

Public participation

Infrastructural projects: the high speed railway line

Public participation or the involvement of ‘ordinary’ people in planning processes is a hot item. It can certainly improve the outcome of a project but success is determined by the way in which public participation is used. The article was inspired by the research of Jungyoon Kim at the Landscape Architecture group that involves creating an advice to the Korean government on matters related to big projects and public participation. Furthermore, it was intended as a supplement to the article of Kajsa Hylmö, covering a Dutch example to support the ideas that she puts forward.

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Analogous to Hylmö’s article (2006) this article is about the planning of major infrastructure. It takes the example of the High Speed Railway Line from Amsterdam to Paris and focuses on the role of public participation in the decision-making process. The article is based on the review of different evaluative reports published during the course of the HSL project (see literature overview). I will try to show that public participation does not always yield satisfying results, i.e. that it does not always function the way it was intended to function when it was incorporated into legislative procedures in the nineteen-sixties.

Because of the way it functions legally I would like to make a distinction between public participation and public consultation. The former is a very broad term that could be about anything involving influence of the public on decision processes. The latter one would be a more proper term to use in the context of this article because mandatory procedures of public participation can be seen as a method for government to consult the public. These consults do not imply any obligations; they are merely a kind of advice. From here onwards I will only use the term public consultation (Dutch: inspraak) to describe the phenomenon.

Major infrastructural projects and legal procedures

The Dutch national policy on traffic and transport is set out in a national plan for traffic and transport, most recently the Mobility Paper (Dutch: Nota Mobiliteit). This document shows what is and what is not regarded as main infrastructure. It contains the strategic considerations that lead to the decisions of realizing certain connections. However, it remains largely on this strategic level, so it does not go into detail about what the exact routes will be. Public consultation is mandatory for this document. The public is able to join, in a certain way, the discussion on strategic arguments so in this phase it would be theoretically possible to reject a plan for a highway or railway line.

When this national plan comes into effect, the phases of realization start. The main infrastructure that is to be realized has to follow the procedures of the Route Law (Dutch: Tracéwet) as well as an environmental impact assessment (Dutch: milieueffectrapportage), both of which are incorporated in the Dutch law on Spatial Development (Dutch: Wet op de Ruimtelijke Ordening). In this phase designs are made for the infrastructure in question. While it suddenly becomes very concrete, new ‘rounds’ of public participation have to be organized.

People are able to see the draft design and to make complaints about possible nuisance, health risks and other local matters. If government considers these complaints to be just, she will make alterations to the plan, compensating for the assumed damage. If government considers the complaints to be unjust, nothing will have to change and realization goes on. When alterations are made, however, the new draft plan will have to be displayed for public consultation again. And so it goes on, thus urging government to make a final decision on a certain point. Public consultation often leads to a reasonable delay in realization of main infrastructure.

High Speed Railway Line Amsterdam-Paris

In 1990 the publication of SVV-2 marked the start of an infrastructural project of major importance to Dutch society and economy; the high speed railway line from Amsterdam to Paris. This railway line was decided to be realized on the basis of all kinds of strategic arguments. The first draft plan was published in 1994, starting procedural obligations such as public consultation. At 26 places along the proposed route information gatherings were organized. In the months of May until September opinions could be mailed to the central point of public consultation (Dutch: Centraal Punt Inspraak), which registers, bundles, summarizes, analyzes and in the end publishes the reactions from public consultation.

This procedure is accessible to all Dutch citizens as well as public and private organizations, and reactions vary from a short note mentioning a person's mistrust in the project to complete reports introducing new alternatives.

Afterwards public hearings were organized to offer participants a chance to explain their reactions and to discuss about matters. There were ten of these public hearings along the route of the line. Eventually what resulted were the addition of an alternative route (the Bos-variant, named after a participant) and the alteration of the preferred alternative. Some research and environmental impact assessments were conducted and new public consultation was organized. It was only in 1996 that the cabinet could decide from initial plan and results from public consultation which alternative was going to be chosen.

For the main part of public consultation we have seen that it resulted in a delay of two years. It seems nonetheless to have had major influence in the course of the project, considering the fact that new alternatives were seriously considered and worked out into a certain level of detail. While this might not have changed the choice of alternative in the end, there has been another major consequence of public consultation, namely the addition of a seven kilometer tunnel underneath the Green Heart, where initial plans accounted for only one and a half kilometers of tunnel.

