

Public Participation in Action

Navigating the Environment and Planning Act: Public Participation in Spatial Development and Infrastructure

Master Thesis

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Navigating the Environment and Planning Act: Public Participation in Spatial Development and Infrastructure

by

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Preface

Presenting this master's thesis marks the end of my studies at Delft University of Technology. The past seven years have been an incredible journey, filled with learning experiences in civil engineering and construction management, as well as personal growth. This research represents the conclusion of my Master's in Construction Management & Engineering, focusing on a topic that brings together my various interests.

Throughout my studies, especially during excursions to major projects, I discovered my fascination with large, complex projects involving numerous stakeholders managed by teams of project and area managers. The implementation of the Environment and Planning Act and the significance of public participation within this act, which was impending when I began this research, potentially made their roles even more complex. While the new regulations on participation may have increased the complexity of such projects, I believe they can also be immensely valuable, as citizens may offer insightful ideas and contribute to widely supported projects. During conversations with Erik and Jelyn at AT Osborne, a research topic was developed. Together with Marcel, I assembled a graduation committee with all the relevant expertise for my research. This research would not have been possible without their guidance and support.

I would like to thank Marcel, Johan, and Marlon for their inspiring and critical feedback. Marcel's feedback and support was crucial not only for the success of this thesis but also for the success of the Rotterdam Marathon, which coincided with my research. As a technical student, navigating the Environment and Planning Act was challenging, but Marlon's assistance made it feel like a walk in the park. My bi-weekly meetings with Johan were immensely valuable for the academic aspect of my research, and our collaboration on the paper we wrote together was very pleasant. I hope this thesis does not mark the end of our collaboration and that we can work together to publish this research as a paper.

I am also grateful to Erik and Jelyn for giving me the opportunity to conduct my research at AT Osborne. I felt welcomed at the company from day one and truly enjoyed visiting the participation sessions and our bi-weekly catch-up meetings, which were invaluable for my research. Additionally, I want to thank all the interviewees who took the time to talk to me about participation and their experiences, and showed great interest in my research.

Furthermore, I would like to thank my family, friends, and my girlfriend, who had to listen to my enthusiastic stories about the Environment and Planning Act and public participation for months. Their support and feedback on my report were key in the success of this research.

Finally, I wish you, the reader, a pleasant read. I hope you enjoy reading this thesis as much as I enjoyed writing it. I also hope this research contributes to more effective public participation in practice, enabling participants to better contribute to projects.

*Laurens Visser
Delft, July 2024*

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Executive Summary

Public participation is crucial for achieving ambitious societal goals, including housing expansion, emissions reduction, mobility accessibility, and climate resilience. However, satisfying diverse stakeholders becomes increasingly challenging as projects become more complex. The Environment and Planning Act (*Omgevingswet*) in the Netherlands aims to streamline permit processes and enhance collaboration among stakeholders, emphasising public participation. This research investigates how public participation processes are shaped following the implementation and in anticipation of the Act. Specifically, the main research question reads:

How has the anticipation and enactment of the Environment and Planning Act influenced public participation organisation and experience in infrastructural and spatial development projects?

This research question was divided into four different parts, each addressing different aspects of the research. The first part focused on public participation in literature and the new Environment and Planning Act. Based on literature and the new Environment and Planning Act, participation is defined as follows: *Participation means that citizens, businesses, civil society organisations, and other authorities are involved and share control at an early stage in decision-making on collective issues and decisions that concern them. It is also possible that parties themselves initiate developments in the living environment.*

The literature review then focused on methods for measuring the effectiveness of participation and the conditions for organising participation. Ultimately, the CLEAR model by Lowndes et al. (2006) emerged as a key framework for understanding and enhancing the effectiveness of public participation. This CLEAR model, comprising the Can, Like, Enabled, Asked, and Responded criteria, demonstrates that the effectiveness of participation depends on various factors. Participants must be able to participate, which can be hindered by a lack of time, money, or skills. Additionally, participants must feel connected to the project and genuinely want to participate. Thirdly, participants should be given the opportunity to engage in different forms of participation. Fourthly, participants need to be asked to participate through effective communication. Finally, feedback is crucial to the process.

Several sources were also found regarding the conditions for successful participation. This research ultimately identified the conditions for successful participation from the U.S. Environmental Protection Agency (2023). These conditions involve clarifying the purpose of the process and its structure. Additionally, there must be an actual opportunity for participants to exert influence, and the organisation must be committed and intrinsically motivated to the process. Lastly, it is important to ensure that the participation process is inclusive, allowing various target groups to participate effectively in their own ways.

The final part of the literature review focused on the Environment and Planning Act. This legislative change, which came into effect in January 2024 after a long preparatory period, is the catalyst for this research. The Act introduced new requirements for public participation in spatial projects. Although the Act sets these new requirements, it is unclear about the specific details of how participation should be structured (Tolsma & Verheul, 2023, p. 205). It does not prescribe who should participate or how the participation should be organised, other than mandating that it should occur early in the process. This research specifically looks at projects that are part of the project decision, one of the key instruments of the Environment and Planning Act.

The second and third parts of the research focused on the organisation of public participation and the experiences of those involved. To gather data, 13 semi-structured interviews and 10 observations were conducted during the Oude Lijn MIRT study and after the HOV4 exploration study. The MIRT exploration of the Oude Lijn occurred during the transition to the Environment and Planning Act, making it a relevant case for examining the Act's short-term effects. The HOV4 exploration study was organised in anticipation of the Environment and Planning Act, offering valuable insights into the

expected impact and the process's dynamics. The insights gained from these case studies highlighted overarching patterns and themes in public participation. These identified patterns were elaborated in a qualitative analysis through a series of instances describing various scenarios encountered in public participation, focusing on the organisational structure and the participation experience. Key findings from this research are listed below.

- The Environment and Planning Act has forced organisers to plan and initiate public participation earlier in the project process, causing a cultural shift towards early participation despite inherent uncertainties.
- Opinions on communicating complex information varied, with some emphasising the need for simplicity and clarity to avoid confusion, while others advocated for sharing all relevant information for transparency, highlighting a tension between clarity and completeness that affects public trust and engagement.
- There are multiple ways to organise a participation process; participation experts mentioned various tools and methods, while other professionals emphasised the importance of adapting these processes to specific situations.
- Participants expressed concerns about limited diversity in participation processes, suggesting the need to involve diverse perspectives and adopt proactive outreach strategies to ensure broader representation.
- In public participation, there's often a disconnect between organisers' abstract understanding of plans and participants' concrete perspectives, especially when those plans directly affect them.
- The success of participation processes is influenced by past experiences and relationships with other concurrent projects, as poorly organised past processes may lower expectations, while organising multiple participation processes simultaneously, can overwhelm and confuse participants.
- Participants tend to prioritise individual interests, focus in participation processes should therefore be on reaching consensus. As political decisions may not always align with participant preferences, it is crucial to inform participants about the decision-making process. Participation should only be organised if participants can actually influence the outcome.

For the final part of the research, these findings were used to create a framework that connects organisational aspects of participation processes to the experiences of those involved and relevant literature (the CLEAR model and the conditions for successful participation). This framework is visualised in figure 1. The framework was developed to achieve two main objectives: first, to link the organisational, process-related aspects of public participation with the experiences of participants, the effect-related aspects; and second, to provide insights into how the implementation of the Environment and Planning Act has influenced the organisation of public participation and the experiences of those involved. The framework primarily serves academic purposes and provides background information for the practical recommendations. These practical recommendations have been visualised in a practical poster, which will be introduced in the final section of this executive summary.

In the framework it can be seen that the enactment of the Environment and Planning Act prompted a shift in participation planning, mindset and coordination, forcing organisers to consider participation at earlier stages. This resulted in more understanding among participants, which helped manage their expectations more effectively. On the other hand, the Act required better coordination of participation efforts by organisations, as the new imposed requirements, and formal and informal participation can overlap during the transition phase. The organisation needs to be aware of this to prevent confusion among participants due to the various forms of participation. Moreover, the research observed that because the Act explicitly demands participation, there has been a shift in the organisational mindset. Participation is no longer a mere checkbox, but significant time and effort are now invested in engaging stakeholders. Finally, it remains unclear whether the Environment and Planning Act has affected stakeholders' trust in the government and project organisations. Nevertheless, the research results indicate that poorly organised processes can lead to a decrease in trust.

Based on the results of this study, several promising avenues for future research have been identified. One interesting direction is to explore the long-term effects of the Environment and Planning Act on

public participation, it is recommended to monitor and evaluate participation processes. This could involve examining more case studies to determine whether the findings of this research are broadly applicable across different contexts. Additionally, future research could focus on other aspects of the Environment and Planning Act beyond the project decision.

In addition to these research directions, several practical recommendations have been derived from the study's findings. The research revealed nuanced relationships between participation processes and their effects, offering valuable insights for professionals aiming to understand and optimise these processes. These insights have been translated into a practical poster designed to summarise the key practical recommendations. This poster is illustrated in Figure 2 and has also been translated into Dutch, as shown in Appendix A (Figure A.2). Understanding these dynamics is crucial for achieving effective and inclusive public participation, which in turn supports more sustainable and resilient infrastructure and spatial development projects.

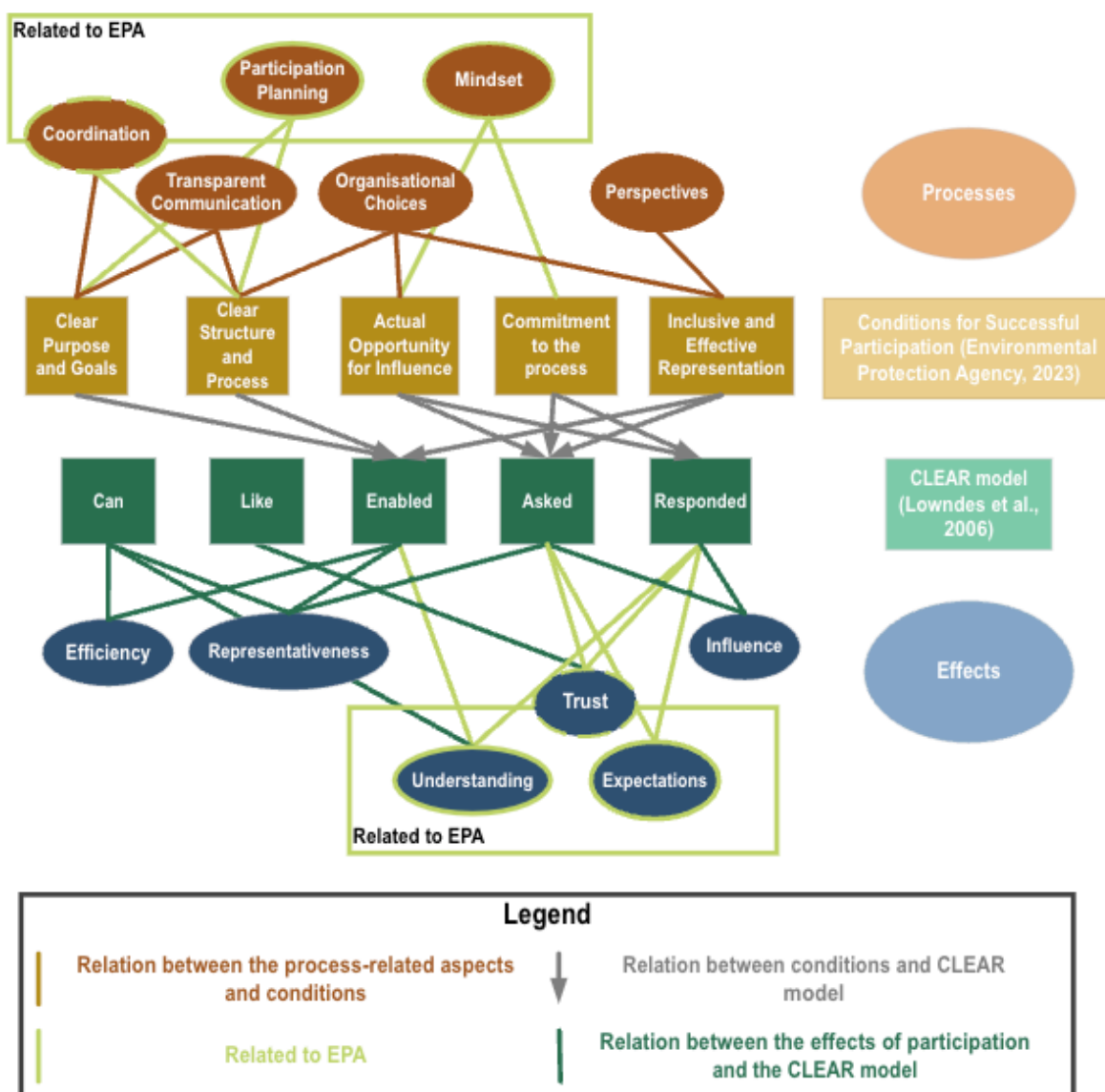


Figure 1: Framework connecting findings to the CLEAR model and conditions for successful participation (Environmental Protection Agency, 2023; Lowndes et al., 2006) (made by author)

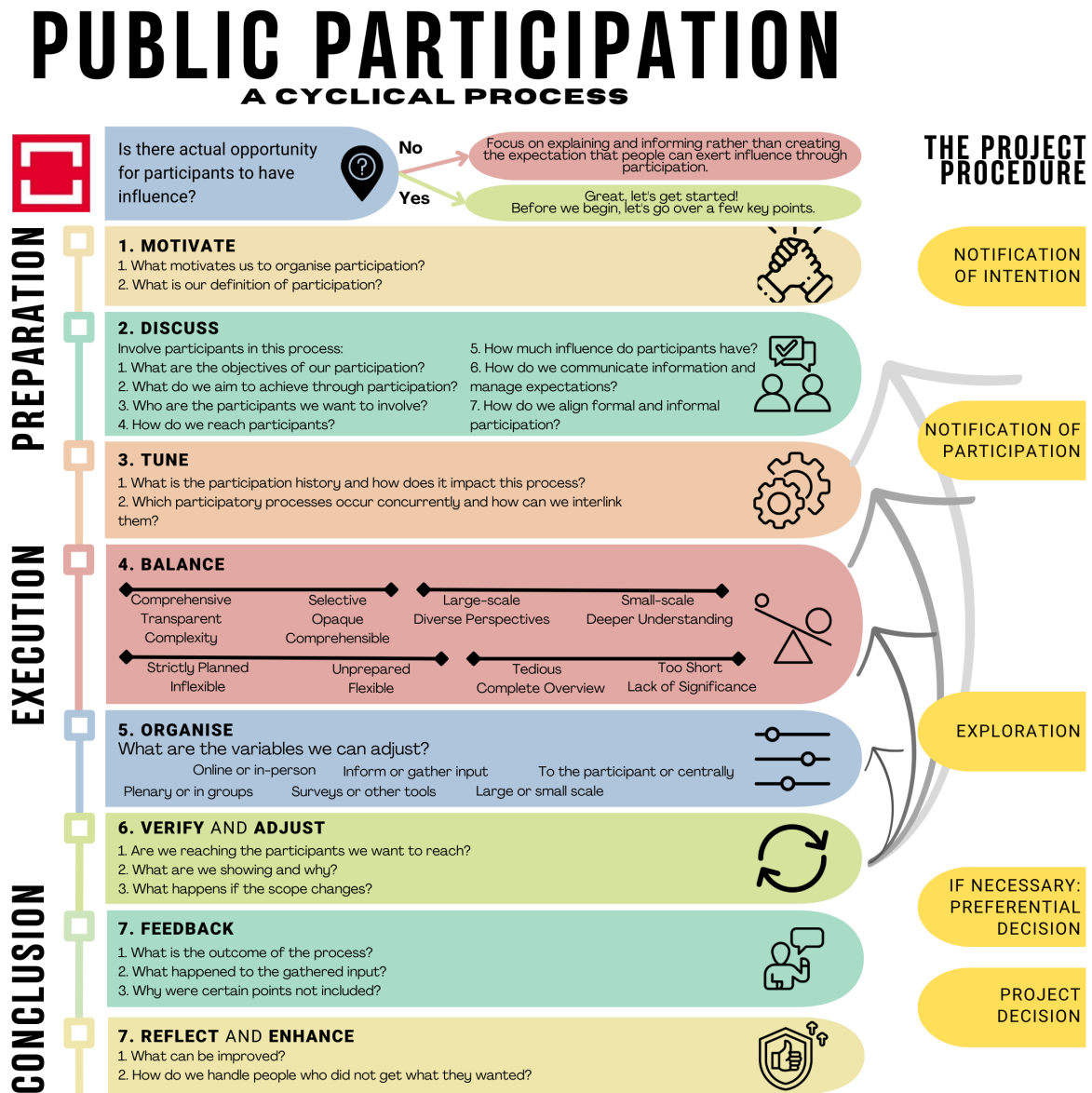


Figure 2: The Public Participation Process (made by author)

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Glossary

Term	Dutch Translation
Acceptance Decision	<i>Opleveringsbeslissing</i>
Assessment Rules	<i>Beoordelingsregels</i>
Code of Social Participation	<i>Code Maatschappelijke Participatie</i>
Competent Authority	<i>Bevoegd gezag</i>
Council of State	<i>Afdeling bestuursrechtspraak van de Raad van State</i>
Decentralised Rules	<i>Decentrale regels</i>
Digital System for the Environment and Planning Act	<i>Digitaal Stelsel Omgevingswet</i>
Environment and Planning Act	<i>Omgevingswet</i>
Environment Buildings Decree	<i>Besluit bouwwerken leefomgeving (Bbl)</i>
Environment Decision	<i>Omgevingsbesluit (ob)</i>
Environmental Activities Decree	<i>Besluit activiteiten leefomgeving (Bal)</i>
Environmental Decree	<i>Omgevingsregeling</i>
Environmental Permit	<i>Omgevingsvergunning</i>
Environmental Quality Decree	<i>Besluit kwaliteit leefomgeving (Bkl)</i>
Environmental Regulation	<i>Omgevingsverordening</i>
Environmental Strategies	<i>Omgevingsvisie</i>
Exploration Existing or Future Challenge	<i>Verkenning bestaande of toekomstige opgave</i>
Freedom of information law	<i>Wet open overheid (Woo)</i>
General Administrative Law Act	<i>Algemene Wet Bestuursrecht</i>
General Administrative Orders	<i>Algemene Maatregel van Bestuur (AMvB)</i>
Government Regulations	<i>Algemene rijksregels</i>
Implementing Act for the Environment and Planning Act	<i>Invoeringswet Omgevingswet</i>
Initial Decision	<i>Startbeslissing</i>
Key instruments	<i>Kerninstrumenten</i>
Ministerial Decree	<i>Ministeriele regeling</i>
Ministry of Infrastructure and Water Management	<i>Ministerie van Infrastructuur en Waterstaat</i>
MIRT Exploration	<i>MIRT Verkenning</i>
MIRT Plan Elaboration	<i>MIRT Plan Uitwerking</i>
MIRT Realisation	<i>MIRT Realisatie</i>
Mobility Fund Act	<i>Wet Mobiliteitsfonds</i>
National Strategy on Spatial Planning and the Environment	<i>Nationale Omgevingsvisie</i>
Notification of Intention	<i>Kennisgeving Voornemen</i>
Notification of Participation	<i>Kennisgeving Participatie</i>
Participation	<i>Participatie</i>
Participation policy	<i>Participatiebeleid</i>
Physical Environment Plan	<i>Omgevingsplan</i>
Policy cyclus	<i>Beleidscyclus</i>
Preferential Decision	<i>Voorkeursbeslissing</i>
Programme	<i>Programma</i>
Project Decision (in the context of MIRT)	<i>Projectbeslissing</i>
Project Decision (in the context of the EPA)	<i>Projectbesluit</i>
Project Procedure	<i>Project Procedure</i>
Water Board Regulation	<i>Waterschapsverordening</i>

Introduction

The Netherlands, a densely populated country, confronts multiple complex challenges: building one million additional houses, significantly reducing emissions to meet EU climate goals by 2030, ensuring mobility accessibility and enhancing climate resilience against extreme weather phenomena (Albers et al., 2015). The solutions for these challenges often face public resistance, leading to delays in critical infrastructure and urban development projects (Hilbers et al., 2022). The situation was further complicated by the transition to the new Environment and Planning Act (*Omgevingswet*), which aims to increase public participation, make permit application processes easier and transparent, and foster collaboration between stakeholders as mentioned in the Explanatory Memorandum of the Environment and Planning Act (*Kamerstukken II 2013/2014, 33962 nr. 3, p. 15*). Uncertainties surrounding the act's implementation underscored the urgency for innovative strategies and collaborative approaches to navigate these challenges effectively (Verlaan, 2024).

1.1. Motivation

As mentioned, large infrastructural and urban development projects are subject to public debate. As projects gain significance and complexity, finding a solution that adequately satisfies all stakeholders becomes increasingly challenging. Even though guidelines exist for early and intensified public involvement, to create more support for these projects, such as the report *Beter & Sneller* by (Commissie Elverding, 2008), there still exists a need to improve participation. The report *Een goed begin is het halve werk* by the Dutch Ombudsman (Luttmer et al., 2019) mentions a tension between the theory and practice of participation in national projects. Emphasising the need for better collaboration between governmental organisations on the one hand and citizens and other stakeholders on the other hand. This societal need, in combination with the relevance of the new Dutch Environment and Planning Act, forms an interesting topic to investigate. The study area, on the interface of existing participation theories, an important policy transition and practical implications, has been visualised in figure 1.1.



Figure 1.1: Visualisation of the study area.

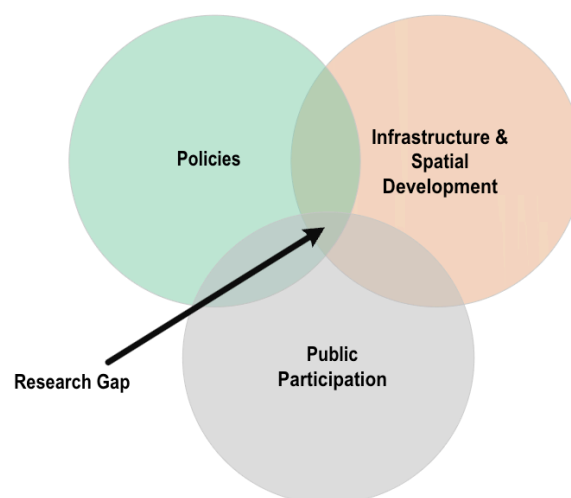


Figure 1.2: Visualisation of the research gap.

1.2. Research Problem

Existing literature exposes unresolved questions concerning stakeholder involvement in infrastructural and spatial development projects and interdisciplinary collaboration under the new Environment and Planning Act. Moreover, it is unclear how public participation is shaped in practice in anticipation of Environment and Planning Act and after the enactment. Therefore, this study aimed to analyse participation during the anticipation and after the implementation of the Environment and Planning Act and come up with points of interest for participation projects. The research gap is visualised in figure 1.2.

1.3. Research Objectives

The main objective of this thesis is to understand public participation in complex Dutch infrastructure and spatial development projects within the context of the Environment and Planning Act. This objective can be divided in different research objectives, these sub-objectives are listed below:

1. Gain insights into existing participation studies and the implications of the Environment and Planning Act on public participation.
2. Understand how the participation process is shaped in Dutch government-initiated infrastructural and spatial development projects in anticipation and since the implementation of the Environment and Planning Act.
3. Understand how the participants experience the participation process within the context of the Environment and Planning Act.
4. Develop a framework to conceptualise findings and show effects of the Environment and Planning Act on public participation.

1.4. Research Question

The research gap mentioned in section 1.2 underscores the central question that will be investigated in this thesis. This main research question is formulated to accomplish the main objective described in the previous section 1.3.

Main Research Question: How has the anticipation and enactment of the Environment and Planning Act influenced public participation organisation and experience in infrastructural and spatial development projects?

This research question can be subdivided into different sub-questions, all aiming to tackle a different section of the main research question and to accomplish a different sub-objective.

- Research Question 1: How are stakeholders involved in infrastructural and urban development projects?
 - Sub-question 1A: What is public participation and how has it evolved to its current state?
 - Sub-question 1B: How can we measure the effectiveness of participation and what are the conditions for organising successful participation?
 - Sub-question 1C: What are the key features of the Environment and Planning Act regarding participation?
- Research Question 2: How has public participation in infrastructural and urban projects been shaped, both in anticipation of and since the implementation of the Environment and Planning Act?
- Research Question 3: How do stakeholders experience the organisation of public participation, both in anticipation of and since the implementation of the Environment and Planning Act?
- Research Question 4: How can the insights gained from the participation process and experience contribute to a framework that gives insights into how participation is being shaped?

1.5. Research Design

In the research design, the objectives and research questions are connected to data sources that help answer the research questions and arrive at research output. The main research question is answered through a qualitative data analysis. This paragraph elaborates on how the different elements of the

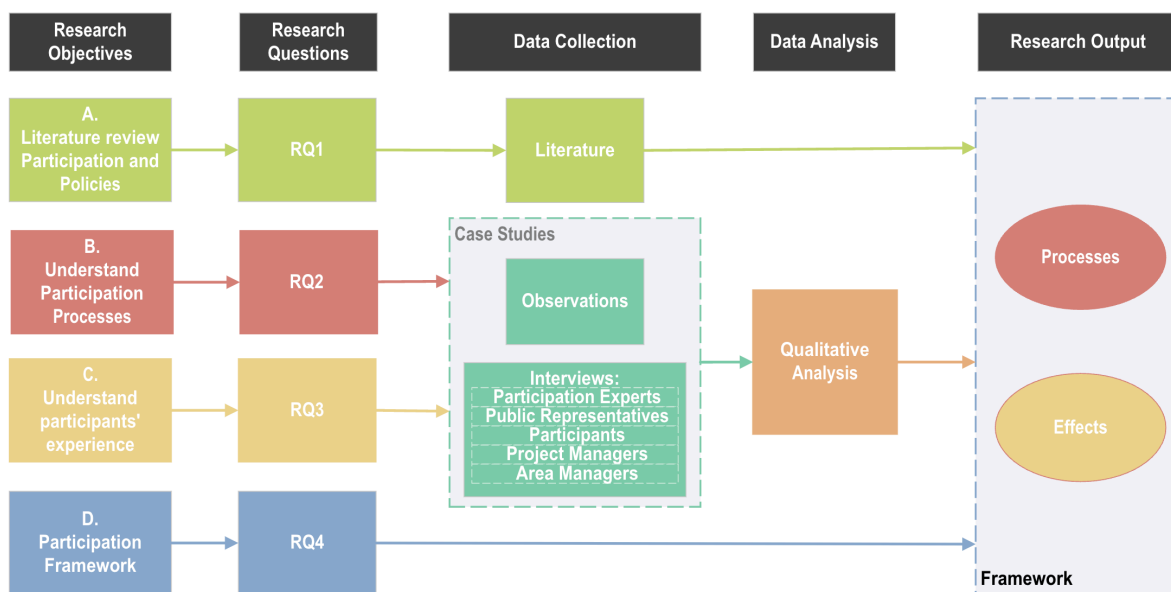


Figure 1.3: Research Design

research are connected. More information on the data types and how the data is collected can be found in section 2.3 and more information on the qualitative data analysis method can be found in section 2.4. An overview of the research design can be seen in figure 1.3.

The literature study serves as initial data and helps to gain insights into public participation and forms an image of the expected effects of policy changes on participation practices. The literature study moreover involves an analysis of the Environment and Planning Act and its implementations on public participation. The outcomes of the literature study helped to set up interview questions and eventually gave insights into the qualitative analysis.

Observational data is obtained by attending organised participation meetings within the "Oude Lijn"-case-study, which will be further elaborated on in Chapter 4. Preliminary data from the HOV4 case-study is acquired through official documents of the relevant exploration study. As the focus of the observations is to look for patterns in the dynamics of the meetings and interaction between attendees, the outcomes of these observations can be useful in forming interview questions and will help to understand how the participation process is shaped. Insights from the observations are used in the qualitative data analysis.

The main data that are used for the qualitative analysis are the interview transcripts. The interviews are performed as the last stage of the data collection phase of the research and the performed literature review and observations form the basis for the interview protocols.

