

Public Participation in Urban Development Projects – A German Perspective

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Key words: consultation, democratic governance, informal procedures, information, knowledge management, public participation, urban development.

ABSTRACT

Mass protests against the urban development and transport project “Stuttgart 21”. Urban projects delayed for years due to objections of citizens concerned. Severe resistance against the projected reduction of urban development grants.

Does the Federal Republic of Germany still have to practice the participation of the public in urban planning processes? Or is it a by-product of a functioning democracy that planning processes are accompanied with protests, take longer and are more cost-intensive than in countries without extensive participation rights?

The following article tries to respond adequately to this question by analysing, in the first instance, what public participation means and how the participation of the general public is laid down in German law (legally binding and non-binding public participation). Using the experience of different urban development projects, the article demonstrates that especially the non-formalised and non-binding procedures increase public acceptance and the quality of the planning process. This relatively unpractised mode of communication should not only be implemented in cases of misunderstandings and failures, but also at an early stage of planning.

KURZFASSUNG

Massenproteste gegen das im Bau befindliche Verkehrs- und Städtebauprojekt zur Neuordnung des Eisenbahnknotens Stuttgart (“Stuttgart 21“). Jahrelange Verzögerung von städtebaulichen Projekten durch Einwände von betroffenen Bürgern. Heftiger Widerstand gegen die geplante Kürzung der Städtebauförderung in Deutschland.

Muss die Bundesrepublik Deutschland noch üben, was die Beteiligung der Öffentlichkeit an städtebaulichen Planungen angeht oder ist es die Begleiterscheinung einer funktionierenden Demokratie, dass Planungsprozesse von Protesten begleitet werden, länger dauern und kostenintensiver sind als in Ländern ohne weitreichende Partizipationsrechte?

Der Artikel will Antworten auf diese Fragen liefern, in dem er zunächst erläutert, was unter Öffentlichkeitsbeteiligung verstanden wird und wie diese in Deutschland geregelt ist (gesetzlich vorgeschriebene und freiwillige Bürgerbeteiligung). Vor dem Hintergrund von städtebaulichen Projekten wird aufgezeigt, dass insbesondere eine freiwillige und über das gesetzlich vorgeschriebene Maß hinausgehende Bürgerbeteiligung die Akzeptanz und die Qualität der Planung erhöhen kann. Diese zwischen Verwaltung und Bürgern noch relativ ungeübte Kommunikationsform sollte jedoch nicht erst bei Missverständnissen und Misserfolgen, sondern möglichst frühzeitig zur Anwendung gebracht werden.

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1. INTRODUCTION

Public participation and involvement are a basic principle of our democracy. The development of an integrated urban development concept these days without the mobilisation of participants in the realm of civil society is just as unimaginable as a lack of involvement of the affected parties during urban renewal processes.

However it can also be determined that consultation processes are not equally pronounced in all cities and communities. In many cases support on behalf of the decision makers is lacking, as political and administrative bodies fear constraint of their authority. The planned railway project Stuttgart 21, much discussed throughout Germany, has highlighted a further challenge, specifically the selection of the appropriate time for dialogue with the affected citizens. Indeed the required decisions were effected by elected representatives and the legally standardised involvement steps were followed, however intensive involvement of the citizens as aggrieved parties going beyond that did not occur. The consequences of the inadequate “informal” public participation are sufficiently familiar: After mass protests against the railway project only a mediation process led to a transparent exchange of facts. Whether the project will be implemented after 15 years of planning is still unclear after a change of government in Baden-Württemberg in March 2011.

This article will deal with these type of issues on which it will discuss how improved citizen oriented communication can be established. Resulting from the fact that the most major challenge for success in the urban development process lies in the optimal activation, involvement and integration of all concerned participant groups, some terms should initially be clarified (Chapter 2). While Chapter 3 outlines the types of formal public participation in Germany, the following chapter dedicates itself to the free public participation types that have lost transparency. However increased participation is also connected to risks (Chapter 5); only thorough preparation and execution leads to success in the participation process. Hence in Chapter 6 a series of quality criteria for successful public involvement in connection with urban development are defined, on which observance misunderstandings and failures can be avoided ahead of time. Chapter 7 in conclusion proffers suggestions on the further development of public participation in planning processes in Germany.



Images 1 and 2: Types of Public Protest against the Railway Project Stuttgart 21.

2. GENERAL CONDITIONS AND DEFINITIONS

Since the 1960's the basic political and societal conditions of public participation have altered dramatically in the Federal Republic of Germany.

On a *political level*, in particular, the changed distribution of responsibilities between state and civil society should be emphasised. While the political system was defined by unilaterally sovereign action by the state, this hierarchical type of governance has been replaced by structures increasingly preferring cooperation between state and society. The commencement of this urban development perspective can be seen in the participation rights that were contained in the new urban development promotion statute of 1971. This form of cooperation in partnership has continued until today: Contacts regarding urban development between public and private parties today present a common instrument of cooperative action in urban development law.

