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KEY MESSAGES

- DECC has an important role to play in developing guidelines on public participation in climate change infrastructure planning
- These guidelines should reflect the context in which participation takes place – there is a need for honesty in consultation, recognising its limits in particular cases
- The role of public participation in infrastructure planning needs further thought, and need in turn to be reflected in the decision making process
- Urgent thought needs to be given to engaging the public in the future of CCS
- There may be a role for mediation to bring communities, utility companies and other institutions closer together. DECC (and other government departments) could play a key part.

UCL Governance of Climate Change Technologies project

Public Participation and Climate Change Infrastructure:

Exploring the Challenges

Introduction

The UCL Governance of Climate Change Technologies project explores the opportunities for public participation in the development of wind power and carbon capture and storage (CCS) infrastructure projects. While very different, these two technologies are considered to be an unavoidable part of the response to climate change, and are governed by the same infrastructure planning framework.

Technological development, including infrastructure development, is a crucial part of any response to climate change. However, it can't be separated from its social context, and governance is crucial. Legal and policy analysis of the opportunities for public participation in infrastructure projects suggests that the current situation is one of participation without influence; that is, there are legally enforceable rights to be consulted during development of wind and CCS infrastructure, but almost no opportunity to influence what happens. This is not only perceived as a waste of time by both publics and decision-makers, but is damaging for the decision-making process more generally.

A workshop between UCL researchers and representatives from the NGO sector has explored some of the insights from the climate change technologies project, as well as some of the possible responses to the issues identified. This note reflects some of the wide ranging discussion rather than necessarily reflecting the views of the project group.

What is open to consultation?

Public participation in infrastructure projects tends to be limited to consultation on **how**, not **whether**, projects go ahead. Institutions may be fudging this distinction, possibly to avoid making it explicit that the 'whether' is not up for consultation and that there are no other ways to participate. This may be in response to the perception that the public and the planning process are a barrier to development.

There is a need for honesty in consultation which recognises its limits. Even if only the ‘how’, and not the ‘whether’, of a project is open for debate, there are still significant issues relating to the potential disruption to the community and the management of the project. This means that the ‘how’ remains important.

If the consultation process is done well, local communities can still perceive it to have been a positive engagement, despite having had limited influence. An effective consultation on the ‘how’ could also help to resolve some of the potential issues about the ‘whether’.

Challenges for public participation

It is not always clear whether public objections to planning decisions are due to the specific technologies involved or to planning proposals per se, although it is likely that different attitudes to different technologies will influence the public perception of specific planning projects. It is also likely that public participation and engagement may be influenced by broader social issues as well as environmental issues. Finally, public perception and participation is likely to be affected by specific contexts, with different responses at local and national level.

Climate change infrastructure projects are about promoting behaviour change as well as securing reductions in emissions, which means that the issues involved are bigger than those raised in the planning cycle, although there is no way for these issues to feed through to decision-making in an obvious way.

The stage at which people are involved in decision-making, and the perception of how effective participation can be, are crucial in influencing public participation. In order to obtain the public’s trust, it is necessary to have upstream engagement both in the development of strategy, and in accountability for decisions that are made.

However, the opportunities for public participation are often at a later stage, with a lack of clarity about what it can achieve. The key issue for the public is what is open to consultation and what decisions can be influenced. Identifying the rationale for participation, which was likely to vary across issues and projects, could help to improve participation processes.

Although it may be simple to identify the problems with the consultation process, it may not be simple to fix them. This matters because poor engagement is worse than no engagement due to the resulting disaffection of the public. The problem is perhaps that consultation is being used crudely to achieve legal compliance, rather than genuinely to engage the public, with no clear sense of what the process is trying to achieve.

Limits to public participation

There may be cases where public participation tries to do too much. Rather than attempting to be comprehensive, it may be preferable to be selective about what is being consulted on, and clear about what participation and consultation is meant to achieve.

It may be preferable to be more selective about who is consulted. However, if consultation is overly selective, accountability could be undermined as people cannot hold decision-makers to account.

EU law may permit public participation to be restricted how and not whether infrastructure projects should go ahead. It may therefore be necessary to accept these limits to public participation and focus on how to successfully engage the public with the ‘how’ whilst recognising the ‘whether’ is out of bounds.

It is also worth noting that good systems of engagement don’t necessarily lead to a good system of decision-making, particularly when decisions are considered in the broader national context. It cannot be assumed that an effective engagement process will automatically lead to the best outcome for national policy.

INSIGHTS FROM FOCUS GROUPS

As part of the project, four focus groups were held with environmental activists, local council planning committee members, local community group members, and a local youth group.

