THE POINTE END OF TRANSPORT

Josephine Draper
BSc Geography (Hons)
MSc Transport Planning and Traffic Engineering
Associate Member, IPENZ
Secretary, IPENZ Transportation Group, Central Branch
Principal Transport Planner, NZ Transport Agency
Josephine.draper@nzta.govt.nz

Dean Ingoe
Bachelor of Resource and Environmental Planning (Hons)
Principal Resource Consents Planner
Property and Planning Team
Capital Development Division
Auckland Transport
dean.ingoe@aucklandtransport.govt.nz

ABSTRACT

Sometimes it seems sexy to work on transport projects. Meeting politicians, sod turning ceremonies, multi-million dollar contracts. But there is a pointy end to all of this glamour – those innocent bystanders whose homes and properties are in the way of our improvements. Someone has to inform those people that they are unfortunate enough to be – literally- in the way of the greater good. Working in transport doesn’t just mean you need to understand geometry and big contracts – you also need to be empathetic, and have a good sense of timing. Consulting too early is embarrassing as you don’t have enough information. Too late and you are disingenuous to those affected.

We will address the key question of when to consult with affected property owners, and explore some of the challenges of balancing the competing demands of design and political influence, with the sensitive matter of how and when to deal with property owners. We will relate some firsthand experience of what went right and what went wrong on a range of projects and give some hints, tips and sometimes amusing, sometimes sad stories of what we have experienced in the front line.
INTRODUCTION

The question of when and who to consult is a difficult one that many organisations grapple with. We don’t have the magic formula to answer it, but what we can tell you, based on our experiences, are some of the questions and considerations that you and your organisations should think about prior to consulting. By asking these questions, and more importantly, by being frank about the answers, you will be able to judge the best time and process of consultation. It will not be the same for every project or even for stages in the same project.

WHO TO CONSULT?

This will largely depend on where the project is at. However, you can break the community and stakeholders into groups and these groups will have different methods of communication and different frequency of communication. A few groups might be;

- Key Stakeholders. A “key” stakeholder is one who has the power to influence or stop the project.
- Directly affected landowners - and we mean by this those people who the project will need land from or who will have their access affected.
- Affected people within the project area
- Interest Groups

This paper focuses on directly affected property owners.

WHEN TO CONSULT?

If the project is in the early stage then you are caught between “Do we have enough information to consult?” and “Has the intent of the project already got out into the public arena?” Consult too early or on unclear options and landowners have to live with uncertainty from that day on until the project goes ahead, and sometimes land is blighted on options needlessly. On the other hand, imagine how a landowner would feel if they found out at the local pub or in the local paper that a road was going through their living room. That landowner would undoubtedly be upset and the relationship with the project team would be severely damaged, possibly irreparably.

The best time to consult is when you are confident enough of your options that they are unlikely to change significantly, minimising uncertainty and blight, but not so late that the project is a fait accompli or has leaked. If you need to buy someone’s land then out of respect to them, the first time that they find this out must be from the project team, and in person.

CONSULT OR INFORM?

A decision must be made between consulting and informing. Consultation implies that there is some form of influence on the decision making process while informing merely means that you will keep them informed. This is important because if you are presenting information on an option whose outcome the person can’t influence then it comes across as condescending to say that you are consulting with them. The International Association for Public Participation’s Spectrum of Public Participation (Figure 1) gives good guidance on this.
BALANCING DESIGN AND POLITICAL INFLUENCE

There’s a fine line to walk between getting the right design from a technical versus a political point of view, and it falls to the project team to balance these viewpoints. For example, the right design from a technical point of view might avoid key sites of historical significance by taking parkland. To a technical team that parkland might be low value, but politically removing parkland could be unpalatable. Often it is necessary to compromise on design to satisfy external desires. This can
be difficult to communicate since political drivers are not as clearly defined as physical constraints.