Concerning *societal changes*, it is especially demographic changes that present new challenges to participation processes in connection with urban development. The medium term population decline in Germany that cannot effectively be prevented, the ageing process that has already begun, and especially the growing heterogenization of society, prove that the composition of today's urban population is subject to a high degree of differentiation and dynamics. Even if the extent of these processes and their consequences are not always quantifiable, many aspects indicate that increased difficulties for cities and communities in successful involvement and mobilisation of their citizens result through this.

However who are these citizens and which interests do they follow? What is to be understood by public participation and involvement or rather civic commitment? Which forms of participation are to be differentiated?

In its further sense *public participation* initially defines the active participation of citizens in dealing with collective issues (Schubert/Klein 2001). Public participation hence means the opening of political processes for a public contribution, whilst the term "citizen" constitutes not only individuals, but also citizens' initiatives and institutionalised organisations (unions, associations, etc.).

There is much discussion regarding an *informative public participation* where concerned and interested parties are informed about a proposition and its effects, under which there is hardly any possibility to influence decisions. Examples thereof are information meetings, hotlines, public hearings or the publication of plans for inspection (cf. EIPP 2009).

During the processes of the *consultative public participation* citizens can deliver their opinion on presented suggestions, plans or decisions as well as produce their ideas that have to be considered during the decision making process – as during the development of a urban development concept.

The participation form that goes to the furthest lengths is *codetermination*. Concerned and interested parties receive the possibility to take part in the decision making during the development of a proposition, its execution and implementation, for example during a mediation process like Stuttgart 21. The degree of codetermination can range from cooperative development of proposals to extensive decision rights of the participants.

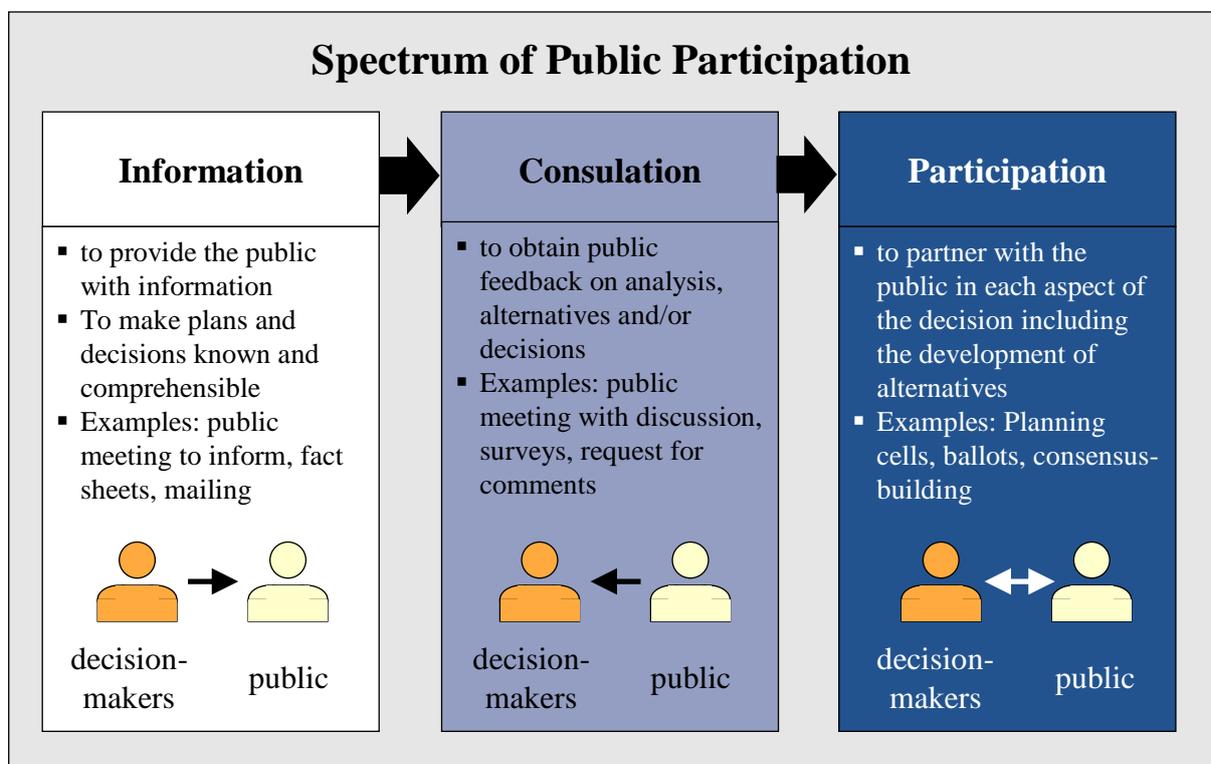


Figure 1: Stages of Public Participation.

