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Public participation in traffic planning as exemplified by Salzburg Traffic Forum

Reinhard Sellnow

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| topic | traffic and transport |
| (expected) results or outcome | mutual information and exchange of views, agreement on recommendations whenever possible as consensus view, elaboration of a plan of action in which the following are described - urgent traffic problems - a traffic model (city-wide) - requisite measures |
| binding force (possibly in law) of these results | 'no political decisions can be taken contrary to sensible arguments': after being accepted by Salzburg Council, Traffic Forum results form the basis for future traffic and transport development planning in the city |
| unalterable preliminary decisions | during the Traffic Forum process no preliminary decisions are made, nor is the Forum asked to give a view of its opinions |
| target groups(s) and numbers involved | inner circle: approx. 20 people from organised interest groups outer advisory group: from fields of politics, local authority, experts (approx. 15) |
| participation | |
| model(s) | 'round table' running for 15 months |
| milestone | 16 plenary Traffic Forum meetings, concurrent public meetings, concurrent presentation meetings, press conferences |
| methods | autonomous agreement of procedure rules, talks by external speakers, mediation procedures, preparatory working groups |
| on behalf of / funded by | City of Salzburg |

Although there is an urgent need for action, it is almost impossible in many cities for fundamental traffic policy decisions to be made. The reason for this is the perfectly legitimate conflict of opinions, not just between political parties represented in the city councils, but also between public interest groups. In addition, individual citizens resort to legal action in the administrative courts to block implementation of traffic schemes which they consider detrimental to their interests. Little trust is placed in plans drawn up by the authorities, and the immediate response to outside expert reports is to have counter-opinions commissioned. Discussions are seldom objective; on the contrary, they tend to be conducted with considerable emotion, full of prejudice and sweeping condemnation.

In an impasse situation of this kind, it makes sense to involve the public in the opinion forming process. The Traffic Forum (TF) scheme, designed for public participation, is described and experience acquired in Heidelberg, Tübingen and especially in Salzburg (Austria) during 1995/6 is recounted. The scheme is designed to get all those involved round a table, together with a *neutral chairperson whose role is to mediate in the conflict*. Their common task is to subject the issue at hand to critical review and, wherever possible, bring about a consensus. Helping to facilitate the process are certain pre-requisites and basic conditions, procedural agreements and 'rules of the game'. In Heidelberg, Tübingen and Salzburg, it proved possible to work out a consensus-based traffic model for the entire city and to agree on the requisite steps for its implementation.

Traffic Forum objectives and tasks

TF is an open and transparent public participation scheme with these *objectives*:

- to have an open, fair, proper and target-oriented discussion of the traffic issue in all its complexity, led by a neutral chairperson, conducted in such a way that all the interests affected by traffic in the city have an opportunity to present their points of view, problems, hopes, fears and ideas for solutions (*presentation and exchange of information*);
- to attempt to bring about agreement by finding out firstly, what is not under dispute and secondly, where there is controversy; by clarifying possible misunderstandings; explaining reasons; providing background information; examining consequences and side effects, so that a consensus can be achieved through reason and persuasion. The criterion here should be not individual interests rather establishing what can be considered to be in the 'public interest' (*agreement*);
- to pass on information and results of this opinion forming process - in a well-ordered and comprehensible form - as recommendation to the general public, the authorities and, 'last not least', politicians, who can make use of them in reaching decisions on traffic policy (*recommendations*).

TF *tasks* (in chronological order) are to:

- *take stock of traffic problems* which urgently require a solution;
- draw up proposals for small-scale *immediate measures*, which can be carried out quickly and at low cost;
- elaborate a *traffic model*;
- list *measures and possible solutions*, send these to the public authorities as well as to representatives of trade and industry, individual groups and inhabitants.

Outcome and initial assessments

Crucial to establishing success is the yardstick with which it is measured, whether success refers solely to the *objective outcome* or to the associated *social process*.

If *professional quality* is taken as criterion, a traffic planning agency would presumably be able to work better, faster, with greater clarity and inner cohesion. But that alone would tell clients nothing about *social acceptance*. It would, in all likelihood, be quicker and cheaper to find that out by conducting a survey among these groups. Then nothing would be known about *mutual understanding*, *willingness to compromise*, renouncing positions due to recognition of the justified interests of others or the 'public good'. This requires *direct exchange*, *dialogue* and, where necessary, *negotiation*.