After all the data has been collected, it serves as input for the qualitative data analysis, marked in orange in figure 1.3. The outcome of this data analysis forms an overview of overarching patterns and themes that could help shape a framework that describes the current form of public participation. This framework is developed and described in the final phase of the research and forms the research output that answers the main research question.

1.6. Scope

While public participation practices and theories have been well documented, the impact of the Environment and Planning Act on participation is not yet fully understood. This thesis aims to analyse the effects of the Act on public participation practices in infrastructural and spatial projects in the Netherlands. These effects can be seen as effects in anticipation of the implementation of the act, or effects in the first months after the enactment of the act.

The scope of this study is limited to three different parts:

1. Literature Review: The first part involves a comprehensive review of existing participation practices and models, alongside an examination of the intentions behind public participation within the Environment and Planning Act.
2. Analysis of Public Participation in Practice: The second part investigates how participation processes are implemented and experienced. This involves observing participation processes in practice and conducting interviews with project organisations, participants, public representatives and experts on ongoing projects in the Netherlands. These projects include the Oude Lijn project and the HOV4 Eindhoven - Veldhoven project, which will be elaborated on in Chapter 4.
3. Qualitative Analysis and Framework Construction: The final part consists of a qualitative analysis of the collected data and the construction of a framework to understand the state of public participation in anticipation and since the implementation of the Environment and Planning Act. This focuses specifically on the MIRT (*Meerjarenprogramma Infrastructuur, Ruimte en Transport*) exploratory study for the Dutch Oude Lijn project (MoVe, 2022) and the HOV4 Eindhoven - Veldhoven study (Gemeente Eindhoven, 2024).

The study focuses on large exploration projects, such as MIRT programmes, which lie at the intersection of infrastructural and urban development projects. Examples include the renewal of station areas, the construction of metro lines and their surrounding areas, and highway renovation projects within cities. Such complex projects, initiated by various organisations and with significant social impact, are established within the project decision under Dutch law. Therefore, the legal focus of this research lies on this legal instrument of the Environment and Planning Act. This instrument is further elaborated on in section 3.4.4.

As mentioned earlier in this section, this research aims to investigate both the anticipatory effects and the short-term impacts following the official enactment of the Environment and Planning Act at the beginning of 2024. Figure 1.4 illustrates the timeline of the Act's enactment, the duration of the case studies, and the research period in relation to the Act. The figure shows that the HOV4 case study was completed before the Act was enacted, while the Oude Lijn case study began before and concluded after the Act's enactment. This dual timeline provides insights into the effects anticipated prior to the Act as well as the initial impacts following its implementation.

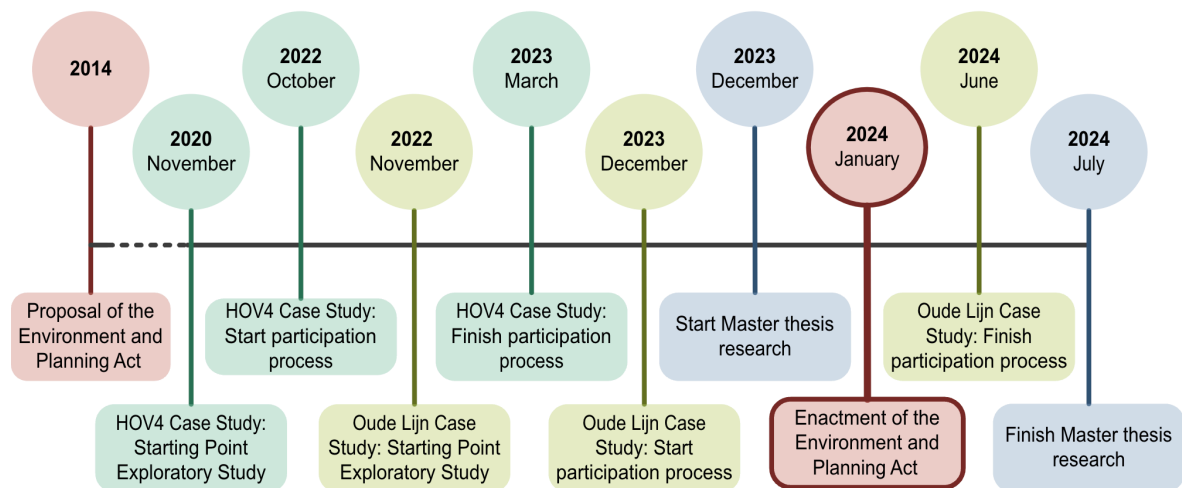


Figure 1.4: Timeline current research, Environment and Planning Act and case studies

1.7. Thesis Outline

Figure 1.5 shows the different chapters of this thesis. The outline also shows the connection of the chapters to the research questions. After the introduction, the research methodology is detailed in chapter 2. In chapter 3 relevant literature is examined, focusing on public participation theories and the Environment and Planning Act, among other topics. In chapter 4, the case studies that are investigated in this research are introduced. Chapter 5 describes the data collection and analysis, including the data

collection method, observations, and interviews. Consequently, the chapter also covers the analysis of the data. In chapter 6, the findings of the analysis are presented. Next, chapter 7 relates the findings to existing literature and personal interpretations to finally reach the framework, which answers research question 4. In chapter 8, the research is concluded, and finally, chapter 9 offers recommendations and limitations, closing this thesis.

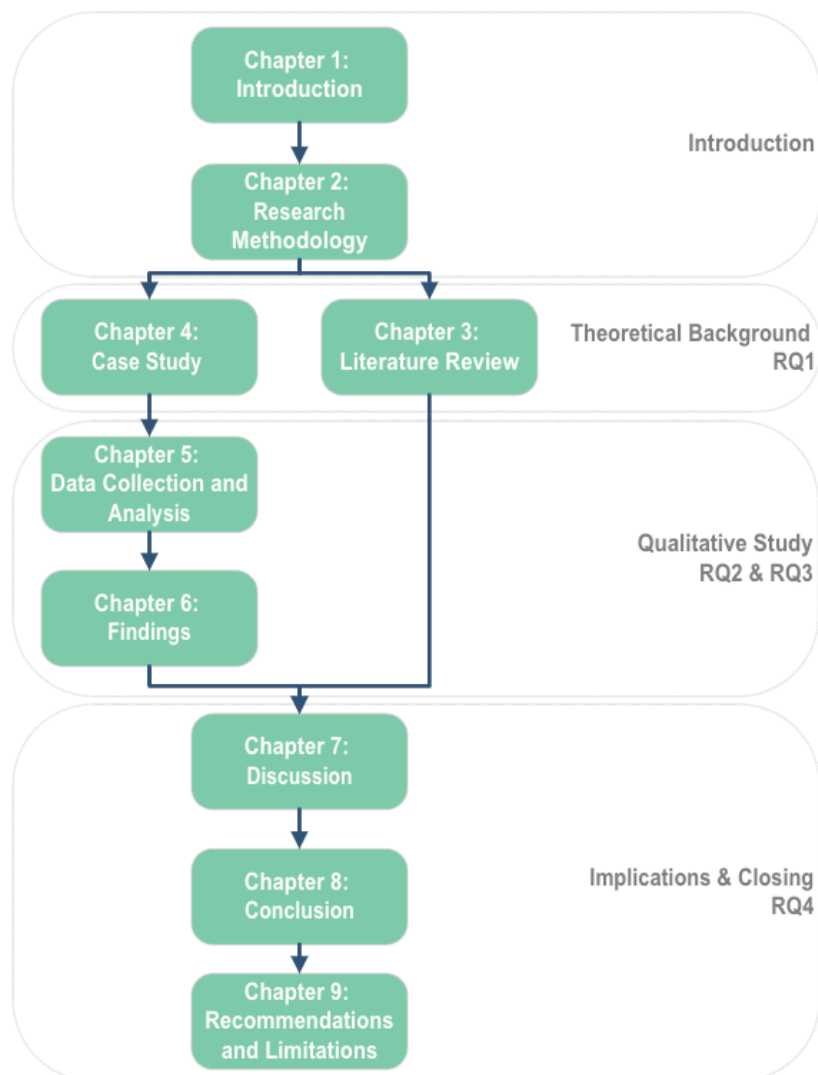


Figure 1.5: Thesis Outline

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Research Methodology

This chapter outlines the research methodology employed in this study, describing the approaches and techniques used to collect and analyse data. The following sections provide a comprehensive overview of the methodological approach, sample selection, data types and collection methods, and analysis techniques.

2.1. Methodological Approach

The thesis employs a qualitative approach to analyse the effects of the Environment and Planning Act on public participation within Dutch infrastructural and urban projects and to come up with potential improvements for the participation process. This methodology aligns with the research objectives, which aim to provide both theoretical insights and practical points of attention to enhance public participation.

By using a qualitative approach in this thesis, the methodology focuses on understanding the complexity and perspectives of public participation in Dutch infrastructural and spatial development projects. The development of a practical poster, next to the construction of a framework, ensures that the research contributes not only to theoretical knowledge but also provides practical recommendations for enhancing the participation process in such projects. Qualitative data will be gathered through multiple methods, each of which is detailed in the following sections.

2.1.1. Literature review

A review of existing literature on public participation in infrastructural and spatial projects is conducted. This review begins by defining public participation and exploring its historical development. It then focuses on methods for measuring effectiveness and identifying conditions for successful participation. The review continues by highlighting foreseen challenges in the realm of public participation. Figure 1.2 also visualises the study area.

The purpose of this review is to gain knowledge and identify best practices and theoretical frameworks for public participation. Relevant literature is documented using Mendeley.com and compiled into a catalogue. The collected information is then synthesised and utilised to compose the literature review. The literature review is structured thematically, addressing the sub-questions of research question 1.

2.1.2. Policy analysis

The implementation of the Environment and Planning Act is analysed through a policy analysis, which is part of the literature review. This involves an examination of relevant articles and their impact on public participation in Dutch infrastructural and spatial projects. The analysis aims to identify the effects of the policy on participation requirements and guidelines. Relevant websites such as www.aandeslagmetdeomgevingswet.nl help to gain a preliminary understanding of the act, while official documents such as the Environment and Planning Act and its Explanatory Memorandum (*Kamerstukken II 2013/14, 33962, nr. 1-3*) offer in-depth insights in the act.

2.1.3. Observations

Direct observations of public participation processes during the exploratory phase of a MIRT study were conducted to gain knowledge about the organisation of participation processes, it moreover

helped to better understand real-time dynamics and interactions within these processes. This method offers an initial understanding of how participation unfolds in practice. In the case of this research, the observations were performed at participation meetings for the case study of the Oude Lijn. This particular case study is in more detail described in section 4.1. Detailed information on the observations can be found in section 5.1.

2.1.4. Interviews

Qualitative data is also gathered through in-depth semi-structured interviews with key stakeholders, including public representatives, participants, project managers, area managers and participation experts. These interviews provide contextual insights into the perceptions, experiences and challenges of public participation projects. The structure of the interviews and more information on the recruitment of respondents will be further elaborated on in chapter 5.

2.1.5. Qualitative Analysis

After the data has been collected, it is analyzed through the following steps. The qualitative analysis methodology is based on Weiss (1995). First, the interviews are transcribed and uploaded to Atlas.ti for coding, providing preliminary insights into the content. Once all the interviews have been coded, they are reviewed again to identify important aspects and quotes, which are then compiled into a catalogue. This catalogue helps to identify overarching themes and patterns relevant to describing participation.

Next, the catalogue, initially a comprehensive list of quotes, is refined into a more concise list of instances that, according to the researcher, summarize the key findings. These instances, presented in Chapter 6, are subsequently used in the discussion chapter 7 to develop a framework. The creation and application of this framework will be described in the next sub-section ??

2.1.6. Framework Construction

The final step in the research process involves incorporating insights from the previous steps: literature review, policy analysis, observations, and in-depth interviews, to construct a comprehensive framework. This framework will consist of various critical aspects related to the organisation and experience of public participation processes. These aspects will be interlinked and grounded in the literature, focusing on the specific effects of the Environment and Planning Act. The framework aims to serve as both a theoretical contribution and a source of practical insights.

2.2. Sample

The selection of participants for the interviews is crucial for gaining a sound understanding about perspectives and experiences related to public participation and the Environment and Planning Act. The sample will be drawn from various stakeholder groups involved in complex infrastructural projects related to the MIRT programmes HOV4 and Oude Lijn, described in chapter 4.

2.2.1. Sample Size and Theoretical Saturation

For this research, 10 observations and 13 interviews are conducted, 2 or 3 interviews per involved stakeholder group mentioned in the previous paragraph. The data collection part of the thesis will be concluded when a point of theoretical saturation has been reached. This is the point in data collection and analysis where new data is no longer of additional value to develop the theory being developed (Saunders et al., 2018). In this research, a qualitative data analysis method is being adopted, meaning that the collection and analysis of data occur simultaneously. This results in theories that emerge from the data rather than theories based on proposed hypotheses (Chun Tie et al., 2019). It was expected that theoretical saturation would occur after approximately 10 to 15 interviews had been performed and approximately 10 observations had been executed.

2.3. Data Types and Collection Methods

This research will be based on different data types that characterise the qualitative nature of the research. The data types are chosen to give a diverse insight into theory and policy, as well as into experiences and practices. The data will be collected in different ways. The data types and collection methods that will be used, are briefly elaborated on below:

- **Literature Study:** The literature review contributes to the research by providing theoretical knowledge. It incorporates insights from existing literature, identifying definitions, historical context and other relevant knowledge on participation practices in infrastructural and spatial development projects. The review serves as background information for later research steps and aims to gain an overview of the potential outcomes of the research.

Collection method: Relevant literature is identified through systematic searches. Literature searches are systematised based on their theme: the history of participation in infrastructural projects, conditions for successful public participation, measures for the effectiveness of public participation and the foreseen challenges of public participation. Literature is categorised and incorporated to create the theoretical base of the research.

- **Policy Analysis:** For the policy analysis component, a structured framework is developed to organise and analyse data from the Environment and Planning Act related to public participation.

Collection method: Environment and Planning Act policy documents are collected and analysed. Relevant information is categorised. This was partly done with the help of webinars and informational documents on the Environment and Planning Website (aandeslagmetdeomgevingwet.nl).

- **Observational Notes:** Detailed field notes from observations of public participation processes will provide insights into interactions and important themes during the exploratory phase of infrastructural projects.

Collection method: Insights into participation dynamics are gathered by attending participatory events related to the case study of the Oude Lijn. Detailed notes will be taken on participant interactions, group dynamics, and other relevant observations to capture the nuances of the participation process.

- **Interview Transcripts:** Anonymised transcripts from interviews with stakeholders serve as a primary source of qualitative data. These transcripts capture detailed narratives, perspectives, and experiences related to public participation in Dutch infrastructural and spatial projects.

Collection method: Interview guides will be developed based on research objectives. The interviews will be transcribed for analysis.

2.4. Analysis Technique

Once the data was collected, it was qualitatively analysed through a thematic analysis. This was mainly done with the help of atlas.ti, a qualitative analysis tool, that helped to identify patterns and finally helped to identify practical guidelines to implement public participation in the context of the new Environment and Planning Act. The steps of the qualitative research are briefly mentioned below:

1. **Data Import:** By importing and categorising the data in atlas.ti, the programme served as a data manager.
2. **Coding:** By coding the data, the first insights into the data were obtained. The codes are organised in families or groups, forming a structure of the data.
3. **Categorising Data in Instances:** Once all the data was coded, it was reviewed again to identify important aspects and quotes, which were then compiled into a catalogue. Instances were found by relating the data to specific research questions to create a deeper understanding of the data. Specific research questions 2 and 3 were of relevance in this part of the research. The data was finally gathered in a table with different themes.
4. **Interpretation of Findings:** Based on the given results, overarching themes, patterns and other observations were interpreted. This interpretation took place in the discussion and formed a mix of findings from data, relevant literature and personal observations.
5. **Incorporation in Framework:** Based on the analysed data, a framework was constructed on views of the public participation process of Dutch infrastructural and spatial projects. This concluding theory consisted of findings from the data and it showed a relation between the important aspects of participation. It moreover showed how the framework can be incorporated and what the meaning of the framework is.

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Literature Review

The literature review part of the thesis focuses on participation theories and the implications of policy changes on participation processes within the context of infrastructural and urban development projects. This review serves as a basis for further steps in this research. The second part of the literature review, the policy analysis of the Environment and Planning Act (*De Omgevingswet*), mainly serves as contextual knowledge for the research.

3.1. Defining Public Participation

Public Participation is often described as the involvement of concerned stakeholders in decision-making about plans, policies and programs in which they have an interest. Freeman (2010) and Hertogh (1997, p. 32) describe stakeholders as persons, groups and organisations that may have influence in or are affected by decisions. Stakeholders play a significant role in the complexity of infrastructural projects as all of them represent their diverse interests (Hertogh, 1997, p. 23). It is believed that public participation may lead to acceptable results for both the decision-maker, initiator and the public and therefore helps to prevent parties' appeal (Hobma & Jong, 2022). In democracies, such as The Netherlands, citizens are able to participate in decision-making through elected representatives, public participation is therefore a crucial part of the relationship between governments and citizens (Bryson et al., 2013). Given the fact citizens want to have a say in their environment, participation takes traction in the world of planning and development as well (Hobma & Jong, 2022).

A literature review shows that many different definitions are used to define participation. In this research, it was chosen to describe three different definitions and combine them into a final definition of participation. The first formulation of the definition of participation is given by Addink (2019) in *The Principle of Participation*: *Participation is a process through which all members of a community or organisation are involved in and have influence on decisions related to development activities that will affect them. That implies that development projects will address those community or group needs on which members have chosen to focus, and that all phases of the development process will be characterised by the active involvement of community or organisation members.*

A similar, legal definition is given by the art. 3.4 of the Dutch environment decision (*Stb.* 2018, 290, p. 131): *Participation means that citizens, businesses, civil society organisations and other authorities are involved at an early stage in decision-making on environmental visions, plans, programmes, projects and activities in the physical living environment. It is also possible that parties themselves take the initiative for developments in the living environment.* The important aspect of this definition is the fact that participation also takes place in the early stages and parties themselves are able to initiate participation processes.

A third definition is given by Visser et al. (2019), which is also adopted by *Kennisknooppunt Participatie*, a Dutch governmental network which aims to share and develop knowledge concerning participation. Their definition is: *Participation is a process in which individuals, groups, and organisations exert influence on and share control over collective issues, decisions, or services that concern them.* An important aspect of this definition is the fact that participation only occurs when influence and/or control is transferred to participants, this qualifies forms as informing as non-participation. Also, the element collectively is important, participation only occurs when the issue goes beyond an individual interest.

In this thesis, a final definition is formed based on the given definitions. By combining the important

aspects of the definitions, we arrive at the following definition of participation, which is used in this research.

Participation means that citizens, businesses, civil society organisations and other authorities are involved and share control at an early stage in decision-making on collective issues and decisions that concern them. It is also possible that parties themselves initiate developments in the living environment.

3.1.1. History of Public Participation

Existing studies show the importance of effective public participation for the success of projects. Arnstein (1969) started already in the seventies with a first study on public participation and came up with the Ladder of Citizen Participation, which can be seen in figure 3.1. Even though Arnstein's Ladder of Citizen Participation was developed over 50 years ago, it remains one of the most cited pieces of literature concerning public participation. The history of participation practices illustrates a steady increase in citizen engagement, progressing along Arnstein's ladder of participation.

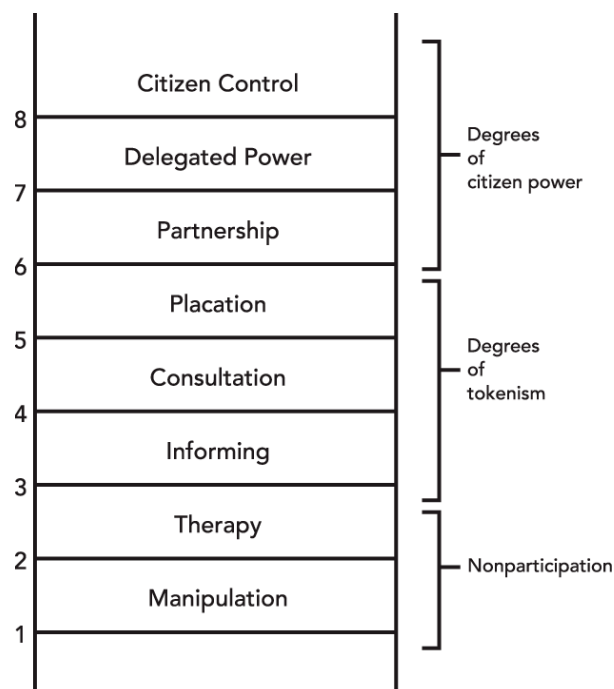


Figure 3.1: Arnstein's Ladder of Citizens Participation (Arnstein, 1969).

Blueprint Planning

Before the ladder was developed, experts already adopted theories on planning and the physical environment. These theories however did not incorporate public participation or the interests of stakeholders in general. Howard and Geddes are considered pioneers in environmental planning, both are seen as founders of the blueprint planning concept. Howard introduced the garden-city concept, which continues to shape urban planning significantly. His idea proposed the decentralisation of industry from the city centre and the creation of new towns surrounding decentralised plants (Hall & Tewdwr-Jones, 2010). His theories focused on a healthy environment, being still important nowadays.

Geddes, often regarded as one of the most influential early planning thinkers, made significant contributions to planning methodology and scale. He emphasised the importance of studying settlement patterns closely. Geddes argued that planning should extend beyond individual towns to encompass entire "natural regions" based on his analysis of settlement patterns. This concept laid the groundwork for regional planning (Hall & Tewdwr-Jones, 2010).

Hall and Tewdwr-Jones (2010) note that early planners, such as Geddes and Howard, had a limited understanding of planning as an ongoing process that must adapt to dynamic external forces, which are

present in infrastructural projects as well (Hertogh, 1997, p. 18). Geddes and Howard failed to address the complexities of planning, where individual interests often drive development, or in participatory democracies, where individuals and groups hold diverse and sometimes conflicting ideas about desired outcomes.

Synoptic Planning

The 1960 marked the beginning of synoptic planning, which replaced blueprint planning. This change was prompted by the challenges posed by increased car usage, requiring planners to address issues on a bigger scale (Wilson, 1968). Public participation in planning began to emerge within the framework of synoptic planning, primarily through consultation processes led by professional planners. However, this participation was often tokenistic, limited to endorsing planning goals rather than engaging in decision-making. Synoptic planning assumes that participation is only needed to validate and legitimise the planning goals since society is thought to be homogeneous (Lane, 2005).

Incrementalism, introduced as a variant of synoptic planning, proposed a more practical and adaptable approach to decision-making. It acknowledged the diversity of interests and advocated for decentralised policy-making, however still with limited public participation. Mixed scanning, another variant of synoptic planning, focused on addressing the limitations of incrementalism by considering a broader range of alternatives and strategic choices. However, these approaches did not fundamentally challenge the dominance of planners or the unitary public interest model until the 1970s. In summary, while synoptic planning laid the groundwork for more participatory planning approaches, genuine public involvement remained limited until later developments challenged existing planning ideologies and models.

Pluralism

Hall and Tewdwr-Jones (2010) notes the emergence of new planning models starting from the 1970s. These new models reflected a shift towards theoretical pluralism. While acknowledging the heterogeneity of society, these models focus on a more active role of the public (Barnard & Vernon, 1975).

Transactive planning, elaborated by Friedmann (1973), emphasised face-to-face interactions within the planning community, prioritising mutual learning and personal development over traditional empirical methods. It encouraged active participation and empowerment, marking a significant development in planning.

Advocacy planning, proposed earlier by Davidoff (1965), focused on representing marginalised interests and promoting social change. Rejecting the notion of a unitary public interest, it sought to give voice to underrepresented groups through meaningful participation in decision-making processes.

Marxist approaches to planning, influenced by thinkers like Harvey (1973), underscored the unfairness perpetuated by capitalist systems. While critiquing existing power structures, Marxist analyses generally did not involve public participation, focusing more on procedures than prescriptive solutions. Bargaining models, reflecting a policy-oriented view of planning, highlighted the importance of negotiation and power dynamics in decision-making (Hall & Tewdwr-Jones, 2010). Recognising political pluralism, these models emphasised the active involvement of diverse stakeholders in shaping planning outcomes (Kasperson, 1986).

Communicative theory, drawing from Healey (1992) and others, expanded notions of rationality to include diverse communication and dialogue. Participation in communicative planning involved negotiation, debate, and discourse, acknowledging the diverse perspectives and interests of stakeholders. Overall, contemporary planning theories underscored the political nature of planning and assumed a fragmented societal landscape with diverse and competing interests. Unlike earlier models, participation was viewed as integral to planning processes, signalling a fundamental shift in the role and function of public involvement.

Interactive Governance

In the 2000s it had become clear that participation is necessary for effective policy-making and practitioners realised that participation would play a more significant role in decision making. The professionalisation of participation has led to well-trained facilitation practitioners and the inclusion of

participation skills in public and nonprofit managers' training. However, there is significant variation in participation methods, prompting interest in their design and implementation (Quick & Bryson, 2016).

In recent years, the concept of interactive governance gained more traction within welfare states such as the Netherlands. Interactive governance is the collective set of actions undertaken to address societal problems and opportunities. It emphasises the importance of broad societal participation in decision-making processes and advocates for collaborative approaches to governance. Additionally, interactive governance recognises the dynamic nature of societal goals and values, which are negotiated among stakeholders and evolve through iterative learning processes (Kooiman & Bavinck, 2013).

Within the interactive governance perspective, governability refers to the overall capacity for governance of any societal entity or system. This capacity is understood within the context of the interactions between the system-to-be-governed, the governing system, and governing interactions. An overview of this system is shown in figure 3.2. Governability encompasses the ability of governors to address societal problems and opportunities, which may be subjectively perceived or determined through scientific analysis.

In the interactive governance perspective of a societal system, as can be seen in 3.2, especially the governing interactions between the system that has to be governed and the governing system are of interest, they comprise interactions such as participation events. These governing interactions are usually distinguished by two different levels: an actor level and a structural level of interactions, as well as by interaction modes.

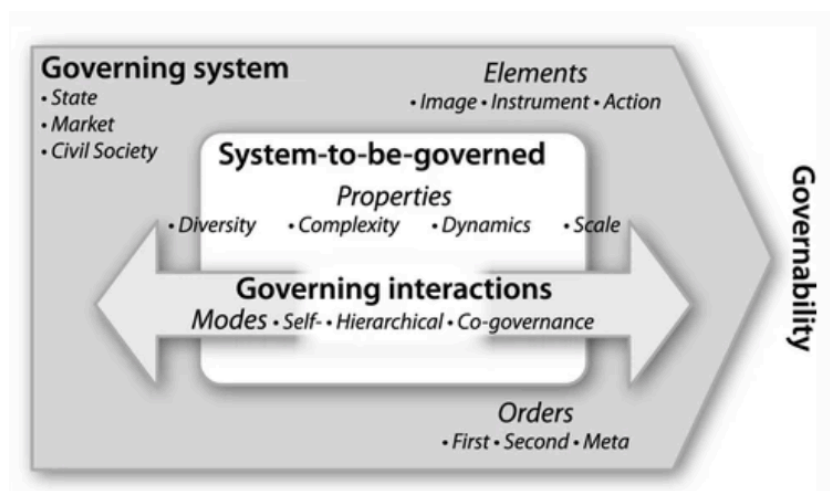


Figure 3.2: The interactive governance perspective of a societal system (Kooiman & Bavinck, 2013).

Governing interactions at the actor level depend on the willingness or ability of actors to participate in governance processes. Participation, as discussed before, has been a continuing practice, although its effectiveness and drawbacks have been subject to debate. Scholars recognise both the benefits, such as development and legitimacy, and the disadvantages, including inefficiency and loss of control, associated with citizen participation in public affairs (Roberts, 2004).

The intensity of governing interactions varies, ranging from light discussions to heavy decision-making processes. Some distinctions can be made in modes of governance interactions, the following forms can be characterised:

- **Deliberation:** Informed discussions are a crucial element in bridging differences and achieving more legitimate policies in deliberative democracy. However, there's a need to remain cautious against hidden agendas, strategic behaviours, power dynamics, and skewed participation or exclusion.
- **Interactive Learning:** Governance often deals with conflicting concerns, and the capacity to learn is essential in such processes. Interactive learning involves not only determining what should

be learned but also how to learn interactively. Strategies to enhance learning capacities include social learning and inter-organisational or network learning.