In the stricter sense of urban development law, public participation means the involvement in the administration's planning procedure, especially on a communal level (preparatory land-use plan, legally binding land-use plan). The European Law Amendment Act (*EAG Bau 2004*) has replaced the term of civic participation, in connection with the European legal terminology, by public participation, without intending to change the actual basis of the

meaning. According to Section 3 of the German Federal Building Code, “the public is to be notified about the general objectives and intentions of the planning, significantly different solutions that come into consideration regarding the re-planning and development of an area, as well as the anticipated effects of the planning; the public should be given the right of statement and discussion”. In municipal practice however this term has not made a breakthrough to date, hence the term civic participation is still rather preferred.

During closer examination of participation forms, differentiation can generally be made between the formal procedures, how they are regulated by basic legal principles, and informal procedures.

3. PUBLIC PARTICIPATION AS A BINDING REQUIREMENT

In Germany, until adoption of the Federal Building Code (*Baugesetzbuch*) on 23rd June 1960, public participation has become a central principle of public policy making. The Federal Building Code, upon which the local planning process is formulated, ensures a degree of public participation, and citizens generally have access to the development and implementation of the preparatory land-use plan (*Flächennutzungsplan*) and the legally binding land-use plan (*Bebauungsplan*) (cf. Schmidt 2009). Participation in urban land-use planning takes place in two stages:

1. Early public participation (Sections 3 (1) and 4 (1) Federal Building Code)

The first stage of public participation provides for the public to be informed at the earliest possible date through public advertisement of the general aims and purposes of the plan and of alternative proposals for the reorganisation or development of the planning area, and of the foreseeable impacts of the plan. At this point members of the public are to be given the opportunity to express their views and to gain further clarification.

The municipality shall obtain comments and opinions also from public authorities and from other public agencies affected by the land-use planning (e.g. Federal and *Länder* agencies, chambers of industry, churches, environmental associations, railway companies, utility companies).

Once all comments have been collected, the municipality elaborates the draft plan.

2. Formal public participation (Section 3 (2) and 4(2) Federal Building Code)

In the second stage of public participation drafts of land-use plans with the accompanying explanatory report are to be put on public display for a period of one month. The place and times at which plans may be inspected are to be made public at least one week in advance in the manner customary in the municipality (e.g. official gazette, daily press, internet). The public, but also the public authorities and other public agencies have the opportunity to offer recommendations and make objections regarding the plan, which are then to be taken into account in the ensuing weighting of interests.

The requirement to weight interests provides that in drawing up land-use plans all public and private interests are to be included in the equation, i.e. that they shall be duly weighted, both as general types against each other, and individually against conflicting

interests of the same type (cf. Turowski 2002). If it transpires that the draft plan has to be revised and adapted, the process of public display is to be repeated.

The preparatory land-use plan must be submitted to the superior administrative authority for approval (Section 6 (1) Federal Building Code). This authorization must be published in the customary manner. The plan is only binding by the municipality.

The legally binding land-use plan is formally adopted by the municipal council and has the legal status of a by-law. Consequently, it is legally binding by the administration and the general public.

Accordingly, procedure for the preparatory and the legally binding land-use plan, including stages of public participation, is identical up to the adoption stage (cf. the following figure).

