The role of contestable processes in advancing sustainability in transport and planning

Emeritus Professor Marcus Wigan
Oxford Systematics: Partner GAMUT, The University of Melbourne

ABSTRACT

Governance issues are important in advancing sustainable
transport as organisations both the physical planning and transport
fields have longer policy development and implementation horizons than
the urgency of changes towards sustainable practice now requires. Both
transport policy and planning strategy need to adapt to meet these
compressed horizons, but the very different cultures and professional
perspectives and practices involved have to date produced Strategies
that have yet to work very well once in operation.

The themes that need to be introduced to address these barriers to
improvement include:

* a contestable governance framework for evidence based policy

* the resulting larger role of the community in both the 'community' and
also the technical aspects of strategy development

These two themes are developed with reference to relevant GAMUT
initiatives. One of the most important of which has proved to be a
series of Governance Forums designed specially to allow auspicing of a
broader range of significant parties to contribute to what is required
in terms of changes in governance in both areas, without the special
interests of any of the fields involved being given primacy. This
initiative has worked well and allowed a broader range of public debate
to occur, as such opportunities have become scarce, and are valued once
created.

The contestability of evidence based policy is increasingly practical,
and examples or data and model sharing between community and government
are already occurring, and examples of the shifts in community power
once the technical skills therein are enabled are given, as well as the
changes in data generation by crowd sourcing.

These are harbingers of a different form of consultation, which allows
great flexibility of government to adjust policy in practice with lower
political costs, and enable greater effectiveness and more rapid
response to the changes to the new model 2 now upon us.

1. CONTEXT

Organisational structures involved in transport have progressively evolved over recent decades from being in the main simply operational arms of government to a far more complex mix of public and private sector bodies.

The arguments for the desirability, efficiency, or performance of these new entities are not addressed here.

The governance structures that enable the coordination, responsiveness, strategic planning and community engagements have been made more complex by the waves of privatisation, and the complexity of the mixed agency, enterprise, commercial, contractual and administrative models of governance that have emerged. In any such emergent situation, a cool appraisal and reassessment of the benefits and problems is desirable, at regular intervals. Strategic intent is often lacking, and the mixed methods criteria and objectives of political and public service perspectives can no longer be separated.

The observed steady increase in public concerns over transparency and accountability are an inevitable result of the confusions and lags in adapting the necessary governance structures.

There have been major barriers to change in planning and transport governance, some of which have disguised the need for change, and others that are not widely recognised as essential. Change is almost always difficult.

One of the elements that has diminished the visibility of the issue is the practice of consulting at the strategic development stage, and assuming that the consequences of this will carry over as continued informed consent at the operational stage. Physical planning follows this process as the major elements of change are embedded in a fresh strategic plan, and the interpretation of this plan in terms of operational decisions takes place many

years later. The conceptual level of abstraction that a broad strategic plan requires is often not easily grasped, and the implications are not seen as immediate by many of the potentially affected parties. Special interest groups are so much easier to access for this stage for consultation that their largely unrepresentative status for many of the stakeholders is overlooked. Securing responses at the early strategic stages is difficult, and efforts made to make them more tangible to wider group of stakeholders can easily founder. There are numerous examples of this, and even the best efforts have not followed through with a proper appraisal of the consultation process itself.

The initial efforts made to secure input to the Melbourne 2030[1] strategy were laudable and successful in securing very high quality attendance at the first round of consultations at the local (local government area) level. The importance of the consultation was modelled by the visible and engaged presence of senior Government staff. The second round at the same level was well attended as well – but this time was handled by very junior and uninformed staff with a printed sheet of predigested options and started with a hurried short briefing by a senior staff member who then left... it would be very difficult to undermine the initial engagement more efficiently if that was in fact the intention, and this set the stage for along expensive and ultimately largely disowned result some years later - Melbourne 2030. While this process started so well, an engaged very capable community members amply able to deal with the abstract areas, this unusual opportunity was frittered away almost at once, leaving the firm (and as events turned out, possibly accurate) impression that the initial stage was simply to attract such people and then claim that they 'had been consulted'. This illustrates two key points

• It is perfectly possible to engage the most highly skilled and influential members of the broader (ie non planning specialist) community in strategic and tactical consultations of real complexity

• This engagement needs to be taken more seriously and made more substantive - or it is lost, and may turn into a negative contribution

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[1] http://www.dse.vic.gov.au/melbourne2030online/ is the current comprehensive website

At no point of the multi year Melbourne 2030 process were the data or models (where indeed they were used) made visible, transparent, accessible and usable for direct community use or appraisal, as this was not seen to be relevant (or possibly it was regarded as simply not possible for the community to handle and understand). After all it was only a 'strategic process' and broad principles were all that were being pursued, and indeed could have been had the initial implied engagement continued beyond the tokenistic (to use the phrase heard at the second meetings) first meeting.