- **Interactive Decision-Making:** This is the most intensive form of governing interaction. Discussions revolve around what decisions entail, how they are made, and how to analyse them effectively. Perspectives on decision-making vary, ranging from rational and comprehensive to incremental and less organised approaches. Key questions in decision processes include considering time constraints, political influences, fixed participant positions and the sensitivity of the decision.

At the structural level, governing interactions are the main features of the system-to-be-governed and the governing system. Well-organised societal sectors tend to exhibit these qualities in their interactions. Two concepts play a crucial role in structuring governing interactions: the concepts of the public sphere and social capital. The public sphere, as described by Habermas (1991), is the social domain where public opinion is discussed on matters of general interest. As first mentioned by Bourdieu (1986), social capital refers to the resource of connections and cooperation within society, influencing how individuals interact and cooperate. These concepts are instrumental in understanding governance outcomes and dynamics.

At the structural level of governing interactions, three modes of governance are identified: self-governance, hierarchical governance, and co-governance (Kooiman & Bavinck, 2013). Self-governance involves actors managing their affairs independently of formal government oversight. It's a capacity that arises organically within societies and is crucial for effective governance. Hierarchical governance, the traditional mode, entails top-down control by entities like the state or companies over their constituents or employees. Policies, rules, and regulations are the primary tools of hierarchical governance. Co-governance involves societal actors collaborating with shared objectives, often at the expense of some autonomy. Interactive governance theories encompass various forms of co-governance, such as communicative governance, public-private partnerships and networks.

Public Participation within Interactive Governance

Interactive governance builds on the principles of participatory democracy, involving early engagement of various stakeholders such as citizens, NGOs, and private companies in the formulation, determination, and execution of public policies. This inclusive approach allows all stakeholders to influence problem exploration, solution development, and eventual political decision-making. Interactive governance encompasses both government-induced participation and citizen-induced initiatives.

Røiseland and Vabo (2016) discuss various aspects of public or citizen participation in interactive governance processes. They highlight public participation as a crucial element for citizens to exercise influence over policies, particularly in democratic countries where citizens choose representatives through electoral processes. They moreover advocate for more citizen participation to enhance democratic processes, as interactive governance emerges as a response to the limitations of traditional governance structures. It aims to address the fragmentation of decision-making and the decline of formal power in representative bodies. On the contrary, Newman et al. (2004) discuss some of the constraints of developing public participation in the collaborative governance perspective. Their paper discusses tensions between national policy priorities and local views and priorities, as well as the constructed distinction between local and strategic issues.

3.1.2. Participation Tools

In the 2010s digital technologies gained more traction in professional environments. Resulting in more use of internet-based participation tools in participation processes (Evans-Cowley & Hollander, 2010). Evans-Cowley and Hollander (2010) show in their study that though internet-based tools have the potential to improve participation processes, they cannot be used alone and physical interaction is crucial for the success of the participation process.

Recently, the participatory value evaluation (*Participatieve Waarde Evaluatie*) was developed by Mouter et al. (2019). This is a method for evaluating policy options and facilitating the participation of large groups of citizens. The essence of a participatory value evaluation is that citizens can advise on a governmental decision-making issue in an accessible manner. They are put in the shoes of the decision-maker. In an online environment, they see the choices the decision-maker must make, they

receive an overview of the specific advantages and disadvantages (or effects) of the options available to the decision-maker and the constraints that exist (e.g. limited budget or mandatory objectives). Subsequently, they are asked what they would advise the decision-maker. Finally, citizens explain their choices, providing a clear picture of their preferences and considerations.

3.1.3. Forms of Public Participation

Literature mentions different forms of participation. Nabatchi and Leighninger (2015) characterise three different variations of participation.

- **Thick participation** involves large, diverse groups engaging in in-depth small-group discussions about issues, choices, and actions, representing the most meaningful and powerful form of participation, albeit intensive and time-consuming, and less common.
- **Thin participation** comprises individuals (often in large numbers) expressing preferences, sharing ideas, or providing information through fast and convenient methods, with online avenues increasingly prevalent alongside face-to-face and telephone interactions.
- **Conventional participation** offers individuals opportunities to submit complaints and briefly address elected officials at public meetings, sometimes mandated by law but often falling short of meeting citizen or official needs, with these entrenched approaches often serving as models for civic organisations.

Different forms of participation can also be characterised by the amount of influence citizens and other stakeholders have in decision-making. Visser et al. (2019) characterise these forms based on the so-called 'rings of influence' (*ringen van invloed*), which are also adopted by the Dienst Publiek en Communicatie - Ministerie van Algemene Zaken (n.d.) and can be seen in figure 3.3. The identified levels of influence are as follows:

- **Decision-maker (*Zelforganiseren*)**: This level of influence originates from the initiative of residents or groups of residents. In this form of participation, residents take on roles such as initiators, leaders, decision-makers, mobilisers, and organisers. Successful self-organising participation requires an open government that facilitates citizen-led initiatives.
- **Work partner (*Meebepalen*)**: this involves actors who will collaborate on the project and might have a decisive influence on the project or its implementation.
- **Contribution of ideas (*Meedenken*)**: these are the actors whose project team seeks to receive certain substantive input from.
- **To be kept informed (*Meeweten*)**: the actors in this circle do not play an active role in the project, but they need to be kept informed, possibly because they may be formal decision-makers later on (for example, in elections).

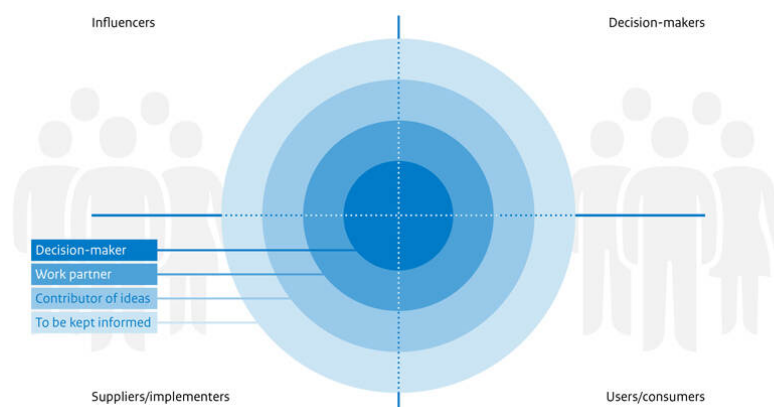


Figure 3.3: Rings of Influence (Dienst Publiek en Communicatie - Ministerie van Algemene Zaken, n.d.).

Addink (2019) distinguishes four concepts of participation that are briefly described below:

- The **popular initiative** is initiated by citizens who are entitled to vote to place an issue on the public agenda. To initiate such an initiative, conditions such as residency, age, and a minimum number of voters could be required. The proposal must meet specific criteria and undergo a predetermined procedure. This participation form is distinct from popular referenda where citizens approve or reject proposals.
- A **citizens' panel** is established independently of public entities but makes recommendations to them. The panel usually consists of a large group and is asked for recommendations during policy-making. Conditions for panel membership include residency, age, online access, and a personal email address. The advantages of a citizens' panel include consistent recommendations and professional guidance, but drawbacks include higher costs and potential power imbalances.
- **Referenda** involve a group of citizens voting on proposed decisions. Different variations exist, including non-binding or binding referenda. Referenda can be mandatory or voluntary based on procedure. Advantages include expanding political monitoring and citizen involvement, but drawbacks include possible abuse and dependence on voter expertise.
- **Community-level participation** allows individuals and organisations to express views and debate policy proposals. The outcomes of the participation process are not binding on public authorities. Benefits include influencing policy-making and improving administrative practices, while drawbacks include uncertainty about the translation of opinions into action and potential conflicts of interest.

The focus of this thesis lies on the latter form of participation: community-level participation, as this form of participation is mainly used to collect feedback for infrastructural and spatial projects.

3.2. Organising and Experiencing Participation

In this section, literature relevant to the second and third research questions is reviewed, focusing on the conditions necessary for organising effective public participation and the criteria that determine the success of participant involvement.

3.2.1. Measuring Effectiveness of Participation: The CLEAR Model

The effectiveness of participation processes can be analysed in different ways. Literature describes different models which analyse the willingness of citizens and other stakeholders to participate, a trade-off of the costs and benefits of participation and the mutual trust between citizens and governmental organisations (Addink, 2019; Krueger et al., 2001). Lowndes et al. (2006) developed the CLEAR model, which provides a framework for understanding and enhancing public participation based on five key factors:

- C: **Can** citizens participate? Citizens must have the resources and knowledge necessary to participate effectively. This includes skills such as public speaking and access to resources like the internet. Efforts to build capacity can help bridge socioeconomic gaps in participation.
- L: Do they **Like** to participate? People are more likely to engage when they feel a sense of attachment or belonging to their community. Policies and initiatives can foster a sense of civic identity and solidarity to promote engagement.
- E: Are they **Enabled** to participate? Participation is organised through groups or organisations, providing continuous reassurance and feedback for engagement. Supporting communal networks and investing in community networks are crucial for supporting participation.
- A: Are they **Asked** to participate? Mobilisation is crucial for encouraging engagement, and people are more likely to participate when approached and asked to engage. Public bodies should offer a variety of participation options and consider the nature and sustainability of the "ask."
- R: Are they **Responded** to if they participate? Citizens need to believe that their involvement makes a difference and that their views are being appreciated. Responsiveness from decision-makers is essential for sustaining participation, even if it does not always result in immediate outcomes. Feedback and transparency in decision-making processes help build trust and confidence in participation efforts.

Applications of the CLEAR Model in Public Participation

Even though the CLEAR model was developed for understanding and enhancing public participation, the model is used for different purposes as well. Applications vary from predicting candidacy for council membership (Voorberg et al., 2023) to modelling community-based flood mitigation measurements (Nugraheni et al., 2022). Within the field of public participation, the model is still being used widely. Van de Wetering and Groenleer (2023) note the usefulness of the CLEAR framework in evaluating urban professionals' activities and guiding their engagement with citizens. Löfgren and Agger (2021) recognise the framework as being a proactive and self-evaluative approach to assess democratic innovations and participation. The framework is found to encourage adaptation to local communities and participation organisers. As the framework lacks specific guidelines on how to organise participation, it can be adjusted to specific contexts and situations.

Employing the CLEAR model

In this study, the CLEAR model is utilised to investigate the effect-related aspects of participation, specifically related to research question 2. This involves examining how participants and other stakeholders experience participation. In the qualitative analysis, attempts are made to establish links between experiences and the CLEAR model based on identified instances.

Limitations of the CLEAR model

According to Van de Wetering and Groenleer (2023), the CLEAR model fails to consider the underlying motivations for including citizens, potentially impacting the development of participatory governance approaches. Additionally, Löfgren and Agger (2021) note that the model's generality requires adjustments to suit specific situations. In this study, it was observed that the CLEAR model predominantly focuses on the effects of participation, emphasizing how participants and stakeholders experience involvement while neglecting the organisational prerequisites for successful engagement. To provide a comprehensive understanding of successful participation, both experiential aspects and organisational conditions are addressed in the subsequent section.

3.2.2. Conditions for Successful Public Participation

Visser et al. (2019, p. 13-15) recognise 4 features of a successful participation process: organisation, networks, empowerment, and diversity, which are also adopted by Blok et al. (2023) in a participation guideline for Dutch municipalities. The first feature highlights the importance of institutionalising participation processes within government organisations and adopting a culture of learning and collaboration. Professionals involved in participation processes should be open to sharing power and possess facilitation skills.

The second element, networks, implies that effective participation also relies on collaborative networks, characterised by cooperation and shared values among stakeholders. Participants should recognise the need for collaboration with government entities and demonstrate ownership and relevance to the issue at hand.

Thirdly, the empowerment of participants is crucial, facilitating access to relevant information, support, and opportunities to develop necessary skills. It is essential to engage participants on topics that matter to them, avoiding the problem where participants are involved in trivial matters irrelevant to them.

Diversity is the final key factor contributing to a well-organised participation process. Governments and participants should embrace diversity to gain insights into various perspectives and solutions. This involves recognising and accommodating diverse voices and communication styles in participatory processes.

To add on to the theories provided by Lowndes et al. (2006) and Visser et al. (2019), Uittenbroek et al. (2019) hypothesised conditions that help to achieve the goals of public participation in planning: firstly, clearly defined objectives are established from the outset, secondly, participants, including local governments and citizens, engage in discussions about these objectives, and finally, a deliberate choice for a particular public participation approach is made based on these objectives.

After facing some complex dilemmas concerning public interest and environmental hazard, the U.S. Environmental Protection Agency, also known as EPA, advocated for influential public participation in the decision-making process, emphasising that affected communities should have a say in balancing

health risks against economic considerations (Webler & Tuler, 2021). The Environmental Protection Agency (2023) recognised several conditions for successful participation in its Public Participation Guide. These conditions are listed below.

- **Clear purpose and goals:** Define a practical and shared purpose for the public's involvement, aligning expectations accordingly.
- **Clear structure and process:** Establish explicit rules and procedures for conducting public participation and decision-making.
- **Actual opportunity for influence:** Ensure that public input genuinely shapes the decision-making process.
- **Commitment to the process:** Both managers and staff must fully engage in the activities required for effective public participation.
- **Inclusive and effective representation:** Reach out to diverse stakeholders, ensuring all relevant interests are represented without bias.

Applications of EPA's Public Participation Guide

The public participation guide published by the Environmental Protection Agency (2023) remains one of the most widely referenced resources in the field. Today, it serves as a pillar for evaluating good governance and public engagement within governmental frameworks (Maela & Selepe, 2023). Additionally, it plays a crucial role in facilitating discussions surrounding climate change (Romsdahl, 2020). Furthermore, the guide is instrumental in shaping public involvement strategies for infrastructure and spatial development projects, often initiated in response to climate change and other environmental challenges (Cattino & Reckien, 2021; Wu et al., 2019).

Employing EPA's Public Participation Guide

In this study, we employ the criteria outlined in the public participation guide to analyse the organisational facets of public participation. Following the phases of data collection and analysis, we linked these organisational aspects with the experimental elements discussed in Section 3.2.1. The novelty of this research lies in its exploration of the relationship between the organisation of participation and the experience of participation.

3.3. Participation in Practice

In this section, the practical aspects of participation are reviewed. First, the challenges associated with public participation are described. Following this, the MIRT programme is discussed. This Dutch programme is utilised to organise complex infrastructural and spatial projects, necessitating close collaboration between various organisations. The MIRT programme includes several regulations about public participation that are relevant to this research.

3.3.1. Challenges in public participation

Existing studies show the importance of effective public participation for the success of projects. Arnstein (1969) started already in the seventies with a first study on public participation and came up with the Ladder of Citizen Participation. Throughout the years, more information and tools were found that help policymakers to involve citizens in the policy-making process (Bobbio, 2019). But still, participation can be improved in Dutch project (Luttmer et al., 2019). Research by Uittenbroek et al. (2019) shows the lack of a clear objective for participation and collaboration in numerous Dutch projects and suggests a framework to set up the participation for projects. The article mentions the fact that public issues can be too complex for local governments to solve alone and it is, therefore, crucial that governments and citizens recognise each other's qualities in addressing the problem and reach an agreement about the objectives of public participation.

In the case of government-induced public participation, a major risk is the scenario where citizens' participation is not effectively integrated into decision-making by representatives. Instead, the negotiations and deliberations within interactive governance settings are superficial and symbolic rather than substantive and impactful. In this perspective, as described by Klijn and Skelcher (2007), interactive governance serves as a tool for representative governments to maintain their authority

rather than genuinely incorporating citizen input into decision-making processes. Thus, despite the appearance of citizen engagement, the ultimate decision-making power remains vested with elected representatives, undermining the participatory nature of governance networks. This scenario is named "Elected Politicians Disconnecting Interactive Governance" by Røiseland and Vabo (2016) and highlights challenges and dynamics in involving elected officials in participatory decision-making processes. It could have multiple causes, described below:

- **Institutional Challenges:** Participatory governance demands time, resources, and efforts from public and political officials, posing challenges for local councils. There's a risk of power concentration among vocal or opposing groups, potentially leading to bad decisions and loss of control over decision-making.
- **Elite Democracy Argument:** Advocates of elite democracy argue that elected representatives should retain superior decision-making authority, potentially disregarding inputs from interactive governance processes. Interactive governance may even be seen as a tool for controlling actors to fulfil elected leaders' preferences.
- **Disconnecting Outcome:** Elected leaders may base decisions on different information than that developed through interactive governance processes, driven by ideology, party politics, or strategic positioning. Citizen participation, therefore, may only hold symbolic value, redirecting focus from active involvement to passive voting.

Røiseland and Vabo (2016) describe several studies analysing this scenario. One of them illustrates how interactive governance may favour resourceful citizens over low-income citizens, interactive governance could therefore have serious consequences for the vulnerable part of the population (Baud & Nainan, 2008). A similar picture is painted by Lambregtse (2023) in the quarterly journal by Dutch organisation SER, quoting researcher Daan de Bruijn *"The problem with public participation is that most people participate little and a small group participates a lot"*.

Other studies argue that public participation helps parties gain electoral success. It is however shown by Anduiza et al. (2008) that interactive governance does not guarantee success for political parties and may not address representative democracy's shortcomings. Citizens' lack of expertise and knowledge moreover decreases the effectiveness of interactive governance, leading to symbolic participation and unmet expectations. These two observations can also be found in articles by Vollaard (2023) and Michels (2011).

3.3.2. The MIRT Programme

MIRT is an acronym for Multi-Year Programme for Infrastructure, Spatial Planning and Transport (*Meerjarenprogramma Infrastructuur, Ruimte en Transport*). Such a programme is often initiated by the Dutch Ministry of Infrastructure and Water Management, but other ministries or regional governments can also be involved as participants of a MIRT track (Ministry of Infrastructure and Water Management, 2018).

The MIRT approach was developed to tackle the complexity of major infrastructural and urban development projects. As the Netherlands is a densely populated country with numerous spatial functions in a small area, spatial interventions often intervene with the interests of stakeholders. Therefore, involved parties must coordinate their ambitions and resources. A MIRT programme is often initiated by a complex spatial challenge that cannot be solved easily. Within the MIRT framework is characterised by the funnelling principle: starting with a broad perspective and making transparent choices to progress towards feasible projects, with administrators making decisions based on collective input and transparent information. Adaptive planning allows for flexibility in solutions, considering uncertainties in mobility, technology, economy, and climate changes. MIRT projects encourage a problem-oriented approach, where multiple parties collaborate to identify mutual ambitions and solutions that address accessibility, health, and sustainability goals, fostering open and creative collaboration throughout the project life-cycle (Ministerie van Infrastructuur en Waterstaat, 2016; Oudshoorn, 2017).

In the MIRT process, parties collaborate through consecutive phases to come up with a solution for the problem at hand. Each phase is concluded with a political-administrative decision regarding the next steps. The process starts with an Initial Decision to initiate a MIRT Exploration, outlining the scope,

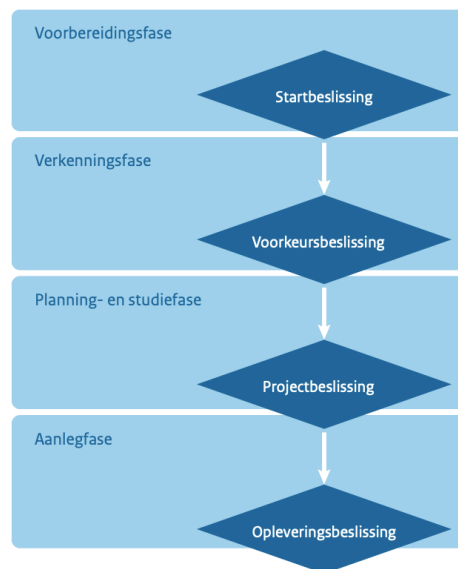


Figure 3.4: Overview MIRT Phases (Ministerie van Infrastructuur en Waterstaat, 2023).

sustainability considerations, and stakeholder responsibilities. Initiators are required to commit funding for a substantial portion of the project costs with this decision. During the Exploration phase, parties seek smart solutions aligned with collective goals and insights from stakeholders, possibly resulting in a Preferential Decision on the best solution and funding approach. In the Plan Elaboration phase, project details are refined for tendering, culminating in the Project Decision, which is the starting point for project implementation. An overview of the MIRT Process is shown in figure 3.4.

Participation within MIRT

During the different phases of the MIRT process, organising parties and other stakeholders are continuously involved. The participation approach that is being followed throughout this process is described in the Code of Social Participation (*Code Maatschappelijke Participatie*) by the Ministerie van Infrastructuur en Waterstaat (2014).

Social participation involves citizens, businesses, and societal organisations engaging in the policy and decision-making processes. It emphasises the importance of soliciting and integrating initiatives from society to achieve better decision quality, consensus, and faster implementation. The code of social participation distinguishes several key principles (Ministerie van Infrastructuur en Waterstaat, 2014):

- Continuous involvement of society throughout the planning process, with clear participation plans for each phase.
- Equal treatment of societal initiatives compared to governmental ones, including early assessment, support, and collaborative development.
- Transparency in decision-making processes, including public start decisions, detailed participation plans, and justification of choices made, all of which are shared with relevant stakeholders and governmental bodies.

3.4. The Environment and Planning Act (*omgevingswet*)

In 2014, the Dutch government proposed to combine different laws concerning environmental law into one Environment and Planning Act (Kamerstukken II 2013/14, 33962, nr. 1-2). This combination was necessary because of two reasons (Kamerstukken II 2013/14, 33962, nr. 3). Firstly, the present legislation no longer adequately reflected current and future developments. Existing legislation did not focus sufficiently on sustainable development and failed to take sufficient account of the need for customisation in projects and the importance of early stakeholder involvement in project decision-making. The second reason for the review of environmental law was the existing situation in which

initiators of projects struggled with many different laws, each with its procedures, plan forms and rules. Resulting in the fact that authorities did not assess initiatives integrally, but assessed activities fragmented. Current environmental law was too fragmented and not transparent enough (Financieel Dagblad, 2015).

The first mentioned reason highlights that the Dutch government intends to spotlight public participation in projects more in law ("Omgevingswet", 2016), the national government did so by implementing the Environment and Planning Act in 2024. Governments are urged to compose a participation policy in which they define how they organise participation and what requirements apply (Ministerie van Infrastructuur en Waterstaat, 2014). With the *Denkwijzer voor goede participatie* (VNG et al., 2020), the local governments suggested several factors for success and prerequisites for the involvement of public participation in projects. The government moreover suggests several working methods and other relevant tools for the implementation of the participation for spatial and infrastructural projects (Informatiepunt Leefomgeving, n.d.). While this sounds promising, there might also be downsides to the implementation of the Environment and Planning Act, as Gierveld (2019) mentions. He states that participation should be implemented because governments and public parties share a common purpose and both parties consider each other useful, not because regulations dictate that participation must be implemented within spatial developments. The fact that the Environment and Planning Act also has its necessary consequences for participation in administrative and legal terms is clear from the piece from Tolsma and Verheul (2023).

This policy analysis will focus on both aspects: first studying the general idea behind the Environment and Planning Act, and later focusing on the specific implementations of participation.

3.4.1. General Context and Objectives

In summary, the Environment and Planning Act is one coherent law concerning the physical environment that encourages development and ensures the quality of the physical environment. The Environment and Planning Act (art. 1.3) aims to achieve and maintain a safe and healthy physical environment and proper environmental quality. It aims to efficiently manage, use and develop the physical living environment to fulfil social needs. This ought to be done while keeping sustainable development, the livability of the country and the protection and improvement of the living environment in mind.

The explanatory memorandum of the Environment and Planning Act (*Kamerstukken II 2013/14, 33962, nr. 3, art. 1.3*) lists improvement goals that were central to the development of the act:

1. increasing the comprehensibility, predictability and ease of use of environmental law;
2. achieving a coherent approach to the physical living environment in policy, decision-making and regulation;
3. increasing the room for administrative deliberation by enabling an active and flexible approach to achieving objectives for the physical living environment;
4. speeding up and improving decision-making on projects in the physical living environment.

The introduction of the new law means several things will change. The biggest change challenges were briefly identified in the webinar *De Omgevingswet in Vogelvlucht* by Voogd and Kishoen-Misier (2019):

1. **Legal:** 24 laws have been consolidated into one unified law, with a clear set of instruments. The number of General Administrative Orders (AMvBs) has been reduced from 50 to 4 for clearer and more relevant legislation. Finally, the Ministerial Decree (*ministeriële regeling*) has been centralised from 70 to 1, creating uniformity in implementation and enforcement.
2. **Digitalisation:** The Digital System for the Environment and Planning Act (*Digitaal Stelsel Omgevingswet*) played a crucial role. There is a renewed digital counter for easy access to information and services. With the introduction of rules on the map (an innovative visualisation of rules on geographical maps), it is hoped to increase understanding.
3. **Working Differently (Mindset Change):** A shift from 'no, unless...' to 'yes, provided...', better participation and integral working with all relevant disciplines together.

The last task in particular has implications for how participation is organised and what the rationale behind it is. Its legal implications will therefore be discussed in detail in the remainder of this chapter.

3.4.2. Structure Environment and Planning Act

As mentioned in the challenges above, one of the biggest changes of the act is a new setup of the law concerning the physical environment. The structure of the law is as follows.

One law: The Environment and Planning Act

The Environment and Planning Act (EPA) contains all the instruments of the law, divides the tasks and describes procedures. The law empowers the legislature to quickly issue orders to General Administrative Orders (AMvBs) and Ministerial Decrees, thus responding quickly to changing circumstances, without complete legislative changes.

4 General Administrative Orders (AMvBs)

The general administrative orders further elaborate the law. The following general administrative orders exist:

- The Environment Decree (*Omgevingsbesluit (Ob)*) designates the competent authority for environmental permits, streamlines procedures, lays the basis for enforcement and implementation, and forms guidelines for the digital system for the Environment and Planning Act. This measure targets public authorities as well as citizens and businesses.
- The Environmental Quality Decree (*Besluit kwaliteit leefomgeving (Bkl)*) puts focus on environmental values, instruction rules and assessment rules for environmental permits. Mainly aimed at governments, this decree provides a guideline for monitoring the quality of the living environment.
- The Environmental Activities Decree (*Besluit activiteiten leefomgeving (Bal)*) includes general rules for various activities in the physical living environment, such as environmentally harmful and discharge activities, infrastructure, nature, and heritage. It alerts citizens and businesses to notification or permit requirements and identifies the competent authority for notifications.
- For citizens and businesses, the Environment Buildings Decree (*Besluit bouwwerken leefomgeving (Bbl)*) offers clear rules on the safety, health, sustainability and usability of structures. It also establishes rules for the condition and use of structures, as well as for carrying out construction and demolition work.

1 Ministerial Decree

This decree, called the Environmental Decree (*Omgevingsregeling*), is aimed at citizens, businesses and governments. It sets clear boundaries for locations, establishes technical measurement and calculation standards for various general administrative orders, and requires data submission for activities regulated by the national government. In addition, it provides technical regulations for monitoring and research, carefully assessing the impact of activities on the living environment.

3.4.3. Key Instruments

To help implement the Environment and Planning Act, six key instruments have been developed. These instruments allow governments to write and implement policies. In addition, the instruments allow governments to regulate activities and the implementation of projects. The instruments were described in an introductory webinar by the VNG (Stribos, 2020). They are briefly described below.

- The **Environmental Strategies** constitute a coherent, strategic plan for the entire physical environment. The national government, provinces and municipalities each adopt one environmental strategy for their territory. It provides coherent long-term policy, is self-binding with its own ambitions, dynamic with no obligation to update and mandatory for all administrative bodies.
- The **Programme** contains specific measures to protect, manage, use and develop the physical environment, focusing on specific topics, sectors, or areas. It can be mandatory or voluntary, depending on the topics. Environmental values can be pursued, and programmes can be jointly drawn up by different authorities.

- The **Decentralised Rules**, laid down in the municipal environment plan, provincial environmental regulation and water board regulation, contain general rules and permit obligations including assessment rules. The rules are dynamic without a duty to update, these rules focus on the activities of citizens and businesses and contain frameworks for permit review.
- The **Government Regulations** directly affect citizens and businesses and are contained in the Environmental Activities Decree and the Environment Buildings Decree. They serve as the basis for the Environment and Planning Act and contain physical environment quality standards and procedural rules. They can provide customisation depending on the activity.
- The **Environmental Permit** provides a prior assessment of the impact of an activity. It is required when general rules are not efficient, for example for unique activities. Included in the Environmental Activities Decree and Environment Buildings Decree, it offers customisation options depending on the activity.
- The **Project Decision** is a uniform procedure for complex projects of the national government, provinces or water boards. It regulates decision-making and deviations from the physical environment plan. It can also function as an environmental permit.