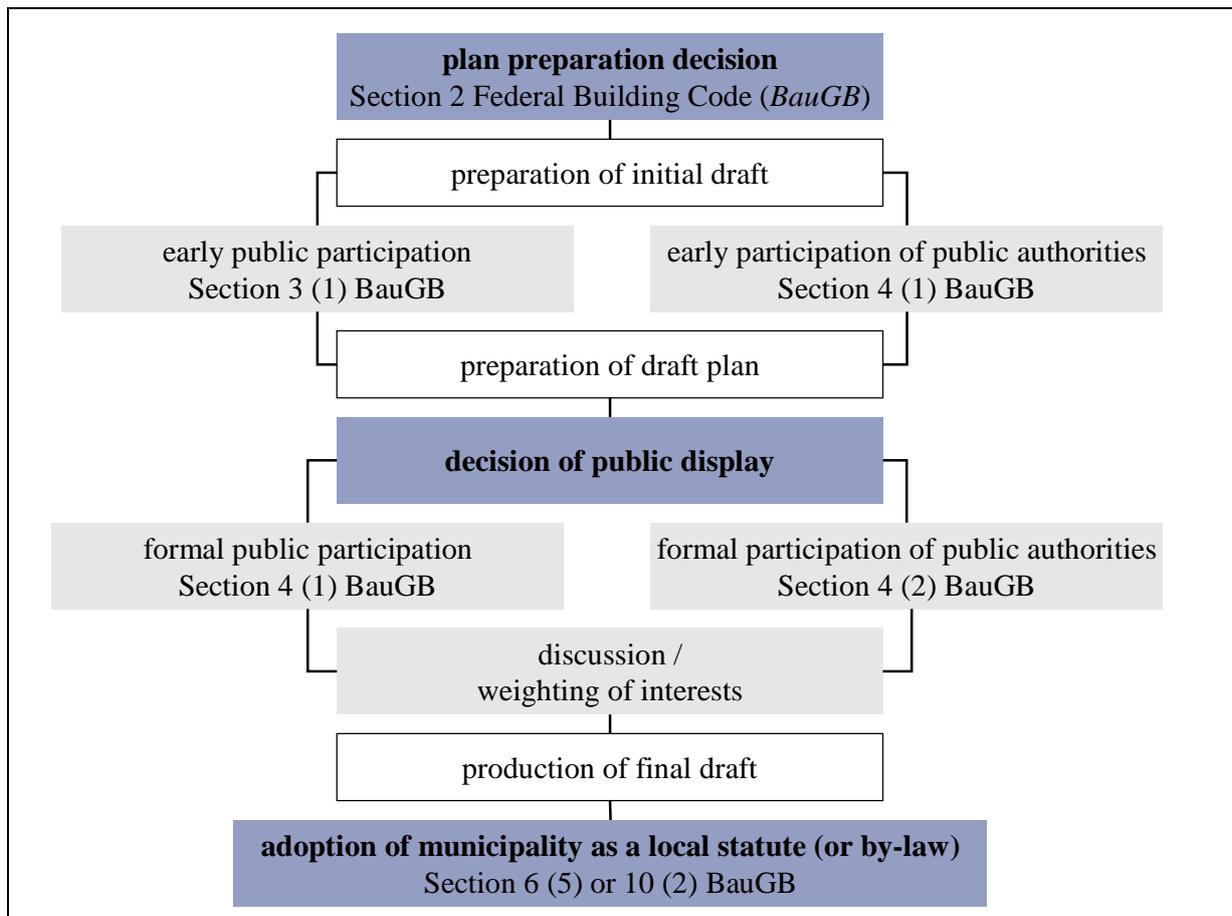


Figure 2: Land-Use Planning Procedure in Germany.

4. INFORMAL PARTICIPATION PROCESSES

Informal procedures of participation in contrast are not legally regulated and can be adapted differently according to the occasion. The processes in which the public authority generally

takes the initiative are based on voluntariness and the principle of collective handling of responsibilities. In the course of urban renewal processes the participation form has the objective of collecting information, exchanging opinions and/or collectively identifying a solution or rather implementing it cooperatively. Here it can concern a specific urban development individual project (e.g. public space design), but also a regional related measure (e.g. development of objectives for the upgrading of the urban district). Who participates, how responsibilities are distributed and which rules apply, is defined at the outset or determined by the contributors themselves.

Besides the legally regulated information, participation and cooperation possibilities, multiple informal participation procedures exist that are intended to encourage local citizens' involvement in urban development. Therefore differentiation between two procedure types should be made, namely between those that are strongly diagrammed or rather formalised regarding their course of action (e.g. citizen valuation, perspective workshop, future conference; cf. Table 1 and for further details Renn et al 1993, Rowe/Frewer 2000, Ley/Weitz 2003, Bischoff/Selle/Sinning 2005), as well as those that present open procedures in their objectives and execution (e.g. workshops, round tables, working groups). Accordingly the range of procedure variants is highly unclear in comparison to the participation rights regulated in the German Federal Building Code.

The following table delivers a short overview of the significant informal participation approaches that are applied in German cities in connection with urban development and renewal processes. Which method is suitable for a specific participation process depends on the expected or rather requested number of participants, the time available and the "depth of the participation" – i.e. whether it concerns a process of information, participation or rather codetermination process or conflict resolution, and finally depending on the financial and organisational complexity. Even the combination of multiple methods or the application of individual elements of a method can be advantageous.

For the specific organisation of these instruments reference is to be made to the books and scientific papers stated in the table and literature directory.

Participation Method	Characteristics / Mechanism	Examples / References
Citizens' Jury (<i>Planungszelle</i>)	<ul style="list-style-type: none"> ▪ modelled on the structure of a criminal jury: a special group set out to examine an issue of public significance in detail and deliver a verdict (recommendations) ▪ duration: 2 to 4 days ▪ participants: (demographic) sample of up to 25 members of the public 	<ul style="list-style-type: none"> ▪ developed by Peter C. Dienel in the 1970th ▪ mostly used in Germany, the USA and Great Britain ▪ cf. Dienel (2009) and Bertelsmann-Stiftung (2010)
Consensus Conference (<i>Konsensus- oder Bürgerkonferenz</i>)	<ul style="list-style-type: none"> ▪ 10 to 30 members of public randomly choosed as representatives of the general public ▪ preparatory meeting to inform about the topic, then three-day conference with experts and laymen ▪ final report 	<ul style="list-style-type: none"> ▪ used in Germany, Denmark and other European States ▪ cf. Bertelsmann-Stiftung (2010)
Deliberative Polling (<i>Deliberationsforum</i>)	<ul style="list-style-type: none"> ▪ baseline poll on targeted issues ▪ members of the sample are invited to gather for a few days to discuss the issues (incl. experts). ▪ after the deliberations, the sample is again asked the original questions ▪ participants: 200 to 600 (representative sample of society) ▪ duration: several weeks 	<ul style="list-style-type: none"> ▪ worldwide, especially USA ▪ first proposed by James S. Fishkin in 1991 ▪ cf. http://www.peopleandparticipation.net/
Participatory Budget (<i>Bürgerhaushalt</i>)	<ul style="list-style-type: none"> ▪ citizens identify, discuss, and prioritize public spending projects ▪ the municipal council implements the top proposals ▪ participants: < 10.000 ▪ duration: several month 	<ul style="list-style-type: none"> ▪ worldwide, especially in South America and Europe ▪ cf. http://www.participatorybudgeting.org.uk/
Planning for Real®	<ul style="list-style-type: none"> ▪ participants make a 3D model of their local area and add suggestions of the way they would like to see their community develop; then they prioritise these in groups and create an action plan for decision-makers ▪ participants: no limitation ▪ duration: several month 	<ul style="list-style-type: none"> ▪ developed by Tony Gibson (UK) in the 1970th ▪ used in the USA, Great Britain and Germany ▪ cf. http://www.planningforreal.org.uk/ and Technologie-Netzwerk Berlin e.V. (2000)