Having so sadly lost the momentum of the first, so promising, round and not even knowing (as appraisal of the process itself was not considered to be part of it), the long lapse of time (years) before the final strategy emerged meant that a substantial fraction of those initially aware of the start of the process were no longer in the same locations, positions or life cycle stages by the publication date: certainly by the time and of the actions would take place on the ground. No mechanism for substantive harnessing of the impressive community based skills was attempted (or that was at least the impression gained by a large number of potential participants).

This change in population over time affects not only the planner for but also the planners themselves. The generation involved at the start of along strategic planning development are not the same as those who were present when it reported. Certainly by the time the actions start to take place on the ground another series of long lagged effects will have occurred, leaving consultee and consulted rather different people than those who were there at the beginning.

The operational project impacts that begin to emerge are quite properly carried out using the physical planning principles of the profession, which assumes that the strategic development stage is the consultation stage... this does not fit well with the community affected parties once the projects hit the ground, as that and the details are where the greatest impacts engagement and reactions will take place.

At this stage it is common for wide consultation to elicit literally thousands of responses, some extremely cogent and substantial and raising issues that clearly need to be addressed, but the normal response is simply to place them on the departmental website and acknowledge their receipt. The Eddington East-West Central Area transport study of Melbourne was one such case[2]. To make this concrete, two examples which gained widely differing responses were the GAMUT feedback on the brief specification evaluations and modelling assumptions (Wigan, 2008): simply placement on the website and no response), and that (Wigan and Ellis, 2008) for the lobby group for Motorcycles (MRAVic) which secured a meeting with the Minister within a day of its submission.

The consultation response system was in this case clearly set up to very efficiently respond to politically sensitive issues that were raised, but to ignore difficult and fundamental queries on the foundations of the study. From a tactical pint of view this was probably correct, but the continued demonstration of the inability of the formal system to harness the community specialist expertise on offer raises the question. How does the official side do this?

Clearly not easily, as consultants undertake most of the technical work, and cannot be expected to engage in what, at study

It is easy to see that the collision of cultures is demonstrated in these quite different perceptions of 'consultation', its conceptual level and its content – and most of all its timing.

The sustained under investment in much of the State transport infrastructure also makes the lead times even longer. The process of project formation, deliberation, design, and budget approval is long enough, but by the time tenders are responded to and evaluated the period can easily reach five years or more. Tis stretches the time between genuine

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http://www.transport.vic.gov.au/DOI/Internet/planningprojects.nsf/AllDocs/E195C22162
760C83CA2571ED0080D1E5?OpenDocument

efforts to consult of broad strategic principles and the apparent government uninterest in consultation at the operational end points of the ground even harder to handle.

External events are making this long lag between broad strategy and on the ground action an increasingly serious problem when seeking community understanding and respect at the final construction stage. External pressures now becoming really important are the increasing interaction between different areas and specialities in planning (transport, facilities and physical planning are simply some of them) making the process much harder at a bureaucratic level, and the pressures of climate change and population shifts are collapsing the horizons available before action simply has to be taken.

In both styles of planning mechanisms that offer a real possibility of abbreviating the interval from strategic planning to actual implementation, and any processes that successfully engage a wider range of expertise and community understanding are highly desirable.

2. MECHANISMS TO IMPROVE THE PLANNING PROCESS

There are several possibilities to improve the planning process discussed of implied by the last section of this paper. Some are widely known and conventional

• Transparency
• Accountability
• Freedom of information

The steady growth in reliance of government on information technology makes three further options increasingly realistic.

• Data access
• Model access
• Process participation

The problems of transparency and accountability are continually under pressure from and for freedom of information rights. The stance depending on whether or not the party concerned is inside or outside government. Less familiar than the first three items are the data oriented ones.

Numerous eGovernment studies (for example Berntzen et al, 2006) suggest that data access can contribute to greater transparency. A more sophisticated version is now emerging from Performance measurement studies of eGovernment and transparency. The highest levels advocated (Osimo, 2008) are that such information is made available should be reusable (eg in an xml format) or directly accessible in a georeferenced or viewable format (eg Wigan et al, 2007). These references cover a mix of technical and process approaches, and the policy frameworks are not clearly stated in any of them.