Some of the key instruments ask for a specific implementation of participation. Participation is mandatory for the environmental strategies and the programme, which involves working together at the beginning of the process to determine the content. This differs from public participation and emphasises the importance of stakeholder involvement.

3.4.4. The Project Decision

The project decision is a tool used by the national government, provinces, and water boards to facilitate projects of public interest. These projects often involve complex undertakings in the public domain, such as constructing or modifying railways, waterways, high-voltage lines, and other intricate infrastructural developments, as specified in Article 5.46 of the Environment and Planning Act. A notable feature of such decisions is the requirement for approval from multiple governing bodies. The project decision consolidates these approvals into a single decision-making process, allowing authorities to conduct comprehensive assessments of various interests.

The use of the project decision is mandatory for certain projects, such as major railway and road construction initiatives (Article 5.46, paragraph 1 of the Environment and Planning Act). It is anticipated to be the most commonly employed instrument for implementing MIRT projects, as detailed in section 3.3.2 (Ministerie van Infrastructuur en Waterstaat, 2023). This makes it particularly relevant for this research. The project decision replaces several legal instruments, including the planning approval decision (*Tracébesluit*) and the integration plan (*Inpassingsplan*) from the Spatial Planning Act (*Wet ruimtelijke ordening (Wro)*). The transition from the previous framework to the new, current framework is briefly outlined below.

Notable Changes in the Project Decision

In this subsection, we briefly describe the changes introduced by the project decision compared to previous legal instruments. The project decision is comprehensive in nature, replacing the planning approval decision and the integration plan, which is a legal instruments that could be used at the provincial level or by water boards. A notable change is that it encompasses the entire physical living environment. Additionally, participation is organised earlier and more explicitly in the process. The project decision is established following a statutory procedure.

There are several participation obligations that changed since the implementation of the project decision, also being described by Boeve and Groothuijse (2020, p. 33), that are important to mention:

- The project decision introduced an obligation of notification regarding the participation process (Article 5.47, paragraph 4, Environment and Planning Act), this notification is elaborated on in steps 1 and 2 of the project procedure (subsection 3.4.5).
- Everyone must be given the opportunity to suggest possible solutions within a certain period (Article 5.47, paragraph 3, Environment and Planning Act). In this process, predefined frameworks and assumptions are established that these solutions must meet, these could involve the budget and period of the project. It is important to find a balance between overly restrictive

frameworks, which may prevent realistic solutions, and overly broad frameworks, which may lead to solutions that do not align with the desired direction.

- The competent authority decides whether a proposed solution is reasonably considered (Article 5.48, paragraph 3, Environment and Planning Act).
- In the third step of the project procedure (described in subsection 3.4.5), the exploration phase is conducted, during which knowledge is gathered. This includes collecting information about proposed solutions and engaging in participation activities. If solutions have been proposed in previous steps, the proposer can request that the competent authority seek advice from independent experts (Article 5.48, Environment and Planning Act).
- When establishing the project decision, in step 4 of the procedure, the competent authority is obliged to provide reasoning (Article 5.51, Environment and Planning Act).

3.4.5. The Project Procedure

The so-called project procedure (section 5.2 of the Environment and Planning Act) must be followed to establish the project decision. The characteristic of the project procedure is that, before the project decision, an exploration always takes place regarding potential solutions for an existing or future challenge within the physical environment. Water boards, provinces, and the national government utilise the project procedure (section 5.2 of the Environmental Act) to establish a project decision. This is only applicable if the project serves a public interest. For certain projects, the Minister of Infrastructure and Water Management, either independently or in agreement with the Minister of the Interior and Kingdom Relations, is the competent authority. The project procedure consists of different steps: the notification of intention, the notification of participation, the exploration of the challenges and the final project decision. In this section, the different steps will be briefly described, with a focus on their implementations on participation.

Step 1: The Notification of Intention

The project procedure starts with the publication of the notification of intention to conduct an exploration for an existing or future challenge in the physical environment (Art. 5.47 of the Environmental and Planning Act). An important aspect of the notification is to indicate whether the competent authority, in preparation for the project decision, will make a preferred decision. The notification of the intention describes the nature of the challenge, it gives information on how the exploration will be conducted and within what time frame. It also specifies who the competent authority is for the potential project decision to be made after the exploration phase. The competent authority announces the notification, and with the intent, the competent authority provides an opportunity for participants to propose possible solutions to the challenge (Art. 5.2 of the Environment Decision). The competent authority also outlines principles for reasonably considering those solutions.

Step 2: The Notification of Participation

During the exploration phase, various possible solutions are considered for addressing a challenge in the physical environment. Participation at an early stage is considered crucial for this process. It allows for insights into ideas and solution directions that citizens, businesses, societal organisations, and other governing bodies can contribute during the exploration. Additionally, participation helps gather knowledge about various interests surrounding the project, enabling consideration of these interests when selecting a solution and later elaborating it in the project decision. A well-executed participation process can contribute to an optimal solution for the challenge and help create support from the community for the project decision as mentioned in section 3.1.1.

The Environment and Planning Act does not impose rules on how the participation process should be conducted. However, it is specified that at the start of the exploration, the competent authority must inform about how citizens, businesses, societal organisations, and governing bodies will be involved in the exploration (Art. 5.47 of the Environment and Planning Act). The notification of participation includes, at minimum, the following aspects (Art. 5.3 of the Environment Decision):

- Who will be involved.
- When they will be involved.
- What they will be involved in.

- The role of the competent authority and potential project initiator in involving parties in participation.
- Where additional information is available.

The competent authority determines how the participation notice is provided to reach the relevant public. It ensures that necessary information for involving citizens, businesses, societal organisations, and governing bodies is accessible, the Open Government Law (*Wet open overheid (Woo)*) applies here as well. The competent authority has the freedom to tailor the participation process uniquely to each situation, recognising that every challenge in the physical environment is different, making the approach to this process custom-fit.

Step 3: The Exploration

During the exploration, the competent authority analyzes the present challenge. The exploration gathers knowledge about the nature of the challenge, relevant developments in the physical environment, and possible solutions for that challenge (Art. 5.48 of the Environment and Planning Act).

The Preferential Decision

Within the exploration phase, an additional step may be required. This step involves the Minister of Infrastructure and Water Management, in consultation with the Minister of Internal Affairs and Kingdom Relations, making a preferred decision based on the Environment and Planning Act to conclude this phase. The minister determines the preferred solution or combination of possible solutions, which is then further elaborated in the project decision (step 4). For certain projects, making a preferential decision is a mandatory part of the project procedure (Art. 5.4 of the Environment Decision). The decision to make a preferred decision is obligatory when the existing or future challenge in the physical environment, as outlined in the intention, relates to the construction of highways, railway lines, or waterways, among other criteria which are described in article 5.4 of the Environment Decision.

The preferential decision under the Environment and Planning Act (art. 5.47) is not directly binding but expresses the preference of the competent authority. The decision-making process follows the General Administrative Law Act, where the draft preferred decision is made available for public review, along with a plan for environmental impact assessment if necessary. After receiving feedback on these documents, the Minister of Infrastructure and Water Management makes the final decision on the preferred decision. This decision outlines the preferred solution, describes the participation during the exploration phase, and addresses any alternative solutions proposed by third parties or expert advice. The preferred decision under the Environment and Planning Act cannot be appealed and is not directly binding.

Step 4: The Project Decision

The final step in the project procedure is the project decision. The decision-making process follows the uniform public preparation procedure outlined in section 3.4 of the General Administrative Law Act, this procedure is described hereafter. Initially, a draft project decision is made available for public review, along with a six-week period for stakeholders to submit their comments. Following the review of the comments received on the draft project decision, the Minister of Infrastructure and Water Management, in consultation with the Minister of Internal Affairs and Kingdom Relations, finalises the project decision. The project decision must include a description of the project, both permanent and temporary measures and facilities for its implementation, and actions aimed at mitigating adverse effects on the physical environment. Similar to the preferred decision, the involvement of stakeholders during the exploration phase and the results of this involvement must be outlined. After finalisation, the project decision is published, followed by the opportunity for appeal at the Council of State. The project decision must align with national policies outlined in the National Strategy on Spatial Planning and the Environment (*NOVI*) and its associated implementation tools, linking choices affecting the physical environment and the considerations therein.

3.4.6. Implementations on Participation

As mentioned by Tolsma and Verheul (2023), confusion can occur about the juridical and administrative implementations of public participation within the Environment and Planning Act. According to their piece, there are few legal requirements for the setup of participation (Tolsma & Verheul, 2023, p. 205).

It is not prescribed who should be involved in participation, apart from the requirement that this should happen early on. Additionally, initiators are legally free to decide whether to implement participation and how they want to set up participation. From a democratic perspective, it is prescribed that anyone who wants to participate should be able to do so. Although few 'hard', legal rules stipulate how participation should be structured, governments are increasingly offering regulations and guidelines that can help in setting up participation and guiding initiators in the right direction. From a public administration perspective, participation is successful if participants have been able to provide their input, if their input is recognised, and if there has been clear feedback on their input. For the legislator, participation is successful if people from society have been able to provide input on their living environment, and ideally agreement has been reached. From a legal perspective, there is no requirement for participation to achieve a specific result.

Tension Infrastructural and Spatial perspectives

Van Angeren and Daamen (2023) acknowledge that infrastructural projects and spatial development projects are often closely related, while the planning of these projects follow separate trajectories. This is reflected in the regulations, among other things. Spatial planning follows the track of spatial plans under the Environment and Planning Act, while the question of whether to provide an appropriate mobility solution is answered in the MIRT programme under the Mobility Fund Act (*Stb. 2021, 96 Wet Mobiliteitsfonds*). The MIRT programme was developed to study interconnected challenges in the field of infrastructure and space integrally but has not realised a full integral decision-making process yet (Van Angeren & Daamen, 2023).

3.5. Closing Remarks Literature Review

To conclude this literature review, a brief reflection on its various components is provided, highlighting points relevant to the later stages of this research.

The first part of the review establishes a definition for participation, which forms the basis for the interviews and ensures that interviewees have a shared understanding. The history of participation serves as background information, helping to place the effects of the Environment and Planning Act into perspective. Lastly, the various participation tools mentioned provide essential background information for the observations and interviews.

The second part of the literature review introduces the CLEAR model and the conditions for successful participation. This model and these conditions form the foundation for the framework developed later in the research. Additionally, these criteria and conditions provided points of attention to consider while conducting and analysing the interviews.

The third part provides background information on the challenges facing public participation. These challenges served as a starting point in the interviews, from which discussions about the current state of participation evolved. This section also introduces the MIRT programme, which is relevant to the Oude Lijn case study.

Finally, the Environment and Planning Act is introduced. The goals and key aspects of the Act are discussed, followed by an overview of its structure and an in-depth look at its key instruments, with a focus on the project decision and the associated project procedure. These elements are crucial as they form the legal basis for the Oude Lijn case study. The section concludes with remarks on the implications of the Environment and Planning Act for public participation.

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Case Study

An important aspect of the research is the analysis of a case study that helps in understanding the effects of the Environment and Planning Act on public participation. The two case studies that will be analysed are both exploratory studies, meaning the studies take place in the early stages of the projects. This type of case study was chosen specifically because the early stakeholder involvement is significantly impacted by the Environment and Planning Act. The specific case studies to be analysed in this research are the Oude Lijn project and the HOV4 project. The specific case studies are the Oude Lijn project and the HOV4 project. More information on these projects can be found in sections 4.1 and 4.2 respectively, later in this chapter.

The Oude Lijn case study is part of a MIRT programme being conducted during this research. The programme consists of multiple sub-studies, each focusing on different areas. In contrast, the HOV4 case study is a standard exploratory study with a smaller focus area that was performed before this research, in anticipation of the Environment and Planning Act. Consequently, the Oude Lijn case study is described in more detail. MIRT programmes are designed to find solutions for complex spatial and infrastructural challenges, and more information on MIRT programmes can be found in section 3.3.2. The HOV4 exploratory study, while similar in nature, addresses a different scale and scope.

4.1. Oude Lijn

The first study that will be analysed for this research is the Oude Lijn MIRT programme. This programme is being implemented during this research, making it an ideal study area to analyse the direct impact of the Environment and Planning Act on public participation. Background information on the Oude Lijn MIRT programme is provided below.

The southern part of the Randstad, a densely populated area in the western part of the Netherlands, is one of the busiest regions in the country, characterised by a diverse economy. The region is expected to continue growing in the coming decades, with the intention for this growth to be concentrated around high-quality public transportation. To address housing needs, the Dutch government aims to realise two-thirds of South Holland's total housing construction in the cities near the Oude Lijn, totalling 170,000 homes and 85,000 jobs. The exploration focuses on existing or future problems along the Leiden – The Hague – Rotterdam – Dordrecht railway, including four hubs and possibly four new stations, as visualised in figure 4.1. The exploration involves mobility and urbanisation aspects, concentrating on rail-related issues and facilities. The region faces significant challenges, including urbanisation, improving accessibility, enhancing environmental quality, and fostering economic growth (ProRail, 2024).

The initial decision of the MIRT Exploration of the Oude Lijn by MoVe (2022) defines the goal of the exploration: to achieve a comprehensive solution for the region's urbanisation challenge. The desired outcome includes measures to facilitate anticipated growth in residents and employment areas, addressing railway and pedestrian traffic issues while coordinating housing programming and spatial policy phasing near the hubs. The study areas of this MIRT programme are as follows:

- City Sprinters and New Stations
- Hub Leiden Central Station
- Hub Den Haag Laan van NOI Station



Figure 4.1: An overview of the Oude Lijn project (MoVe, 2022).

- Hub Schiedam Central Station
- Hub Dordrecht

A participation plan has been developed for the initial decision of the MIRT Exploration (MoVe, 2022), which is further elaborated for each of the different study areas. The participation of the studies can be subdivided into work groups, formal participation and informal participation. The informal forms of participation that are used in this MIRT programme can be characterised similarly as the rings of influence, mentioned in section 3.1.3. These forms are: Participating in decisionmaking (*Meebepalen*), Participating in thinking (*Meedenken*) and Participating in knowing (*Meeweten*).

4.1.1. Legal Background

The decision to initiate the MIRT study for the Oude Lijn was made in November 2022 (MoVe, 2022). This decision launched the exploration phase of the MIRT study, following the MIRT methodology. This methodology was revised in 2019 in anticipation of the forthcoming Environment and Planning Act (Ministerie van Infrastructuur en Waterstaat, 2023, p. 21), and the MIRT guidelines were updated in 2023. The guidelines specify that MIRT projects are subject to a project decision and the associated project procedure.

The Implementation Act for the Environment and Planning Act introduces several additions that clarify the implementation of the Environment and Planning Act. Article 4.42 of the Implementation Act for the Environment and Planning Act (*Kamerstukken II 2017/2018, 34986 nr. 3, p. 506*) outlines the legal implications of a starting decision made prior to the enactment of the Environment and Planning Act. Since the decision to start was made well in advance of the Act's implementation, it serves as an intention, allowing the project to proceed towards a project decision. However, in this case, the competent authority is not required to comply with the following requirements of the Environment and Planning Act. These requirements were discussed earlier in section 3.4.5:

- Allowing third parties to propose solutions for the task.
- Notifying how citizens, businesses, social organisations, and governments will be involved.
- Providing third parties the opportunity to request advice from an independent expert on a proposed solution.
- Deciding whether proposed solutions will be considered.

4.1.2. Participation Oude Lijn

Participation for the Oude Lijn project consists of two distinct components. First, there is the informal, form-free participation. This is divided among the various sub-components of the project, allowing each independent area to organise participation in a manner appropriate for that specific region. The processes for each sub-component are described in the later subsections of this chapter.

Additionally, there is a formal participation procedure as outlined in the project procedure. This includes a series of official notifications and processes. For example, the Notice of Intention and Notice of Participation for the Oude Lijn project (Stcrt. 2024, 15098) have been issued, indicating the opportunity for stakeholders to propose solutions. The notice also outlines the criteria these solutions must meet and provides information on how to submit responses and what will be done with the feedback. Furthermore, the notice specifies that this exploratory study follows the project decision procedure of the Environment and Planning Act. Moreover, stakeholders can initiate a formal objection procedure (*zienswijzeprocedure*). This procedure is a formal participation process within Dutch administrative law. It allows interested parties to express their opinions, objections, or comments on a proposed decision by a governing body, such as a project decision. This process is described in the General Administrative Law Act (*Algemene wet bestuursrecht (Awb)*).

4.1.3. City Sprinters and New Stations

As part of the MIRT programme, a sub-study is being performed about CitySprinter trains and new stations. ProRail is investigating how to gradually open new stations in (new) residential areas: Rijswijk Buiten, Schiedam Kethel, Rotterdam van Nelle, and Dordrecht Leerpark. The plan for a new station and its integration into the surroundings is developed in collaboration with municipalities and local stakeholders. Additionally, ProRail is exploring the possibility of gradually increasing the number of CitySprinter trains operating between The Hague and Dordrecht (ProRail, 2024). An overview of the organised participation sessions for the new stations and CitySprinter trains is shown in table 4.1.

Date	Meeting	Type	# participants
2023-12-11	Information session	Online	40
2023-12-12	Information session	Online	40
2024-02-07	Participation meeting 1 Schiedam	Physical	unkn.
2024-02-08	Participation meeting 1 Dordrecht	Physical	unkn.
2024-02-13	Participation meeting 1 Rotterdam	Physical	unkn.
2024-02-15	Participation meeting 1 Rijswijk	Physical	35
2024-04-03	Participation meeting 2 Schiedam	Physical	40
2024-04-04	Participation meeting 2 Rijswijk	Physical	unkn.
2024-04-09	Participation meeting 2 Rotterdam	Physical	unkn.
2024-04-11	Participation meeting 2 Dordrecht	Physical	30
2024 June	Information session	Online	unkn.

Table 4.1: Overview of organised participation for the MIRT study of the City Sprinters and the new stations.

4.1.4. Leiden Central Station

The participation process of the Leiden Central Station area started at the end of 2023. Leiden is one of the most crowded stations in the Netherlands, over 100,000 travellers currently use the station daily, each with their interests and needs. To ensure a fair and balanced decision-making process, all these interests must be represented in the participation process. To make sure all interests are represented, a participation plan is developed by the municipality of Leiden together with other

initiators (Stationsgebied Leiden & MoVe Oude Lijn, 2023). The participation aims to achieve four goals: maximising societal benefits, leveraging insights from stakeholders to improve plans, ensuring balanced decision-making, and fostering broad support for the final decisions.

Three levels of participation are outlined in the municipal council letter by College van B&W Leiden and Len Hazeleger (2023): informing, consulting, and advising. Informing involves publishing information through various channels, including media, newsletters, and public meetings. Consulting entails inviting input from the public through brainstorming sessions and online platforms, aiming to engage a diverse audience, an overview of the organised participation is given in table 4.2. Advising involves facilitating discussions among stakeholders and seeking consensus on decisions. This includes establishing both an advisory group and a reference panel, with the latter consisting of representative individuals from the community.

Date	Meeting	Type	# participants
2024-01-16	Information Meeting	Online	30
2024-01-18	Information Meeting	Online	20
2024-01-23	Participation Meeting	Physical	50
2024-01-31	Participation Walking Session	Physical	25
2024-04-16	Participation Meeting Possible Solutions	Physical	unkn.
2024-04-18	Participation Meeting Possible Solutions	Physical	20
2024 June	Participation Meeting Impact Solutions	Online	unkn.
2024 June	Participation Meeting Impact Solutions	Physical	unkn.

Table 4.2: Overview of organised participation for the MIRT study of the Leiden Central Station area.

Two advisory bodies are established to provide regular feedback: the advisory group, consisting of local organised representatives, and the reference panel, consisting of unorganised participants forming a proper representation of the local community. The establishment of these two advisory bodies is a new approach for Leiden, reflecting the scale and importance of the project. The municipality will evaluate and incorporate feedback from this participatory process into future engagement strategies (Stationsgebied Leiden & MoVe Oude Lijn, 2023).

4.1.5. Den Haag Laan van NOI

The participation process for the study concerning the area around Station The Hague Laan van NOI only started in April 2024 and was therefore excluded from this research.

4.1.6. Schiedam

The participation process of the area Schiedam Centre started at the end of 2023 with a physical information session. With the urban development of the SchieDistrict area, the potential redesign of the station is part of a bigger project (Gemeente Schiedam, 2023). Multiple participation meetings are organised to gather feedback and insights from citizens, businesses and other stakeholders. Together with their insights, multiple possible solutions/designs will be presented. Finally, with the feedback from participation meetings, a preferential variant will be chosen that will be presented to the initiators of the project (Gemeente Schiedam, n.d.). Since the start of the process, three physical participation meetings have been organised, some of which were organised simultaneously with the participation sessions for CitySprinter station Schiedam Kethel. An overview of these participation sessions is given in table 4.3.

Date	Meeting	Type	# participants
2023-12-13	Information Meeting	Physical	30
2024-04-03	Participation meeting	Physical	40
2024-06-06	Participation Meeting	Physical	unkn.

Table 4.3: Overview of organised participation for the MIRT study of the Schiedam Central Station area.

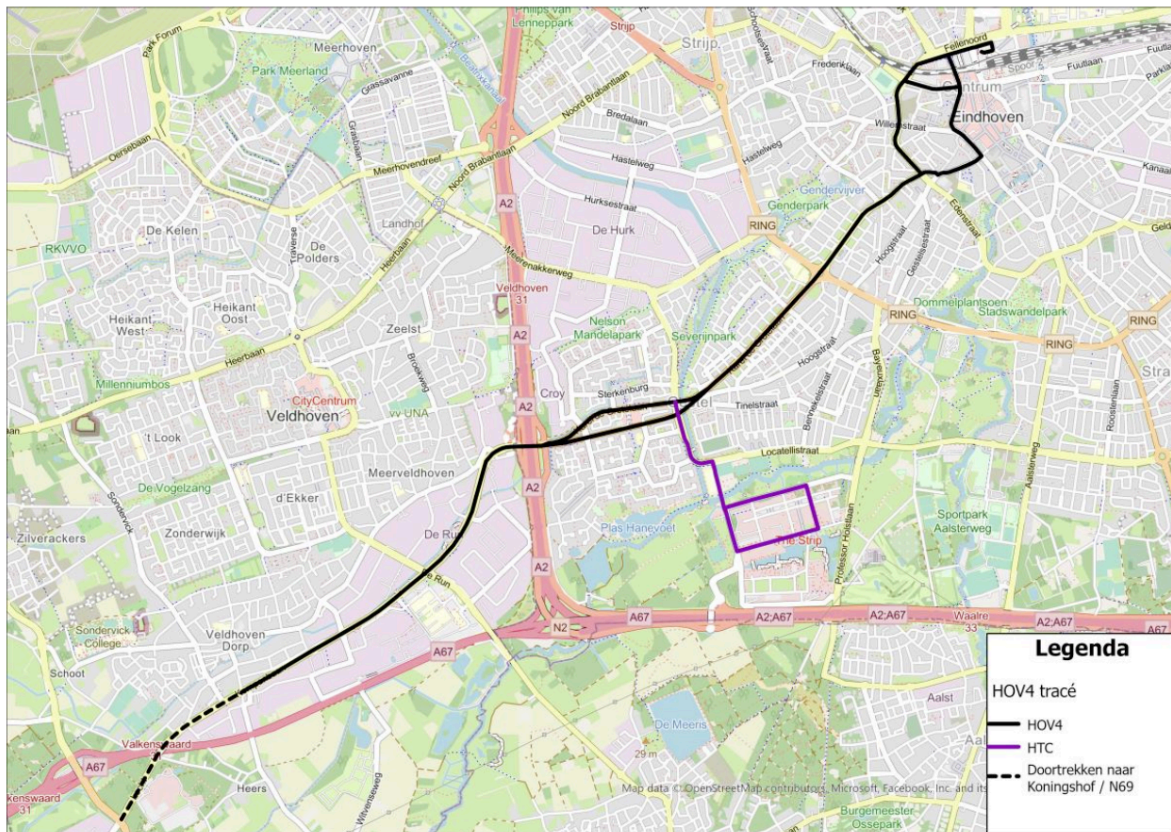


Figure 4.2: The preferential route of the HOV4 line between Eindhoven and Veldhoven (Witteveen+Bos et al., 2023).

4.1.7. Dordrecht

The participation process for the study concerning the area around Station Dordrecht began in February 2024 with a participatory meeting for the potential new station, Dordrecht Leerpark (Gemeente Dordrecht, 2024). For this research, one of the participation sessions at Dordrecht Leerpark was attended, whereas none of the sessions related to Dordrecht Central Station were visited.

4.2. HOV4 Eindhoven

The second study that is analysed for this research is the HOV4 exploration study. This study was performed before this research and its participation methodology was established together with the Code of Social Participation (Ministerie van Infrastructuur en Waterstaat, 2014) and is in line with the guidelines of the Environment and Planning Act (Ministerie van Infrastructuur en Waterstaat, 2023). The study was therefore suitable to analyse the impact of the participation approach in hindsight. Background information on the HOV4 exploration study is given below.

As more people move to Eindhoven to live and work, the city faces challenges in ensuring efficient transportation. To address this, the city plans to establish a High-Quality Public Transport (*Hoogwaardig Openbaar Vervoer (HOV)*) network. One of the proposed measures is a new connection from Eindhoven Central Station to Veldhoven De Run, aiming to improve accessibility to key residential and employment areas in the region. The project involves collaboration between the municipalities of Eindhoven and Veldhoven, along with the province of Noord-Brabant. In 2022, residents and stakeholders were engaged in the planning process, resulting in the identification of a preferred route (Gemeente Eindhoven, 2024), which can be seen in figure 4.2.

4.2.1. Legal Background

The exploration of the HOV4 route is one of the outcomes of a BO MIRT meeting in 2022. One of the decisions made was that the municipalities of Eindhoven and Veldhoven would jointly realise the

HOV4 project with area development along the mobility axis in Eindhoven and Veldhoven, enabling the construction of 11,400 homes. Subsequently, the municipality of Eindhoven initiated an exploration, along with a participation procedure, on its own territory to determine a preferred alternative for the route of this HOV4 line within the municipality. Eindhoven conducted this route study to fulfill the agreement made during the BO MIRT meeting. This study was presented to the council and subsequently offered as an area vision (*gebiedsvisie*) for decision-making (*Raadsbesluit Gemeente Eindhoven, 25-04-2023, dossiernummer: 23.17.551*). Since this decision was made before the implementation of the Environment and Planning Act, neither the Act nor its transitional provisions (*overgangsrecht*) were applicable.

4.2.2. Participation HOV4

The participation process is described in the Exploration Report by Witteveen+Bos et al. (2023). The process involved online sessions, physical workshops, bilateral discussions and media coverage, engaging approximately 200 stakeholders. The online sessions were mainly used to inform stakeholders, while the workshops were used to gather information and gain insights. During all organised sessions, participants were able to ask questions and share their feedback, resulting in valuable insights for the organisation. An overview of the organised participation events is given in table 4.4.

Date	Meeting	Type	# participants
2022-10-10	Information meeting	Online	25
2022-10-17	General participation workshop (Veldhoven)	Physical	6
2022-10-18	General participation workshop (Eindhoven)	Physical	18
2023-01-16	Information meeting	Online	70
2023-01-23	Participation variants workshop	Physical	30
2023-01-25	Participation variants workshop	Physical	30
2023-03-27	Presenting workshop	Physical	50
2023-03-29	Presenting workshop	Physical	50

Table 4.4: Overview of organised participation for the exploratory study HOV4.

Data Collection and Analysis

This chapter outlines the methods and processes used for data collection and analysis in this research. It is divided into three main sections: Observations, Interviews, and Data Analysis.

5.1. Observations

Direct observations of public participation processes are crucial in gaining insights into real-time dynamics and interactions in participation. Relevant information on the observational sessions is described below.