Table 1: Selection of informal participation approaches with diagrammed process.

Besides the almost classic participation approaches listed in the table, newer methods exist that have emerged especially from the background of the communal financial crisis.

What should be highlighted in particular is the instrument of *participatory budget* first applied in Porto Alegre (Brazil) in 1989 with which the urban administration attempts to involve the citizens in the budget process from the outset (Stoker 2011). During this procedure a part of the public budget is set under the remit of the direct participation of the citizens, while the citizenry, administration and the elected committees are connected together through a cooperative process. Advantages of the participation approach have emerged for the citizens as much as for political policy and administration: On the one hand trust in political bodies is restored to an extent; whilst, on the other hand, the budget consolidation receives stronger backing in the citizenry and makes sure that civic interest and commitment are revitalised.

In the meantime such participatory budgets exist in over 100 German cities and communities, while the specific respective arrangements can possibly differ (cf. <http://www.buergerhaushalt.de>).

In summary it can be determined that the numerously available (and only described for the purpose of an overview) informal participation forms distinguish themselves through a special quality of achieving understanding. All alternatives offer different graduation and intensity in the communication process between information, participation and cooperation, which proves to be very difficult in the selection of the respective “correct” participation proposal. The chapter after next will discuss in detail how, notwithstanding all the potential complexity, a successful participation can be achieved.

5. RISKS AND CHANCES OF PUBLIC PARTICIPATION

As already explained, public participation is not new in the field of urban redevelopment, but instead look back on a broad experiential horizon. Even though the development of participation has not developed smoothly, the issue is more important then ever - not only in the light of the large-scale project “Stuttgart 21”. The growing culture of participation expresses itself in a multitude of existing methods and procedures of, mostly, informal public participation. These enable the citizens to participate directly.

Is the latter, almost exponential gain in available information, participation and cooperation necessary in all cases? Is the citizen as layman in the field of urban redevelopment capable of delivering a valuable contribution? Aren’t his interests represented by the elected district council?

The following exposition fathoms the chances and constraints of participation processes, acknowledging that this is only possible in a curtailed outline, due to the multitude of forms of participation and cooperation in the course of urban redevelopment.

The *citizens and interest groups* in situ (unions, clubs, initiatives etc.) profit mainly from being able to communicate their ideas, opinions and perceptions towards a topic or a concrete project through participation procedures. Active participation in urban development not only promotes individual acceptance with projects but also individual identification with the town or quarter.

Politics, on the other hand gains through public participation, a better insight into the needs of different groups of citizens and is therefore enabled to strengthen the dialogue with

citizens. Civic participation allows for early recognition of opposition and conflict in a planning area, as well as conciliating these problems. In doing so, public interest in politics is awakened and citizens are encouraged to participate in politics.

Furthermore participation processes forward a fundamental contribution to building confidence in *administration*. At first participation procedures create additional work, but through less objections and subsequent complaints the probable realisation and legal certainty of a project are enhanced. Therefore the deliberate application of communicative processes saves time and money.

A considerable advantage of civic participation and civic contribution is the advancement of a culture of cooperation and dialogue. At its best, the improved communication between citizens, politics and administration builds a local working relationship, which in all aspects greatly improves the quality of living (structural, social, commercial, cultural and infrastructural). The knowledge-gain achievable by embracing the interests and arguments of involved groups should not be underestimated.

However participation doesn't lead to the desired results in every situation and project. The **constraints and limits of public participation** not only extend to the legal and social conditions (see chapter 2), but instead are mostly found within the groups involved.

On the side of the *citizens* the cause for failure of a participation process is to be seen in particular in the following aspects:

- The citizens often don't have the time or shows a lack of interest in participation processes (for example due to disenchantment with politics on a national/local basis)
- They have had negative experiences with civic participation (for example due to the fact that the decision is already set in advance or that it takes years for the first measures to be implemented).

Especially the growing alienation between society and political decision-makers is the cause for citizens neither committing themselves directly (within the parameters of a workshop, a club etc.) nor indirectly (through elections or party-membership) in their country or town. When rejection exists, then it comes in form of massive protests like the recent mass demonstrations against the conversion of the main train station in Stuttgart as well as against the working life extension of nuclear power plants.



