

Countryside Consensus

LARA's Seminar, held at the National Watersports Centre, Holme Pierrepont,
by kind permission of Sport England
2 October 1998

Programme

- 10.25 Welcome **Geoff Wilson**, Deputy Chairman, LARA
- 10.35 Speaker #1 **Bob Cartwright**, Head of Park Management
Lake District National Park Authority
[Bob's paper is reproduced here.]
- 10.50 Plenary brainstorm **What are the characteristics of a consensus process?**
[All participants suggest items which are listed here]
- 10.55 Speaker #2 **Schia Mitchell**, Project Co-ordinator,
The Environment Council
[Schia spoke to bullet points and notes, and acted as seminar co-ordinator on the day - her input is reflected in the whole programme.]
- 11.10 Workshop session #1 **Listing questions to be answered**
[Seminar participants are invited to suggest the questions they want answered. These are divided into two lists: those that the workshop groups can address (internal) and those that the speakers might address along the way. Prioritisation is done by participants sticking one coloured dot per person against the question of their choice.]
- 11.30 Workshop session #1 **Dealing with these questions**
[Each group is allocated a priority question and a second question to get some spread. If someone in a group desperately wants to deal with a different question they can ask to move. Each group table has two flip chart sheets to be written on (flat on the table).
Each group spends 15 minutes listing the PROBLEMS/ CONCERNS/ ISSUES on one sheet
And 15 minutes listing SOLUTIONS/ OPPORTUNITIES
On another sheet (with group number at the top)
These sheets are transferred across to the picture gallery.]

- 12.10 Picture gallery **Delegates' comments on the answers**
[The participants have 20 minutes to go and look at the picture gallery of the previous session. Everyone has a pad of Post-It Notes and a black felt pen. Everyone writes comments (as they feel moved) and sticks these alongside each item on the flip-chart sheets. The Post-It Note comments are shown in this report in the shaded boxes.]
- 12.30 Speaker #3 **Steve Jenkinson**, Editor of *Waymark*, journal of the Institute of Public Rights of Way Officers
[Steve's paper is reproduced here]
- 13.45 Speaker #4 **Mick Presland**, Regional Development Officer, Sports England
[Mick spoke to bullet points, reproduced here.]
- 14.00 Workshop session #2 **Feedback on the morning session**
[Things raised, or missed, by the morning sessions - more Post-It Notes, more questions.]
- 14.30 Speaker #5 **Audrey Wedderburn**, National Trails Officer, The Countryside Commission
[Audrey did a participation exercise, with visual presentation - this will not reproduce here - our apologies.]
- 14.55 Workshop session #2 **How is this relevant to me? How do I take this forward?**
[More flip-chart sheets, which are reproduced here, with additional Post-It Note comments.]
- 15.15 Plenary **Feedback from groups & questions**
- 15.30 Chairman to close **Geoff Wilson**, Deputy Chairman, LARA & Chief Executive, Auto Cycle Union

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Question/task: **BOB CARTWRIGHT'S BULLET POINTS**

INTERLOCKING INTERESTS

HONEST APPROACH

INVOLVE THOSE WHO MUST BE INVOLVED

KEEP THE INTERESTED PARTIES INFORMED

MEASURE THE SIZE OF THE TASK

ESTABLISH THE IMPORTANCE OF THE ISSUE

ENSURE THE ABILITY TO SEE THE JOB THROUGH

IDENTIFY AND EXPOSE ULTERIOR MOTIVES

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Question/task: BOB CARTWRIGHT'S PAPER

Are you an *involved* party or merely *interested*?

The countryside is made up of an enormous number of interlocking *interests* and a large proportion might be directly *involved*. It depends on the issue. The Countryside March showed how many interest groups were around; the farmers with the desperate economics of agriculture today, the hunters, the access to the countryside lobby, those against genetically modified animals and crops, those fighting the closure of village schools and shops. Many sought to influence the message about the issues that *they* felt to be at stake, but will they all be actively involved in finding a solution?

We can talk glibly about getting stakeholders together to seek consensus, we can ask them to share 'ownership' of a problem and tease out solutions to be tried and tested. We can all explore opportunities for new ways of co-operating, sit down regularly to review progress, analyse the results, isolate and remove the weaknesses and share the strengths of the lessons learned. It all sounds so grown up, mature, logical and sensible. Yet how often does it happen? How often does it *work*?

An honest approach is essential: Are the 'conservation lobby' and local authorities laying a veneer of respectability and political correctness in exploring consensus management? In their heart of hearts, do they know that what they should really do is lead from the front - if only they had the powers? Are they giving the users just enough rope to hang themselves?

Is the 'recreation lobby' ingratiating itself with the environmentalists, extracting concessions and commitments that will later be used in evidence against them if they don't get their way?

If we assume for the moment that human beings are *normally* inclined to be open, honest and constructive, the only other requirements are:

- i. Involve those who must be involved;
- ii Keep the interested parties informed at every stage in the process.

Making Consensus Work

Measure the size of the Task

Assess the number of bodies with an interest - and their potential to help, if involved genuinely and respectfully. Do not lose sight of their ability to hinder progress if ignored, insulted or derided.

Establish the importance of the issue

Be aware that sometimes the issue at stake is of only marginal interest to those who must be essential to seeking a solution. If it is of a lower priority than some other pressing matter, how **do** you involve them? The issue has to be made relevant and important, not because **we** say so, but because **they** believe it to be so.

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BOB CARTWRIGHT'S PAPER 2/2

Ensure there is the ability to see the job through

Understand that a lack of resources available within organisations will inhibit their ability to achieve effective consensus management. Authorities must make their own minds up but I do know that many bodies relying on volunteers struggle to find able people willing to negotiate effectively and offer long term commitment. Somehow we need to train people to measure the cost of the alternatives, **and** to be courageous.