The Green Heart tunnel case

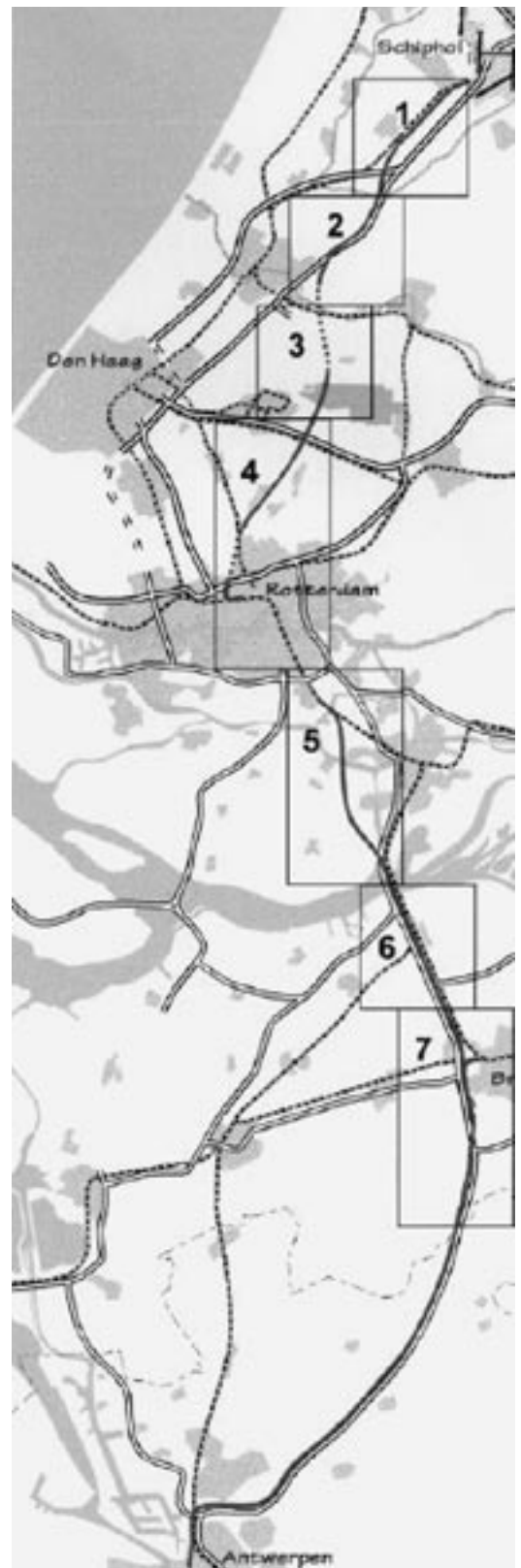
Public consultation made clear that there was a lot of objection to the proposed route that ran through the Green Heart. Naturally a lot of protest was made by Green Heart agrarians, but all the more protest came from individual citizens and so called interest groups, stating that the construction of a new railway line would damage the Green Heart's ecological and recreational values substantially.

At the same time public consultation also led to the inclusion of the Bos-variant (B3), running through suburban areas

along the route of existing highways. This alternative and the BBLN alternative (an alternative running even further westward and through the city of The Hague) thus seemed interesting options in the light of reducing ecological damage in the Green Heart (B3 and BBLN are code names). From a strategic point of view these routes had one major disadvantage, namely the decrease of maximum speed, which was aimed at 300 kilometers per hour, from the earliest start of the project onwards. This matter seemed to have played a decisive role in the whole of the HSL case.

To see whether the new alternatives could be a potential choice, administrative consultations took place (in these the cabinet consults local governments). In case of the municipality of The Hague, there seemed to be a slight preference for the BBLN alternative, since it included a stop at The Hague's city centre, connecting The Hague to a trans-European railway network. Unfortunately there also were objections to the BBLN alternative. As mentioned above it ran through suburban areas as well as some heavily pressurized (by urban demands) rural areas in the armpits of cities. Other municipalities thus foresaw too many problems in relation to nuisance, health and possibilities for future urban expansion. The B3 alternative didn't have the advantage of a stop in The Hague but it did mean that an unacceptable loss in travel time and speed would result. It was therefore soon abandoned.