How can successful negotiation be measured? If one-time bitter adversaries from different social groups sit round a table several times to listen to and discuss with one another, is this not a success in itself, even if they fail to achieve a consensus: success for a new method of settling disputes and for 'hands-on' democracy, with positive consequences for the atmosphere in the city and the generally deplored dissatisfaction with politics and politicians. It may be counted as success in its own right when - as was the case with Salzburg Traffic Forum - over 1,000 hours of work were put in on a voluntary basis by action committees, groups and associations at 16 plenary sessions held over a period of 14 months, not including work carried out in preliminary working groups, personal preparation and follow-up.

The main bone of contention in Salzburg from the outset was the call for a tunnel through the Kapuzinerberg mountain in order to take through traffic out of the city centre. The cost of building a tunnel was put at 100 million marks. By the time TF work was over, none of the parties involved mentioned the tunnel, because information exchanged and discussions conducted had shown that building the tunnel would not bring about the desired effect; much more could be achieved by spending less money on alternative schemes. Avoidance of patently bad investment can surely be counted as success of the dialogue conducted.

Among other quantifiable TF successes were:

a traffic model comprising 62 objectives, only five of which induced reservations on the part of one or the other group, whereas all the rest were agreed by consensus; 92 *consensus-based* immediate measures; 72 *consensus-based* medium and long-term measures designed to accomplish these objectives.

The wide-ranging consensus results achieved meant that TF results were taken up as a model by Salzburg City Council and became the foundation for traffic planning in the city in the future.

Flow of information and decision making process

Organisation model

The following characterises organisational details found to be significant:

TF is a *representational public participation scheme*, i.e. members of the public can only participate in the form of organised groups representing specific interests. This restriction is necessary to ensure ongoing participation and discussions focusing on group interests. Due account can be taken of the non-organised publics justifiable wish to participate, by staging *public meetings* at extended intervals at which TF interim findings can be presented and discussed. Special forms of participation can be introduced, public lectures, exhibitions, courses at adult education centres, involvement of schools etc., which are open to the public; findings can be passed on to the Traffic Forum;

- *size*: TF Salzburg inner circle (public interests) comprised a maximum of 20 persons with a *binding* commitment to participate in TF work up to its conclusion. Meetings were also attended by city council representatives, authorities and experts in an outer circle (case-by-case basis);
- *frequency and duration of meetings*: TF met on average once every three to four weeks. This ensured, on the one hand, that voluntary participants were not overworked and, on the other, gave the authorities sufficient time to prepare for the meetings properly. Having meetings at these intervals should ensure that TF completes its work in about twelve months;
- TF was able to call on experts both within and external to the local authority for *qualified advice and technical support*, for instance providing a computer simulation of various future traffic scenarios up to the year 2010. *Additional qualified input and backup* was provided in talks given by outside consultants; presentations of solutions found in other cities; in some cases study visits to the cities for on-the-spot observation; supply of literature and other materials. *Cooperation agreements* were also reached with other institutions (adult education centres, university, schools, kindergartens, institutes, libraries, exhibitions etc.). This further and continuing education work on traffic issues should be pursued in addition or running parallel to TF work, where time spent is devoted largely to matters under discussion;