For consultation, we have to put a stake in the ground somewhere and accept that things might change. For the affected property owners this is where the pointy end of that stake really hits, because they are first told one thing, which is what the design team truly believe to be the best option, only for other influences to come into play. Pre-consultation with key stakeholders is helpful in trying to resolve concerns and finalise options ahead of public consultation, but often you only achieve full engagement when you start drawing lines, by which point homeowners are affected by project uncertainty.

We have had situations where homeowners were very close to a road alignment, but due to outside influence, later became directly affected to save some other feature. Unfortunately the homeowner can come across as “disposable” in this process when compared with features of the landscape, but the project team can never forget that they are still human beings with human problems.

WHAT WE HAVE DONE WRONG

Relied on old info (eg. who owns the property)
Of course our data is only as good as the records kept, which is why it’s essential to check personal details with whoever you are speaking with and make sure that they are the right person to speak with. When in a pressurised situation, homeowners often get very upset with small inaccuracies, such as spelling a name incorrectly. This may not be our fault but it becomes our problem – so checking is never a waste of time.

Consulted at the wrong time
On one major project we consulted without a clearly preferred option. Because of the scale and urgency of the project this meant we had over 500 affected property owners and less than a week to speak to them all ahead of consultation. Clearly this was impossible given staff limitations and instead letters were sent, which resulted in a barrage of phonecalls, many upset and confused people and ongoing damaged relationships. It was not possible to meet those people in person given the available time but it would have been possible, with some more planning, to ensure we didn’t have to meet 500 people, within a week. It is better to do the hard yards early on, meet the affected people in person rather than hide behind a letter, so the timing must allow for this.

Used wrong people/wrong personalities:
You have to be empathetic in this job. We have learned from experience that some people’s inability to empathise should rule them out of meeting homeowners.

Given false hope
It is so easy to be dragged along by the consultee’s demands for certainty. We often have people say things like “look at this bend, you wouldn’t go to the left of it, would you?” and logically, no, you wouldn’t, but when you haven’t done the work to establish the information it is dangerous to say “no we wouldn’t”. But we’ve all done it, only to have people come back to us when things change and say “you told me….”

Trusted Stakeholders not to talk
We have had situations where trusted stakeholders couldn’t keep their mouths shut and before we knew it our concepts were in the local newspaper a month before we had planned to communicate them. This is particularly unhelpful to affected residents who hear it first from a newspaper instead of from us. Unfortunately we have to trust our stakeholders to respect affected property owners. This is a difficult situation to handle and all comes down to relationship building and above all making sure the stakeholders understand how playing politics can directly affect people’s lives. However (see What We Have Done Right), it is probably worse not to talk to stakeholders, even taking leaks into consideration.
Not recorded what we say
We are usually quite good at recording what the homeowners say to us, but less good at recording what we say to them. This has come back to bite us before where team-members have changed between rounds of consultations and a homeowner reports that “that gentleman said to me a year ago that he was going to buy our house” and we can’t be sure if their recollection is right or ours is.

WHAT WE HAVE DONE RIGHT

Been prepared
You need to be prepared for some questions which may be obvious to the homeowner, if not to the project team. Homeowners often leap to questions of detail such as road surfacing materials, fencing etc, which is usually a level beyond the stage of lines on plans which the project team is dealing with. Some questions which always come up are:

- Can I do anything to stop you or can you just take the house? (yes, for public works government agencies have compulsory purchase powers)
- What will the road look like? How wide will it be? (at least you need to have a rough idea of this so you can answer in likelihoods, while making it clear that it may change)
- When will you buy the house? (This is often very difficult to answer as it is dependent on funding, and usually people want you to get on and buy it now, especially if they are stressed out by the project, but have a likely answer ready).
- What compensation will I get for being right next to a road? (We don’t purchase land we don’t need, but we assess whether the impact of the project on the adjacent land/property can be adequately mitigated. If yes, then we would provide suitable mitigation. If not, we would have to purchase the land/property or provide compensation).
- Can you just shift the road over a bit to go through the living room please? (Generally the answer is no to this question as it will affect someone else in a different way).