The Lake District National Park Authority showed considerable foresight and courage in being willing to break new ground with the Hierarchy of Trail Routes Experiment, trusting its staff to try something different, knowing that things could go badly wrong. They believe, however, that time invested now will pay dividends in the future.

Identify and expose the ulterior motives

Be astute enough to recognise that many interested parties - and some of the involved ones - have other motives (actual or perceived) for becoming stakeholders. Campaigning bodies in the countryside have traditionally achieved so much by lobbying from a partisan viewpoint to protect what is good about the British countryside. But can they be (are you) really committed to consensus? Will those that you campaign for think of you as collaborators with the opposition? Are you undermining the principles that led them to join your organisation in the first place?

I cannot stress too greatly, from my own experience, the difficulties involved in bringing opposing groups together, keeping them together, exploding myths and dismantling prejudices. However....

Consider the Alternative

Faced with these daunting obstacles to success, resorting to "hard legal processes" and "administrative management systems" (to quote from Alan Kind's pre-conference papers) has some appeal doesn't it? At your feet lie clear rules of engagement, limited personal risk, and a thoroughly boring way of enduring a career in countryside management.

Some people have spent much of their professional lives, and some recreationalists have spent too much of their leisure time, in adversarial roles. Some have enjoyed it ("my second hobby is being difficult"); many have not.

If consenting adults are involved, consensus management is worth a try. Some Authorities know from bitter experience that if both sides aren't up for it, consensus is only worth pursuing once the Secretary of State's report has thudded onto the mat. Where there is trust and a willingness to listen, the scope for progress is immense.

Bob Cartwright is the Head of Park Management for the Lake District National Park Authority

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Question/task: LIST ALL CONSENSUS CHARACTERISTICS

BALANCE
COMMUNICATION
NO HIDDEN AGENDAS
COMPROMISE
COMMON SENSE
OPTIMISM
ARBITRATION
KNOWLEDGE
PRACTICALITY
POLARISATION
VISION
BENEFITS OF HINDSIGHT
DOGGEDNESS
TOLERANCE
SCOPE
REVIEW
INCLUSION
EXPERIENCE
TALK & LISTEN
MEDIOCRITY
RISK TAKING
FALLING BETWEEN TWO STOOLS
UNDERSTANDING
COMMON DENOMINATOR
LOWEST COMMON MULTIPLE
IDENTIFYING GOAL
NON-LEGALISTIC
A PLAN
DENIAL
FAIRNESS
FLEXIBILITY
TRUST
DETERMINATION
ABANDON PREJUDICE

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Question/task:	CONSENSUS QUESTIONS 'INTERNAL'	The numbers are the number of votes each topic received to select questions for further discussion in groups.
HOW TO FIND A FACILITATOR?	10	/
FACILITATOR - WHAT SKILLS?	4	
HOW TO AVOID LOSE – LOSE?	6	
HOW DO YOU INVOLVE RELUCTANT FOLK?	16	
THE POLITICAL DIMENSION?	3	
CAN THE GROUP IMPLEMENT SOLUTIONS DURING THE PROCESS?	1	
IS A CONSENSUS PROCESS FINITE?	4	
HOW TO COPE WITH SOMEONE WHO WILL ACCEPT ONLY ONE OUTPUT?	15	
WHEN IS CONSENSUS INAPPROPRIATE?	5	
HOW TO DEAL WITH PRECONCEPTIONS?	6	
SHOULD ALL INTERESTS BE INVOLVED?	21	
INVOLVING THE LEGAL SYSTEM	17	
IS THE ADVERSARIAL PROCESS A BLOCK?	2	
HOW TO DEAL WITH DISHONEST CLAIMS	6	
IS THERE AN 'END' TO A CON. PROCESS?	1	
FEELINGS OF 'SELLING OUT' YOURSELF?	1	
WHO DRAWS UP GOALS?	1	
WHO DRAWS UP RULES OF ENGAGEMENT?	4	

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Question/task: WHO TO INVOLVE - AND HOW?

ISSUES & CONCERNS:

CHOOSING PARTNERS
THOSE CAUSING THE PROBLEM
THOSE AFFECTED
STATUTORY AGENCIES
TOO MANY INEFFECTIVE ELEMENTS
DANGER OF EXCLUSION OF THOSE WITH AN INTEREST

DEFINE THE PROBLEM

INVOLVE ELECTED REPRESENTATIVES

AGENCIES BADLY PERCEIVED - WRONG!

AGENCIES ARE NOT CO-ORDINATING

SOLUTIONS:

WIDE RESEARCH ON THOSE AFFECTED
KEEP ACCESS TO THE PROCESS OPEN
FLEXIBLE STRUCTURE TO MEETINGS
CONSIDER USING SUB-GROUPS
LAYERING OF INTERESTS INTO PRIMARY, SECONDARY, ETC.
COMMUNICATION - INSIDE AND OUTSIDE

FLEXIBILITY OF STRUCTURE IS ESSENTIAL

LAYERING IS ESSENTIAL

WHEN NECESSARY PEOPLE ARE RELUCTANT:

WHO & WHY ARE RELECTANT, E.G.
ENTRENCHED POSITIONS
LACK OF CONFIDENCE OR COMPETENCE
PRACTICAL ISSUES - TIME AND EXPENSES
HOW IS RELUCTANCE IDENTIFIED?
VESTED INTERESTS
POLITICAL DIMENSION
LACK OF VESTED AUTHORITY
LACK OF CONSENSUS WITHIN ORGANISATIONS - DOMINANT FACTION

WHO & WHAT DO THEY REPRESENT?

WHY BOTHER WITH SUCH PEOPLE?

HOW DO WE OVERCOME APATHY?