Concluding from this, the cabinet had to revert to the preferred alternative of the Green Heart route. There would be too much delay and loss of speed in the B3 alternative and too little administrative support in case of the BBLN alternative. The cabinet, nevertheless, seemed to realize that the initial plan for the preferred route happened upon too much objection. And this is how the Green Heart tunnel was devised, as a means of mitigating possible ecological damage and meeting the public's demand. Costs: some extra delay in the project and almost billion euros to be added to the budget.



Het tracé van de HSL-Zuid.

Evaluating the HSL project

As public consultation was mandatory in this case of decision-making and genuine participation was not, reality has brought disappointment, dissatisfaction and even discontent. And, in fact, there actually is some sense in that. When looking at the HSL-South case, for instance, it cannot be helped that it is noticed that a government preference has been apparent all the time. This preference, given in by a strong determination to have trains running at 300 kilometers per hour, was of course the Green Heart route. And it can also not be helped that it is noticed that this preference persisted through to the final decision. Other alternatives, like the Bos-variant, were examined as well, but it appears that the Green Heart alternative was examined and designed down to the minutest detail. This made an honest comparison of alternatives impossible and indeed the Bos-variant didn't make it, merely because of the lack of administrative support.

In the HSL case another difficulty seems to have played a role of major significance. From the first round of public consultation it became clear that there was a lot of dissatisfaction among citizens with regard to the strategic choice of realizing a high speed railway line. So there was a lot of opposition, while the decision had already been made earlier, namely in the national plan on traffic and transport of 1990. As this had the official option of public consultation, objections could have been made back then. Apparently these, if any at all, had not been of sufficient influence to change the minds of the cabinet.

Public consultation could no longer make the difference of realizing or canceling HSL-South. Legally government stands strong in this issue, but it makes one wonder what is lacking in the procedures of public consultation. In a way it seems that the former national plan of traffic and transport has not been taken seriously by the people, which might be due to the very indicative character of the plan. When plans get more concrete, so it appears from an example of the latest National Spatial Strategy (Dutch: Nota Ruimte), people tend to object more. This

case shows the plan for a large industrial area, zoned in the Hoeksche Waard, which is an island south of Rotterdam. Of course this intervened very concretely into the lives of the people of the Hoeksche Waard, so objection was strong. And indeed, the original plan was changed as a result of this. An industrial area will still be realized though, but this will be at only a third of its initial size.

What the future might bring

The HSL story is a classic example of how public consultation fails to achieve its goals. In the end a lot of dissatisfaction and doubt still exists. The feeling arises that the major part of the project had already been settled at the start of any participatory procedure. From research conducted on the authority of the Dutch cabinet it seems that a great deal of the decision-making had already taken place informally and regardless of what might come up from public consultation. Also doubts have arisen concerning the speed the train would be able to reach and about excess costs in construction and operation of the line. Many of this is attributed to a lack of transparency in the planning process and an inappropriate utilization of public consultation/ participation.

This is of course not how public consultation/ participation was intended to function in decision processes. Although ideologically a very sound concept, practically speaking public consultation appears to not always be very functional, especially in today's society. There are examples, like the one described by Kajsa Hylmö in this edition of TOPOS, that show how planners have made good use of public participation. These are foremost characterized by the early involvement of the public and a transparent way of working at the project organization. This raises the question to what extent it would be possible to incorporate such improvements in legislation. Is it even desirable?

Another interesting view is Maarten Hajer's, published on his website, which comprises the concept of 'deliberation'. According to Hajer deliberation will require a fundamental change in policy development and decision-making. It

means to enrich considerations in a planning process by bringing together participants on the basis of wanting to reach something for the public good instead of pursuing individual interests.

It will be a challenge to theorists and students in spatial planning and politics to keep the discussion alive and contemplate on how legitimacy, effectiveness and representation of spatial planning can be improved by means of public participation. In the mean time planners should take into account past experiences, like HSL South, and aim to prevent the same problems occurring again in projects of spatial planning.

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