- **Observation Type:** This research primarily involves participant observation, a method that allows immersion in the environment of the meetings. This approach enables a firsthand understanding of the dynamics, interactions, and decision-making processes within these contexts (Spradley, 2016).
- **Observation Design:** Observations will take place during scheduled participatory meetings related to the Oude Lijn MIRT project described in section 4.1. These meetings involve key stakeholders such as community representatives, city planners, relevant authorities, and others.
- **Timeline:** A specified timeline of the observations is displayed in table 5.1.
- **Data Type:** Detailed field notes from observations of public participation processes will provide insights into interactions and important themes during the exploratory phase of infrastructural projects.
- **Data Collection:** By attending participatory events related to the case study of the Oude Lijn, insights concerning participation organisation and dynamics are gained. This was achieved through detailed note-taking on participant interactions, group dynamics, and the organisation of the participation meetings. During the observations, four different points of interest were identified:
 - **Meeting Organisation:** The format of the participation meeting is carefully documented, focusing on organisational aspects such as meeting size, format, and the use of tools.
 - **Verbal Communication:** Key discussions, decisions, and the language used to articulate ideas are documented.
 - **Non-Verbal Cues:** Body language, emotions, and other non-verbal cues are observed to enhance the analysis of verbal communication.
 - **Decision-Making Processes:** The sequence of decision-making is captured, identifying influential voices and noting any conflicts or areas of consensus.
- **Note-taking Method:** Before the meeting starts, the goal of the meeting is determined. During the meeting, the focus of the observation lies on understanding emotions and non-verbal communication. While meeting notes were partly released after the meeting, it was still decided to take detailed notes of the meeting content. After the meetings concluded, the researcher asked participants about their experiences and their reasons for joining the session.

In table 5.1 an overview of the performed participation sessions is given. The notes of each of the observational sessions can be found in the appendix, the relevant appendixes are shown in the final column of the table.

Date	Meeting	Type	# part.	Notes
2023-12-12	Information Session: City Sprinter Stations	Online	40	??
2023-12-13	Participationsession: Schiedam	Physical	30	??
2024-01-16	Startingsession 1: participation Leiden	Online	30	??
2024-01-18	Startingsession 2: participation Leiden	Online	20	??
2024-01-23	Participationsession: Leiden	Physical	50	??
2024-01-31	Walking participation sessions: Leiden	Physical	25	??
2024-02-15	Participationsession: Rijswijk Buiten	Physical	35	??
2024-04-03	Participationsession: Schiedam Kethel	Physical	40	??
2024-04-11	Participationsession: Dordrecht Leerpark	Physical	30	??
2024-04-18	Participationsession: Leiden	Physical	20	??

Table 5.1: Overview of performed observational sessions.

5.2. Interviews

An important part of the data collection is the performance of interviews with people involved in public participation. The interviewees are related to the case studies, described in chapter 4, or with general participation experts. This section will subsequently discuss the interview strategy, the method of data collection, the interview protocol, ethical considerations and the results of the interview.

5.2.1. Interview Type

For this research, a semi-structured interview method is used. This strategy offers a balance between having a similar structure for each interview and having the possibility to explore deeper insights that might occur during the interview. A benefit of the approach is that it facilitates a natural conversation flow, making sure that nuanced responses are collected from the participant (Hammer & Wildavsky, 2018; Knott et al., 2022).

5.2.2. Recruitment of Respondents

Respondents for the interviews are recruited through two different methods: through the network of the AT Osborne supervisors and personal contacts at participation events. The research recruited the following number of respondents:

- 2 Participants of the HOV4 and the Oude Lijn case study
- 3 Project Managers of both the HOV4 and the Oude Lijn case study
- 2 Area Managers of both the HOV4 and the Oude Lijn case study
- 3 Public Representatives related to the HOV4 and Oude Lijn case study
- 3 participation experts related to either the Environment and Planning Act or one of the case studies.

An overview of the respondents per case study is given in figure 5.1. More interviews were conducted for the Oude Lijn case study for several reasons: the Oude Lijn case study is organised on a larger scale compared to the HOV4 case study. Additionally, the participation in the Oude Lijn case study took place during the implementation of the Environment and Planning Act, while participation at the HOV4 case study was organised in anticipation of the Act. Lastly, it was more practical to recruit interviewees during the physical participation meetings of the different Oude Lijn study areas, which were also used for observations.

5.2.3. Interview Protocol

An overview of the different interview protocols for each specific role can be found in appendix B. Each interview protocol is written in both Dutch and English, but all interviews were performed in Dutch. The consent form, which can be found in appendix C.2, was discussed before the interview is started. Even though different protocols were created for interviews with different roles, the overall set-up of the protocols is the same. The interview started with some questions about the background



Figure 5.1: Overview interview respondents per case study and role.

of the respondent. Subsequently, some questions were asked about the current experience with the participation process and previous participation processes. Depending on the interviewee, some questions concerning the success of participation and the effects of the Environment and Planning Act were asked. The protocol was concluded by concluding questions to reflect on the interview.

5.2.4. Data Management

As this research might had to deal with sensitive data, a data management plan was developed. This plan was approved by the TU Delft Data Management Support Staff before the data gathering was started. This data management plan, which can be found in appendix C.1, contains information on the types of data that will be used, how the data will be stored and how sensitive information will be protected. Important steps of the process are the consent form and the anonymisation of the data.

A consent form is signed before each interview. This consent form, which can be found in appendix C.2, contains information on the general purpose of the interview, the potential risks of the interview and the publication and use of anonymised data. All signed consent forms are saved on a TU Delft OneDrive and deleted after the research is finished.

Each interviewee is asked for permission to record the interview. The recording is made by a voice recorder and is saved on the TU Delft OneDrive. Afterwards, the interview is transcribed, and anonymised and personal comments are added to the transcription. This anonymised transcript is then submitted to the interviewee for checking. Once the interviewee agrees with the content of the interview transcript, these transcripts can be used for data analysis in the later stages of the research. An overview of how the data is used and saved can be found in appendix C.1.

5.2.5. Overview Interviews

In table 5.2 an overview of all the performed interviews is given. A similar overview is given in Figure 5.1. The transcripts of these interviews are available upon request from the author of this research. To preserve details and ensure that nuances are not lost, the interview transcripts are saved and used in their original Dutch language.

#	Role	Case Study	Date	Role #
1	Participant	Oude Lijn	07/03/2024	Par1
2	Projectmanager	HOV4	12/03/2024	PM1
3	Areamanager	Oude Lijn	13/03/2024	AM1
4	Projectmanager	Oude Lijn	14/03/2024	PM2
5	Areamanager	Oude Lijn	20/03/2024	AM2
6	Participant	Oude Lijn	20/03/2024	Par2
7	Public Representative	Oude Lijn	26/03/2024	PR1
8	Public Representative	HOV4	03/04/2024	PR2
9	Public Representative	Oude Lijn	11/04/2024	PR3
10	Participation expert	HOV4	16/04/2024	PE1
11	Participation expert	n/a	18/04/2024	PE2
12	Participation expert	n/a	22/04/2024	PE3
13	Projectmanager	Oude Lijn	22/04/2024	PM3

Table 5.2: Overview of interviews including related case study.

5.3. Data analysis

In this section, the data analysis process is detailed. Firstly, the method of analysis is described. Then, the process of importing the data is explained, followed by the creation and application of codes to the data. The data is subsequently related to the research questions, and instances are extracted, serving as initial findings. These findings are linked to various aspects concerning either the organisation of participation processes or the experiences of these processes. Finally, a framework is constructed based on recurring themes, which addresses the final research question.

5.3.1. Method of analysis

In this research, a qualitative analysis type is implemented. According to Weiss (1995), this type of analysis is characterised by the fact that the analysis is performed while data is gathered. During each round of data gathering, data is used to develop understanding and fine-tune the next steps of data gathering. A brief introduction to the data analysis can be found in section 2.4.

5.3.2. Data Import

After an interview had been recorded, the interview was transcribed as soon as possible. When the transcript was finished, all personal and sensitive information was filtered and removed from the transcript to analyse the transcript. This anonymised version of the transcript was checked, after which the transcript is uploaded to atlas.ti.

5.3.3. Coding

Once uploaded in Atlas.ti, the text was analysed and codes were added. Through coding, the first insights into the data were obtained. The codes were organised into groups, forming a structure for the data. Although the codes were not directly used to create findings, they played an important role in the comprehension of the data. The codes provided preliminary insights indicating that interviewees mostly discussed challenges and communication-related issues.

5.3.4. Research Questions and Catalogue

In the next step of the analysis, the coded text was examined in relation to Research Question 2 and Research Question 3, which focus on the organisation of the participation process and the participants' experiences of this process. The codes assigned to the quotes from the transcripts in the previous step served as initial findings. The most significant quotes and findings were compiled into a catalogue, where these findings were summarised. Additionally, organisation-related and experience-related aspects were added in an extra column for further clarification.

The effects of the Environment and Planning Act

Some of the findings described in the catalogue were related to the introduction of the Environment and Planning Act. These findings were taken into account in a later stage of this research, and were used to help shape the framework.

5.3.5. Findings and Instances

Different instances were identified based on quotes from the interviewees, which had implications on the way the process was organised and how the stakeholders experienced the process. This analysis resulted in table 6.1. Research Question 2, which reads *ow has public participation in infrastructural and urban projects been shaped, both in anticipation of and since the implementation of the Environment and Planning Act?*, examines organisational aspects of the participation process. These aspects are mentioned in the third column of table 6.1. Research Question 3, which reads *How do stakeholders experience the organisation of public participation, both in anticipation of and since the implementation of the Environment and Planning Act?*, focuses on the effects of the organisational aspects described in research question 2. These experience-related aspects are mentioned in the last column of table 6.1.

5.3.6. Discussion and Framework

Once all data was analysed and a final list of instances was constructed, an effort was made to relate organisational aspects and experiential aspects to literature and each other. In this analysis, organisation-related aspects were connected to the conditions for successful participation by the U.S. Environmental Protection Agency (2023), while experience-related aspects were connected to the CLEAR model by Lowndes et al. (2006). Subsequently, the conditions were linked to the criteria from the CLEAR model, and the effects of the Environment and Planning Act were analysed.

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Findings

In the data analysis, interesting patterns concerning public participation were found. These patterns are described along a list of instances that can be generalised for participation processes in infrastructural and spatial projects since implementing the Environment and Planning Act. The list of instances can be found at the end of this chapter, in table 6.1. In the first parts of the chapter, the findings are described, in the same order as the instances, listed in the table. In some of the instances, the role of the interviewer is described as well, an overview of the interviewees can be found in table 5.2 in the previous chapter.

6.1. Early Planning and Early Participation

One of the most important findings of the research regarding the Environment and Planning Act is that the act forced participation organisers to think about participation in an earlier stage. The act forced them to create a plan on how to implement the involvement of residents and other stakeholders within their process and start participation in an earlier stage of the process, which was also discussed in section 3.4.5. These changes likely began in anticipation of the Act, as the MIRT study for the Oude Lijn follows the project procedure outlined in the new legislation, even though the starting decision was made before the Act's enactment. This shift was also noted by an area manager [AM2], who described how participants were involved too late and decisions were already made:

'You often see people getting involved too late... People then don't feel heard, and they often don't see what has been done with the results. I think the Environment and Planning Act did change that because, at the start, you have to make the participation process known.'

The importance of a well-thought-out plan before initiating a participation process was acknowledged by a project manager [PM1], saying that by developing a plan before the process was started, expectations were managed. However, this change in mindset, caused by the Environment and Planning Act, poses its own set of challenges. As highlighted by the area manager [AM2], such a shift often necessitates a cultural transformation within the organisation, placing a greater emphasis on early public involvement. Echoing this sentiment, another area manager from the Oude Lijn case [AM1] noted the emerging dilemma between encouraging early participation and navigating the uncertainties inherent in the initial stages of projects.

6.2. Transparency and Understanding

During the interviews, interesting opinions about communicating complex content regarding the project were shared. A project manager of the Oude Lijn project [PM2], a participation expert [PE1] and two public representatives [PR1, PR2] underscored the imperative of presenting complex projects in an understandable manner. A project manager [PM2] underscored this perspective, stating:

'We prefer to tell a story that a resident understands, that a traveller understands, that people in the city understand. There must be a professional narrative, but if you make it too complicated and don't tell it in ordinary language, it won't work.'

When exploring the topic of complexity, a notable contradiction emerged from discussions with the interviewees. On the one hand, a project manager [PM3] from the Oude Lijn case emphasised that sharing too much technical details in an early stage would cause confusion among participants. While, on the other hand, an area manager [AM2] from the same Oude Lijn case found that all relevant

information should be shared, even if the content was complex, to ensure transparency. Reflecting on this, a participant [Par1] in the Oude Lijn case study expressed disappointment at the absence of broader, more complex discussions. This led to a perceived lack of transparency regarding trade-offs and decisions behind closed doors. Similarly, another participant [Par2] underscored the significance of clarity for residents, noting that a failure to comprehend complex issues could lead to a loss of connection from the project and foster distrust towards the organisation. A public representative [PR2] argued that deficient communication due to a lack of transparency and responsiveness can ultimately erode trust.

6.3. Process Organisation

There are many ways of organising a participation process; participation experts [PE1, PE2, PE3] mentioned different tools and methods that can be implemented to involve citizens. Also, other professionals [AM2, PM2, PM3] stress the importance of adapting participation processes to specific situations. This aligns with the Environment and Planning Act, which does not prescribe how the process should be shaped but only requires initiators and competent authorities to organise participation. This was described earlier in subsection 3.4.6. A project manager [PM2] of the Oude Lijn reflects on this with the following quote:

'[Regarding participation,] you have to invent tailor-made solutions each time for how things work somewhere. Because you're dealing with different types of stakeholders, with different dynamics, with a different culture. But the principles are always the same. It's always like playing the piano, but sometimes you play Bach and other times Chopin.'

There is a difference in how people experience different elements of the public participation processes. Project managers [PM1, PM3] expressed that they desire to have discussions with smaller groups over big public discussions. A participant [Par1] for the Oude Lijn project agrees, highlighting the effectiveness of dividing participants into smaller groups, facilitating more concrete discussions and idea-sharing. On the other hand, another participant from an observational session [Observational Session #9] found it regrettable that the participation session was not organised plenary so that they can hear all opinions, they felt that decisions were being rushed through without proper consideration.

Many of the interviewees positively received the use of participatory tools. For instance, a public representative [PR1] and a participant [Par2] from the Oude Lijn project found it highly valuable that a Participatory Value Evaluation (Mouter et al., 2019) was employed, enabling respondents to grasp the consequences of their own choices and interests immediately. While the utilisation of online meetings caused mixed responses, with organisations stating its use to attract a broader audience, public representatives [PR1, PR2] did not find it beneficial, noting the absence of visual cues such as body language as a significant drawback.

Although it may appear that organisations managing participation processes know exactly what they are doing, they face several challenges. For instance, during an interview with a project manager [PM3], it was noted that public participation is as much a psychological process as it is a substantive one. The manager questioned whether they were suited to facilitate participation in their role. Additionally, an expert [PE3] and area manager [AM2] see that the work of organisations is further complicated by regulations. Online information must comply with privacy laws (AVG), and all communicated material must be written at a B1 level of Dutch to be understandable for participants. This presents a challenge, as the language used in many parts of the project is technical.

Furthermore, in complex projects involving multiple organising parties, the expertise among different stakeholders varies. Participation experts [PE1, PE3] observed that municipalities often possess extensive local knowledge, while the national government has experience in organising these processes. Effective collaboration is crucial to ensure the process aligns with existing information and procedures. Finally, a participation expert [PE3] highlighted that organisations struggle with the overlap between informal participation and formal participation procedures (*zienswijzenprocedures*), as well as other relevant processes such as MIRT procedures. This overlap can cause confusion among participants and within the internal organisation of the participation process. These different formal and informal participation processes are more elaborately described in subsection 4.1.2.

6.4. Representation and Perspectives

A recurring issue in many participation processes surfaced throughout the interviews and observations: the limited inclusion of diverse perspectives. While several interviewees highlighted this concern, a participant [Par1] from the Oude Lijn case articulated it vividly:

'Regarding the ideal participatory process, I would find it very rewarding if we could succeed in engaging less educated individuals in these matters, as they are part of groups that, on average, are not really part of it. At the moment, it is mainly discussion groups composed of people with university degrees. And I find that problematic.'

A participation expert [PE2] agrees, noting that not only do specific groups with certain academic backgrounds participate, but also that it is often only those who oppose the proposed plans who get involved, while those who benefit do not. This further complicates the participation process. To ensure broader representation, another participant [Par2] saw that information about the process does not reach the right groups of participants and proposed a proactive approach to community engagement, advocating for diverse outreach strategies beyond social media and flyer distribution. Echoing this sentiment, a project manager [PM1] and a public representative [PR3] emphasised the value of incorporating diverse viewpoints in discussions. They noted that such diversity fosters a self-regulating mechanism within the group, a phenomenon also observed in observational sessions 8 and 10.

On the other hand, it is important to ensure more diverse perspectives within the organisation of the process. A participation expert [PE1] shared an insight from their own experience, admitting they had prejudices about participants' motivations and struggled to empathise with their situations. Public representatives [PR1, PR2] reflect on this phenomena and experience a lack of local involvement in organising the participation process. They suggest hiring more local staff who have a connection with the community and are better able to understand and appreciate diverse perspectives.

6.5. Interpretation and Expectations

While diverse perspectives are crucial for the success of participation processes, stakeholders often interpret project-related issues differently. A project manager [PM2] and an area manager [AM1] from the Oude Lijn case highlighted a disconnect in perception between professionals, who view infrastructure plans as abstract lines on a map, and residents, who directly feel the impact of these plans. They underscored the need to attentively address residents' concerns and reactions, particularly when their homes or properties are directly affected by proposed developments. Participation experts [PE2, PE3] also noted that people are less likely to engage if the topic is too abstract or too distant in the future. However, early-stage involvement usually results in more influence on the final outcomes, as major decisions about the project are made during these initial phases.

During the interviews, discrepancies in expectations between internal and external stakeholders were noted. Project managers [PM2, PM3] of the Oude Lijn case observed friction within their organisation, with some members advocating for early and extensive sharing of information, while others were more hesitant about external communication. This internal conflict often led organisations to focus more on resolving internal issues rather than engaging with external stakeholders.

Additionally, it was found that organisers often hold prejudices about the value of participation. One area manager [AM1] shared a common sentiment among organisers, acknowledging that despite the effort invested, criticism or dissatisfaction may persist due to participants' high expectations of engagement initiatives by governmental organisations. An area manager [AM1] also provided valuable insights into past mindsets, sharing anecdotes of expert colleagues expressing surprise at the level of public participation in the initial stages.

'The funny thing was that my expert colleagues were very surprised that all these people could contribute to the study at this stage. That's the beauty of extensive participation, it broadens our own perspectives as well. Many people are perfectly capable of thinking at an abstract level, understand well that it won't be built tomorrow but in 10 years, and have all sorts of valuable input to offer.'

On the other hand, participants might have a completely different perspective on how the process is

organised. A public representative [PR2], based on past experiences, had low expectations and stated that despite intentions to use the outcomes of participation in decision-making, his municipality always chose differently. An area manager [AM2] added that regardless of a participant's background and opinion, what participants truly desire is to feel heard and taken seriously.

6.6. Relation to Other Projects

During the interviews, it became clear that the success of the participation process depends on the relationships with other projects. One of the project managers [PM3] highlighted the significant influence of past participation experiences on current expectations, where poorly organised and unresponsive processes could harm the present initiative, while well-executed ones raised the bar for future processes. Professionals [AM2] also see effects of past participation processes on the organisations, with organisations with a bad participation experience growing reluctance and lacking transparency.

Furthermore, it was observed that the case study had a high level of complexity, being related to numerous other projects and participation processes occurring simultaneously. Project managers [PM1, PM3] expressed concerns about potentially overwhelming citizens by confronting them with multiple participation processes at the same time. One project manager [PM1] shared his concerns:

'People might start thinking, "Here comes the municipality with another request?". You're using people's time. At some point, people start making choices and may participate in one process but not in another. This can also lead to confusion among people due to the multitude of ongoing processes.'

Experts [PE1, PE3] identify additional challenges related to the nature of project organisation in this case. When the process involves multiple national and local parties, coordinating knowledge and decision-making can be difficult, potentially compromising the effectiveness of participation.

6.7. Outcome

During observations, it became clear that participants often prioritise their individual interests, resulting in a lack of holistic consideration. This observation is echoed by professionals [AM2, PR3, PM1, PE2], who stress the importance of fostering consensus and mutual understanding in participation processes. While they recognise the ideal of achieving broad agreement, they acknowledge the possibility of conflicting choices. However, even in such instances, if the process itself is perceived positively by all involved, the area manager [AM2] deems it a success.

A public representative [PR3] involved in the Oude Lijn case highlighted the reality that, in some cases, political decisions may not align with the preferences of all participants, stating:

'I think it's important to note that within a democratic rule of law, ultimately it's the politics that decides. I vote, I am accountable for that, and if people disagree, they should vote for a different party.'

Both this public representative [PR3] and participation experts [PE2] acknowledge that if participants cannot influence the outcome, it is preferable not to organise participation at all but rather focus on communicating decisions effectively. This situation can arise, for example, when environmental regulations limit the number of feasible solutions or when the government is mandated by law to address a problem in a specific way. The participation expert [PE2] described that in some occasions, such as transitions and necessary actions, there is limited flexibility to implement feedback from participants, who might expect to have more influence in the outcome when a participation process is started. Moreover, in this case, participation often results in a "not in my backyard" response. The same expert [PE2] also notes that participation processes are often initiated with the wrong intentions, aiming to generate support for a predetermined decision or plan. However, this approach rarely succeeds and mistakes in the process can lead to decreased trust and support.

6.8. Overview Instances

The different instances from the cases of the Oude Lijn and HOV4 are summarised in table 6.1. The findings in the earlier sections of this chapter are described in the same order as the instances in the table.

Table 6.1: Summary of insights from participation processes in Oude Lijn and HOV4 case studies.

No.	Instance	Processes	Effects
1	When people are involved too late, participation becomes superficial.	Participation Planning	Influence
2	By developing a plan before the process was started, expectations were managed	Participation Planning	Expectations
3	The announcement and implementation of EPA forced some organisations to start participation in an earlier stage.	Organisational Choices	Influence
4	Organisers are challenged with balancing prescribed participation with uncertainties in the early phase.	Organisational Choices	Expectations
5	Explaining complex technical details was important for residents to understand their impact.	Transparent Communication	Understanding
6	Leaving out irrelevant technical details was important to stay focused on the decision at hand.	Transparent Communication	Understanding
7	All the information related to the project was shared proactively to ensure transparency.	Transparent Communication	Understanding
8	Broad, regional challenges weren't discussed, leading to opaque participation.	Transparent Communication	Trust
9	Participants that didn't understand complex issues, lost connection.	Transparent Communication	Trust
10	If information wasn't shared completely, participants distrusted the organisation.	Transparent Communication	Trust
11	Each project needed a tailored approach, while principles remained consistent.	Organisational Choices	Efficiency
12	Personal conversations in a smaller setting resulted in a deeper understanding	Organisational Choices	Understanding
13	Group of participants was divided into smaller groups for more effective participation	Organisational Choices	Efficiency
14	Participants preferred a broad discussion with all participants so they could hear all opinions.	Organisational Choices	Efficiency
15	Participation tools that showed the consequences of choices to participants, created understanding among participants.	Organisational Choices	Understanding
16	Online participation events lacked personal contact, making the meetings less efficient	Organisational Choices	Efficiency
17	Participation is a psychological process requiring effective communication skills, not just technical expertise.	Organisational Choices	Efficiency
18	Organisers often encountered obstacles due to rules and legislation, making it difficult to quickly set up online resources and share information effectively.	Organisational Choices	Efficiency
19	Municipalities possess extensive local knowledge, while national governments know how to organise these processes. Effective coordination between different parties is essential for successful collaboration.	Coordination	Efficiency

Continued on next page

Table 6.1: Summary of insights from participation processes in Oude Lijn and HOV4 case studies. (Continued)

20	Organisations struggled with the overlap between informal participation and formal feedback procedures, leading to confusion about where and how people should provide feedback.	Organisation	Understanding
21	Only participants with a specific background participated, leading to less representative participation	Transparent Communication	Representativeness
22	Participation was complicated by the fact that those troubled by issues were more likely to participate, while those who benefit often did not.	Perspectives	Representativeness
23	Information about the participation process didn't reach participants, leading to less representativeness.	Transparent Communication	Representativeness
24	Different perspectives participated, balancing each other out.	Perspectives	Representativeness
25	Participation experts having prejudices about participants experiences, insufficiently empathised with participants.	Perspectives	Representativeness
26	Hiring non-permanent and non-local staff, caused a lack of connection with the community.	Organisation	Trust
27	Professionals and residents interpreted plans differently due to their varying perceptions of plans.	Transparent Communication	Understanding
28	Participants were less likely to participate if the topic is too abstract or far away in the future.	-	Efficiency
29	Managers challenged with managing expectations of internal and external stakeholders.	Perspectives	Expectations
30	Government officials thought there would always be criticism or dissatisfaction.	Transparent Communication	Expectations
31	Experts were surprised by the capabilities of the participants.	Mindset	Expectations
32	Participants saying governments will always do what they want.	Communication	Trust
33	Participation is very simple: the participant just wanted to feel heard and taken seriously.	Transparent Communication	Influence
34	Past participation processes influenced expectations of participants.	Coordination	Expectations
35	Organisations with a bad participation experience grew reluctance and lacked transparency.	Transparency	Trust
36	Many participation procedures were organised at the same time, leading to confusion.	Coordination	Understanding
37	Organising a participation process involving multiple national and local parties introduced complexities that challenged the effectiveness of participation.	Coordination	Efficiency
38	Support for the process and understanding of the outcome were success factors of participation	Participation Planning	Understanding
39	If participants can't influence the outcomes, don't organise the participation.	Mindset	Influence

Continued on next page

Table 6.1: Summary of insights from participation processes in Oude Lijn and HOV4 case studies.
(Continued)

40	Some transitions and necessary actions allowed little room for flexibility, in this case, participation often resulted in a "not in my backyard" response.	Organisational Choices	Influence
41	Participation is often organised to create trust or support, but it rarely achieves this.	Mindset	Trust

Discussion

Now that the findings have been outlined in Chapter 6, this chapter of the research aims to relate these instances to theory. Here, the findings from the observations and interviews are linked to theoretical frameworks, allowing the researcher to provide their own interpretation. This chapter will reference the findings described in Chapter 6, particularly through the instances listed in Table 6.1. These findings are categorised into two main groups: organisational and process-related aspects of the participation process, and experience and effect-related aspects. These categories are also reflected in the latter two columns of Table 6.1.

Firstly, this chapter reviews the CLEAR model and the conditions for successful participation to identify any missing elements. Then, it discusses the process-related aspects, followed by the effect-related aspects. The chapter concludes by examining the relationship between these aspects and the criteria from the CLEAR model and the conditions for successful participation. This relationship is also depicted in the framework, which represents the final result of this thesis and can be seen in Figure 7.1.

7.1. Reflection CLEAR model and Conditions for Successful Participation

While analysing the findings in the previous chapter, the models discussed in chapter 3 were analysed. This section evaluates and analyzes both the CLEAR model and the conditions for successful participation. The analysis assesses whether the criteria and conditions of these models accurately reflect the research findings and identifies any potential missing elements.

7.1.1. Reflection: CLEAR model

Findings indicated that the CLEAR model effectively reflects certain aspects of participants' experiences in infrastructure and urban development projects.

Can citizens participate? This aspect of the CLEAR model focuses on the socio-economic background of participants. Lack of time, money, or skills can hinder participation. The "Can do" factor also highlights that financial compensation can influence participation. In one of the interviews from the Oude Lijn case study, it was revealed that citizens received compensation for being part of a feedback group. Unfortunately, at the time of this research, the effects of this compensation were not yet visible, so these results could not be included in the outcomes.

Do they Like to participate? Citizens must also be willing to participate, which depends on how connected they feel to their environment (city, town, or neighborhood). [Instance 21] shows that only certain groups were involved in physical participation sessions. However, it is challenging to measure why this is the case. This instance shows that the like criterion is relevant for measuring the effectiveness of participation.