EXPLANATION

The left columns list topics highlighted by the seminar delegates in open forum. These were written up on 'flip chart' sheets and pinned up on the wall in a 'gallery'.

The tinted panels in the right columns represent comments on 'Post-It Notes' stuck on as the day and discussions developed.

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Question/task: INVOLVEMENT OF THE LEGAL SYSTEM

PROBLEMS:

LAW IS BASED ON OLD IDEAS & NEEDS
ADVERSARIAL CULTURE
BLACK & WHITE - CONTRADICTORY
EXPENSIVE
EXCLUSIVE

BEST ADVERSARIAL
SKILL WILL ALWAYS
WIN?

CONCERNS:

SLOW TO CHANGE
AWKWARD TO CHANGE
INTERPRETATION
LAWYERS' VESTED INTERESTS

KEEP LAWYERS OUT OF
THE PROCESS!
CORRUPTION

ISSUES:

HOW TO CONVINCE PARTICIPANTS TO
IGNORE LEGAL SOLUTIONS

CANNOT IGNORE LAW -
CHANGE THE LAW!
DON'T IGNORE LAW -
TAKE INTO ACCOUNT

SOLUTIONS:

NON-LEGALISTIC EXPERIMENT
INVOLVE/INFORM LAWYERS
LAWYERS KEEP A WATCHING BRIEF
AGREEMENT FOR FAIR PLAY

MAKE LEGAL
SOLUTIONS A LAST
RESORT

OPPORTUNITIES:

CHANGE LAW TO HELP THE CONSENSUS
PROCESS
GO 'OUT ON A LIMB'
USE THE LAW CONSTRUCTIVELY AND
CREATIVELY

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Question/task: **FACILITATORS - ISSUES & OPPORTUNITIES**

CONVINCE OUR OWN ORGANISATIONS

**WHAT ABOUT THE
NON-ATTACHED?**

KEEPING MOMENTUM

KEEPING THE TARGET REALISTIC

THE STATUS QUO MIGHT SUIT ONE SIDE?

BETTER OUTCOME?

BETTER PROCESS

POTENTIAL SAVINGS IN £s

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Question/task: FACILITATORS - SOLUTIONS

SET TIME SCALE

HONEST BROKER?

COMMUNICATION

PROMOTE CONSENSUS APPROACH

'CHAMPIONS' OF CONSENSUS

DOES FACILITATOR
REQUIRE SPECIALIST
KNOWLEDGE OF ISSUE,
OR CONSENSUS SKILLS?

INDEPENDENT - AGREEABLE TO ALL
PARTIES

RESPECTED RATHER
THAN INDEPENDENT -
WHO IS TRULY
INDEPENDENT?

MANAGE THE PROCESS - BIG FIRST STEP

HOW ABOUT A PAIR OF
FACILITATORS - ONE
FROM EACH SIDE?

UNDERSTANDING AND BUYING IN TO THE
CONSENSUS PROCESS

HOW DOES AN
INDEPENDENT
FACILITATOR KNOW THE
ISSUES?

COMMITMENT

DEMONSTRATE
LEADERSHIP - GAIN
PEER GROUP SUPPORT

USE AN INTERNAL
FACILITATOR - SAVE
MONEY?

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Question/task: **HOW TO DEAL WITH DISHONEST CLAIMS TO REINFORCE A POSITION**

IS IT DELIBERATE/INTENTIONAL?

DOES DISHONEST INCLUDE EXAGGERATED?

MOTIVE - UNDERSTANDING?

PROCESS MUST DEAL WITH PREJUDICES AS WELL AS FACTS

STARTING POINTS

BIG MONEY INTERESTS WILL DO 'ANYTHING' TO WIN!

LOSING SIGHT OF OBJECTIVE

HOW DO YOU OVERCOME FEAR OF CRIME?

LOSING FAITH IN PROCESS

WHO'S TO SAY WHAT'S DISHONEST?

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Question/task: DEALING WITH SOMEONE WHO WILL ACCEPT ONLY ONE OUTPUT - PROBLEMS

ANY LATITUDE?

DON'T THEY UNDERSTAND DEMOCRACY?

SKILLS OF FACILITATOR

1ST FIND MOTIVE AND POSITION, I.E. THE STARTING POINT

GIVING WAY

PERSUASIVE

DO THEY REPRESENT THE MAJORITY?

HALTING PROCESS

LOST HOPES

HOW DO YOU KNOW BEFORE THE END?

DISILLUSION - DESTROY - TERRORIST - WRECK PROCESS

PREJUDICE

GIVE THEM ENOUGH ROPE...

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Question/task: SOMEONE WHO WILL ACCEPT ONLY ONE OUTPUT
- SOLUTIONS

DISMISS - EXCLUDE

LAST RESORT -
ULTIMATELY,
EXCLUSION MEANS

INFLUENCE - UNDERSTAND

PERSUADE - TOLERATE

EXPOSE PREJUDICES AND
MISCONCEPTIONS

CONVERSION

STRENGTHEN THE PROCESS

PEER PRESSURE

HE/SHE MAY ACTUALLY BE RIGHT!

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Question/Task: STEPHEN JENKINSON'S PAPER

PEOPLE POWER

With an active background in countryside access as - amongst other things - a walker, cyclist, rights of way officer and national park authority member, Stephen Jenkinson presents a personal insight into one of the ingredients for a successful consensus approach.

Forget laws, British Standards and government directives. People's unique and powerful perceptions are the key to success in access management...

Is this really for you?

With all the workaday talk of highway law, Planning Policy Guidance, High Court action and strategic plans, it is all too easy to let the tail wag the dog in countryside and access management. In other words, I think we all too easily forget that these regulations and standards are not Holy Grails in themselves. In truth, these are just tools to guide us towards what matters most in any kind of management: people. Forget the human factor at your peril. Politicians know this: people are their business. And like it or not, there will always be a political dimension to countryside work.