Images 3 and 4: Impressions from a workshop in the city of Uhingen (Source: die STEG Stadtentwicklung GmbH).

On the *political side* awareness for the need for substantial participation processes is occasionally missing, because decision-makers (sometimes even the urban administration) fear a limitation of their powers. The formerly familiar assertion “What are citizens good for in planning-processes? Nothing. They lack expert knowledge.” (Selle 2006, p. 497) still serves as an (unspoken) excuse in limiting the scope of action for citizens. After all, the town council consists of elected representatives.

Administrations associate high financial and organisational effort with civic participation, that on the one hand is hardly numerable but on the other hand difficult to offset: How high would the cost have been without the additional work of understanding? How is the higher satisfaction of citizens within a district calculable? Moreover not only the cost for the civic participation are arbitrarive, but also adequate funding for the subsequent (partial) implementation of the consensually agreed arrangements.

Further dangers in participation lie in the risks of reaching out toward difficult to approach or disadvantaged groups, such as migrants or the unemployed. As a result social inequality and different approaches to participation processes can not be balanced properly.

Under which requirements citizens can be effectively integrated into urban redevelopment processes will be shown in the following chapter.

6. HOW PUBLIC PARTICIPATION CAN SUCCEED!

Nevertheless it's crucial to consider certain requirements in the preparation, the realisation and the post-processing of the public participation proceedings. The use of quality criteria is imperative, especially when informal participation procedures are used. This circumstance

stems from their lack of a code of practice, making them error prone, but also from the fact that the results they yield only have a recommendatory character and therefore too easily end up being ignored.

Thus the participation process is to be devised in such manner, that all participants see an advantage in the process and that possible apprehensions (“that’ll lead to nowhere”, “that’s a waste of time”) are dispelled.

The following discussion offers **20 keys to success for participation processes**, discerned in three phases; preparation, realisation and conclusion/post-processing. The layout is based on the comprehensive knowledge regarding urban redevelopment processes of the author, but also on articles and studies in practical and theoretical quality requirements of participation projects (see bibliography in the appendix).

With regard to the **preparation of a participation process** the following principles should be considered:

1. *Choosing the right moment:* Public participation should take place early enough to have an influence on as many basic conditions as possible. If decisions have already been made in some sub-areas, for instance if the place-composition has already been decided for and the participation process only takes in details of planning - these bench-marks have to be made public. Public participation should under no circumstances be instrumentalised for supplementary legitimisation of already fixed decisions.
2. *Defining goals:* In the fore phase, the aim of the participation process and the concrete assignment of tasks has to be defined. Is it a collection of ideas or is it the preparation of the realisation of a procedure? Serious participation projects have an open end, and accordingly a working margin is essential.
3. *Defining the target audience:* It should be clear at the beginning how many participants are needed. It is important to invite all interest-groups (owners, tenants, housing companies, businesspeople, religious associations, social unions, etc.) affected to attend the meeting. Attendance with participation processes is always voluntarily.
4. *Choosing the form of participation:* After analysing the determining factors, the interests (or possible conflicts), the aims as well as the configuration of involved parties in concrete, individual cases, the adequate form of participation can be chosen or, alternatively developed. As shown in the previous chapters, it is possible to discern between formal and informal process variants (or hybrid forms thereof). Concerning process selection it has to be made clear, whether the public is to be informed or is to take part in the planning process and if/or there will be cooperation with the public.
5. *Compiling a time-table:* For an extensive participation process a sufficient amount of time is needed. The compilation of a time-plan is essential, for the citizens to estimate, whether they will be able to participate or not. From the administrative perspective, participating in meetings, lecture of documents, acquisition of additional information, further coordination meetings and the organisation of the participation

process have to be planned. The timeframe should incorporate a buffer for unforeseeable events.

6. *Defining the interfaces with politics:* Before commencing of the procedure, it should be defined as to what happens with the results of the participation process, in what way they will be binding and how the results are going to be incorporated into the decision-structures (for example district-council decisions).
7. *Securing financing:* Securing the financing of a participation process is another very important basic requirement. What costs may arise through a participation process, which of these might be eligible for urban development programs (or other programs)? The height of costs alone, however, is not arbitrarative. Instead they have to relate to the whole project as well as to the expected gains or respectively the costs avoided.