Are they Enabled to participate? Participants must have the opportunity to participate. This means organising groups and activities where citizens can share their experiences. By offering various options, all involved parties can participate in a manner that suits their needs and talents. Interviews revealed that there are many different ways to involve various perspectives in participation processes, while [instance 11] shows that each project needs a tailored approach to enable participation.

Are they Asked to participate? Stakeholders must be invited to participate, with communication

playing a key role. Encouraging participation can be achieved by offering multiple opportunities, such as online surveys or directly inviting citizens to join discussions. This ensures that everyone has a chance to be heard. Interviews with participants highlighted the importance of organisations actively reaching out to participants, though [instance 23] indicates that this can be challenging.

Are they Responded to if they participate? Finally, it is crucial to provide feedback to participants, giving them insight into how their input has been used. Sometimes, practical reasons may prevent a proposal from being implemented, but communicating these reasons to participants ensures they do not feel ignored. [Instance 33] shows that when participants feel ignored, their trust and motivation decline, potentially leading them to stop participating. The analysis showed that participants highly value knowing that their input has made an impact on the process and outcome.

If the actual impact, as described in the previous paragraph, is included in the final criterion, there is no need to add other elements to the CLEAR model. Based on the findings, no aspects were identified that are not currently addressed by the CLEAR model's criteria.

7.1.2. Reflection: Conditions for Successful Participation

Based on the findings discussed in the previous chapter, the conditions for successful participation outlined by Environmental Protection Agency (2023) are well-aligned with the necessary requirements for effective participation. Each condition is briefly discussed below.

Clear Purpose and Goals: Before the process begins, it is crucial to establish a clear goal, ideally developed in collaboration with the participants to ensure consensus. When the goal is clearly defined upfront, everyone knows what to expect.

Clear Structure and Process: In addition to having a clear goal, it is important to agree on the process in advance. Participants should know when and where they can provide input and how they will receive feedback during and after the process. [Instance 2] shows that by developing a plan, expectations are managed effectively.

Actual Opportunity for Influence: [Instance 39] highlighted that participation should only be organised if there is room for participants to influence the outcome. The process must be designed to ensure that everyone has a fair chance to have influence without some participants having advantages over others.

Commitment to the Process: The organisation must genuinely believe in the value of participation and not just conduct it as a formality. [Instance 26] revealed that participants appreciate when the organisation is invested in the project, as it fosters a sense of commitment to a positive outcome.

Inclusive and Effective Representation: It is crucial that the process includes diverse perspectives and backgrounds. [Instances 21, 22, 23] show that limited participation from certain perspectives led to less diversity. Effective participation requires that input is appropriately directed and meaningfully used, ensuring that all voices are heard and considered.

Based on the findings from the previous chapter, these conditions appear to be comprehensive, with no major elements missing. However, an additional aspect to consider is the communication skills of the organising body, which are essential for effectively managing such processes. One interview noted that participation is as much a psychological process as a practical one [instance 17]. This condition could fall under either effective representation or actual opportunity for influence. Additionally, creating a confidential environment where everyone feels safe to participate is vital, which could be included under inclusive and effective representation.

7.2. Process

When analysing the factors influencing public participation processes since the implementation of the Environment and Planning Act, several key aspects emerged:

1. **Participation planning:** The Environment and Planning Act has forced organisations to organise participation at earlier project stages, necessitating the development of a plan before participation begins to avoid superficial late-stage involvement, which can also be seen in [instance 3]. By developing a plan in advance, organisations create both clear purpose and goals and a clear structure and process, which can be seen in the links in figure 7.1. Research by Rojanamon

et al. (2012) confirms that early participation planning enhances trust and helps to build good relationships. However, this introduces challenges due to uncertainties inherent in early project phases. Hertogh et al. (2008, p. 73) agree, noting that projects developing a stakeholder strategy early on encounter fewer problems with stakeholders compared to those handling stakeholders on an ad hoc basis.

2. Coordination: Effective coordination with related projects is crucial to prevent confusion among participants. [Instance 36] shows how multiple participation processes were organised simultaneously, causing confusion among participants. Understanding past participation experiences is also crucial as they can significantly influence current projects, as can be seen in [instance 34]. Addressing this issue is challenging because participation processes often vary and involve different organising parties. Furthermore, [instance 35] shows that past experiences could also affect the mindset of organisations.

[Instance 20] highlights that organisations struggle with procedures for both informal and formal participation. The implementation of the Environment and Planning Act introduced requirements for project decisions, which can become entangled with existing procedures, potentially resulting in confusion among organisers and participants. These requirements were mentioned in subsections 3.4.4 and 3.4.5. An example of this is the publication of the Notice of Intent and Notice of Participation for the Oude Lijn Project in May (Stcrt. 2024, 15098), which was part of a formal participation procedure, while the informal process had started months earlier. These formal and informal processes were previously described in subsection 4.1.2. Such a tension between participation and democratic legitimisation of decision-making is also seen by Boeve and Groothuijse (2020).

3. Transparent Communication: Clear and comprehensive communication is deemed essential for successful participation (Li et al., 2005; Samaddar et al., 2021). According to [instances 5,7], ensuring information is conveyed understandably and sharing all relevant details is important. [Instance 9] describes if participants misunderstand complex issues, they lose connection with the process. By communicating efficiently and transparently, participants get insights in the purpose of the process and understand the structure.
4. Organisational Choices: Various organisational decisions, such as the size and format of participation meetings, the use of tools like online surveys or other interactive methods, and the choice between online or in-person engagement, require careful consideration (Mouter et al., 2019). [Instances 15,16] give insight in the debate around these organisational choices. The choice of engagement should be inclusive to people from different age groups and the technology divide (Salemink et al., 2017). Moreover, organisers must determine the level of influence of participants in the process.

These decisions should reflect the requirements of the project procedure, addressing questions like who will be involved, when they will be involved, what they will be involved in, the role of the competent authority, and where information can be found. These details should be decided upon and communicated in the Notification of Participation. In figure 7.1 it can be observed that organisational choices have effects on the structure of the process, on the actual opportunity for influence and level of inclusive and effective representation.

5. Mindset: Interviewees emphasised the importance of the organisers' dedication to the participation process. Public representatives [PR1,PR2] specifically advocated for engaging organisations that are connected to the community and fully dedicated to the project's success, which can also be seen in [instance 26]. The changes caused by the Environment and Planning Act are perceived as catalysing a cultural shift towards greater and earlier participation. Observing the everyday practice of involved actors can help us understand their mindset and dedication towards the engagement process (Jacobsson & Roth, 2014) [instance 25]. The mindset of the organisation is crucial for commitment to the process.

Human influence is also crucial in organising participation. [Instance 17] highlights that participation is primarily a psychological process, requiring organisers to be mindful of their approach and interactions with participants. This instance emphasises the social dimension, which significantly shapes participants' experiences, something that was confirmed by Few et

al. (2007). It underscores the importance of focusing on this aspect alongside structuring the process effectively, an area influenced by the Environment and Planning Act.

6. Perspectives: Including diverse perspectives is vital for a successful process, enabling the representation of a broader range of perspectives and balanced outcomes, which was observed in [instance 24] and confirmed by Krueger et al. (2001). [Instances 21,22,23] show that reaching all participants and incorporating diverse perspectives can be challenging. Organisations must navigate both internal and external perspectives to ensure comprehensive engagement.

7.3. Effects

When analysing the ways how participation processes had their impact on how participants and other stakeholders experienced the processes, a few key aspects emerged:

1. Influence: Participants desire actual influence on project outcomes (Nabatchi & Leighninger, 2015). [Instances 33,39] describe that participants expressed a desire to be taken seriously, which was found in both interviews and observations. The early-stage involvement mandated by the Environment and Planning Act was appreciated by some participants, who felt they could actively shape the outcome. In contrast, others preferred involvement at later, more concrete stages, as described in [instance 28]. Research by Lowndes et al. (2006) shows that participants have more influence in the final decision of the process if they are asked to participate and if they are responded to.

However, it is challenging to ensure that everyone truly has influence. [Instance 24] shows that participants often have different perspectives and preferences. It is then up to the organisation to make decisions based on these preferences, which are often not equally represented in participation, as shown in [instances 21,22]. The organisation must then determine what is best for the public interest. Literature highlights that such decisions can only be made if all individual interests are clearly understood (Teisman, 1992), making this a crucial part of the participation process.

In the outcome section of the findings chapter (section 6.7), a contradiction is found. [Instance 39] states that in some cases, it is better not to organise participation, especially when there is no room to adjust a design or choice to the wishes of the participants. This contradicts some of the requirements of the Environment and Planning Act, which mandates participation even in such cases. Thus, there may be situations where the Act requires participation, yet the input gathered may not influence the final decision, leading the competent authority to make a choice likely at odds with the participants' wishes. By initiating a participation procedure, the expectation is created that participants' input will be considered in the decision-making. This can lead to dissatisfaction and reduced trust if their input is ultimately disregarded. This issue of trust is discussed further later in this section.

2. Expectations: Participants' expectations entering a process varied, with some anticipating decision-making power while others expected to be informed only. However, [instance 2] shows that by developing a plan in advance, expectations were managed. The Environment and Planning Act forces organisations to think about the participation process earlier and to share this plan with participants, for example, through a notification of participation, thus improving the management of expectations. Similarly, organisers' expectations regarding the value of participant input may have differed, ranging from seeking substantive contributions, such as described by Rowe and Frewer (2000), to simply fulfilling requirements. By actively asking participants to participate and by responding to them, expectations could be managed effectively.
3. Understanding: Ensuring information is presented in a clear and accessible way was found to be crucial for participant understanding and trust-building as seen in [instance 7] (Bryson et al., 2013). [Instances 9,10] show that transparency is key, as withholding or insufficiently explaining information can cause distrust. Additionally, organisers should consider how participants interpret information, recognising that perspectives may differ between professionals and laypersons. The aspect of understanding can be linked to the CLEAR model (Lowndes et al., 2006) in different ways. It relates to the 'can do' criteria, concerning the skills and resources of participants. It is also connected to the 'enabled to' criteria, which ensures participants are empowered to participate

in an understandable way. Finally, the 'responded to' criteria is crucial, as providing feedback to participants is essential for creating understanding and trust.

Understanding also pertains to participants' comprehension of the participation process structure. When it is unclear how and when to participate, participants are less enabled to engage effectively. The introduction of the Environment and Planning Act has added another layer of complexity, as formal participation processes, such as the official notification of participation from the project procedure and opinion procedures (*zienswijzenprocedures*), could be confused with informal participation methods, such as regular stakeholder meetings and surveys. Ensuring clarity in the structure and timing of these processes is essential to prevent confusion and enhance participation.

4. Trust: Interviews revealed a decline in citizens' trust in government and government-initiated projects, partly attributed to failed participation processes. [Instances 8,9] show that if participation processes are not organised well, this could have negative effects on the level of trust. Enhancing trust can enable more effective engagement with the project community (Ninan et al., 2024). The importance of trust is also described by Hertogh et al. (2008, p. 73), emphasising that while stakeholders don't always have to agree, they must take each other seriously and avoid surprising other parties. Recognising the role of such processes in fostering or eroding trust is vital for organisations. On the other hand, [instance 35] shows that organisations should acknowledge citizens' capabilities and organise transparent participation processes, a phenomenon also described by Uittenbroek et al. (2022).

Linking trust to the CLEAR model, it is found that trust is mainly affected by whether people 'like to' participate, if they are encouraged and comfortable to do so. It is also influenced by whether people are 'asked to' participate and 'responded to' when they do participate. Components of the project procedure, as outlined in the Environment and Planning Act, require organisers to develop a participation plan and communicate it in advance through a notification of participation. This could positively impact the 'asked to' and 'enabled to' criteria, as participants are more explicitly invited to participate and may feel more enabled to do so, potentially enhancing trust. However, at the time the research was conducted, it was too early to observe these effects.

5. Efficiency: Perspectives on the optimal participation organisation varied among participants and organisers. [Instances 14,15,16] are characteristic for debates on meeting size, tool selection, and overall efficiency, a similar debate was found in literature (Evans-Cowley & Hollander, 2010; Hilbers et al., 2022; Mouter et al., 2019). Finding a balance and tailoring a process for specific situations was essential to prevent sessions from feeling overly prolonged or lacking meaningful contributions, as noted in [instance 11] and confirmed by Reynante et al. (2021). When relating the efficiency aspect of public participation to the CLEAR model, it was found that it is important to consider the 'can do' criteria, ensuring the participation process is accessible to all citizens, regardless of their socio-economic status (Lowndes et al., 2006). It can be concluded that efficiency is mainly related to the 'asked to' criteria of the model, emphasising the need to find different modes of participation to create a comfortable and efficient way for everyone to participate.
6. Representativeness: Participants valued feeling heard and included, emphasising the importance of representing diverse societal perspectives, which was also found in [instances 23,24] and confirmed by Edelenbos and van Meerkerk (2016). Failure to capture a broad range of viewpoints could lead to outcomes that did not reflect societal preferences. Additionally, a diverse group of participants and their interactions enhance collaborative interpretation (Hertogh & Westerveld, 2010, p. 297). When relating the representativeness aspect to the CLEAR model, it can be concluded that to achieve representative results from the participation process, the organisation should focus on enabling all parts of society to participate (relating to the 'can do' and 'enabled to' criteria of the CLEAR model). Additionally, the organisation should actively 'ask' participants to join the process to ensure representative outcomes.

Having described the process- and effect-related aspects of participation processes, the following section links these aspects with each other and with existing literature, as outlined in sections 3.2.1 and 3.2.2.

7.4. Framework

Figure 7.1 presents a framework that integrates the identified aspects outlined in sections 7.2 and 7.3 with the conditions for successful participation proposed by the Environmental Protection Agency (2023) and the criteria given in the CLEAR model by Lowndes et al. (2006). Noteworthy features of this framework are described below.

1. **Participation Planning, Mindset and Coordination:** The anticipation and the enactment of the Environment and Planning Act prompted a shift in participation planning and mindset, forcing organisers to consider participation at earlier stages. This legislative mandate caused a cultural shift within organisations, altering professionals' perspectives on participation. Consequently, professionals started recognising the expertise and value of participants' contributions, highlighting the Act's impact on shaping a clearer structure and process.

The implementation of the Environment and Planning Act was part of a transition period where multiple old and new processes as part of the act overlapped, often making alignment challenging. The Implementing Act for the Environment and Planning Act provided guidance on this transitional period. However, the coexistence of various formal and informal participation procedures caused confusion among participants. Therefore, it is crucial to emphasise coordination and prevent confusion among the organisation and participants involved in the process.

2. **Relation process and conditions:** The six aspects described in section 7.2 are interconnected with one or more conditions for successful participation. Among these aspects, Organisational Choices are related to most of these conditions. Implementing the Environment and Planning Act influenced Participation Planning and Mindset, resulting in a Clear structure and Process, Actual Opportunity for Influence, and enhanced Commitment to the Process.
3. **Process-related Conditions and Effect on CLEAR Model:** The process-related conditions identified by the Environmental Protection Agency (2023) primarily affect the latter three aspects of the CLEAR model proposed by Lowndes et al. (2006). Research findings indicate that the way participation processes are structured does not significantly influence citizens' capacity to participate, i.e., "Can" they participate? Similarly, the organisational aspects of the process do not affect individuals' sense of belonging to their community or their willingness to participate, i.e., do they "like" to participate? Thus, there appears to be no direct correlation between these process-related conditions and the first two criteria of the CLEAR model.
4. **More understanding and better-managed expectations:** At the bottom of figure 7.1, the effect-related aspects of participation processes are depicted. The implementation of the Environment and Planning Act led to enhanced participant "understanding" and better-managed "expectations," ultimately contributing to a more positive participant experience.

For participation processes that are part of a project decision, a Notification of Intention and a Notification of Participation must be provided. These notifications must clearly describe who will be involved, when they will be involved, what they will be involved in, the role of the competent authority, and where information can be found. This aspect of the project decision process, which was followed in the Oude Lijn case study, ensures that there is a clear participation plan in advance. This transparency allows participants to understand how the process is organised, where they can provide input, where they will receive feedback on their input, and what topics their input can address. As a result, expectations for such processes are better managed.

5. **Trust:** The research findings revealed ongoing debate regarding whether successful participation processes engender greater trust in government initiatives. However, all interviewees agreed that failed participation processes cause distrust, emphasising the importance of effectively informing participants. While this research focused on short-term effects, it is anticipated that multiple participation processes over time may influence the trust aspect of government in the long term.

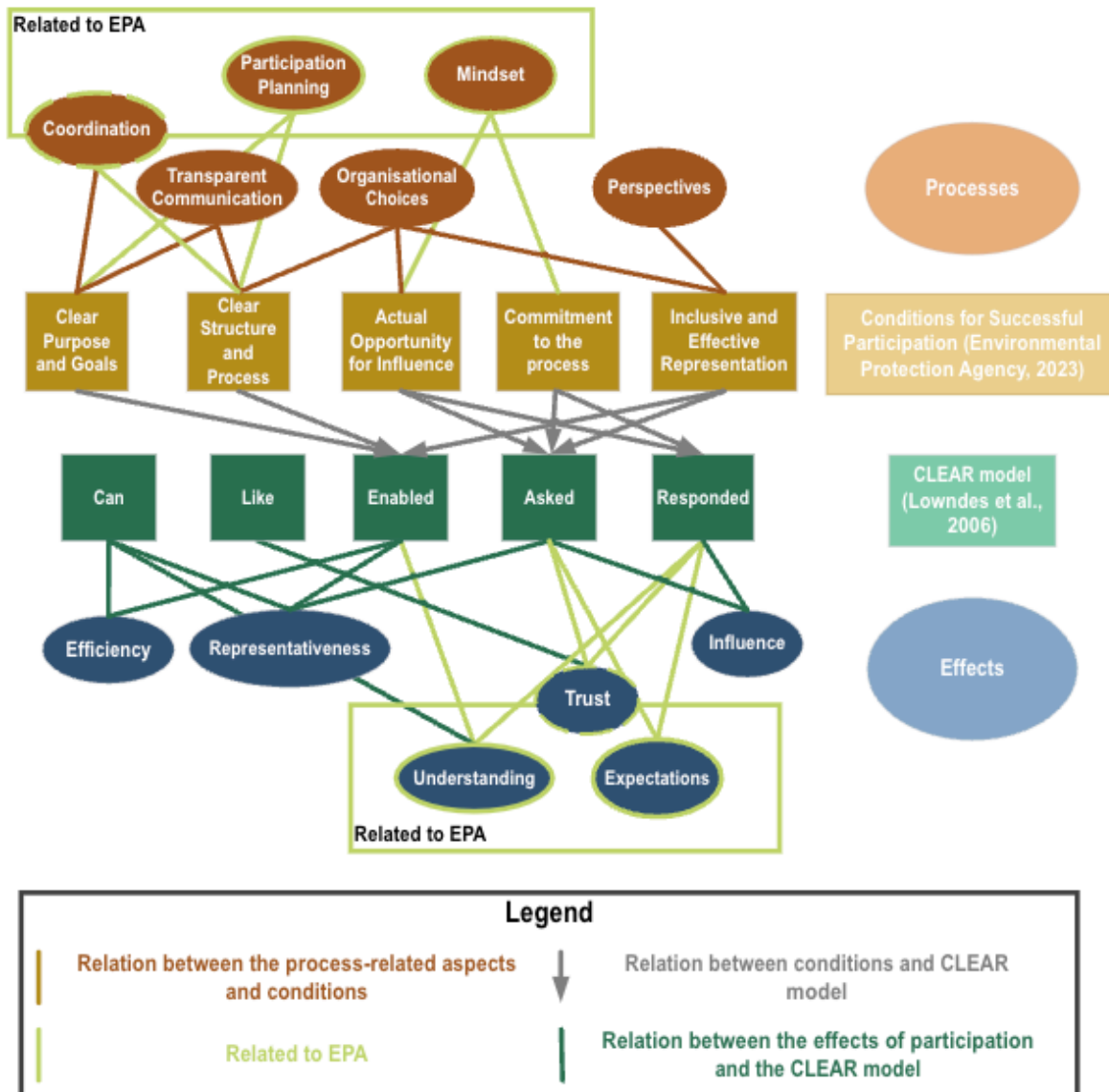


Figure 7.1: A visualisation of the framework connection findings to the CLEAR model and conditions for successful participation (Environmental Protection Agency, 2023; Lowndes et al., 2006).

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Conclusion

This research delves into the effects of the Environment and Planning Act on public participation, examining both the evolution of participation processes and the experiences of those involved in the case of the Dutch Environment and Planning Act. The research explores how participation processes have been shaped in anticipation and after the implementation of the act, identifying short-term effects that have been experienced by participants. Through this research, it was aimed to offer guidance to researchers and professionals seeking to broaden their understanding of how the design of participation processes shapes participant experiences.

The main objective of this research was to answer the main research question. Initially outlined in section 1.4, this question is addressed through four specific research questions. By conducting a literature review, collecting data through observations and interviews, and performing a data analysis, a framework was developed to help answer the main research question:

How has the anticipation and enactment of the Environment and Planning Act influenced public participation organisation and experience in infrastructural and spatial development projects?

To address the main research question, sub-questions were devised and answered individually. Subsequently, these findings were synthesised to provide a comprehensive answer to the main research question at the end of this section.

8.1. Research Questions

8.1.1. RQ 1: How are stakeholders involved in infrastructural and urban development projects?

Through a literature review, the state of knowledge in the area of public participation was summarised. Literature moreover showed the relevance of the research. By answering the following sub-questions an overview of public participation and the Environment and Planning Act was given that eventually formed the basis for this research.

SQ 1A: What is public participation and how has it evolved to its current state?

Public participation is often described as the involvement of concerned stakeholders in decision-making about plans, policies, and programs they are interested in. Stakeholders play a significant role in infrastructure projects' complexity as they all represent their diverse interests (Hertogh, 1997). It is believed that public participation may lead to acceptable results for the decision-maker, initiator, and the public and, therefore, helps to prevent parties' appeal (Hobma & Jong, 2022). The literature review reveals many different ways to define participation, and we combine different definitions from literature (Addink, 2019), from the Environment and Planning Act (Stb. 2018, 290, p. 131), and the Kennisknooppunt Participatie, a Dutch governmental participation network (Visser et al., 2019) to come to the following definition of participation:

Participation means that citizens, businesses, civil society organisations and other authorities are involved and share control at an early stage in decision-making on collective issues and decisions that concern them. It is also possible that parties themselves initiate developments in the living environment.

Throughout history, stakeholders gradually gained more influence in the development of the physical environment. Starting from the concept of blueprint planning in the early 1900s, when participation did not properly exist, later, a participation ladder was developed by Arnstein (1969), followed by the development of theories like synoptic planning, pluralism and finally, interactive governance to arrive at participation as we know it today (Hall & Tewdwr-Jones, 2010). Even though public participation has come a long way, it can still be challenging to organise it effectively. Klijn and Skelcher (2007) describe the scenario in which participation needs to be integrated more effectively into decision-making, and the participatory settings are tokenistic rather than impactful. Another challenge in organising public participation is to make sure citizens with different backgrounds are involved and have a say in their physical environment (Baud & Nainan, 2008; Lambregtse, 2023).

Literature shows a broad array of forms and types of participation. Addink (2019) distinguishes four concepts of participation, varying from popular initiatives to citizens' panels, referenda and community-level participation. This research focused on the latter form of participation, community-level participation, as this form of participation, is employed to collect feedback for infrastructural and spatial projects (Xiao & Hao, 2023). Community-level participation allows expressing views on policy without binding outcomes, with the potential to influence policy- and decision making but uncertainties in translating opinions into action. This form of participation aligns with the variations described by Nabatchi and Leighninger (2015), where each variant differs from the others in the extent to which participants are involved.

SQ 1B: How can we measure the effectiveness of participation and what are the conditions for organising successful participation?

The effectiveness of participation processes can be analysed in different ways. The literature describes different models that analyse the willingness of citizens and other stakeholders to participate, a trade-off of the costs and benefits of participation and the mutual trust between citizens and governmental organisations (Addink, 2019; Krueger et al., 2001). Lowndes et al. (2006) developed the CLEAR model, which provides a framework for understanding and enhancing public participation based on five key factors. The model was developed to analyse challenges in participation, relate these challenges to policy responses and form criteria to measure the effectiveness of public participation. The criteria of the clear model are listed below.

- C: **Can** citizens participate? Citizens must have the resources and knowledge necessary to participate effectively.
- L: Do they **Like** to participate? People are more likely to engage when they feel a sense of attachment or belonging to their community.
- E: Are they **Enabled** to participate? Participation is organised through groups or organisations, providing continuous reassurance and feedback for engagement.
- A: Are they **Asked** to participate? Mobilisation is crucial for encouraging engagement, and people are more likely to participate when approached and asked to engage.
- R: Are they **Responded** to if they participate? Citizens need to believe that their involvement makes a difference and that their views are being appreciated. Responsiveness from decision-makers is essential for participation.

Following the review of the criteria for analysing the effectiveness of participation, we looked at the conditions for organising participation. These conditions often focus on the organisational aspects of the process (Visser et al., 2019, pp. 13–15). Visser et al. (2019) give several conditions for organising participation such as the importance of constitutionalising participation processes within government organisations, the collaborative network of involved stakeholders, the empowerment of stakeholders, and the diversity of participants, which are also adopted by Blok et al. (2023). The U.S. Environmental Protection Agency (2023) also recognised several conditions for successful participation in its Public Participation Guide. These conditions include clear purpose and goals, clear structure and process, offering the public an opportunity to influence the decision-making process, commitment to the process, and inclusive and effective representation.

SQ 1C: What are the key features of the Environment and Planning Act regarding participation?

In 2014, the Dutch government proposed combining different environmental laws into one Environment and Planning Act (Kamerstukken II 2013/14, 33962, nr. 1-2). According to the government, this combination was necessary because of two reasons. Firstly, existing legislation no longer adequately reflects current and future developments. Existing legislation did not focus sufficiently on sustainable development and failed to take sufficient account of the need for customisation in projects and the importance of early stakeholder involvement in project decision-making (Kamerstukken II 2013/14, 33962, nr. 3). The second reason for the review of environmental law was the existing situation in which initiators of projects struggled with many different laws, each with its procedures, plan forms and rules, and therefore authorities did not assess initiatives integrally, but assessed activities in a fragmented way.

According to Tolsma and Verheul (2023), there are few legal requirements in the Environment and Planning Act for the setup of participation (Tolsma & Verheul, 2023, p. 205). It is not prescribed who should participate, apart from the requirement that this should happen early on. Additionally, in most forms of participation, initiators are legally free to decide whether to implement participation and how they want to set up participation. From a democratic perspective, it is prescribed that anyone who wants to participate should be able to do so. Although few 'hard' legal rules stipulate how participation should be structured, governments are increasingly offering regulations and guidelines that can help set up participation and guide initiators in the right direction. From a public administration perspective, successful participation is achieved if participants are able to provide their input, if their input is recognised, and if there has been clear feedback on their input. For the legislator, successful participation involves people from society being able to provide input on their living environment, and ideally, agreement has been reached. From a legal perspective, there is no requirement for a successful participation. Given the ambiguity in evaluating the success of public participation by different stakeholders, there is a need to understand how the participation process is shaped in Dutch government-initiated infrastructural and urban development projects and how participants experience the participation process.

8.1.2. RQ 2: How has public participation in infrastructural and urban projects been shaped, both in anticipation of and since the implementation of the Environment and Planning Act?

In the discussion, different aspects concerning the organisational aspects of the participation process have been analysed. These aspects are listed and described below. A few of the discussed aspects are related to the introduction of the Environment and Planning Act, while others are general considerations to keep in mind while organising public participation.

- **Participation planning:** The Environment and Planning Act has forced organisations to organise participation at earlier project stages, necessitating the development of a plan before participation begins to avoid late-stage involvement. However, this introduced challenges due to uncertainties inherent in early project phases.
- **Coordination:** Effective coordination with related projects is found to be crucial to prevent confusion among participants. If multiple participation processes are organised simultaneously, this might confuse participants. This research highlights the importance of understanding past participation experiences, as they can significantly influence current projects. Additionally, it highlights the need to coordinate formal and informal participation procedures, which may be required by the Environment and Planning Act, to ensure a coherent and comprehensible process.
- **Transparent Communication:** The discussion revealed that clear and comprehensive communication is vital for successful participation. This involves conveying information in an easily understandable manner and sharing all relevant details openly. When participants misunderstand complex issues, they might lose their connection with the process.
- **Organisational Choices:** Various organisational decisions can be made in participation processes, such as the size and format of participation meetings, the use of tools like surveys or other interactive methods, and the choice between online or in-person engagement. These organisational choices influence the inclusion of participants from different backgrounds. Additionally, organisers determine the level of influence participants will have in the process while

meeting the requirements of the Environment and Planning Act, like the specific steps outlined in the project procedure. These choices directly impact the effectiveness and inclusivity of the participation process.