Academics and other 'experts' may seem to have all the scientific facts and technical solutions, but the latter alone are rarely enough to solve problems in the Real World. Theoretical solutions have to operate in a human context, and are thus dependent on all the personal hopes, fears, illogicalities - and consequential frustrations! - of mankind. But this key principle is no bad thing, as mastering people power gives you some very effective consensus-building techniques, that will work in many conflict situations. This paper introduces some of these principles and approaches, that you can take away and use to fertilise a consensus approach.

That's not fair!

People get uncomfortable about validating perceptions, as they are individually unique, and thus not easy to simplify, define or control. There is no Department of the Environment circular or British Standard on perceptions - though a European directive may be on its way! But this is also the strength of dealing in perceptions, as their infinite variety allows an equally varied range of unique and creative solutions to be found.

Another important fact is that you can start dealing with perceptions without knowing all the fine print. Indeed, too much technical knowledge and logicity can be a hindrance! All the same, when *you* know all the technicalities and facts, starting to then deal in perceptions complicates things, doesn't it? It makes life more difficult, even though it can make things much better overall in the long-term. That's so unfair, isn't it? Do you agree? Excuse me, but who told you life was meant to be easy?

Sure, we'd all like an easy ride, but if you *really* care about your hobby or the environment, or whatever, isn't it a bit of an insult to its value if you are only prepared to be involved if it's straightforward? As I see it... and to quote from M Scott Peck in *The Road Less Travelled*:

Life is difficult

This is a great truth, one of the greatest truths

It is a great truth because once we truly see this truth, we transcend it

Because once it is accepted, the fact that life is difficult no longer matters

Life is a series of problems

Do we want to moan about them or solve them?

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STEPHEN JENKINSON'S PAPER 2/7

If you really want to make progress, just accept that life is hard, and then put your energies into making things better. Watch the news tonight, or read a newspaper. Who are the people making progress and inspiring you to support them the most? How many of these are moaners? And how many are people looking to the future, making you believe things can change for the better? And if that's how you react to moaners, how do people perceive you? Are you one of those increasingly-common people who gets 95 per cent of what you want, but still moans just as much about the five per cent you didn't get?

As I see it, the four Ps work here:

**Positive
People
Promote
Progress**

From my knowledge of professionals in many areas of work, people who moan - be they access users, rights of way officers or councillors - only inspire others to do *just* enough to shut them up. And if moaners show they are never going to be satisfied, others will give up trying to please them at all, especially if there are not enough resources to help everyone anyway. On the other hand, positive people inspire others to achieve results for a common feel-good factor - and then to do even more to heighten the feeling of success. Positive people can still be critical... but they always place the greatest emphasis on finding solutions and ways forward. What sort of person would you be keener to build consensus with? So before we move onto the next section, please place any moaning tendencies in the corner of the room. Don't worry, they'll still be there if you want them back to use later.

Fact, fiction... or perception?

You might think that rights of way management, with its supposedly solid legal facts and specifications, would be fairly straightforward and uncomplicated - not so! This is because conflict is usually centred on perceptions, which often have little to do with facts. Instead they are formed by an infinite variety of emotional baggage, such as an individual's background, up-bringing, education, feelings, health, personal confidence or insecurity.

Imagine there is a partly drunk bottle of beer in front of you. What do you think about it?

Facts:

this bottle has 500ml of beer in it

it is made of glass

the top has been removed

Perceptions:

it's half full

it's half empty

is it safe to drink?

I prefer Carlsberg

who's been drinking my beer?

let's stop reading this and go for a drink!

Few people would describe the bottle to a friend by stating one of the facts. You are most likely to respond with a perception; namely, a personal *interpretation* reflecting your feelings and background at the time. In fact, if you asked a friend for his opinion on the bottle, and he replied "it's got 500ml of beer in it", you'd be forgiven for thinking he's a bit of a smart arse! In short, we expect perceptions - rather than objective facts - all the time in everyday life. Thus, looking at any conflict or proposal, it is totally human and normal for people to perceive it in a unique way; a way that is also likely to be quite different to yours. And so, I suggest if you want to make positive progress in consensus management, just accept people's perceptions as a starting point, however whacky or opposed to your own they may be. Because in truth:

PERCEPTION IS REALITY

There is no such thing as a false perception. A perception is real, vivid, and alive for its beholder, although some people are more open and honest about their perceptions than others. Trying to influence an opponent head-on by arguing "that's not how it is in reality" is, I find, a pretty ineffective ploy; it may simply serve to further entrench the other person's position, or make them less likely to be open about their feelings in the future. For example, it is pointless trying to win an argument about whether a painting is good or bad. Different people will see the exact same picture as attractive, hideous, inspirational or depressing, amongst many other adjectives. Indeed, the same person may see the same picture differently depending on the context, such as their current mood, the type of frame or where it is hung. And thus, because landowners, access users - even rights of way officers - are all human, the same principles of perceptions and context apply to countryside conflicts. Let's look at some examples...

The three hat trick

Here we get down to some nitty-gritty countryside access scenarios - and the perceptions and reactions involved.

And before anyone gets offended, I do this as someone who wears all the hats below through my various roles... so I'm allowed to be irreverent to each of them!

And whilst none of them describes any particular person, including myself, the attitudes are very much based on what I've encountered in real life, albeit rolled together into one character.

Let's introduce the hats...