“We can raise our voice... it is possible but we need to make sure that our voice, our message will be received the way we want to. How do we make sure of that? ... I mean, if we get the opportunity [to provide a view] will the people receive the message?”
[Community focus group]

Most of groups were unfamiliar with carbon capture and storage (CCS) but once it was explained, they quickly identified possible negative unintended consequences and drew parallels with nuclear power (as opposed to geo thermal or wind). CCS was seen as complicated and a poor option compared to other options such as greater energy efficiency.

“... comparisons can be drawn between nuclear power and [CCS] because of its technological basis, it’s kind of complicated, it’s foreign to us. Wind, solar on the other hand [are] very simple ... generally these are the things we’re familiar with because it’s natural, so for those reasons the wind power is something that most people would be comfortable with.”
[Environmental focus group]

The groups all felt that ‘people like us’ should have more opportunity for input into CCS – not just in terms of where new CCS infrastructure should be, but whether it should be used at all in the wider context of the energy debate. However, they were unsure about how this could be enabled.

“...all you can have a say in is local factors like managing the traffic, construction traffic flow ... what colour you can paint the wind turbine, evacuation procedures and things like, but nothing about whether we should have the thing in the first place”
[Environmental focus group]

There was a strong sense of powerlessness and scepticism about whether public voices were listened to, expressed by all groups. It was notable that local councillors felt extremely disempowered and even those sitting on planning committees felt that they didn’t understand how to have agency or influence in planning decisions.

“...we sit on a Planning Committee so we would have some influence. But equally we feel powerless as local councillors because the way that policy is often set by central government and we have to implement it.”
[Councillor focus group]

All the groups felt that local people should have a bigger say in the planning of infrastructure projects, but also recognised that there was a tension between local preferences and national needs.

DEVELOPING CARBON CAPTURE AND STORAGE

It was suggested that people were less interested in the location of CCS than whether it should be used in the first place. Publics wanted to have a say in the broader policy frameworks (not just planning) and in the accountability of implementation. There was therefore an interest in a much broader framework of decisions, over a period of time (rather than just at one stage). Experience with nuclear power may offer a useful model for CCS in terms of the regulation of liability; however there has been a policy decision to resist parallels between CCS and nuclear because of concerns about public perception.

The considerable uncertainty which persisted around CCS, such as where projects would be located, whether they would involve capture or storage, and how storage would be distributed, also make engaging the public with CCS much more complex. However, with controversial technologies, engaging the public at an early stage to understand their hopes and fears around technologies would be much more beneficial in terms of securing acceptance. The current situation and high levels of scepticism was likely to hinder the implementation phase for infrastructure projects.

It was suggested that because of the lack of clarity over where CCS infrastructure projects would be located, and over whether CCS may be harmful, there was no desire to consult effectively on CCS. The lack of evidence on CCS was thus a problem. However, a prerequisite to effective participation is ensuring adequate and public information and awareness. It would be interesting to see with CCS how this would be provided, whose responsibility it would be, and who would be trusted. There may be a case for an independent body.

How much public participation is desirable?

Whilst if asked people always say they would like to be consulted more, it is not necessarily the case that they would want to engage if given the opportunity. It is therefore unclear how much public participation is desirable. The rationale for mass engagement with the general public, and its purpose, may need further exploration. It was notable that national mass engagement programmes, such as GM Nation, haven't been that successful in the past.

There is a danger that public participation risks becoming a rote exercise with proxy consultees rather than a meaningful process that genuinely engages the public. There is also the risk of a vicious circle in the consultation process, whereby only those with vested interests or expertise are consulted or make an effort to engage. However, this isn't necessarily the most effective or open process.

There may also be conflicting views, depending on the technology in question, around the extent to which public participation and influence on decision-making is desirable. For example, it may be seen as positive from an environmentalist point of view that decisions on wind power projects above 50 megawatts are taken out of local authority control. The introduction of the NPS can therefore be seen as a good thing for climate change despite the detrimental impact on opportunities for engagement. However with other technologies, such as nuclear and CCS, the need for public participation may be seen to be much more important

There may also be a disjunction between what people will do and what they say they want when specifically asked. People's expectations of engagement and participation often remain unclear. Again, the significant issue is what the purpose of participation is.

Challenges for democracy

There is considerable scepticism around the model of representative democracy as a way of ensuring effective public participation in decision-making processes. This is compounded as decisions are increasingly taken away from locally-elected representatives in the planning process.