Used the right cross section of staff
Two staff members should always be taken for support and so that one person’s recollection does not need to be relied upon. One male and one female can keep the situation calm, while providing a bit of reassurance if things get unpleasant. People can and do cry in front of you and two big scary men in a room might not be the best people to handle this situation. One person from the client organisation gives the process credibility as people expect to see someone from the organisation that is the reason for the project. Taking a junior person is helpful to them to let them see and comprehend the impacts of the decisions that they make back in the office, but having a senior staff member with them helps the landowner understand that they are valued.

Been consistent in approach and message
Good preparation and briefing is essential for all team members on both the technical nature of the project, and the process of property acquisition.

Written notes as we went along
Even if you’ve heard a particular comment repeatedly from others, it can calm down the person you are talking to note down what they are saying. This is such a simple tool but it reassures consultees that you are listening to them. Usually, one person talks while the other records.

Had a good support network
Internal support for the consultation is essential. Make sure your senior managers are aware of what is going on so that they can step in if necessary. It is an intimidating process which should not be handled in isolation and credit should be given where due for those taking on the challenge.

Used a robust recording system
Over the life span of a project personnel may change, but what will not change (generally) are the people that the project team is talking to. It is critical to record every contact so that issues are not
lost and information gathered is utilised. It also allows us to know if there are any issues with visiting the person eg. abusive behaviour.

Articulated well to our audience
If you are talking to a 70 year old retired person, talking about the geometrics of the proposed road or cultural significance might be over the top. We have found that often all that is needed is simple facts – “we intend to purchase your house, we will be wanting to do this on this date”. The staff member needs to have the soft skills so that they can get points across.

Provided adequate resources
If you have 50 landowners to visit and it is the first time that they have been visited you need to get them all met quickly so that what is going on does not leak out. If people are losing land then the first time that they hear about it must be from the project team and not a neighbour or through the press. Adequate staff must be made available to meet people over a short space of time.

Not accepted abusive comments or behaviour
Simple: if someone is abusive, you get out of there. Offer them an option once, to speak to you in a civil manner, otherwise, out you go, and the relationship is escalated up.

Debriefed team to work through issues
Always sit down and talk through the good and bad points of how things have gone. Learn from mistakes.

Trusted stakeholders not to talk
It is vital to get your key stakeholders (especially territorial authorities) onside ahead of talking to the public. If you don’t, then you will have both an annoyed member of the public and an annoyed territorial authority who didn’t know they were going to be called up by that annoyed member of the public. This means you have to trust them not to talk until the appropriate time, We find reminding the stakeholder of the need to respect the feelings and concerns of the property owner and that they need to first hear things from the agency wanting to purchase property is a compelling argument for not talking, but the earlier you tell the stakeholder the greater the risk of leaks. This comes back to the key point – when to consult.

Handling leaks is always challenging. But on balance, we have found that it is more of a mistake not to trust key stakeholders with the information than to keep it from them for too long. Our advice is firstly, a good relationship with your stakeholder will go a long way to minimising leaks, and secondly, it is important to pick a time to consult with key stakeholders where, if they decide to talk to the press, it would not be the end of the world in terms of impact on property owners.

CONCLUSION
Talking to affected property owners is possibly the most challenging part of the whole project process and one which many people understandably hide from. It is vital to model the way to your team, and show that though challenging, this is an area of project work which is necessary, deserves due care and attention and ultimately can be very rewarding. It is not an area of the project you can leave to your junior staff. Senior staff need to be visible and actively involved in the planning and delivery of this stage of the process. Failure to give due attention to this area (and we have certainly failed in the past!) will mean that you will be mopping up crises for years to come. Remember the seven Ps. Prior Preparation and Planning will Prevent P*** Poor Performance!

REFERENCE