Hat one is for an access user. It's a woolly knitted item with a bobble on top, so we'll say it belongs to a keen walker, called Brian Longstrides. Recently-retired Brian has lots of spare time and is determined to be the best footpath secretary Twee Valley walkers' club ever had; he's resolved to put right 50 years of neglect in the first year of his appointment. After all, the law seems so simple to Brian. Armed with a copy of the *Blue Book* on rights of way law - which has very special qualities as it was touched by rambling media-luvvy Janet Street-Porter - he's ready for a battle. He's careful noted that the *Blue Book's* chapter "Things you can do" lists making complaints to the High Court, Ombudsman or District Auditor long before doing something positive yourself, like waymarking, building stiles, clearing vegetation, seeking consensus or agreeing strategies and priorities.

Hat two - let's say a policeman's hat - goes to Barry Browbeaten, rights of way officer for Ultravires County Council. Despite his enthusiasm for the countryside, Barry recently joined a wine circle and squash club, to replace his interest in walking, as it now reminds him far too much of work. Whilst colleagues think his tally of four 'thank you' letters over ten years is amazingly good, Barry now finds it easier to detach himself from his work. Like other rights of way officers, his principles of fair play, equality and impartiality are still held dear. But with an increasingly demanding public and pitiful resources, he knows that whatever decision is made, someone will be unhappy, and so the moaning is now just background noise. Barry still holds out for an opportunity to rekindle his enthusiasm, and vainly searches for tasks, however modest, that will be appreciated and feel like he's made some progress.

Hat three - a dignified feathery creation from Jean-Louis of Bond Street - belongs to county councillor Felicity Arbuthnott-Smythe, the third generation of Smythes in public service. After meeting that most charming chairman of the Countryside Commission, she's utterly convinced of the need for all these 'path-ways' to be opened-up. But from her walks around the constituency - that strangely coincide with local elections - the problems of unclassified county roads or definitive maps, rarely get into the top ten issues, compared to meals on wheels, books for schoolchildren or dog fouling. She did once take an interest in a rights of way case, but found the views so polarised that whatever she did, the venomous hate mail came from one side or the other. After newspaper coverage, the wider electoral repercussions of appearing to support obsessive militant 'anoraks' on either side of the debate, did little to convince her that much good could come from it. Whilst genuinely caring very much about equality and the poor people, she knows that to influence things she has to get re-elected.

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STEPHEN JENKINSON'S PAPER 4/7

So now, here we have three different but crucial people involved in countryside issues; let's see what their interpretations are of the same phrases... a bit like contestants describing the same word on the television programme *Call my Bluff*.

Phrase one: "You must unblock this right of way as it is a statutory duty"

Brian the walker: "This is something that has to be done now - because a) it's the law and, b) I've complained about it."

Barry the ROW officer: "I don't need any patronising reminders about what the law says - letters from users across the county remind me every day! But I can't do them all, and so have to prioritise. And quite frankly, my bosses would rather I did the statutory duties where the council gets the most significant progress, or at least good publicity or thanks, rather than just deal with whoever shouts loudest, and who will continue to moan whatever we do."

Felicity the councillor: "Well, there are a lot of other statutory duties, and a lot of other very worthy projects that would benefit many people, much more than unblocking the odd path that some enthusiast demands stays open. Whilst all the paths should be open, and we'll no doubt get there eventually, it would be very difficult to justify giving very much extra cash to rights of way, when education and social services are being cut.

Local government is about meeting the overall public interest, which is definitely not the same thing as meeting the individual demands of each member of the public. I can't see any good coming from this, as all Mr Longstride will do once it is sorted, is complain about another problem."

Phrase two: "Serving a Highways Act section 56 notice" (this is a method of taking the Highway Authority (local council) to magistrates' court to try and make them put right an allegedly defective right of way)

Brian the walker: "These notices give the council the willies all right - plus a day in court for me and all the publicity. It's bound to make things better. The rights of way officer will hate me for it, but I don't care - the end justifies the means. I'll be a hero. A latter-day David against the Goliath."

Barry the ROW officer: "Yawn, not another one! Brian is entitled to make the complaint; I personally don't blame him as the budget is far too low. The trouble is, all senior managers will do is tell me to shift funding from other jobs onto the routes that the notice refers to. This often means abandoning jobs that could bring-in grant aid or are actually more cost-effective to put right.

As for feeling scared, I don't think so. I'm here as a professional to act for the council, and I know I've done what they wanted. Threats from users are hardly worrying stuff compared to, for example, the threats of violence made against my family by landowners when we take enforcement action."

Felicity the councillor: "The easiest thing is to do the work to shut the chap up, but it doesn't mean there'll be extra money, as the budget has been set. And if Mr Longstrides' actions mean other work has to stop, I'll make sure the people who are now disappointed know why. He'll have to live with the consequences. But if he carries on serving these notices, we'll stand up to him, as once he appears like an obsessed fanatic, I'll get more credibility from 'normal' people for being strong."

Phrase three "Let's be friends"

Brian the walker: "This is my new tactic. I'll chum up to the council like their best friend. I won't criticise them to their face, and say they are much better than the adjacent authority. I'm sure to get my way then."

Barry the ROW officer: "I gave up trying to be friends with access user groups ages ago. All I want is for them to be open, honest and help make some realistic progress; in fact I get very suspicious if they are too friendly. I don't mind them criticising pitiful resources as I don't take it personally, it helps make my case with the bosses, and in truth I feel the same way. But as a professional, I can't openly say that; users in the past have betrayed my trust and ineptly regurgitated informal comment in complaints to councillors. Amusingly, Brian doesn't realise I know he slags me off to my friend at the council next door - so his patronising means nothing. We officers have just as good a grapevine as users do."

Felicity the councillor: "Friends... after all these years of politics, it makes me uneasy when these

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STEPHEN JENKINSON'S PAPER 5/7

moaners suddenly go quiet; trust and respect are built, not instantly given. I'm happy for Mr Longstride to make his case like before, as long as he does it in a positive way to give me some political benefit in supporting him. And for that he needs to listen to other people's concerns and values just as much as he'd like to be listened to himself. He needs to give me some positive outcome from supporting him, superficially being his 'chum' doesn't do that."