This does not mean to say that there are no successful examples to draw upon, simply that the overarching policy principles are not fully spelt out. Focussing on data exchange and utilisation processes, such an example is discussed by Wigan et al (2010), where the initiative, the technical GIS and modelling and ICT tools and infrastructure were community created, and the data is crowd sourced (>4million community edits so far) over the years of operation. Here the regional governments in the Netherlands simply fund (as a social good, responding to user demand) the quality control aspects of this system, and minor developments extending it from bicycle routing to other human powered modes, in particular for recreation.

This illustrates a very different level of community expert engagement as well as a very different model of governance and process for data, consultation and deployment.

Can this be generalised?

In general the trend in policy formation and negotiation has developed expectations that evidence based policy will form a basic part of policy development. Whether or not the evidence based materials re used or followed in the final decisions is debatable, and in

general the recommendations shift substantially during the public and less public political processes that follow the production of evidence based reports. This is an expected process, and the value of role that the reports play is often questionable.

Some of the ways in which such an apparently open process can be undermined are as follows:

• Careful restrictions on the terms of reference
• Limitations on the options chosen
• Factors included or excluded in the options appraised

These are the standard modes of outcome management adopted, to which less obvious ones have become more frequent:

• Sheer bulk of the reports (thousands of pages)
• Very limited time windows for inspection and response

To which one must now add:

• Lack of transparency, sensitivity analysis or credible validation (or access to) of the analytical models, tools or parameters used

These ways of undermining evidence based policy have become evident to enough of the community in transport and planning that the term "policy based evidence" has begun to be used (see Harding (2008) for such a usage) to summarise the growing decay of community credibility that has been achieved to date.

The model that we propose is best clarified by adding the key word 'contestable' to the evidence based policy mantra (Wigan, 2008 and 2010). Our stance is that **Contestable Evidence Based Policy** is a valuable tool and enables both process and governance to be addressed, adapted and improved

3 CHANGING THE FRAMING OF POLICY FORMATION AND REVIEW

It is inevitable that most papers and proposals emerge from a single professional or academic culture, with unspoken (and often not closely examined) common assumptions and implicitly agreed limitations and scope. This after all the very basis of communities of practice (Wenger et al. (2000); Bourdon and Kimble (2008)) that create, hold and apply large bodies of knowledge across wide communities with a common ground of interest, extant or emergent.

One of the mechanisms to open up environments for debate and potential change is to use a strong independent Brand to auspice genuinely different perspectives in an open forum. This is difficult to secure, as any f the credible and experienced and active presenters needed for such meaningful debates will also have the diverse interests, substantial history and indeed current commitment and agendas that are in basic conflict with such an open engagement.

If a suitable formula could be found, such for a forum (or fora) this instrument materially assist in placing rather different views of governance on a discussable (and indeed discussed) and credible basis. Once such issues can be discussed and that this has been endorsed by the authority figures presenting, then not only does the debate have the potential to shift but implicit community of practise (formed by those with such interests) can be effectively catalysed to form and subsequently fostered.

Such a mechanism was created by GAMUT and proved to work as this author predicted (Curtis et al, 2008), with regular fresh for a fostering the communities of practice that were then brought together and given an effective neutral platform to further the governance and policy issues in planning and transport thereby (Legacy et al, 2009). It depended on inviting key parties to speak in their personal capacity on the three key things that needed to be addresses to improve governance and policy, without any reference needed to specific polices or projects, past or present. It worked.

The placement of contestable evidence based policy was succinctly framed as follows by the present author (Curtis et al, 2008).

- The levels of education and information access of the community have risen substantially, at the same time as the sharp growth in outsourcing of expertise from government: this demands a different model of community engagement

- Evidence based policy can all too easily fall into the UK disease of 'policy led evidence' by carefully circumscribed Briefs and even edited outcome reports

- Consequently, contestable evidence-based policy is now needed, and is now possible due to (1) above

- Information and analysis helps set the framework for the complex and rapidly changing interactive environments now upon us. All of the above need to be addressed to enable us to address them successfully (Wigan in Curtis et al 2008)

There are still at least two major pair of missing links between these points and operational action. These are:

- Can we get the complexity of planning and transport information over in a form usable by wider communities, and in an affordable way?

- Data is one thing, but the majority of complex issues in planning and transport now demand models of various levels of complexity and sophistication to link the various outcomes together in manageable, usable and understandable manner.