- **Mindset:** Interviewees emphasised the importance of the organisers' dedication to the participation process. The changes caused by the Environment and Planning Act are perceived as catalysing a cultural shift towards greater and earlier participation.
- **Perspectives:** Findings show that including diverse perspectives is vital for a successful process, enabling the representation of a broader range of perspectives and balanced outcomes. Reaching the right participants and incorporating diverse perspectives can cause challenges. Organisations have to navigate both internal and external perspectives to ensure comprehensive engagement.

8.1.3. RQ 3: How do stakeholders experience the organisation of public participation, both in anticipation of and since the implementation of the Environment and Planning Act?

When analysing the effectiveness of public participation and how participants experience participation, a few key aspects emerged. The aspects describe important aspects that decide the factors that influence the effectiveness and satisfaction.

- **Influence:** Participants desired actual influence on project outcomes. Participants expressed a desire to be taken seriously, which was found in both interviews and observations. The early-stage involvement mandated by the Environment and Planning Act was appreciated by some participants, who felt they could actively shape the outcome. In contrast, others preferred involvement at later, more concrete stages. Some organisers and experts pointed out that certain projects, constrained by regulatory requirements, leave little room for participant influence. In such cases, they suggest focusing on informing rather than organising participation. However, this approach could conflict with the Environment and Planning Act, which mandates participation even in these scenarios.
- **Expectations:** Participants' expectations entering a process varied, with some anticipating decision-making power while others expected to be informed only. However, by developing and communicating a plan in advance, as prescribed by the Environment and Planning Act, expectations were managed. Similarly, organisers' expectations regarding the value of participant input may have differed, ranging from seeking actual contributions to simply fulfilling requirements.
- **Understanding:** Presenting information clearly and accessibly is crucial for participant comprehension and trust-building. Findings indicate that transparency is essential, as withholding information can lead to distrust. Organisers should also consider how participants interpret information, acknowledging that perspectives may differ between professionals and citizens. Furthermore, participants must clearly understand the structure of participation processes to engage effectively, particularly given the added complexity of the Environment and Planning Act and the distinction between formal and informal participation methods.
- **Trust:** Interviews revealed a decline in citizens' trust in government and government-initiated projects, partly due to previously failed participation processes that occurred before the enactment of the Environment and Planning Act. Poorly organised participation processes can further erode this trust. Enhancing trust is crucial for fostering more effective engagement with the project community. During the research, no direct effects of the Environment and Planning Act on the level of trust were found. However, it became evident that poorly organised processes, such as those where expectations are not met, contribute significantly to the reduction of trust.
- **Efficiency:** Perspectives on the optimal participation organisation varied among participants and organisers. In the interviews, plenty of debates on meeting size, tool selection, and overall efficiency were discussed. Finding a balance was essential to prevent sessions from feeling overly prolonged or lacking meaningful contributions.
- **Representativeness:** Participants valued feeling heard and included, emphasising the importance of representing diverse societal perspectives. Failure to capture a broad range of viewpoints could

lead to outcomes that did not reflect societal preferences.

8.1.4. RQ 4: How can the insights gained from the participation process and experience contribute to a framework that gives insights into how participation is being shaped?

Now that in the previous research questions, the ways how public participation events are organised and the experiences of those involved were discussed, in this research question the relation between the two can be analysed. This is done by developing a framework that relates the findings to the literature and to each other. In this case, the organisational, process-related aspects were linked to the conditions for successful participation by the Environmental Protection Agency (2023), while the experience, effect-related aspects were linked to the criteria from the clear model by Lowndes et al. (2006). In figure 8.1 the final framework can be found.

The most important aspects of the framework, represented in Figure 8.1, are discussed below. The first notable aspect is that the enactment of the Environment and Planning Act prompted a shift in participation planning and mindset, forcing organisers to consider participation at earlier stages. The enactment of the Environment and Planning Act formed a transition from an old situation with 26 different acts, to a single new act with different terminology and rules, requiring a focus on coordination within this transition.

The six aspects that describe how participation is organised (RQ3), as detailed in the relevant section, are interconnected with one or more conditions for successful participation. Among these aspects, organisational choices are related to most of these conditions. The process-related conditions identified by the Environmental Protection Agency (2023) primarily affect the latter three aspects of the CLEAR model proposed by Lowndes et al. (2006).

Research findings indicate that the way participation processes are structured does not significantly influence citizens' capacity to participate, i.e., "Can" they participate? Similarly, the organisational aspects of the process do not affect individuals' sense of belonging to their community or their willingness to participate, i.e., do they "like" to participate? Thus, there appears to be no direct correlation between these process-related conditions and the first two criteria of the CLEAR model.

At the bottom of Figure 8.1, the effect-related aspects of participation processes are shown. The implementation of the Environment and Planning Act led to improved participant "understanding" of the choices being made by the organisation but also caused confusion due to the need to coordinate more formal and informal participation processes. Additionally, the act resulted in better-managed "expectations" as organisations are required to develop a participation plan, ultimately contributing to a more positive participant experience.

Finally, research findings revealed an ongoing debate regarding whether successful participation processes engender greater trust in government initiatives. However, all interviewees agreed that failed participation processes cause distrust, emphasising the importance of effectively informing participants.

8.2. Main Research Question

In the previous section, the sub-research questions have been answered. It was found that this research makes several important contributions. It connects process- and effect-related aspects to established theories, such as the CLEAR model by Lowndes et al. (2006) and the conditions for successful participation identified by the U.S. Environmental Protection Agency (2023), to illustrate the effects of the Dutch Environment and Planning Act and answer the main research question:

How has the anticipation and enactment of the Environment and Planning Act influenced public participation organisation and experience in infrastructural and spatial development projects?

Figure 8.1 illustrates that organisational aspects such as 'Participation Planning,' 'Mindset,' and 'Coordination' were influenced in anticipation of the Act. When participation is integrated into the project decision process, organisations are now compelled to consider and implement participation at earlier stages. Additionally, both the implementation of the Act and the anticipation of its enactment have led

to a shift in mindset among organisers, who now view participation as a more critical success factor for a project's success.

However, the implementation of the Act has also introduced potential confusion due to the transition from previous legislation to the Environment and Planning Act, which brings changes in requirements and terminology. By fostering an early focus on participation and altering mindsets, the Act contributes to Conditions for Successful Participation, such as establishing a 'Clear Structure and Process', providing participants with an 'Actual Opportunity for Influence', and creating a 'Commitment to the Process'.

Despite these advancements, the Act has not resolved all issues related to public participation. Participation still struggles to impact the resources and knowledge of participants (i.e., Can citizens participate?) and their sense of attachment or belonging to their community (i.e., Do they like to participate?). However, the changes introduced by the Act have positively influenced the latter three criteria of the CLEAR model: enabling participation, asking to participate, and responding to participants. These changes have also affected the overall experience of participants. Earlier involvement has led to a better understanding of the participation process among participants. Nevertheless, the short-term effects of transitioning to the new Environment and Planning Act have sometimes caused confusion and reduced understanding, though these effects are expected to be temporary.

Additionally, earlier communication and better planning have improved the management of participants' expectations. Despite this progress, there is still room for improvement. Many participants in participation processes continue to expect involvement in decision-making, which is often not the case. Therefore, effective communication about this in advance is crucial to prevent disappointment and confusion.

Even though the Environment and Planning Act, particularly the project decision, requires organisations to reflect on the participation process and how it influenced their decisions, it remains unclear how participation can contribute to trust in the organisation behind the process and in the government in general. One of the greatest challenges of participation is to engage everyone and maintain their involvement, even when the outcome is not what a participant desires. Organisers are tasked with structuring participation based on the steps outlined in the project procedure. They must carefully weigh the solutions proposed by participants and incorporate these considerations into the project decision, ensuring transparency regarding the rationale behind specific choices. At the time of writing this thesis, the case study had not yet finished a full project procedure, therefore it is currently impossible to assess the success of the project procedure in this regard.

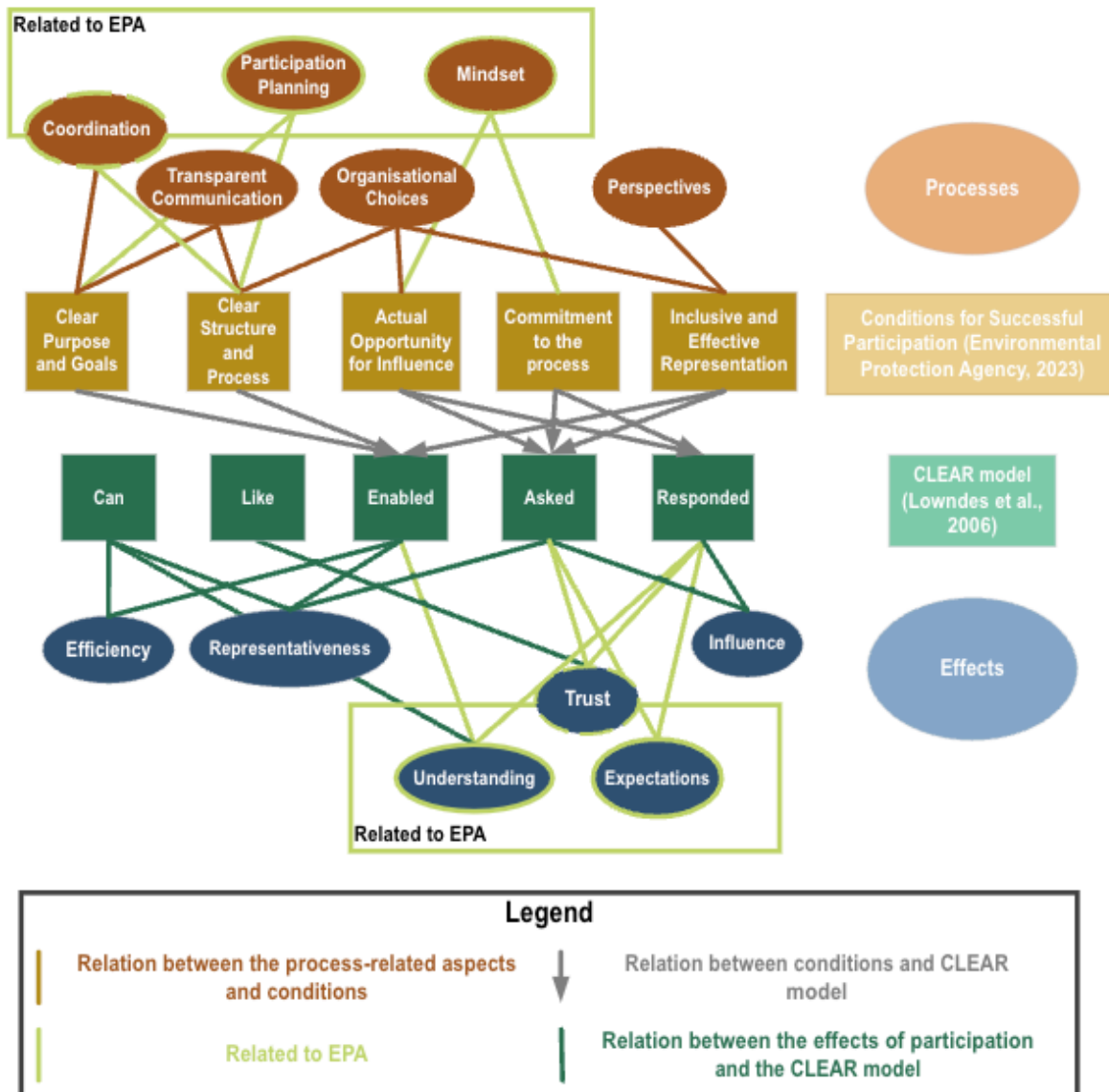


Figure 8.1: A visualisation of the framework connection findings to the CLEAR model and conditions for successful participation (Environmental Protection Agency, 2023; Lowndes et al., 2006).

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Recommendations and Limitations

The final part of this research describes the recommendations and limitations of the research. It begins with practical recommendations, followed by suggestions for future research avenues. Subsequently, the limitations of the research are discussed. The chapter concludes by describing some considerations that could focus as food for thought for organisers or academics looking for recommendations for future research directions.

9.1. Practical Recommendations

Based on the results of this research, several recommendations can be made for practice. First of all, it is crucial for organisations to develop a plan before seeking external input. Additionally, organisations should communicate the plan and outline what they intend to do with the feedback received. This is also prescribed by the project procedure, through the notification of participation.

Secondly, under the Environment and Planning Act, there can be a discrepancy between public expectations and actual influence. It is recommended to be transparent about the realistic extent of influence participants can have from the outset. By communicating in advance about the frameworks within which proposed solutions must fit, which is part of the project procedure, and being clear about where and on what topics people can provide input, where no input is accepted, and what is relevant at each stage, expectations can be better managed. Additionally, it is advisable to regularly check the status throughout the process to address any emerging misconceptions.

Thirdly, it was found that organising participation events where individuals not only interact with the organisation but also with each other is beneficial. This approach helps participants gain insights into diverse perspectives, fostering an understanding that it is not merely participants versus the organisation or governance, but emphasising that various opinions exist within society. As a result, participants may better understand why certain decisions are made by the organisation and why some of their wishes cannot be fulfilled.

Fourthly, it is advisable to carefully consider what type of input organisers wish to obtain and which perspectives they want to hear. They should tailor the process to these goals. By organising the participation process in a specific location, certain insights can be gathered. Additionally, the form of participation influences the types of people who participate.

Furthermore, they should align participation efforts with other ongoing processes and be mindful of the participation history in the area. Before the process begins, it is recommended to review other processes happening within the project area, such as those within the municipality or on a larger scale, and consider any overlaps with their own process. If overlaps exist, it is crucial to communicate between project organisations and coordinate the collected input and schedule participation events carefully to avoid overwhelming participants with too many events. Addressing concerns about formal and informal procedures and their interfaces proactively with clear guidance and communication is essential. This approach ensures that all participants understand the processes and know how their input will be used. By doing so, organisations can foster a more inclusive and effective participatory environment.

Finally, it is crucial to find a balance between transparency and the necessity of clear, accessible communication. While it is important to be open, ensure that communication is understandable for everyone. This may mean that some complex or technical documents should not be fully shared to

avoid misunderstandings. Organisers should carefully consider what to communicate and what not to. It helps to assess which issues are relevant and which aspects can be discussed at a given moment. If certain elements are not pertinent, it may be beneficial not to share them but to address them if necessary. On the other hand, if a complex aspect is crucial for the participation process, sharing it and focusing intensely on its explanation can aid in ensuring understanding for all involved.

9.2. Poster Visualisation of Practical Recommendations

To summarise the practical recommendations and provide participation organisers with guidelines and considerations for organising participation, a poster of the participation process was developed. This poster, also translated into Dutch for practical reasons, can be found in Appendix A. It illustrates the participation process as three distinct elements: preparation, execution, and conclusion. Each element consists of several steps, asking questions to the organisation that help in participation planning and highlighting important aspects for discussion.

Given the potentially lengthy nature of participation processes, the poster allows for flexibility, enabling organisers to come back to earlier steps if necessary, for example to revise the scope or adjust the goal. Interviews revealed the importance of involving participants early in the preparation phase to collaboratively establish the process's goals.

The right-hand side of the poster outlines the different steps of the project procedure. These steps can be considered when organising the participation process for the project decision. However, the poster can also be used independently of this procedure and is applicable to other participation processes. It was designed for general use in organising public participation.

9.3. Recommendations for future research

In this subsection, recommendations for future research are described. Based on the limitations of this study and its findings, several avenues for future research are suggested.

Firstly, it would be valuable to investigate the "can" and "like" criteria of the CLEAR model in more depth. Future research could explore strategies to ensure that citizens are equipped with the necessary knowledge and resources to effectively participate in public processes. Additionally, understanding how to foster a sense of belonging and attachment among all societal groups is crucial. Research could focus on identifying and implementing community-building activities, inclusive engagement strategies, and communication practices that make diverse groups feel valued and connected to their community.

The current research focuses on the short-term effects of the Environment and Planning Act, examining its impact within the first few months after implementation. Future studies should investigate the long-term outcomes once the transitional period has ended and both organisers and participants have fully adapted to the new regulations. Such studies could provide insights into the sustained impact of the Act on public participation, revealing trends and adjustments over time.

This study investigated only two case studies, both of which are exploratory studies. Future research could expand on these findings by examining additional case studies, particularly those occurring in later project stages or organised in different settings. This would help determine whether the results observed in this study apply to a broader range of scenarios and contexts. By including a more diverse array of case studies, future research could provide a more comprehensive understanding of the Environment and Planning Act's impact on participation processes across various types of projects and organisational environments.

To understand how the Act is being implemented, it is recommended to systematically monitor and evaluate participation processes. This involves closely observing how governmental bodies interpret and apply the provisions of the law concerning public participation. By doing so, research can provide insights into the effectiveness and challenges of implementing the Environment and Planning Act in diverse contexts. Additionally, comparing participation within different components of the act or phases of participation processes, for example in the exploration phase or execution phase, can offer valuable lessons on best practices and areas needing improvement.

Moreover, this research does not compare the new situation with the old one. Conducting a comparative

analysis of public participation before and after the implementation of the Environment and Planning Act could offer valuable insights into the Act's effectiveness. This research should analyse key differences in participation levels, stakeholder engagement, and outcomes between the two periods. Such a study would help identify specific improvements or challenges introduced by the Act and offer recommendations for further improvements.

Lastly, this research primarily analysed a specific part of the Environment and Planning Act. Future research should explore other aspects of the Act, such as citizen-initiated projects. Investigating how public participation is shaped in these projects could provide insights into how those involved are consulted in smaller projects and how the Act might have changed and improved inter-citizen communication.

By addressing these areas, future research can provide a comprehensive understanding of the Environment and Planning Act's long-term implications and offer actionable insights to enhance public participation in infrastructural and spatial development projects.

9.4. Limitations

This study primarily focused on the short-term effects of the Environment and Planning Act, providing insights into its direct impact on participation processes. As a result, the exploration of long-term effects remained outside the scope of this research. Additionally, only two case studies were investigated, limiting the applicability of the findings, as they may not be representative of broader trends or applicable to other contexts.

Although various conditions for successful participation were examined, no direct links were identified between these conditions and the criteria "Can citizens participate?" and "Do they like to participate?" as outlined in the CLEAR model. This gap presents an interesting avenue for future research.

This study mainly focused on the effects of the Project Decision in the Environment and Planning Act, while numerous other important elements of the Act were left out of the scope. Therefore, there is scope for exploring the Act's impact on other forms of participation processes beyond those examined in this study. By broadening the scope to include participation processes such as citizen-initiated projects, future research can offer insights into the Act's influence on public participation initiatives.

9.5. Considerations

When analysing the results of the research, some interesting considerations were found. These reflective and informative insights are listed below. While the practical recommendations, described in subsection 9.1 outline specific actions for project organisations to follow, the considerations described in this section aim to raise awareness of important factors to keep in mind during the planning and execution phases.

1. *Where does participation end?*

An interesting discussion surrounding participation is about when participation should stop. On one hand, it is essential to allow everyone enough time and space to contribute their input and respond to information and ideas. On the other hand, the organisation must make a well-informed decision based on feedback from the whole society. Often, it is observed that opponents of an idea are more likely to engage in the process than supporters. This raises the question: if participation is prolonged excessively, does it risk prioritising the personal interests of a few over the broader interests of society?

This question also frequently arose in interviews with organisers of participation processes, who wondered if they were investing too much time and energy in organising the process. Because it is still unclear what exactly is required by law, and there is no experience yet with successful or unsuccessful participation processes, the organisers indicated that they might be putting in too much effort. This effort was aimed at preventing a scenario where a court might later determine that the participation process was inadequate, potentially leading to a reversal of decisions.

2. *Who makes the final decision and why?*

In complex processes involving multiple parties as decision-makers, it might be hard to clearly

identify and communicate which parties will make the final decision. It can be confusing if one party is deeply involved in the participation process while another ultimately makes the decision. Additionally, participants might believe their input is key, while the organisation may consider various other criteria in its decision-making process. Many people understand that government decisions often need to balance societal benefits, including financial and technical feasibility. Discussing decision-criteria upfront ensures that everyone is aligned and understands how their input will be utilised.

3. *Does the Environment and Planning Act cause confusion?*

In one of the interviews, it was highlighted that the introduction of the Environment and Planning Act should be viewed within the context of a broader shift where participation is becoming increasingly important in infrastructural and spatial development projects. As the implementation of the act approached, many parties attempted to organise participation processes that would be compliant with the new law. These initiatives, starting before the law was enacted and concluding after its implementation, sometimes encounter complex situations due to evolving terminology and differences between informal, flexible participation components and formal opinion procedures. These procedural differences can lead to confusion among participants. Common questions arise, such as:

- *If I have already participated, do I also need to initiate a formal opinion procedure if I disagree with something?*
- *Where is the best place to share my input, and how can I be sure that my input is considered?*

These questions reflect a broader concern that participants, especially those without a strong legal background, might struggle to navigate the complexities of the new procedures.

4. *How has the mindset behind participation changed?*

The mindset behind participation has significantly evolved in recent years. Where participation was once often seen as a formal obligation, it is now increasingly viewed as an essential part of policy-making and project development. This shift is partly due to the introduction of the Environment and Planning Act, which places a greater emphasis on participation in infrastructure and spatial development projects. There is a growing recognition that effective participation not only contributes to public support and legitimacy but also enhances the quality of decisions by incorporating a wider range of perspectives and knowledge.

5. *Participation and Disappointment*

Successfully organising participation processes so that they are both effective and satisfying for all stakeholders is one of the biggest challenges for the future. This requires a continuous commitment to improvement, learning from past experiences, and a flexible approach that can respond to the changing needs and expectations of society. By focusing on transparency, managing expectations, implementing effective feedback mechanisms, fostering engagement, and working towards shared goals, the participation process can be better designed to minimise disappointment and create broader support.

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Posters

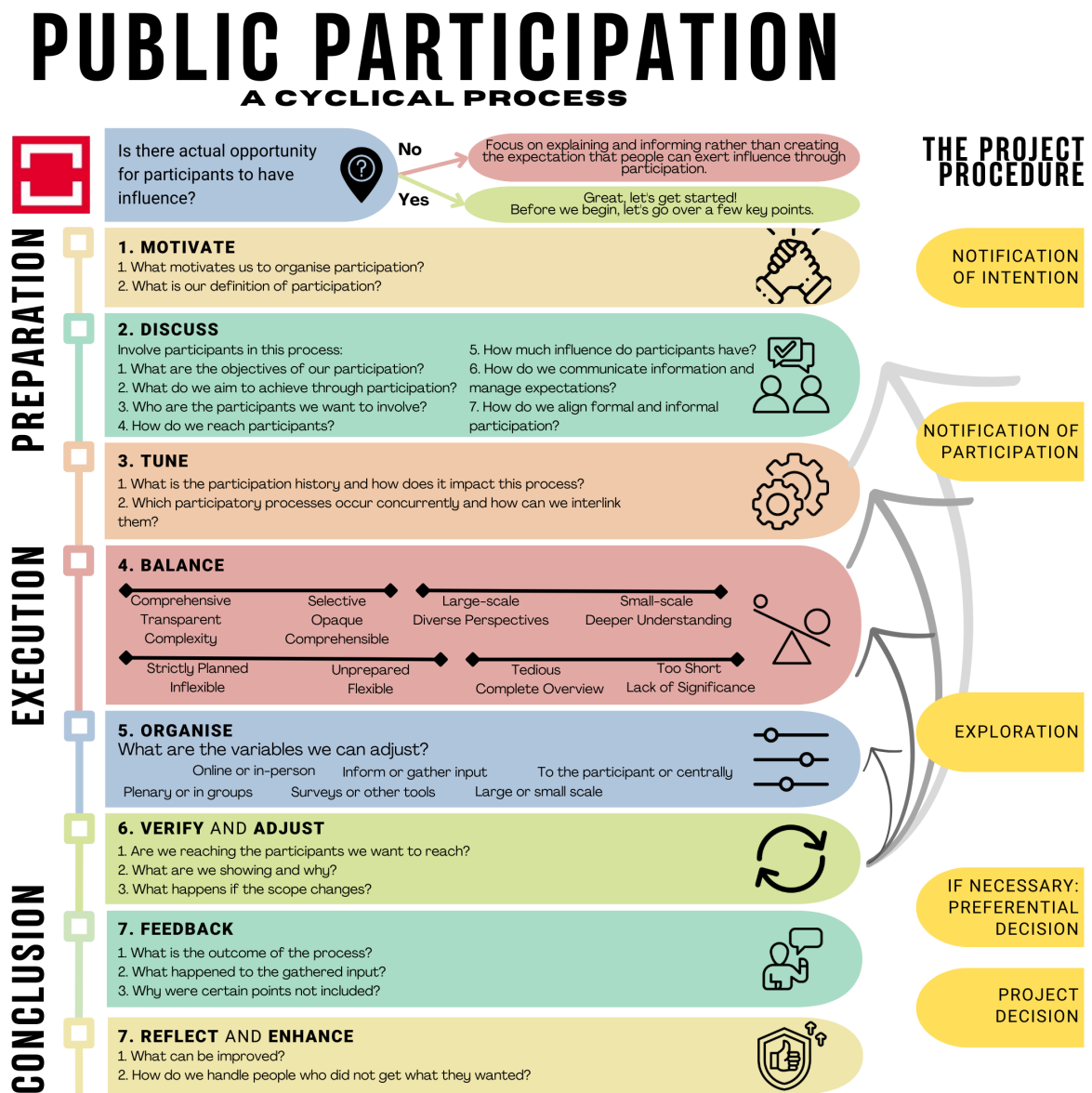


Figure A.1: The Public Participation Process Poster (made by author)

PUBLIEKE PARTICIPATIE

EEN CYCLISCH PROCES

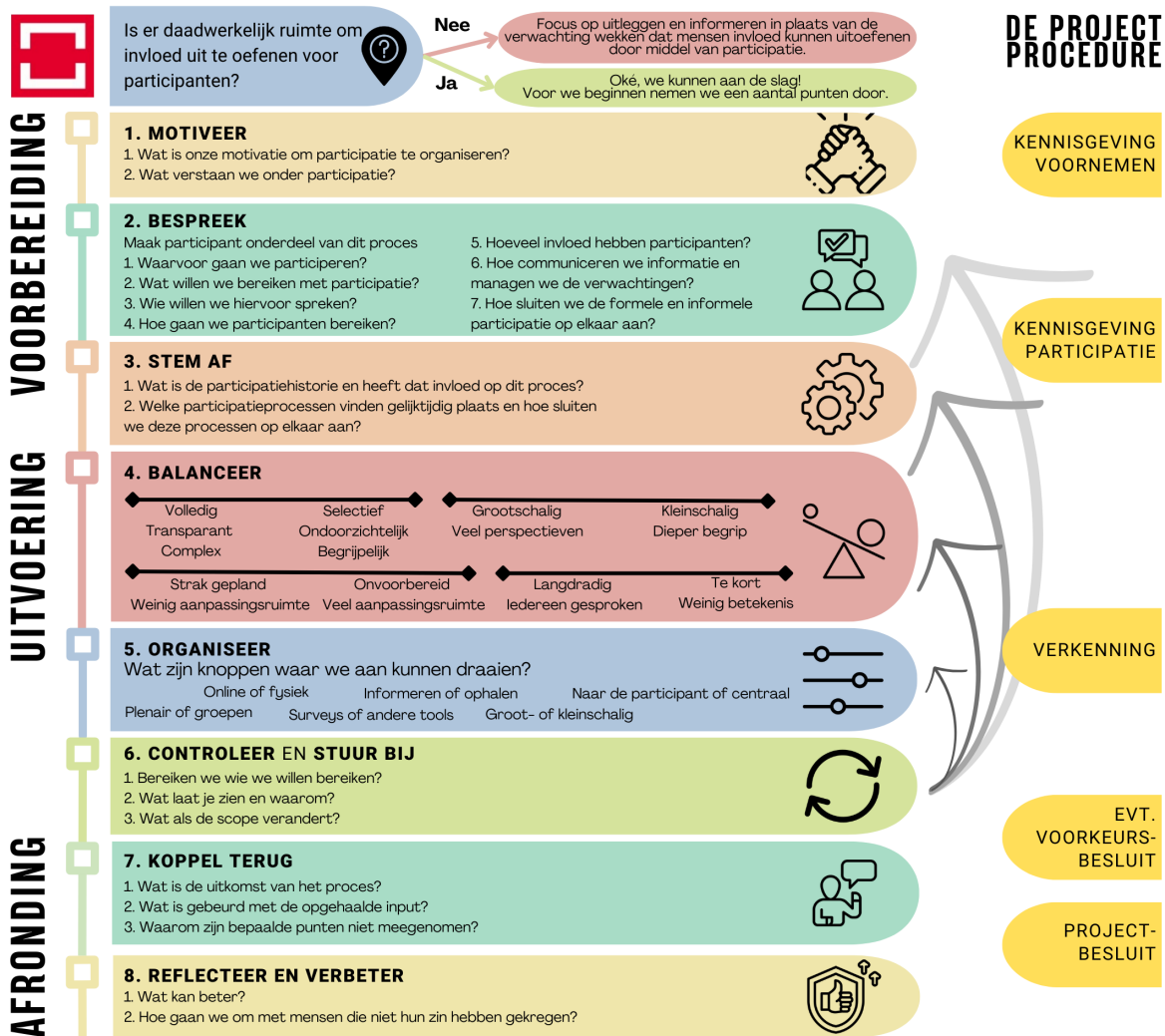


Figure A.2: The Dutch Public Participation Process Poster (made by author)

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Interview Protocols

B.1. Interview protocol participants

B.1.1. Introduction

Thank you for agreeing to participate in this interview. I am interviewing you to better understand how participants experience public participation for big infrastructural and spatial projects and how we can improve the way public participation is organised. There is no right or wrong answer to any of my questions, I am interested in your own experiences and opinions.