Does some of this sound familiar? Like them or not, these views - and others like them - are very much alive around the country.

The important thing is to just accept these perceptions and then find a way forward. And one of the best ways of getting somewhere, is to use a map...

Maps really are the key

The reason Brian, Barry and Felicity have these different responses is that they see the world in different ways; they have different mental maps of how things are, from which they form their perceptions. Let's look at this concept further, as I know people dealing with public access feel more comfortable when dealing with maps of any kind. Let's use paper maps to illustrate this issue of interpretation (another word for perception) first of all. All geographical maps of this planet are based on the same resource: the Earth. But, unless you are Michael Palin or Richard Branson going around the world, you don't want a map of all the earth's surface and all its features - that's far too much information. So, most of us opt for a view that's edited to our particular area of interest, be it a certain region or type of feature, as with a geological map. But by doing that, we also make our maps less relevant to people with other interests.

Take a standard London Underground map that you find in diaries and on the back of London A to Z maps. This map works well for passengers, but it's no good for the maintenance engineers, as the lengths are all distorted - the distances between stations outside the centre of London are compressed to fit on the page. An engineer wants a map that is to scale and shows exactly where the lines, signals and junction boxes are. Get the idea? It's the same Underground system, but the maps are drawn in different ways to suit different purposes; you can't simply say one map is more correct than another - because the map's value depends on the purpose it's being put to. The same theory works with people's mental maps of how they perceive different situations; the features included and contexts covered are certain to be different. Thus maps - paper or mental - are drawn, and so work best, for a specific purpose.

Looking at the perceptions of our three hats, we can start to see what their mental-maps have been drawn to achieve:

Brian the rambler: his mental map shows just those blocked paths he wants to use.

Barry the ROW officer: his map shows all the blocked paths in the county.

Felicity the councillor: her map shows not just rights of way, but also homes for the elderly and schools, so on.

Do you see? It's the same county, but seen from different mental-maps, and thus different perceptions. You might not like another person's mental map, but it works for them; thrusting your map at them is not likely to make them feel comfortable or secure. So for a consensus approach, it's easier to overlay your mental map with the areas and features from other people's maps. And once people know you can see things from their point of view, they are more likely to start accepting your perception of the situation in return. You don't have to use all the other person's map features. For example, there are many public houses on Ordnance Survey maps, but you don't have to go to them just because they are recorded. But if you want to see the world through the eyes of someone who's thirsty, having the pubs marked on will help a great deal! And even if you don't like looking at them, knowing how and why these mental maps were drawn is extremely useful, as it allows you to...

Look for the positive intention. For almost everything done by humans in this world:

THERE IS ALWAYS A POSITIVE INTENTION

...even if the outcome isn't always as positive!

By understanding how and why people draw their mental maps, you can start to see their positive intentions. You may find those intentions unhelpful or unjust from your perspective, but all the same the other party will see them as a positive outcome. Even things staying the same is a positive outcome, if that's what the other person wants. The fact that:

THERE IS ALWAYS A POSITIVE INTENTION

is crucial to remember, as once you start to look for it, it usually gives two big benefits and powerful tools to use:

Firstly, you'll start to find common goals. In the case of the three hats, they are all happy in principle to have paths opened up; it's just other factors on their maps that shift the emphasis.

Secondly, once you know the positive intention, you can start to offer constructive alternative routes towards that positive intention. These alternative approaches may very well meet the positive intentions of other parties, including your own. That spookily sounds like finding a consensus...

And once you can see and share that positive intention, even if it doesn't address all *your* individual desires, you grab the attention of the other parties. They now want this approach to succeed too. But you really have to see this common vision, and truly see it, in all its depth and colour. This is why you need to accept the other person's perception; otherwise how can you see, what you deny exists?

As William Blake, British poet and visionary wrote:

*Man's Desires are limited by his Perceptions;
none can desire what he has not perceived.*

So, looking at our three hats again, let's work out the real positive intentions...

Brian the rambler: he wants to be seen as the best footpath secretary and get paths opened up.

Barry the rights of way officer: he wants to use his limited funds wisely and get back some enthusiasm and positive encouragement for his work.

Felicity the councillor: she wants to be associated with making positive progress on something with wide benefits and best value for a whole range of people... oh, and get re-elected.

Now that we've found and read the mental maps, and so discovered the deeper positive intentions, we can see that in practice, there is no conflict between the core desires of Brian, Barry or Felicity. Making progress now becomes much clearer: just find a way forward that addresses all these positive intentions. I don't know about you, but now I know the positive intentions, I can think of a variety of ways that this can be done. These alternative ways forward are not apparent if you just read the immediate perceptions of the phrases in the Three Hat Trick section above.

The key is looking deeper and through your own immediate reaction and needs, to what others are saying or perceiving, which is not always easy if you don't like what is being said. But it is very worthwhile doing so, as finding common goals is a very sustainable place to start. However benevolent we may be, it is only human nature to find more energy for a project that *you* really want to succeed, rather than just tolerating someone else's agenda for a while. And it is these common goals that will sustain a consensus approach, as everyone has a true stake in the outcome. Without a shared positive outcome, the debate is likely to focus on differences - and all the tension and failure that goes with them - as these may be all people have to hold onto.

Maybe you don't need consensus?

