followed and WHO instigated the mediation/involvement on what issues/plan? Who did the negotiation and who was the mediator? What kind of groups were involved most actively? Who or what groups were not adequately represented and why? What strategies were used to try to involve diverse stakeholders or constituencies?
What happened? What methods were used with what results? Did the process go through a series of phases - eg identification of issues to narrow the focus of disagreement, sharing of information etc.? What happened after the mediation finished eg issues of implementation and monitoring.
What skills were involved in the process and who had them? What steps were taken to develop these skills in individuals/groups who may not have had them from the outset?
What is your own evaluation of the lessons/outcomes/barriers that were - or were not-overcome? Is there any published evaluation of the effectiveness of the mediation process in this case study? If so, please provide us with details.
Is such an approach typical in your region? Are there legal, constitutional or historical factors that shape practices and attitudes?
Contact details for further information.
Please attach additional pages as required.