When an advisory committee has been finally formed, more rules in the **realisation of a quality orientated participation process** have to be observed:

8. *Defining the rules:* In order to successfully work together in a participation process, commonly agreed rules of intercourse are indispensable. As an example the rule that all involved parties have the same powers and responsibilities, may equally share their thoughts and have the same influence on the result of the process should be included.
9. *Securing the flow of information:* To assure a constructive and balanced participation process it is necessary for all involved parties to be on the same information level. Therefor all involved parties have to be kept up to date with all relevant information.
10. *Disclosing influence:* All involved parties have to be clear about what influence on the result they have and who will make decisions within the participation process. Will the involved only be informed, will they be able to share their thoughts and opinions or will they be able to take part in decision making? Furthermore, are the involved parties going to take part in the realisation, e.g. in playground-projects, that come into existance through civic engagement.
11. *Embedding relevant parties:* By inclusivness it is understood, that as many people as possible, from all different kinds of social backgrounds, are integrated into a participation process (Bertelsmann Stiftung 2010, p. 56). Such target audiences are embedded through special forms of addressing and cooperation, which are not represented in conventional procedures (e.g. children and adolescents, people with a migrational background, people with low education, elderly, retail, companies).
12. *Introduction of neutral moderators:* It is imperative in conflict situations to introduce nonpartisan mediators. In self-organised working groups this function may be taken by an external moderator, but also by a member without strong interests in the measure. Attention has to be payed, that this person is not burdend with all tasks. Instead an equal distribution of work-load in regard to protocolation, acting as contact-person, public relations, preparation of meetings etc. has to be agreed upon.
13. *Embedding expertise:* In securing the quality of results, the integration of expertise is an important cornerstone of quality-orientated participation processes. Professional

expertise may be located with representatives of interest groups (housing companies, social organisations etc.), municipality, as well as external experts (e.g. planning agencies). Furthermore urban redevelopment processes profit hugely from local knowledge and experience, citizens being able to contribute vital information for the project and measures. Professional expertise has to be involved into the participation process continuously or selectively.

14. *Taking immediate measures:* Several measures should be implemented during the participation process to underline the sincerity of the participation approach as well as to uphold the motivation to participate. At the same time more measures should be realised promptly after completion of the procedure in order to display visible results to those who got engaged with the project.
15. *Running public relations:* According to the motto “do good and talk about it” it is important to sensitise, motivate and inform the populace right from the beginning of the process. Public relations is an important factor to promote transparency of participation processes towards those not involved and to legitimise the results. Depending on the type of measure and question posed, public relations work will be very diverse (newspaper articles, internet, press-conferences, etc.).

In regard to the **completion and post-processing of public participation processes** the following keys to success are the most important:

16. *Conveying the process results:* With the closing of the participation process the goal lies in conveying the results towards the municipality, since the recommendations are supposed to find their way into the political decision-making process.
17. *Documenting the participation process:* A written documentation of the participation process through progress- and closing reports, protocols, graphic material etc. makes the process itself and its results transparent for those not involved in it. Furthermore documentation eases argumentation with decision-makers (politics, municipality), deciding on the implementation. If strategies, concepts and aims with a wider reference to space (e.g. the whole town, districts, quarters) have been worked out, documentation of results yields a good basis for developing and accordingly updating of integrated urban development.
18. *Expressing acknowledgements:* People who take part gratuitously in public participation processes during their free time, should receive an acknowledgement as expression of appreciation for their engagement with the project. In so far as now financial reimbursement is possible, awards given by the mayor, public distinctions, but also through trips with the whole group or acknowledgements with pictures of the participants in the local press are also possible (cf. Austrian Society for Environment and Technology 2007).
19. *Evaluating the participation process:* Evaluation of participation projects aims at analysing the mode of operation, the administrative realisation and the embedding in political decision-making. Moreover evaluation is to explain how the participation process is seen by the citizens involved and what can be improved in future processes.

The indicator for the success of a participation project is not the amount of people involved, but the quality of discourse.

20. *Stabilising the participation process:* In programme areas of urban development participation processes often end with the cancellation of the formal area agreement. For a continuous participation and cooperation, the formation of self-sufficient structures is essential, but only feasible with additional resources. Good examples are the temporary retention of neighborhood management and the timely search for stable funding bodies and strategic alliances.



Images 5 and 6: Results of a Workshop in the local authority Birenbach (Source: die STEG Stadtentwicklung, Stuttgart).

The multitude of factors of success and quality criteria respectively shows that participation processes in civil society in line with urban development and urban renewal are highly sophisticated and innovative procedures. Participation processes do not end in themselves, they fulfill a vital function in local democracy and therefore have to be conducted to a high standard to warrant the expended resources and to achieve the desired outcome (cf. <http://www.buergergesellschaft.de>). Nevertheless there is no best solution for all cities and communities to attain optimal public participation, the different particular basic conditions of cities dictate the development of a participation concept on a case-by-case basis.

Therefore it is precarious in this regard, that the Federal Parliament decided to curtail the federal funds for the “Soziale Stadt” (Social City) - Programme at 70 % in November 2010. While there were €95m available for the current year, there will only be €28,5m in 2011. At the same time the programme was cut to investive measures mostly. It can be expected, that the massive cuts in funding will have considerable consequences for public participation, too. Through the Social City Programme it was possible to activate a significant local civic potential as well as boosting the cooperation of a wide variety of stakeholders for the public welfare in disadvantaged quarters. The build-up and development of an associate-centered civic society is therefore at risk.