You may still be unconvinced about this consensus and perception lark. That's your choice. Indeed, it may well be your perspective! And in truth, I think you will be disappointed if you just see consensus as simply a 'nicer' way of getting exactly what you want. If you are not prepared to give some ground and accept compromises, consensus probably won't work for you. After all, why should other people compromise for you, if you won't do so for them? Consensus may well mean backing-down when you 'know' you are right. However, looking at the big picture from where I stand, consensus is truly a way of

Countryside Consensus

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making the most productive use of your time, which overall will help you to get more of what you want. But without acknowledging the latter facts and having a wider vision, I suggest you will fall into the trap (or continue to stay in it!) of parochially fighting to the death over every little issue, at the expense of exploring other areas where consensus, and thus progress, will be far greater.

Consensus probably isn't for you if you believe that:

- * statutory duties will always be a top priority for everyone else
- * highway law on its own will give a quality rights of way network
- * you will get everything you want
- * you are always right
- * the cheque is in the post
- * the tooth fairy and Santa Claus really do exist

Sure we'd all like the above to be true in an ideal world. And it's not for me to tell you that such a perfect world isn't worth fighting for. All I can say is that, in my experience, once you accept that the world will never be perfect, and that life is difficult, you will realise far more of your true potential to change things for the better. I think many people head for the law, confrontation - or just moan - because they simply don't see another way; but there are solutions just there to be had. Of course, you may have to go to the law as a last resort, but through consensus I believe there is a real possibility of solutions that are much more pleasant and, most of all, achieve far more than a statutory approach ever could.

The end... Or just a beginning?

I hope this, and the rest of the consensus papers, inspire you towards a new beginning and positive approach. The past has gone; let's learn from it what we can and then move swiftly on. To be truthful, when I first discovered these mental maps and perceptions, I thought it might be a recipe for more uncertainty and a lack of clear vision. In practice - and as someone with several 'hats' - I've found it a very productive privilege to have all these 'mental-maps'. Today, I'm not just working with one mental map at a time, but several - although they all have goals and outcomes that I share. I very much treasure the flexibility and depth this gives me. I hope you too extend your collection of maps, and thus find consensus to conserve and enhance the very precious resource that we all care passionately about - albeit drawn on different maps!

Remember:

- * Conflict is all about people
- * Life is difficult - accept it
- * Positive People Promote Progress
- * Perception is reality
- * Look for the mental map
- * Find the positive intention
- * Propose other ways forward
- * There is always another way!

Stephen Jenkinson works in a portfolio of roles related to access and countryside management; the views in this paper, however, are his own and not representative of any organisation or client he works with.

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Question/task: STEPHEN JENKINSON'S LAST WORD!

THINK.... 'DUMP'

DIFFICULT - LIFE IS - ACCEPT IT!

UNLOAD THE BAGGAGE

MAPS ARE THE KEY - LOOK FOR THEM

POSITIVE INTENTION - ALWAYS THERE!

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Question/task: MICK PRESLAND'S BULLET POINTS

1. SPORT ENGLAND:
 - * ROLE
 - * AIMS
 - * 'CONSIDERED APPROACH'

2. 'A COUNTRYSIDE FOR SPORT'
 - * STRATEGIC
 - * IMPROVE ACCESS
 - * SUSTAINABLE
 - * POSITIVE PLANNING
 - * 'PLAN NOT BAN'

3. HOUSE OF COMMONS SELECT COMMITTEE
 - * PPG 17

4. EXAMPLES OF CONSENSUS
 - * MEMO OF UNDERSTANDING
 - * SPORTING & CHALLENGE EVENTS
 - * ELSON REPORT
 - * SE EVOLVING POLICIES

5. CASE STUDIES
 - * WINDERMERE
 - * BROADS
 - * MOTORSPORTS
 - * ORIENTEERING

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Question/task: POINTS FOR DISCUSSION - AFTERNOON SESSION

ENGAGEMENT OF WIDER PUBLIC

DEFINING TERMS OF ENGAGEMENT

DEFINING GOALS

POLITICAL DIMENSION

IS THERE AN END TO A CONSENSUS
PROJECT?

HOW DID YOU FIND THE MORNING
SESSION?

Countryside Consensus

Question/task: 'TROUBLEMAKERS' - AND HOW TO HANDLE THEM

LEAVE THEM OUT?

NO! FIRST GET THEM
'AWAY FROM THE
ANSWERS'

INVOLVE EVERYONE AS EARLY AS
POSSIBLE

BUT THIS DOES NOT
NECESSARILY MEAN
ALL AT THE SAME

STRATA OF PARTICIPATION

HOW DO YOU DEAL WITH 'PERIPHERAL
INTERESTS'?

APPEASE THEM?

NO FIXED COMMITTEE

HAVE AN 'ELASTIC
TABLE'

TERMS OF ENGAGEMENT - VARY

NEED STEERING
GROUP

MANAGEMENT OF STAKEHOLDERS'
ASPIRATIONS

NEED A PROCESS
CONSULTANT

SHOULD FACILITATOR BE INDEPENDENT?

TRUST AMONG PARTICIPANTS

REMOVES NEED FOR
INDEPENDENT
FACILITATOR?

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Question/task: HOW IS ALL THIS RELEVANT TO ME? [SHEET 1]

BUILD CONSENSUS INTO EVERYDAY
ACTIVITIES

IT IS A TOOL TO AVOID CONFRONTATION -
ADDS VALUE TO THE STATUTORY
CONSULTATION PROCESS

MORE LISTENING - LESS TELLING! -
DEFUSES POTENTIALLY EXPLOSIVE
SITUATIONS!

