

Public Participation and Consultation

Participation and Consultation ensure that the communities directly concerned by highway programs and projects are properly informed and participate in the decision-making process.

Why is public consultation important?

Consultation increases the level of transparency and it may help to improve regulatory quality by:

- Bringing into the discussion the expertise, perspectives, and ideas for alternative actions of those directly affected;
- Helping regulators to balance opposing interests;
- Identifying unintended effects and practical problems. Using pre-notification it is possible to foresee more easily the consequences of some planned policies, becoming one of the most productive ways to identify administrative burdens;
- Providing a quality check on the administration's assessment of costs and benefits;
- Identifying interactions between regulations from various parts of government;

Consultation processes can also enhance voluntary compliance for two reasons:

- First, because changes are announced in a timely manner and there is time to adjust to changes, and
- Second, because the sense of legitimacy and shared ownership that gives consultation motivate affected parties to comply.

Ensuring public participation

When designing a new road, public participation is not only part of the environmental procedures, but in fact an integral part of a PPP process as a whole. In such a process, not only the project itself has to be accepted, as in a traditional procedure, but also the fact that part of the public responsibility is transferred to the private sector. Informing, consulting and encouraging the public to participate is, in this case, of the utmost importance.

Depending on the type of project, the type of PPP and the stage of development, more or less public information and consultation are under the responsibility of the private operator. In many cases it is necessary for the operator to have strong support from the public authorities, because they alone are legitimate in the eyes of the public. To be successful, such a communication process must be carefully planned and managed.

Planning and managing public participation

When maintaining and operating a road, public opinion is useful for the private operator to improve its operating processes. Public consultation is also, for the public authorities, a way to assess the performance of the operator and constitutes an integral part of the regulation process.

In developing plans for consultations, the first requirement is to identify the stakeholders, i.e. individuals and groups who have some interest, direct or otherwise, which should be involved in this process. They typically include:

- Project beneficiaries, including the users of the new highway facility and those benefitting from less traffic on existing roads.
- Private sector.
- Potential losers or those at risk from negative impacts from the project.
- Other stakeholders or parties with an interest in the project, such as local and national governments and elected officials, experts and non-governmental organizations (NGOs).
- Other actors whose local knowledge may assist in identifying potential impacts and assessing the viability of proposed alternatives.

At the local level, social science analysis techniques can be used to examine the relationships between groups and individuals, identifying those with the greatest power to influence decisions and outcomes, and the forms of consultation which are most likely to elicit the knowledge and input of people with different interests.