Participation in this study is voluntary and your decision to participate can always be reversed during the interview. The interview should take approximately one hour depending on how much information you would like to share. With your permission, I would like to audio record the interview because I don't want to miss any of your comments. All responses will be transcribed and anonymised by me, only the anonymised responses will be used for the research. After transcription, the data will be shared with you for agreement and after agreement the audio recordings will be deleted.

I will ensure that any information I include in my report does not identify you as the respondent. You may decline to answer any question or stop the interview at any time and for any reason. Are there any questions about what I have just explained?

May I start the audio recording?

Please note that this guide only represents the main themes to be discussed with the participants and as such does not include the various prompts that may also be used (examples given for each question). Non-leading and general prompts will also be used, such as "Can you please tell me a little bit more about that?" and "What does that look like for you". The protocol is written in present tense but can be changed to past tense in case of the HOV4 case study, which is finished when the interviews are conducted.

B.1.2. Background

Before we begin, it would be nice if you could tell me a little bit about yourself and your relation to the participation process. *(Specify a question here to specific person and/or situation. For example: "How long have you been living here and how do you like living here?")*

B.1.3. Participation process

Current participation process: general

Can you tell me more about the current participation process you are being involved in?

Prompts: How did you get involved in the process? Why did you get involved?

Prompts: What does the process look like? What are the key elements of the process? What sort of tools does the project organisation use?

Current participation process: communication

Can you tell me more about the communication with the project organisation?

Prompts: What information was given about the process before it started? What are the goals of the participation process and when were they communicated? Where and to whom can you address questions and comments? Can you give examples of communication?

Prompts: Since when have you been involved? How did you find out about the process happening? What do you think about the accessibility of the participation process?

Current participation process: expectations in decision-making

Can you tell me more about how your input will be used in decision making?

Prompts: How are you able to communicate your feedback? How will your input be used in the decision-making process?

Prompts: How do you find the involvement of different (age) groups from society? Are those involved a good reflection of society?

Current participation experience

How do you experience the participation process?

Prompts: What do you like about the process?

Prompts: What do you think could be improved? (e.g. process, tools, communication, etc.) What do you think are key elements for a successful participation process?

B.1.4. Previous participation experiences (possibly)

Can you tell me more about earlier participation processes you have been involved in?

Prompts: Have you ever been involved in such a participation process before? If yes, could you tell me more about that process? Who were responsible for the organisation of the process?

Prompts: How did you experience those processes? Why did you think that?

Prompts: Were there parts in a previous process that you would like to see used in the current process? What were those things that worked well and not so well?

B.1.5. Conclusion

What makes a participation process successful for you? (outcome, participation, support, feeling heard?) What are components of a successful participation process? If you were to give any advice to the participation organisation, what would it be? Is there anything else that you would like to comment on?

B.2. Interview Participation Experts

B.2.1. Introduction

Thank you for agreeing to participate in this interview. I am interviewing you to better understand how public participation for big infrastructural and spatial projects is being shaped since the introduction of the environment and planning act and how we can improve the way public participation is organised. There is no right or wrong answer to any of my questions, I am interested in your own experiences and opinions.

Participation in this study is voluntary and your decision to participate can always be reversed during the interview. The interview should take approximately one hour depending on how much information you would like to share. With your permission, I would like to audio record the interview because I don't want to miss any of your comments. All responses will be transcribed and anonymised by me, only the anonymised responses will be used for the research. After transcription, the data will be shared with you for agreement and after agreement the audio recordings will be deleted.

I will ensure that any information I include in my report does not identify you as the respondent. You may decline to answer any question or stop the interview at any time and for any reason. Are there any questions about what I have just explained?

May I start the audio recording?

Please note that this protocol only represents the main themes to be discussed with the participants and as such does not include the various prompts that may also be used (examples given for each question). Non-leading and general prompts will also be used, such as "Can you please tell me a little bit more about that?" and "What does that look like for you". The protocol is written in present tense but can be changed to past tense in case of the HOV4 case study, which is finished when the interviews are conducted.

B.2.2. Background

Before we begin, it would be nice if you could tell me a little bit about yourself. *(Tailor a question here to specific person and/or situation. For example: "How long have you been working for this municipality, could you describe your role and what do you like about your role?")*

B.2.3. Public participation

Value of public participation

What does public participation mean to you (mainly informing or participating)?

Prompts: Can you describe the value of public participation? Why is it needed and can you give examples?

Prompt: Can you describe what problems participation should address?

Prompts: Can you describe the effects of public participation? (Can you describe the effects of participation on support for policies and projects? What are the effects of participation on the decision-making process)?

Success of public participation

Can you describe when public participation is considered a success for you?

Prompts: What are key success factors for public participation? When do you consider the participation process a success or a failure? Can you give examples of this?

Experience with public participation

Can you describe your experience with public participation?

Prompts: What did the process look like? What were the results? How were the results used? (Policy choices/decision-making in projects?) Prompts: Can you describe negative or positive experiences with participation? Do you see common mistakes in participation?

B.2.4. Current study**Current participation process**

Can you tell more about the exploration and participation process taking place?

Prompts: What is the purpose of the process? When is the process successful? How do you know if citizens are sufficiently involved? Prompts: What makes an MIRT study different from a normal participation process within your municipality, field of expertise? Are there advantages and disadvantages?

B.2.5. Effects of the Environment and Planning Act

Can you describe the main changes you see since the introduction of the Environment Act? (Within participatory processes)

Prompts: What are the challenges of implementing the law in participation processes? Can you describe the expected outcomes of implementing the Environment and Planning Act?

Prompts: After almost 4 months, what are the positives of the Environment Act? And what are the areas for improvement? Why is that? Do you have examples of these?

B.2.6. Conclusion

How can the insights from the participation process contribute to guidelines for better public participation?

If you could do the participation process over again, what would you improve?

What is the most important lesson you learned from this participation process?

Is there anything else you would like to comment on?

B.3. Interview project managers and area managers

B.3.1. Introduction

Thank you for agreeing to participate in this interview. I am interviewing you to better understand how public participation for big infrastructural and spatial projects is being shaped since the introduction of the environment and planning act and how we can improve the way public participation is organised. There is no right or wrong answer to any of my questions, I am interested in your own experiences and opinions.

Participation in this study is voluntary and your decision to participate can always be reversed during the interview. The interview should take approximately one hour depending on how much information you would like to share. With your permission, I would like to audio record the interview because I don't want to miss any of your comments. All responses will be transcribed and anonymised by me, only the anonymised responses will be used for the research. After transcription, the data will be shared with you for agreement and after agreement the audio recordings will be deleted.

I will ensure that any information I include in my report does not identify you as the respondent. You may decline to answer any question or stop the interview at any time and for any reason. Are there any questions about what I have just explained?

May I start the audio recording?

Please note that this protocol only represents the main themes to be discussed with the participants and as such does not include the various prompts that may also be used (examples given for each question). Non-leading and general prompts will also be used, such as "Can you please tell me a little bit more about that?" and "What does that look like for you". The protocol is written in present tense but can be changed to past tense in case of the HOV4 case study, which is finished when the interviews are conducted.

B.3.2. Background

Before we begin, it would be nice if you could tell me a little bit about yourself. *(Tailor a question here to specific person and/or situation. For example: "How long have you been working for this municipality, could you describe your role and what do you like about your role?")*

B.3.3. Current participation process

Current participation process: general

Can you tell me more about the participation process you are involved in?

Prompt: Under what capacity are you involved?

Prompts: What does the process look like? What are the key elements of the process?

Prompt for Area Manager: What participation tools do you use in the process and why?

Current participation process: organisation

Can you tell me more about the organisation of the participation process?

Prompts: How does the organisation look like? What is your role within the organisation? What roles are crucial in a participation process?

Prompts: What are the main tasks of your role? From the perspective of your role, what is the importance of participation? From your perspective, what is the main driver for organising participation (because you have to, or because you want to)?

Current participation process: communication

Can you tell me more about the communication with participants?

Prompts: Who are the targeted participants and how do you involve them? Can you reflect on that involvement?

Prompts: How does the organisation communicate with participants? What information is given about the process before it starts? What are the goals of the participation process and when are they communicated?

Current participation process: effectiveness

How would you qualify the success of a participation process?

Prompts: When is a participation process successful? Which factors are crucial for the success of participatory process?

B.3.4. The Environment and Planning Act

What developments do you see in participation since the introduction of the environment and planning act?

Prompts: What are the main differences in participation practices since the implementation of the environment and planning act? How do you experience the changes since the introduction of the environment and planning act?

B.3.5. Improvements

What would improve if you were to organise the process again?

Prompt: What are the main challenges in organising successful public participation?

Prompt: How would your ideal process look like?

B.3.6. Conclusion

How can the insights gained from the participation process contribute to guidelines for better public participation?

What would you improve if you can do it again? (e.g. process, tools, communication, etc.)

What is the main lesson you learned from this project? Is there anything else that you would like to comment on?

B.4. Interview protocol public representatives

B.4.1. Introduction

Thank you for agreeing to participate in this interview. I am interviewing you to better understand how public participation for big infrastructural and spatial projects is being shaped since the introduction of the environment and planning act and how we can improve the way public participation is organised. There is no right or wrong answer to any of my questions, I am interested in your own experiences and opinions.

Participation in this study is voluntary and your decision to participate can always be reversed during the interview. The interview should take approximately one hour depending on how much information you would like to share. With your permission, I would like to audio record the interview because I don't want to miss any of your comments. All responses will be transcribed and anonymised by me, only the anonymised responses will be used for the research. After transcription, the data will be shared with you for agreement and after agreement the audio recordings will be deleted.

I will ensure that any information I include in my report does not identify you as the respondent. You may decline to answer any question or stop the interview at any time and for any reason. Are there any questions about what I have just explained?

May I start the audio recording?

Please note that this protocol only represents the main themes to be discussed with the participants and as such does not include the various prompts that may also be used (examples given for each question). Non-leading and general prompts will also be used, such as "Can you please tell me a little bit more about that?" and "What does that look like for you". The protocol is written in present tense but can be changed to past tense in case of the HOV4 case study, which is finished when the interviews are conducted.

B.4.2. Background

Before we begin, it would be nice if you could tell me a little bit about yourself. (Specify a question here to specific person and/or situation. For example: "How did you become a public representative and what are your focus areas?")

B.4.3. Public participation

Value of public participation

What does public participation entail for you? (mainly informing or thinking along?)

Prompts: Can you describe the value of public participation? Why is it needed? (Ask for examples)

Prompts: Can you describe the problems that participation should address?

Prompts: Can you describe the effects of public participation? (Can you describe the effects of participation on the support for policies and projects? What are the effects of participation on the decision-making process?) How do you see participation in relation to your role as representative of the people (it is a parallel process)? (As undermining or strengthening?)

Success of public participation

Can you describe when public participation is considered a success for you?

Prompts: What are key success factors for public participation? When do you consider the participation process considered a failure or a success? Could you provide an example?

Experience with public participation

Can you describe your experiences with public participation?

Prompts: What did the process look like? What were the results? How were the results used? (Effects on policy-making/projects)

Prompts: Can you describe negative or positive experiences with participation? Can you describe common mistakes in participation? (Mismatch expectations?)

B.4.4. Current MIRT study**Current participation process**

Can you talk more about the MIRT study and its participation process that is taking place?

Prompts: What is the goal of the process? When has the process succeeded? How do you know if citizens are sufficiently involved?

Prompts: What makes a MIRT study different from a normal participation process within your municipality? Are there any pros and cons?

B.4.5. Effects of EPA

Can you describe the main changes you see within participation processes since the implementation of the environment and planning act?

Prompts: What are the difficulties of implementing the act in participation practices? Can you describe the foreseen results of the implementation of the environment and planning act?

B.4.6. Conclusion

How can the insights gained from the participation process contribute to guidelines for better public participation?

If you could start the participation process over again, what would you improve?

What is the main lesson you learned from this participation process?

Is there anything else that you would like to comment on?

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Data Management

C.1. Data Management Plan

Plan Overview

A Data Management Plan created using DMPonline

Title: Master Thesis LJV

Creator: Laurens Visser

Principal Investigator: Laurens Visser

Affiliation: Delft University of Technology

Template: TU Delft Data Management Plan template (2021)

Project abstract:

The research will aim to analyse participation practices within Dutch infrastructural and spatial projects. The data will be gained by performing observations of multiple publicly available participation and information sessions and performing 15 interviews. The interviewees will be recruited through the network of the supervisors or will be approached during the participation sessions.

The main objective of this research is to understand the effects of the Environment and Planning Act on public participation in projects. Specifically, how is the participation process shaped in Dutch government-initiated infrastructural and urban development projects within the context of the environment and planning act and what can be improved?

ID: 145127

Start date: 01-01-2024

End date: 30-06-2024

Last modified: 01-03-2024

Master Thesis LJV

0. Administrative questions

1. Name of data management support staff consulted during the preparation of this plan.

My faculty data steward, Xinyan Fan, has reviewed this DMP on 1st of March, 2024.

2. Date of consultation with support staff.

2024-03-01

I. Data description and collection or re-use of existing data

3. Provide a general description of the type of data you will be working with, including any re-used data:

Type of data	File format(s)	How will data be collected (for re-used data: source and terms of use)?	Purpose of processing	Storage location	Who will have access to the data
Citations	.pdf	Publicly available literature	Compare Insights	OneDrive	Me, my supervisors from TU Delft and AT Osborne
Other relevant literature	.pdf	Publicly available literature	Analyse participation theories	OneDrive	Me, my supervisors from TU Delft and AT Osborne
Observational notes, no personal information is noted.	.docx & .pdf	Observations of participation sessions	Analyse participation practices	OneDrive	Me, my supervisors from TU Delft and AT Osborne, quotes can be published in the thesis.
Informed consent form for interviews	.docx & .pdf	Interview	Ask permission to use data	OneDrive	Me
Voice recordings of interviews	.mp3	Interview	Use to transcribe interviews	OneDrive	Me
Interview Transcripts	.docx & .pdf	Interview	Analyse practitioners insights	OneDrive	Me, interview participants
Anonymised interview transcripts	.docx & .pdf	Interview	Analyse practitioners insights	OneDrive	Me, my supervisors from TU Delft and AT Osborne, anonymised quotes can be published in thesis.
Contact information interviewees	.docx & .pdf	Interview	Analyse practitioners insights	OneDrive	Me
Analysed data supporting thesis results	.docx & .pdf	Qualitative analysis	Analyse effects of new act on public participation	OneDrive	Me, my supervisors from TU Delft and AT Osborne, anonymised analysis can be published in thesis.

4. How much data storage will you require during the project lifetime?

- < 250 GB

II. Documentation and data quality

5. What documentation will accompany data?

- README file or other documentation explaining how data is organised
- Methodology of data collection

III. Storage and backup during research process

6. Where will the data (and code, if applicable) be stored and backed-up during the project lifetime?

- OneDrive

IV. Legal and ethical requirements, codes of conduct

7. Does your research involve human subjects or 3rd party datasets collected from human participants?

- Yes

8A. Will you work with personal data? (information about an identified or identifiable natural person)

If you are not sure which option to select, first ask your [Faculty Data Steward](#) for advice. You can also check with the [privacy website](#). If you would like to contact the privacy team: privacy-tud@tudelft.nl, please bring your DMP.

- Yes

I will conduct interviews, working field and experiences of the interviewees will be noted.

8B. Will you work with any other types of confidential or classified data or code as listed below? (tick all that apply)

If you are not sure which option to select, ask your [Faculty Data Steward](#) for advice.

- No, I will not work with any confidential or classified data/code

9. How will ownership of the data and intellectual property rights to the data be managed?

For projects involving commercially-sensitive research or research involving third parties, seek advice of your [Faculty Contract Manager](#) when answering this question. If this is not the case, you can use the example below.

As a master student I'm not required to publish underlying data sets. The underlying data will be shared in the appendix of the thesis report. As a principle researcher, I will overview the access of the data of the project until the publication of the thesis report.

10. Which personal data will you process? Tick all that apply

- Signed consent forms
- Names and addresses
- Email addresses and/or other addresses for digital communication

- Other types of personal data - please explain below
- Data collected in Informed Consent form (names and email addresses)

Information on working status and professional background

11. Please list the categories of data subjects

Professionals and participants who will be interviewed, an overview of the data subjects is given below:

- Project managers
- Area managers
- Public representatives
- Policy makers
- Participants

12. Will you be sharing personal data with individuals/organisations outside of the EEA (European Economic Area)?

- No

15. What is the legal ground for personal data processing?

- Informed consent

16. Please describe the informed consent procedure you will follow:

To ask permission to record the interview. Each interview will be transcribed as soon as possible. After the transcription is agreed upon, the recording will be deleted. The transcript of the interview is checked with the respondent. The transcript is sent to the respondent and the respondent provides comments on the written text. In this way the respondent has the opportunity to check if the transcript is a correct representation of the interview or if the transcript contains any inaccuracies or unwanted sensitive statements.

Before the interview the respondent will be asked to give informed consent. Only if the respondent gives his or her consent then the interview will be held. I will request the email address of the respondent so that I can email the anonymised quotes of the respondent that I want to use. I will only use these anonymised quotes if the respondent agrees on me using it.

17. Where will you store the signed consent forms?

- Same storage solutions as explained in question 6

18. Does the processing of the personal data result in a high risk to the data subjects?

If the processing of the personal data results in a high risk to the data subjects, it is required to perform [Data Protection Impact Assessment \(DPIA\)](#). In order to determine if there is a high risk for the data subjects, please check if any of the options below that are applicable to the processing of the personal data during your research (check all that apply).

If two or more of the options listed below apply, you will have to [complete the DPIA](#). Please get in touch with the privacy team: privacy-tud@tudelft.nl to receive support with DPIA.

If only one of the options listed below applies, your project might need a DPIA. Please get in touch with the privacy team: privacy-tud@tudelft.nl to get advice as to whether DPIA is necessary.

If you have any additional comments, please add them in the box below.

- None of the above applies

19. Did the privacy team advise you to perform a DPIA?

- No

22. What will happen with personal research data after the end of the research project?

- Personal research data will be destroyed after the end of the research project

V. Data sharing and long-term preservation**27. Apart from personal data mentioned in question 22, will any other data be publicly shared?**

- No other data can be publicly shared - please explain below why data cannot be publicly shared

I will only share the anonymised interview transcripts in the appendix of the thesis report. The analysed data will be shared in the appendix as well.

29. How will you share research data (and code), including the one mentioned in question 22?

- My data will be shared in a different way - please explain below

My data will be shared in the appendix of the thesis.

30. How much of your data will be shared in a research data repository?

- < 100 GB

31. When will the data (or code) be shared?

- As soon as corresponding results (papers, theses, reports) are published

32. Under what licence will be the data/code released?

- Other - Please explain

Not relevant.

VI. Data management responsibilities and resources**33. Is TU Delft the lead institution for this project?**

- Yes, leading the collaboration - please provide details of the type of collaboration and the involved parties below

The thesis is written in collaboration with AT Osborne. The supervisors will have access to my data during the research as specified in Q3.

34. If you leave TU Delft (or are unavailable), who is going to be responsible for the data resulting from this project?

Johan Ninan, assistant professor at the TU Delft
Email address: J.Ninan@tudelft.nl

35. What resources (for example financial and time) will be dedicated to data management and ensuring that data will be FAIR (Findable, Accessible, Interoperable, Re-usable)?

Not relevant

C.2. Consent Form Interviews

Beste lezer,

U wordt uitgenodigd om deel te nemen aan een onderzoek genaamd *Public Participation in Complex Dutch Urban Development and Infrastructure Projects within the framework of the Environment and Planning Act*. Dit onderzoek wordt uitgevoerd door Laurens Visser van de TU Delft, in samenwerking met AT Osborne.

Het doel van dit onderzoek is veranderingen van publieke participatie in de praktijk na de komst van de omgevingswet te analyseren en zal ongeveer 60 minuten in beslag nemen. De data zal gebruikt worden voor een kwalitatieve analyse voor mijn Master Scriptie. U wordt gevraagd om deel te nemen aan het interview en aan de hand van uw antwoorden bij te dragen aan het onderzoek.

Zoals bij elke online activiteit is het risico van een databreuk aanwezig. Wij doen ons best om uw antwoorden vertrouwelijk te houden. We minimaliseren de risico's door geen persoonlijke gegevens te documenteren en data te anonimiseren voor het gebruik, data die gebruikt wordt in het onderzoek wordt voor goedkeuring voorgelegd aan de geïnterviewde. Alle verzamelde informatie zal alleen opgeslagen worden door de TU aangedragen OneDrive en zal na verwerking verwijderd worden.

Uw deelname aan dit onderzoek is volledig vrijwillig, en u kunt zich elk moment terugtrekken zonder reden op te geven. U bent vrij om vragen niet te beantwoorden.

Naam onderzoeker: Laurens Visser

Mail onderzoeker: l.j.visser-1@student.tudelft.nl

GELIEVE DE JUISTE VAKJES AAN TE KRUISEN	JA	NEE
A: ALGEMENE OVEREENSTEMMING - ONDERZOEKSDOELEN, TAKEN VAN DEELNEMERS EN VRIJWILLIGE DEELNAME		
1. Ik heb de informatie over het onderzoek gedateerd .../.../..... gelezen en begrepen, of deze is aan mij voorgelezen. Ik heb de mogelijkheid gehad om vragen te stellen over het onderzoek en mijn vragen zijn naar tevredenheid beantwoord.	<input type="checkbox"/>	<input type="checkbox"/>
2. Ik doe vrijwillig mee aan dit onderzoek, en ik begrijp dat ik kan weigeren vragen te beantwoorden en mij op elk moment kan terugtrekken uit de studie, zonder een reden op te hoeven geven.	<input type="checkbox"/>	<input type="checkbox"/>
3. Ik begrijp dat mijn deelname aan het onderzoek de volgende punten betekent: <ul style="list-style-type: none"> Het onderzoek is gericht op het analyseren van participatiepraktijken binnen Nederlandse infrastructurele en ruimtelijke projecten. De gegevens worden verkregen door observaties van meerdere publiek toegankelijke participatie- en informatiesessies en het uitvoeren van interviews. Interviews worden opgenomen, de opgenomen interviews worden opgeslagen op de TU Delft OneDrive De opgenomen interviews worden getranscribeerd en geanonimiseerd, waarna de audiobestanden verwijderd zullen worden. 	<input type="checkbox"/>	<input type="checkbox"/>
4. Ik begrijp dat de studie op uiterlijk 1 juli 2024 eindigt en dat geanonimiseerde onderdelen van het interview gepubliceerd kunnen worden als onderdeel van het onderzoek.	<input type="checkbox"/>	<input type="checkbox"/>
B: POTENTIELE RISICOS VAN DEELNAME (INCL. DATA BESCHERMING)		
5. Ik begrijp dat mijn deelname de volgende risico's met zich meebrengt: databreuk en verlies van opgenomen bestanden/transcripties. Ik begrijp dat deze risico's worden geminimaliseerd door gebruik te maken van TU Delft officiële OneDrive en de verwerkte bestanden direct te verwijderen.	<input type="checkbox"/>	<input type="checkbox"/>
6. Ik begrijp dat mijn deelname betekent dat er persoonlijke identificeerbare informatie en onderzoeksdata worden verzameld, met het risico dat ik hieruit geïdentificeerd kan worden.	<input type="checkbox"/>	<input type="checkbox"/>
7. Ik begrijp dat binnen de Algemene verordening gegevensbescherming (AVG) een deel van deze persoonlijk identificeerbare onderzoeksdata als gevoelig wordt beschouwd.	<input type="checkbox"/>	<input type="checkbox"/>
8. Ik begrijp dat de volgende stappen worden ondernomen om het risico van een databreuk te minimaliseren, en dat mijn identiteit op de volgende manieren wordt beschermd in het geval van een databreuk: <ul style="list-style-type: none"> Data wordt alleen opgeslagen op de TU Delft OneDrive Opgenomen interviews worden getranscribeerd en geanonimiseerd, begeleiding van de TU Delft en AT Osborne heeft alleen toegang tot de geanonimiseerde data. Na transcriptie worden opnames verwijderd. 	<input type="checkbox"/>	<input type="checkbox"/>
9. Ik begrijp dat de persoonlijke informatie die over mij verzameld wordt en mij kan identificeren, zoals naam, werkplaats en contactgegevens, niet gedeeld worden buiten het studieteam.	<input type="checkbox"/>	<input type="checkbox"/>

GELIEVE DE JUISTE VAKJES AAN TE KRUISEN	JA	NEE
10. Ik begrijp dat de persoonlijke data die over mij verzameld wordt, vernietigd wordt op uiterlijk 01-07-2024.	<input type="checkbox"/>	<input type="checkbox"/>
C: PUBLICATIE, VERSPREIDING EN TOEPASSING VAN ONDERZOEK		
11. Ik begrijp dat na het onderzoek de geanonimiseerde informatie gebruikt zal worden voor het analyseren van de gevolgen van de omgevingswet op publieke participatie. Deze analyse kan gepubliceerd worden in de master scriptie en academische rapporten.	<input type="checkbox"/>	<input type="checkbox"/>
12. Ik geef toestemming om mijn antwoorden, ideeën of andere bijdrages anoniem te quoten in resulterende producten.	<input type="checkbox"/>	<input type="checkbox"/>
D: (LANGDURIGE) OPSLAG EN TOEGANG VAN GEGEVENS		
13. Ik geef toestemming om de geanonimiseerde data (verwerkte transcripties) die over mij verzameld worden gebruikt worden in dit onderzoek, dat vervolgens gepubliceerd worden in de TU Delft Repository.	<input type="checkbox"/>	<input type="checkbox"/>

HANDTEKENINGEN

Naam deelnemer

Handtekening

Datum

Ik, **de onderzoeker**, verklaar dat ik de informatie en het instemmingsformulier correct aan de potentiële deelnemer heb voorgelegd en, naar het beste van mijn vermogen, heb verzekerd dat de deelnemer begrijpt waar hij/zij vrijwillig mee instemt.

Laurens Visser

Naam onderzoeker

Handtekening

Datum

Contactgegevens van de onderzoeker voor verdere informatie:
Laurens Visser, +31 6 57995767, l.j.visser-1@student.tudelft.nl