'AS A NEW OFFICER I'VE FOUND
CONSENSUS APPROACH IS LACKING IN
MY ORGANISATION - IT IS NEEDED'

PEOPLE WANT TO HEAR WHAT I HAVE
GOT TO SAY NOW

ALL OUR ROLES WILL CHANGE WITH THE
ADVENT OF THIS APPROACH

IT'S SUSTAINABLE AND FITS LOCAL
AGENDA 21

THE PROCESS CAN MODIFY AND INFORM
THE FINAL SOLUTION, BUT EQUALLY
MIGHT CONFIRM (AND THUS VALIDATE)
THE ORIGINAL VIEW

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Question/task: HOW IS ALL THIS RELEVANT TO ME [SHEET 2]

BEST USER-FRIENDLY TOOL FOR THE JOB

[TO ACHIEVE THE
SATISFACTORY END
RESULT]

FLEXIBLE

PEOPLE ORIENTATED

REQUIRES PEOPLE
SKILLS

TRIED AND TESTED

SUSTAINABLE!

CLARIFICATION OF A COMMON SENSE
PROCEDURE

IS THIS PREACHING TO THE CONVERTED?

RELEVANT ONLY IF ALL PARTIES ARE
WILLING PARTICIPANTS

WE ARE ALL DOING IT TO SOME EXTENT
ALREADY

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Question/task: **TAKING IT FORWARD [SHEET 1]**

**EXTEND IT TO THOSE ORGANISATIONS
NOT HERE TODAY**

TAKE IT BACK TO OUR ORGANISATIONS

'KEEP THE POT BOILING'

**EDUCATION - TRAINING - GOOD PRACTICE
EXAMPLES**

**CONSENSUS APPROACH PERMITS
GRADUAL CHANGE**

**TRADITIONAL CONSULTATION DOES NOT
PERMIT SOLUTIONS UNTIL FINAL
CONCLUSION**

**CONSENSUS APPROACHES VARY
BETWEEN COMMERCIAL & VOLUNTARY
GROUPS**

**NOT TO BE USED IN PLACE OF
TRADITIONAL CONSULTATION ON ALL
OCCASIONS**

**CAN ONLY BE APPLIED TO 'WEIGHTY'
SUBJECTS**

**IF IT AIN'T BROKE DON'T LOOK FOR
ANOTHER FIX**

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Question/task: **TAKING THIS FORWARD [SHEET 2]**

**START TALKING AND START LISTENING -
GET TO KNOW PEOPLE**

**REPORT BACK TO YOUR SENIOR
MANAGEMENT TEAM**

**ENTHUSE AND MOTIVATE - WRITE AN
ARTICLE FOR MY CLUB/ASSOCIATION
MAGAZINE**

**EARLY INVOLVEMENT LEADS TO
REFLECTION BEFORE DECISIONS ARE
TAKEN**

TAKE THE RISK!

**CHAMPION CONSENSUS WORKING
METHODS**

ACKNOWLEDGE OTHER VIEWS

LOOK FOR POSITIVE INTENTIONS

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Question/task: TAKING IT FORWARD [SHEET 3]

CONVINCE OTHERS TO ADOPT
CONSENSUS METHODS

SELL THE BENEFITS

MAINTAIN DIRECTION

OPEN MINDED ATTITUDE

WHOLE/PART/WHOLE APPROACH

PRACTICE MAKES **PERFECT**

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Question/task: AFTERNOON PLENARY: MISCELLANEOUS ISSUES

RANGER SERVICES - CONSIDER AS ENVIRONMENTAL MEDIATOR.
ASK THE COUNTRYSIDE AGENCY TO GRANT-AID TRAINING, ESPECIALLY FOR COUNTRYSIDE STAFF AND USER GROUPS.
NEW METHODS CAN BE TOO RADICAL - CURRENT METHODS MAY BE BEST?
CONSENSUS ADDS VALUE TO THE STATUTORY PROCESS.
CONSENSUS CAN BE A DISARMING APPROACH WHERE PROBLEMS CAN BE ANTICIPATED.
LOCAL PRESS INVOLVEMENT? - RISK STIRRING IT?
WHEN TO INTEREST THE MEDIA?
IN THE PAST, CONSULTATION HAS NOT BEEN WELL DESIGNED.
CONSENSUS CAN BE BEFORE CONSULTATION.
FACTS AND FIGURES NEEDED - INCORPORATE TESTS, EXPERIMENTS, INTO THE PROCESS.
SOMETIMES AGREE TO 'PARK' THE ISSUE UNTIL THE EXPERIMENT IS OVER.
VERY DIFFICULT TO QUANTIFY SUCCESS?
ESTABLISH FAITH IN THE PROCESS.

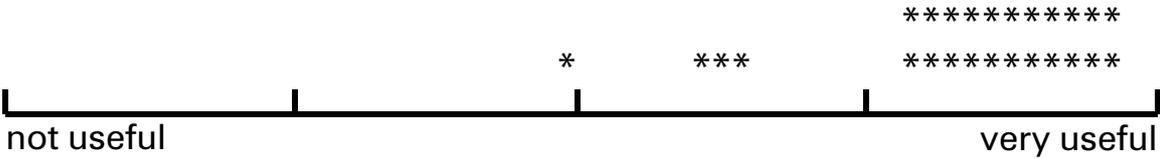
OPPORTUNITIES:

USE PEOPLE AS AN ALLY.
BRING PEOPLE TOGETHER.
RECOGNISE MUTUAL BENEFITS.
GIVE PEOPLE A 'GET OUT' - DON'T CORNER THEM.

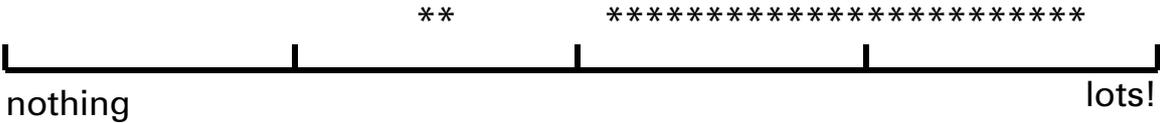
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EVALUATION

How did you find this method of working?



How much did you learn today?



Are you likely to use consensus process in the future?