7. CONCLUSION: EXPENDING PUBLIC PARTICIPATION

The protest movements against the rail station-project Stuttgart 21 as well as other federal, state and local planning propositions (e.g. airport development, road building projects, biogas plants) have shown, that citizens often feel inadequately embedded into political decision-making. Furthermore, in the setting of the financial and economical crisis, the citizens have developed a deep distrust for large-scale projects, but also against companies and politics in general. They are more and more discouraged to rely on the so-called expert knowledge of external experts. They want to understand what is supposed to change and demand more transparency and co-determination with planning measures.

It is therefore necessary to modernise public participation, which can be achieved through the following measures (cf. i.a. Birk 2011, DStGB 2001):

7.1 Optimising formal participation processes

The formal participation process (e.g. chapter 3) is not perceived by the populace in many cases. If the language of the citizens changes and traditional rules do not apply anymore, it is time to adjust these. Is it only possible to announce plans through a bulletin at the local bulletin-board, the question has to be asked, whether this is still a contemporary way of informing citizens. Especially large-scale projects need innovative platforms and discussion forums on the internet. The public display of planning documents could be relocated to the internet easily, too. More citizens would then have access and could bring forward their objections and concerns. Simultaneously such projects would have to be connected with nation and statewide information campaigns.

With further analysis of formal participation, it is often asserted that the hearing after the public display invokes the impression by the involved populace that everything is already decided. This apprehension is evoked by the responsible authority only laying out the documents, when they decide that the application is complete. Additionally the public display involves substantial amounts of information, that are presented without previous explanation. People who are interested see themselves confronted with a abundance of unexplained information, they are in a situation of constantly being overtaxed.

Birk (2011) thus recommends to start with a “measure announcement” at a specific authority (“measure authority”) instead of the ruling authority prior to public display. The measure

authority then invites, for example within two months, the applicant, the ruling authority and the public to a meeting where the planned measure is then introduced. The meeting comprises a description of the planned measure, the contents of the measure including the scope of the examination, structuring of the approval procedure, possible consequences (traffic, noise pollution etc.), the responsible decision authority, common expenditures as well as content and amount of application documents. The benefits of the modified public participation are obvious: on the one hand the citizens are informed as early and extensively as possible, on the other hand the disconnection of procedural authority and ruling authority add to an objectification of the procedure.

7.2 Strengthening informal participation processes

Future-proof urban development is also dependent on external ideas and the expert knowledge of private stakeholders and citizens - also those who could not be reached by formal participation. Hence innovative platforms for conveying information and opinions, as already used by many municipalities (c.f. i.a. methods introduced in chapter 4), are necessary. These informal procedures, that surpass the statutory mechanisms and aid existing decision procedures, should be strengthened.

Significant in this context is an early and open-ended public participation combined with an open examination of alternatives. This accompanying work of information and clarification must not start when the first excavators arrive, but should be applied right from the beginning and throughout the whole process. The expenses required for this kind of information-campaigns have to be included into the project budget.

In addition participation should not be limited to those affected by the measure. Active participation by citizens as well as private stakeholders (economy and commerce etc.) in planning leads to a better identification, acceptance and implementation of decisions. This causes public participation not to focus only on those directly affected, who might fear individual disadvantages through the project. Forms of participation should put increasing awareness on goals serving the common welfare. So according to the in table 1 described model "Citizens' Jury" (*Planungszelle*), citizens are chosen randomly to deliver recommendations to politics and administration.

7.3 More direct democracy: A big step forward?

According to Geißler (2010), the mediator for the railway project Stuttgart 21, Germany needs more direct democracy. To avoid developments as with Stuttgart 21 in future, the Swiss participation procedure could be adopted for large-scale projects at least. It comprises the following steps: phase 1: formulation of aims, e.g. base tunnel through the Gotthardt, followed by a poll; phase 2: development of plans, possible alternatives, followed by a poll; phase 3: realisation accompanied by a motivation and information.

Direct democracy incorporates instruments like a public decision, too. This may be accomplished either by the citizens via a petition for a referendum - through the collection of a certain quorum of collected signatures by eligible voters - or by the elected municipal representatives through a majority vote in a decision of the city council. Regrettably, corresponding the municipal code of Baden-Württemberg, a public decision is only successful when the majority of votes is also cast by 25 % of all eligible voters. In a poll participation of 40 % (concerning factual issues this is normal) a 62,5 % majority is needed. Even though this hurdle is lower in other federal states (between 10 and 20 % in Bavaria), many public decisions fail to overcome this threshold, especially in bigger cities. The cancellation, or at least a further reduction of this hurdle is therefore one of the main demands by promoters of direct or deliberative democracy.

In summary it can be put on record that in course of public participation processes in Germany, there is still a lot of demand for reform. Dietrich formulated it in the Frankfurter Allgemeine Zeitung on the 21.10.2010 as following: "A lively democracy is in itself a continuous construction site. From time to time not only the foundation has to be changed, but also the tools of will-formation. This hasn't happened here in a while." There is nothing more to add to this conclusion!



Image 7: The mayor of the city of Fellbach and interested citizens during a road inauguration ceremony (Source: die STEG Stadtentwicklung GmbH).

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