- *a Traffic Project Group* was set up to attend to ongoing planning and holding meetings and to prepare organisational details, including how a subject should be handled; whether there are any specialist advisers; what material was available; how long discussion should last etc. Joining this group, along with the authorities and the chairperson, were three elected TF representatives, reflecting the three main TF groups (economic, environmental and social affairs). Other experts were drafted in as required, depending on the subject under discussion. Subject-related working materials for meetings were supplied by authorities, outside experts or chairperson;
- *preparatory and/or follow-up groups* are advisable, because members can jointly prepare the ground for the subject to be discussed or subsequently sum up discussion content to be included in documentation as constituting TF opinion;
- *voting*: TF does *not allow majority decisions*; this would enable certain interests to join forces to the possibly continuing detriment of other minority interests. The fundamental principle is that consensus should be achieved by agreement wherever possible. A consensus is considered to have been achieved if there are no explicitly deviating votes after a count has been taken of those consenting or abstaining. If it proves impossible to achieve a consensus, a majority opinion, together with the votes deviating from this, is formulated as a *range of TF opinions*. It must be clear to all the participants, however, that the greater the extent of the consensus, the greater will be the value and political impact of TF work. Should it transpire that opinions merely constitute the sum of diverse and contradictory individual votes, TF will not be in a position to make any recommendations, nor will it be possible to justify considerable time and effort spent on this public participation scheme. Rejecting majority decisions applies solely to the *content*, not to *procedural decisions* on the course the Forum is to take. Insisting on unanimity in this respect would lead to lengthy procedural debates and hold up the process;
- *press*: the press is an important TF partner. It is used as a medium and a disseminator to help the representational public participation scheme achieve broad impact, and to stimulate public discussion about the 'right path' to be pursued in traffic matters. However, press involvement must be such that freedom of thought and expression is guaranteed - especially at negotiating and consensus building stages - without individual participants finding fragments of what they have said being quoted out of context in the following days papers. For this reason TF meetings are *not open to the press*. *Press conferences* agreed by the project group are held to inform the press of results obtained. The press can be invited to TF meetings at which individual results are presented
 - (e.g. inventory of problems, immediate steps, traffic model etc.) and when resolutions on recommendations are passed;
 - *local administrative authorities*: in order to link Traffic Forum with the authorities, an internal organisational rule should be established which guarantees transparency and flow of information. Thus TF is not ignored or even rejected outright by the authorities. One possible solution is to have *a body where voting takes place, covering all departments and sections*, thus enabling offices to be included which are not directly

Procedure of Traffic Forum Salzburg

involved but may be affected by subjects under discussion and results achieved. This body has to be kept informed and given the opportunity to have their views expressed by official authority representatives or, where necessary, to intervene directly in matters of content, depending on the subject;

- *city council*: an ideal starting point would be for the *city council* to document approval of the TF scheme and adopt a resolution pledging to give TF recommendations serious consideration. This would ensure, on the one hand, that the public participation scheme is not interpreted as competition for the city council, or as intending to reinforce a party political position, but rather as constituting a source of relevant, non-partisan assistance in forming the councils own opinions and making decisions. On the other hand, participants' motivation would be much greater if the City were to document political but non-partisan interest and intention to give TF results serious consideration;
- the reward for this voluntary work cannot - and should not - consist of a guarantee by politicians to accept TF recommendations. In a nutshell, however, the reward might be construed as 'political decisions cannot be taken in the face of strong arguments'. What this means is that TF work should be taken seriously by the city council and its findings examined with an open mind. Provided TF arguments are transparent, understandable, objectively justified, meaningful and agreed by consensus, no political decisions to the contrary should be taken arbitrarily, without comparable, objective arguments being advanced;
- the *city council* and *the authorities* undertake, wherever possible, to postpone any key traffic policy decisions which might be understood as anticipating a general principle decision, until a traffic model has been presented. If postponement is out of the question in individual cases, TF is informed in advance and asked for its opinion;
- *procedure*: TF began its work by taking stock of the problems. Then came a stage in which immediate measures (small-scale, easy to implement and at low cost) were listed. TF subsequently turned its attention to establishing an overall objective (devising a model) and finally attempted to find practical ways of achieving the objectives.

Participants

Inner circle: TF core or inner circle comprises approximately 20 people. This is to ensure that there is intensive communication; a larger group would greatly reduce possibilities for discussion and exchange of opinion.

The selection criterion for representational participants is not membership of a specific group but *interest affiliation*. The first question is what *legitimate interests* they have as regards the traffic issue (how far are they affected) and what concerns they have, which in the interests of fairness ought to be given a hearing. The next question is which *existing groups* already cater for the respective interests and can articulate them accordingly. If an interest is catered for equally by several groups, they should decide amongst themselves who should represent this interest in TF, and how they can resolve for themselves the question of information and formation of opinions. This aspect of *feedback* to the group sending the representative is of crucial importance for the scheme. When it comes to TF discussion, 20 private opinions are of less interest than group interests, documented as *standpoints, largely vouched for and binding, wherever possible*. It is, therefore, necessary for TF participants to maintain contact with their respective groups, inform them about the opinion forming process and, where necessary, obtain approval for points of view put forward. This triggers a process of discussion and opinion forming on traffic issues which goes well beyond the TF process itself, and makes sure that TF receives necessary feedback.