The Data Observatory movements that have sprung up in US and UK over the last few years suggest that the answer to the first question is: yes. The readers can test this for themselves at several of the operational websites cited in Wigan (2003), or at the specialised one set up at www.reorient.org.uk (Wigan et al, 2007)

Currently although many of the still-embryonic public access Data Observatories are restricted to graphical or mapping displays, or limited cross tabulations for specialised

subsets of certain types of data and usually under restrictive conditions of use[3], there are excellent exemplars that show that this s genuinely possible. The global multimodal multi commodity ETS base of freight movements served by www.reorient.org.uk to www.worldnetproject.eu is a full scale operational federated data base[4] spread between countries that anyone can – and does- access. In Australia the VISTA data base for Melbourne travel has just come on line at http://www5.transport.vic.gov.au/vista/ makes household travel directly accessible for analysis and display in a similar manner[5]. However, the next step required for contestable participation by a broader community is to add and integrate transport, planning and spatial projection models. While this is gaining ground in some regions (notably Indonesia, with ADAB funding) it has yet to become widely implemented or accepted.

Some of the barriers to this occurring are discussed in detail by Sunter and Wigan (20210 at the present Conference, and pivot on reducing the barriers to entry and use presented by commercial or proprietary modelling systems by building on the Open Source software in the GS, planning, transport and land use domains

This section addresses several of the barriers to the support and takeup of contestable evidence based policy (CEBP) in planning, but not all. The combination of approaches and initiatives now requires major investment in interworking of what are still largely incompatible sources of data types and requirements. Earlier work pinpointed the need for data discovery as a key component (Wigan et al, 2003) for the CEBP objective, and the need for Bayesian MCMC tools[6] to enable broadly incompatible data sets to be brought to near on the same issues effectively (Westlake and Wigan, 2007), but these are quite different, and essentially technical issues and will not be pursued here, other than to recognise their importance and to indicate where at least some initial efforts have made.

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[3] EG, for transport road safety data see the mapping and tabulation system user tight usage conditions at http://www.vicroads.vic.gov.au/Home/SafetyAndRules/AboutRoadSafety/StatisticsAndResearch/CrashStats.htm

[4] It uses the NESSTAR datacube and thematic mapping engine created for and by the UK Social Science Data Archive, and the Australian developed SAIC USA TeraText engine for documents

[5] It uses the Australian developed SpaceTime Research SuperStar tools

[6] http://www.opus-project.org/

4 CONCLUSIONS

The present paper builds on a range of investigations over several years, and has been organised to support and expand upon the thesis as expressed by Wigan (2010):

"Information governance in planning and transport needs to change for the community as a whole to be able to handle and respond to the complex issues now arising in transport and planning. The barriers include government control of basic public geospatial data, and the necessary changes in the mode of operation of government to secure these gains. If they are addressed, then wider resources of the community can be harnessed, engagement improved, and responsiveness enabled.

These goals may not necessarily be seen to be in the interest of politicians, but are broadly a necessary and desirable change for the community, who increasingly owns and wishes to be engaged in transport and planning issues. Contestability and transparency and now both needed even more in governance if we are to manage and maintain costs, large scale changes and the more and more probable and frequent major weather, social and resource disturbances.

The means to meet the need for information sharing at higher and continuing levels are no longer serious technical obstacles. Adaptations to Governance have not yet followed but again, the technical barriers are now much lower and the need greater. Inevitably, such continuing contestable evidence based policy- and continuing adaptation- will meet its greatest resistance in Governance arrangements…not because they are likely to ineffective - but because they probably will be.

These governance issues need to be addressed to enable us handle the transitions to sustainability in a timely and effective manner. The changes in governance and policy processes enabled by a **contestable evidence based policy** framework to become possible are important, and a major potential contributor to transitions to sustainability in planning and transport.

Emergent experience in this area also offers the opportunity to exchange the experiences as such models begin to emerge.

Provision could profitably be made to develop an international network mechanism to enable, publicise, communicate, endorse and exchange such experiences. The complexity of the interacting long lead time polices in many areas of transport and planning now require such rapid information, data management, operational experience and knowledge exchange through such a new networked community of practice" (Wigan, 2010).

To which we can now add that the initial stages of the changing governance enabled by taking contestability seriously includes open forums where the diversity of views and evidence bases – and the trust and otherwise that they engender – can play a constructive and catalytic role.

This paper has canvassed the requirements to position, support and operationalise a workable overall approach to evidence base policy in planning and transport, and brought together a rage of technical, theoretical and practical advances inching along the way.

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