The current mismatch in participation (between legally enforceable rights and what is practically open to influence) was a foreseen consequence of the introduction of the NPS. The NPS deliberately recognise legal rights for participation but also established a process to make different points of intervention less meaningful. It may even be that it isn't always appropriate to prioritise public participation in climate change technologies, given the gravity of climate change. However, this risks further problems around societal acceptance of technologies.

A further issue is how the notion of 'the public interest' can be warped by the coincidence of public and private interests and the difficulty for the private sector in presenting information from a disinterested perspective. In complex issues such as climate change, it could be argued that there is a need for radical change in how the government interacts with citizens. Whilst there has been an emphasis on experts as stakeholders, citizens should also be recognised as stakeholders and engaged in the consultation process on an ongoing basis.

It might be helpful to look at the costs and benefits of public engagement, including in the planning cycle. For example, the benefit for policy makers of engaging with the public or the cost of engagement compared to non-engagement. Although there is a reluctance to put a monetary value on public participation, doing so might help to make the case for strengthening participation.

The key to a successful participation process is being clear about exactly what was up for consultation. It is also important to recognise the potential conflict between individual and collective values, which can influence public perception and responses differently. How directly people feel affected is also likely to influence their response. Participation would therefore be improved if individual views could be fed into the strategic planning process at an early stage, through for example scenario planning in focus groups, even whilst much is still unknown.

There are tensions between local projects and national policy on climate change, which could be resolved through participation. Local government may feel disempowered with regard to planning, because in policy terms planning projects were increasingly becoming a national issue, but increased participation might address this.

Conclusions

A key insight from the project is the need to escape the vicious circle of pointless consultation, which arose from the mismatch of enforceable legal rights and a tokenistic engagement process.

Although it is important to consider how the processes for exploring how public consultation and participation can be made meaningful, perhaps the most important thing is to identify the purpose of participation. This includes considering what would constitute good participation (according to the specific circumstance), who should be involved, and how far the public's views should be taken into account.

It should not simply be assumed that if it is done properly, public participation will work successfully (if success means a positive

response to a planning project). Nor should it be assumed that more public participation at all scales is necessarily desirable. Both the purpose and extent of participation should be clear for it to be successful.

There should be some consideration of how to decide, in a system of democracy, what is in the national interest. There should also be consideration of how to combat the self-perpetuation of consultations in which those who tend to respond are those with the biggest interests. However, it should be recognised that the 'usual suspects' will have a genuine interest in the issue and could have a useful role, particularly in terms of networking with others and supporting broader public participation.

The instinct that local communities should have the right to shape decisions that affect them can be challenged by beliefs about certain 'good technologies' – such as wanting to promote wind power. However, weakening public participation for 'good' technologies also has consequences for 'bad' technologies such as nuclear. It was noted that during the focus group discussions, people hadn't really assessed technologies on risk, but more in the context of a broader debate about what sort of future they wanted (for example, objections to CCS were largely because it was felt this would lock the UK in a carbon pathway). Whilst people do want information, they want it from NGOs which are seen as disinterested, rather than government or business.

Solutions

A number of potential solutions to address the current problems with public participation were identified in the workshop. Getting the public to think about the national context for planning decisions could help to nuance local responses and resolve problems. One way to achieve this might be **a national conversation about the pros and cons of big climate change infrastructure projects**, before the local planning stage. In particular, this might help to allow communities to explore and understand legitimate national strategic decisions and the consequent impact on local planning infrastructure projects.

A mechanism may be needed to think about what it is reasonable for people to expect from consultation exercises. This may involve debate about when it is reasonable for consultation not to give the public what it wants, and when it is reasonable (for example because of national imperatives) not to consult at all.

The availability of information and the way that risks and benefits are presented to the public is important for public participation. Acceptance or positive reactions are more likely if people feel well informed from independent sources. **There may be a role for a new independent body, or for environmental NGOs, in supporting public information about climate change technologies.**

Trust remains an area of real vulnerability for politicians and public engagement, yet the current system seems designed to erode trust. This deliberate erosion of trust is politically dangerous and it is therefore necessary to improve participation processes in order to combat such erosion. One option may be for government to issue a clear statement on their obligations towards and reasonable expectations of public in terms of participation in climate change infrastructure projects.

Given that CCS infrastructure planning in particular remains at a very early stage, **DECC should come up with a template for consultative processes around CCS.** This should draw from good

practice and plan strategically for good engagement in the future.

There may be a role for mediation to bring communities, utility companies, and other institutions together in a more productive way during the 'how' phase of NSIPs. Developing a common set of guidelines or principles on how to do embed mediation into the consultation process could deliver significant improvements.

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The logo for UCL Public Policy, featuring the text "UCL Public Policy" in a bold, white, sans-serif font against a solid black rectangular background.