Interests to be taken into account include (in no particular order):

- road users according to mode of transport (pedestrians, cyclists, public transport users, car drivers)
- road users according to frequently disadvantaged social groups (children, adolescents, women, senior citizens, handicapped)
- road users according to spatial location (city dwellers, people living in the surrounding countryside)
- special user groups (commuters, shoppers, tourists)
- other areas of society and activity such as business, employers/employees, nature conservation, urban development/urban design, health and safety etc.

Any person selected must be in a position to represent a certain interest in an objective and convincing manner, willing to *participate continuously* throughout TF work duration, prepared to devote time, over

and above that required for TF meetings, to preparation and follow-up, i.e. taking part in working groups, providing information for the group(s) sending representatives. Thus it is quite clear that TF participation is not so much an *'honorary post'* as a *post with a heavy workload*. Every TF member needs a deputy to stand in as required.

Outer circle members participate in an advisory capacity

- politicians from all parties represented in the city council;
- municipal authorities and specialised departments;
- experts (e.g. traffic police, state (regional) authorities, specialist institutes etc.).

A special role in TF is played by *local politicians, members of authorities and outside experts*. All the political parties in the city council should have one permanent representative with special status. It should be axiomatic that TF should not be used as a political forum for party political disputes, but rather as an opportunity to listen at first hand to representatives of public interests, to ideas and reservations on traffic issues. This should not be construed as an attempt to gag political parties, but as a request to demonstrate the requisite reticence and consideration. Every party representative is tasked to keep his party or political grouping up to date on TF opinion forming processes, so that recommendations drawn up at a later stage are comprehensible and expected.

This also applies to the special role allocated to the members of municipal authorities. On the one hand, they can use discussion conducted by representatives of various interests as a source of information (ideas and misgivings); on the other, they can make their expertise available to TF in an advisory capacity. Other experts brought in from outside as required should also restrict themselves to a consultative role.

Structure of Traffic Forum

Chairperson: TF meetings are conducted by a *neutral chairperson* or mediator. This work should be free of any personal dependence on local political parties, majorities in the city council, municipal authorities' ideas, and any personal commercial interests beyond remuneration for services as chairperson or advisor. The chair is responsible for the method of procedure adopted, i.e. for how *TF proceeds* and develops. TF participants are responsible for content within the agreed procedural framework.

The chairperson employs working methods geared to TF participants. The chair's task is to ensure *transparency* in argument and *dialogue* in the opinion forming process. He/she maintains contact with all those involved; attempts to mediate in any conflicts which may arise; fosters the process of understanding in an impartial manner. Services as a neutral mediator are also available to participants in any conflict on procedural matters. The chair strives to develop a *method of resolving disputes* which is objective, fair and excludes personal attacks. The chairperson attempts to pose questions which can help pave the way to intelligent, just and appropriate solutions. He/she chairs TF meetings but has no vote. The chair's duties are: to give a speaker the floor; ask speakers to stop; take charge of voting procedures; maintain order during meetings.

Rules of conduct

- all those attending meetings come prepared to engage in a genuine dialogue, to accept efforts to reach agreement under the mediators chairmanship;

- point of departure in an attempt to find solutions is not private interests but a public interest or public good which needs to be defined; hence, everyone should be prepared to work for solutions encompassing the interests of others;
- envisaged solutions should be long-term (forward-looking perspective, safeguarding long-term essentials);
- discussion is based on objective, comprehensible arguments, conducted in a spirit of fairness and respect for the participants. Relations between parties involved should improve or, at least, not deteriorate, hence, personal attacks and accusations are not tolerated;
- no decisions are taken at TF itself as regards planning or implementing traffic solutions. The work serves as preparation and, where appropriate, to provide recommendation for discussion and opinion forming process in the public at large, municipal authorities and city council;
- discussions must be kept confidential; remarks made by individual participants may only be quoted with their express approval;
- TF can oblige members to observe secrecy on certain matters and developments (e.g. processes of negotiation and agreement). This applies when one third of participants call for this;
- minutes are kept of results only, not of processes. Any electronic recordings are used for correct documentation purposes only, not to inform the public;
- a joint resolution must be passed on appropriate ways of informing press and public about TF results;
- participants individually and collectively should keep to these procedural agreements; the chairperson has the right to draw attention to any violations and, where necessary, to ensure adherence.